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AB-739 Common interest developments: managing agents: real estate broker license. (2025-2026)

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 739

Introduced by Assembly Member Jackson

February 18, 2025

An act to add Section 5378 to the Civil Code, relating to common interest developments.

LEGISLATIVE COUNSEL'S DIGEST

AB 739, as introduced, Jackson. Common interest developments: managing agents: real estate broker license.

Existing law, the Davis-Stirling Common Interest Development Act, governs the formation and operation of common interest developments, and requires a common interest development to be managed by an association, as specified. Existing law, unless otherwise provided by the governing documents, authorizes the board of directors of the association to hire a managing agent, defined as a person who, for compensation or in expectation of compensation, exercises control over the assets of a common interest development. Existing law requires a prospective managing agent to make certain disclosures to the board, including whether or not the prospective managing agent currently holds any relevant licenses, including a real estate license, or any relevant professional certifications or designations, as specified.

Existing law, the Real Estate Law, establishes the Department of Real Estate and sets forth its powers and duties regarding, among other things, the licensure and regulation of real estate brokers. That law generally defines a real estate broker as a person who, for compensation, assists with buying, selling, or renting real property, as specified.

This bill would require a managing agent of a common interest development to hold a real estate broker license issued by the state.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 5378 is added to the Civil Code, to read:

5378. A managing agent of a common interest development shall hold a real estate broker license issued by this state.