

TITLE 10. CALIFORNIA DEPARTMENT OF REAL ESTATE

NOTICE OF HEARING BY THE REAL ESTATE COMMISSIONER: ANNUAL FEE REVIEW – REQUIRED BY STATUTE

Real Estate Commissioner Chika Sunquist proposes to consider whether the fees charged by the Department of Real Estate (“DRE”) should be lower than the maximum amount allowed pursuant to California Business and Professions Code (“the Code”) Sections 10209.5, 10210, 10214.5, 10215, 10250.3 and 11011. The Commissioner’s consideration will include all comments, objections and recommendations regarding such fees.

PUBLIC HEARING ANNOUNCEMENT

Sections 10226 and 11011 of the Code require, among other things, that at least one regulation hearing be held each calendar year to determine if fees lower than those authorized under Section 10226.5 (b) of the Code should be prescribed. The hearing referred to below shall serve as the regulation hearing for the purpose of satisfying the requirement of Sections 10226(a) and 11011(a) of the Code. DRE may present, at this hearing, relevant data compiled by the DRE, and other sources, if appropriate, that have been used or which may be used in making the determination if fees should be lower. There is no proposal to adopt, amend and/or repeal any sections of the California Code of Regulations (CCR) at this time. However, DRE is developing a proposal following the statutory adjustment of fees pursuant to SB 164 (Committee on State Budget and Fiscal Review, Chapter 41, Statutes of 2024) (“SB 164”) that may be published for public comment before this hearing is scheduled. The Commissioner wishes to consider all comments, objections and recommendations regarding such fees.

Pursuant to recent amendments to Sections 10226(a) and 11011(a), on November 22, 2024, DRE will post on its website a report on the financial status of the department, including the revenues, expenditures, and reserves as of the end of the 2023-24 fiscal year.

DRE will hold a public hearing starting at 10:00 a.m., on Tuesday, December 17, 2024, at the DRE’s Sacramento Office, located at 651 Bannon Street, Sacramento, California. The hearing room is wheelchair accessible. As in the report posted to the website in November, DRE will report on the financial status of the department, including the revenues, expenditures, and reserves as of the end of the 2023-24 fiscal year. At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action. It is requested, but not required, that persons making oral comments at the hearing submit a written copy of their testimony.

DRE is also making this year's hearing available online through Microsoft Teams. Contact DRE's contact person via the channels listed below for an email invitation to the event.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to DRE's fee structure. The written comment period closes on December 17, 2024. All written comments must be received by 5:00 p.m. on that date at DRE's Sacramento Office as follows:

Daniel E. Kehew, Real Estate Counsel
California Department of Real Estate
651 Bannon Street, Suite 507
Sacramento, CA 95811
Email: DRE.RegComments@dre.ca.gov
Telephone: (916) 737-4391

Backup contact person for this proposed action is James B. Damrell at (916) 737-4386.

DRE will mail or deliver a copy of this Hearing Notice by the Commissioner to DRE's list of interested persons including:

1. Every person who has filed a Request for Notice of Regulatory Action with DRE.
2. The Secretary of the Business, Consumer Services and Housing Agency.
3. A substantial number of real estate brokers. They are predominantly small businesses, some of which may be affected by any fee adjustment. DRE has no way of knowing which licensees are small businesses.
4. The California Association of Realtors (a real estate licensee trade organization) and the California Building Industry Association (a home builders trade organization).
5. A substantial number of land developers. Not small businesses by definition, they may, nevertheless, be affected by any fee adjustment.

DATED: November 1, 2024

(Signed)

Daniel E. Kehew
Real Estate Counsel