



NATIONAL REAL ESTATE REFERRAL GROUP
175 PARK AVENUE
MADISON, NJ 07940
(800) 533-7996 BUSINESS
(973) 387-4800 FAX

WHAT TO DO IF YOU DECIDE TO CHANGE YOUR LICENSE TYPE

To find out how long you've been licensed as a "Referral Agent":

- Please contact the State of NJ Real Estate Commission at 609-292-7272 to verify how long you have held the "Referral Agent" license type

Continuing Education **REQUIRED** by the NJ Real Estate Commission:

- Please refer to the enclosed NJ REC Continuing Education sheet for specific details based on length of "Referral Agent" licensure
- Completion of applicable CE credits and copies of CE certificate are required before NRERG is permitted to submit your application for license type change to the NJ REC
- To find CE classes: go to <https://njrece.psiexams.com> and click on **Search Courses**

Send the following Completed Forms to NRERG at 175 Park Avenue, Madison, NJ 07940:

- NJ REC license type change documents (Pages 3 and 4)
- Submit **Certified Check or Money Order** for the NJREC Change of Status fee of \$50 *payable to State Treasurer of NJ*
- Proof of completed NJREC required Continuing Education hours
- NRERG License Certification (Page 5)

This document contains suggestions and best practices that you may use at your discretion. Nothing in this document is intended to create an employment relationship. Any affiliation by you with the company is intended to be that of an independent contractor sales associate.

NJREC CONTINUING EDUCATION (CE) CREDIT HOURS REQUIRED TO CHANGE LICENSE TYPE FROM REFERRAL AGENT (RA) TO OTHER NJ LICENSE TYPES: BROKER (BR), BROKER-SALESPERSON (BR-SP), SALESPERSON (SP)

THE REFERRAL AGENT LICENSE TYPE BECAME EFFECTIVE AS OF JULY 01, 2011

<i>A licensed referral agent who "was not previously licensed" as a broker, broker-salesperson or salesperson and who has been licensed as a referral agent:</i>	
11:5-3.15(a)	Less than 1 year
11:5-3.15(b)	Between 1 year and 6 years
11:5-3.15(c)	More than 6 immediately preceding years

Shall be eligible for licensure as a salesperson without being required to complete any CE.

Immediately preceding making application for a change of status to that of a licensed salesperson shall, in order to qualify for licensure as a salesperson complete 24 hours of CE, all of which shall be in core topics as set forth in N.J.A.C. 11:5-12.4. The 24 hours of CE shall be completed within the 2 years immediately preceding application for licensure as a salesperson.

Shall, in order to qualify for licensure as a salesperson, be required to complete the pre-licensure education requirement applicable to salespersons and to pass the (NJ) State license examinations for salespersons. (NO CE REQUIRED)

<i>A licensed referral agent who "was previously licensed" as a broker, broker-salesperson or salesperson who has been licensed as a referral agent for the 6 immediately preceding years or any lesser period shall, in order to qualify for reissuance of a broker, broker-salesperson or salesperson or salesperson license, complete the hours of continuing education as set forth in N.J.A.C. 11:5-12.4 below:</i>	
11:5-3.15(d) 1.	Less than 3 years
11:5-3.15(d) 2.	More than 3 years, but less than 6 years
11:5-3.15(d) 3.	Less than 3 years
11:5-3.15(d) 4.	3 years or more, but less than 6 years
11:5-3.15(e)	More than 6 immediately preceding years

To qualify for re-licensure as a salesperson, a person who has been licensed as a referral agent shall complete 12 HOURS of CE all of which shall be in core topics within the 2 years immediately preceding application.

To qualify for re-licensure as a salesperson, a person who has been licensed as a referral agent shall complete 18 HOURS of continuing education within 2 years immediately preceding application, all of which shall be in core topics.

To qualify for re-licensure as a broker, or broker-salesperson, a person who has been licensed as a referral agent shall complete 18 HOURS of CE all of which shall be in core topics within the 2 years immediately preceding application.

To qualify for re-licensure as a broker, or broker-salesperson, a person who has been licensed as a referral agent shall complete 24 HOURS of CE within the 2 years immediately preceding application, all of which shall be in core topics.

A licensed referral agent who was previously licensed as a broker, broker-salesperson or salesperson who has been licensed as a referral agent, in order to qualify for a re-licensure as a broker, broker-salesperson or salesperson, complete 30 HOURS of CE, 24 HOURS of which shall be in core topics AND shall pass the broker's, or salesperson's license examination, as applicable.

TO BE COMPLETED – ALL QUESTIONS MUST BE ANSWERED

YES NO

- 1. With the exception of motor vehicle violations, since your last New Jersey Real Estate License was last issued or renewed have you been convicted of a crime, misdemeanor, disorderly persons offense in the State of New Jersey, any other state or by the federal government, or are you presently on probation or parole?
2. Is there a criminal complaint, disorderly persons charge, a criminal accusation or criminal information presently pending against you or are you presently under indictment in New Jersey, or any other State or by the federal government, or are you presently enrolled in New Jersey's Pre-Trial (PTI) program or any similar State or Federal program involving the deferral of the disposition or sentencing in a criminal matter?
3. Have you ever had a real estate or other professional license, certification or similar credential revoked, suspended, surrendered in lieu of formal prosecution, or denied in New Jersey or any other state?
4. Do you have a child support obligation on which there is an arrearage due that equals or exceeds the amount of child support payable for six months, or are you the subject of a child support related warrant, or during the past six (6) months have you failed to provide any court-ordered health care coverage, or have you failed to respond to a subpoena relating to a paternity or child support proceeding?
5. Are you UNDER the age of 18 at the time of signing this application?
6. Are you currently licensed or were you previously licensed by the Real Estate Commission? If "yes", give date of last licensure and the name of previous employing broker/company.

Grid of checkboxes for YES/NO answers to questions 1-6.

Date Name of Corporation, Employing Broker or Partnership

- 7. Are you a high school graduate or the holder of a G.E.D.?
8. Do you currently hold a real estate license issued by another state? If "yes", indicate the state(s) below.
9. I have completed the continuing education credits required to reinstate my license.

Grid of checkboxes for YES/NO answers to questions 7-9.

If the answers to questions 1 through 4 above is "yes", give particulars below, including a copy of any indictment, judgment of conviction or order or revocation/suspension. If particulars & copies previously supplied or if applicant was reinstated by order of New Jersey Real Estate Commission, check this box ->

UNDER PENALTY OF PERJURY,

I hereby certify that: the information on all sides of this application is true and correct; the New Jersey Real Estate Commission may rely on its truthfulness in considering this application; I am a citizen of the U.S. or legally present in the U.S.; I have completed the continuing education credits required to re-instate my license, and a written employment agreement, as required by N.J.A.C. 11:5-4.1, has been completed and that I have a copy of that signed agreement in my possession. Making a false statement regarding a child support, paternity or court ordered health care coverage matter may subject you to contempt of court.

Form fields for applicant information: PRINT NAME OF APPLICANT, LICENSE NUMBER OF CORPORATION, PARTNERSHIP OR EMPLOYING BROKER, (IF KNOWN), SIGNATURE OF APPLICANT, BUSINESS ADDRESS OF CORPORATION, PARTNERSHIP OR EMPLOYING BROKER (STREET), NAME OF CORPORATION, PARTNERSHIP, OR EMPLOYING BROKER, BUSINESS ADDRESS OF CORPORATION, PARTNERSHIP OR EMPLOYING BROKER (STREET OR P.O. BOX), NAME OF CORPORATION, PARTNERSHIP, OR EMPLOYING BROKER (CONTINUED), BUSINESS ADDRESS OF CORPORATION, PARTNERSHIP OR EMPLOYING BROKER (SUITE NO., ROOM NO.), REGISTERED TRADE NAME OF EMPLOYING BROKER, OR PARTNERSHIP OR FICTITIOUS NAME OF CORPORATION (IF ANY), BUSINESS CITY, STATE, ZIP CODE, REGISTERED TRADE NAME OR FICTITIOUS NAME (IF ANY) CONTINUED, BUSINESS COUNTY, BUSINESS TELEPHONE #.

I hereby certify that: the applicant is authorized to apply for a license under my supervision, I am not aware of any information which reflects adversely upon his/her good moral character. (If broker is aware of such information, attach a separate letter providing details.)

I further certify that: the information provided on this application is true and correct; the New Jersey Real Estate Commission may rely on its truthfulness in considering this application; a written employment agreement, as required by N.J.A.C. 11:5-4.1 has been completed and that I have a copy of the signed agreement in my possession; and that in the case of an application to reinstate an unexpired license, the applicant has presented a birth certificate or U.S. passport establishing his/her U.S. Citizenship or an INS Form I-551 (Green Card) establishing their legal presence in the U.S.

I am aware that this applicant is PROHIBITED BY LAW from engaging in any brokerage activity, unless and until he/she is authorized to do so by the New Jersey Real Estate Commission.

Form fields for broker information: PRINT NAME OF EMPLOYING BROKER, BROKER OF RECORD OR HOLDER OF POWER OF ATTORNEY FILED WITH THE NEW JERSEY REAL ESTATE COMMISSION, SIGNATURE OF EMPLOYING BROKER, BROKER OF RECORD OR HOLDER OF POWER OF ATTORNEY FILED WITH THE NEW JERSEY REAL ESTATE COMMISSION, DATE.

NATIONAL REAL ESTATE REFERRAL GROUP LICENSEE
CERTIFICATION

I certify that I have reviewed the restrictions annexed hereto upon my activity as a licensee affiliated with National Real Estate Referral Group and understand that pursuant to my brokers policy, I am limited to referring prospects for brokerage services to my broker or his/her designee. These restrictions apply regardless of my license type (referral agent, salesperson, broker-salesperson or broker) held.

Applicant's Name – Print

Applicant's Signature

Date

I certify that I, or a member of my staff, have reviewed with the applicant named above the restrictions imposed by N.J.S.A 45:15-3 upon his/her real estate brokerage activity and the he/she has acknowledged that such activity is limited to referring prospects to me or my designee.

Broker's Name – Print

Broker's Signature

RESTRICTIONS UPON BROKERAGE ACTIVITIES OF REFERRAL AGENTS

On January 16, 2010, P.L. 2009, c. 238 (the “Act”) was signed into law. The Act amended the Real Estate Brokers and Salespersons law to require real estate brokers, broker-salespersons and salespersons to complete continuing education courses as a condition to the biennial renewal of their licenses, and created the new license category of referral agent. Pursuant to N.J.S.A. 45:15-3 as amended by the Act, a referral agent is defined as a natural person whose brokerage-related activities are limited to referring prospects for the sale, purchase, exchange, leasing or rental of real estate to the broker through whom they are licensed. The Commission’s proposal of new and amended rules on referral agents will be published in the New Jersey Register and posted on the Department’s website on August 1, 2011, with a 60 day comment period to follow. One of the proposed new rules reflects the Commission’s construction of the statutory restriction upon the brokerage-related activity of referral agent licensees. The proposed rule lists the limitations upon brokerage activities of referral agents and specific examples of brokerage activity in which referral agents may not engage. That proposed rule states:

11:5-6.10 Referral Agents

(a) A licensed referral agent’s real estate brokerage-related activities shall be limited to:

- 1. Directing prospects to websites and other sources of information on real estate matters generally available to the general public; and**
- 2. Referring prospects for the sale, purchase, exchange, leasing or rental of real estate to the real estate broker through whom they are licensed as a referral agent.**

(b) A referral agent shall not be employed by or licensed with more than one real estate broker at any given time.

(c) No person shall be simultaneously licensed as a referral agent and a real estate broker, broker-salesperson or a salesperson in this state.

(d) Referral agents shall not engage in prohibited brokerage activity for their broker or for others, and shall not receive compensation from their broker or any other person for engaging in prohibited brokerage activity. For the purposes of this rule, prohibited brokerage activity includes, but is not limited to the following:

- 1. Negotiating the purchase, sale, or exchange of an interest in real estate;**
- 2. Leasing or renting or offering to lease or rent any interest in real estate;**
- 3. Collecting rents for the use of real estate or any other monies;**
- 4. Negotiating commissions or compensation rates and otherwise negotiating or signing listing or buyer-brokerage agreements;**
- 5. Negotiating or signing contracts of sale or leases of real estate;**
- 6. Accepting any funds of others to be held by a real estate broker acting in that capacity or as escrow agent or as the temporary custodian of the funds of others in a real estate transaction;**
- 7. Conducting a public or private competitive sale of land or any interest in lands;**

- 8. Negotiating, assisting in, or directing, the closing of any transaction which results or is contemplated to result in the sale, exchange, leasing, renting or auctioning of any real estate;**
- 9. Negotiating, offering, attempting to, or agreeing to negotiate a loan secured or to be secured by a mortgage or other encumbrance upon or transfer of any real estate;**
- 10. Conducting showings or open house presentations of properties;**
- 11. Participating in expositions, marketing shows or other presentations where information on specific properties or real estate interests marketed through a common promotional plan, including but not limited to planned unit developments, is provided to the public;**
- 12. Providing information on listings, either in person, or through electronic communication including telephone and the internet, beyond the information which referral agents are permitted to provide with respect to websites and other sources of information as referenced in (a) above; and**
- 13. Producing or presenting comparative market analyses or similar studies of real estate.**

Until such time as the proposed rules are formally adopted, brokers and referral agent licensees should be guided by these provisions with respect to the permissible and prohibited brokerage activities of referral agents.