

DRE LICENSE NUMBER MUST BE ON SOLICITATION MATERIALS

The California Department of Real Estate (DRE) has recently adopted a new regulation clarifying the law that requires DRE license numbers on business cards and all other solicitation materials intended to be the first point of contact with consumers. The licensing law came into effect on July 1, 2009 as we previously reported.

Under the new section 2773 regulation adopted by the DRE, the solicitation materials that must contain the license identification number include the following items:

- *Business cards;
- *Stationery;
- *Websites owned, controlled, and/or maintained by the soliciting real estate license; and
- *Promotional and advertising flyers, brochures, email and regular mail, leaflets, and any other marketing or promotional materials designed to solicit the creation of a professional relationship between the licensee and a consumer, or intended to induce a consumer to contact the licensee about any licensed services.

DRE's new regulation also states that the following items are not solicitation materials under the license number requirement:

- *Advertisements in electronic media, including radio, cinema, and television ads, and the opening section of streaming video and audio;
- *Print advertising in any newspaper or periodical; and
- *"For Sale" signs placed on or around a property intended to alert the public the property is available for purchase or lease.

The eight-digit DRE license number must be in a type size no smaller than the smallest type size used in the solicitation material. If the name of more than one licensee appears in the solicitation, then each person's license number must be disclosed. However, the license number of employing brokers or corporate brokers whose names, logos, or trademarks appear on solicitation materials along with the names and license numbers of licensed employees or broker-associates, need not appear on those materials.

In addition to solicitation materials, a licensee's DRE license number must also be disclosed on real property purchase agreements when the licensee is acting as an agent in those transactions. C.A.R.'s standard form purchase agreements already conform to this new requirement.

Sources: California Business & Professions Code section 10140.6 (filed September 25, 2008); Section 2773 of Title 10 of the California Code of Regulation (filing with the Secretary of State still pending).