

**Short Title: Broker Home Office**

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under ARS 41-1033 for a review of the statement.

**Description of Practice/Procedure:** This policy is to describe the circumstances when the Department will not require compliance with the signage requirement.

Some brokers retain their licenses on active status but do little or no real estate related activity and do not maintain an office outside their home. A.R.S. § 32-2126(B) provides, in part, that “Each designated broker and, if applicable, each employing broker shall cause a sign to be affixed at the entrance to the broker’s place of business, in a place and position clearly visible to all entering the place of business, with the name of the broker, the name under which the broker is doing business if other than the broker’s given name, ...”

The Department will not consider a broker to be in violation of the signage requirement under the provisions of A.R.S. § 32-2126(B) when the broker:

- maintains a home office in the broker’s PRIMARY RESIDENCE,
- handles FEWER THAN 3 transactions a year (0, 1, or 2), and
- has no real estate related employees (licensed or unlicensed)

The broker shall clearly and obviously display the broker’s real estate license in the home office, and comply with all other applicable statutory and rule requirements to hold a broker’s license.

**Authority:** A.R.S. § 32-2102 provides that the Department of Real Estate, under the direction of the Real Estate Commissioner, shall administer Title 32, Chapter 20, Ariz. Rev. Stat.

**Policy Program:** Licensing/Enforcement/Auditing

**Effective Date:** December 28, 2005