



TEXAS REAL ESTATE COMMISSION

P.O. Box 12188

Austin, Texas 78711-2188

www.trec.texas.gov (512) 936-3000

APPLICATION FOR EASEMENT OR RIGHT-OF-WAY REGISTRATION BY A BUSINESS

(PLEASE READ ALL INFORMATION CAREFULLY)

The Real Estate License Act requires a business entity (corporation, LLC or partnership) to be registered as an easement or right-of-way business if the business entity provides easement or right-of-way services. The attached form may be used by a business entity in applying for a business registration.

A corporation is required to designate one of its officers to act for it. An LLC is required to designate a manager to act for it. A general partner of a partnership is required to be designated to act for it. For the application to be approved and a license issued, the designated officer, manager or partner must be individually registered as an active easement or right-of-way agent and will have the authority to act as an easement or right-of-way agent on behalf of the business entity.

Fingerprints for this license will be required from the designated easement or right-of-way agent for the business entity. An applicant who has not been previously fingerprinted for TREC must pay a fee to DPS to get fingerprinted and go through a criminal history background check. **Each registrant is required by law to have fingerprints on file with the Department of Public Safety (DPS) for TREC. Fingerprints on file for other agencies will not be accepted.** The registration will issue once all requirements are met and TREC receives confirmation from DPS that the applicant's fingerprints are on file. The applicant will be required to pay a fee for a background check with each renewal. For additional information regarding fingerprinting requirements, including scheduling an appointment, please visit www.trec.texas.gov. The digital fingerprinting process may take up to 10 days, so plan accordingly. An applicant must pay a registration fee AND a fingerprint fee.

If an applicant has been previously fingerprinted for TREC, additional prints are not required. However, the applicant must pay a subsequent background check fee with the application. An applicant must complete fingerprint requirements within one year after the date the application is filed with TREC or the application will terminate.

| | |
|---|-----------------|
| Easement or Right-of-Way Registration Fee | \$200.00 |
| Texas A&M Fee | \$40.00 |
| Recovery Fund Fee | \$50.00 |
| TOTAL FEE | \$290.00 |

ALL FEES LISTED ABOVE ARE NONREFUNDABLE

ALL REQUIRED FEES MUST BE SUBMITTED WITH THE APPLICATION. AN APPLICATION SUBMITTED WITHOUT THE APPROPRIATE FEES WILL BE REJECTED AND RETURNED. All fees should be paid by **CASHIERS CHECK, PERSONAL CHECK OR MONEY ORDER** payable to the Texas Real Estate Commission. **DO NOT PAY WITH CASH.**



Texas Real Estate Commission

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APPLICATION FOR:

EASEMENT OR RIGHT-OF-WAY AGENT REGISTRATION FOR A BUSINESS

| FEE | RECEIPT NUMBER | AMOUNT | MONEY TYPE | App# | File# |
|-----------------|----------------|----------|------------|----------|---------------|
| Application Fee | | \$290.00 | | Entity # | Registration# |

DO NOT WRITE ABOVE THIS LINE

ALL INFORMATION MUST BE TYPED OR PRINTED IN INK

1. Business Name _____

2. Business Employer Identification Number _____

3. Comptroller Payee Identification Number if no number, write (NONE) _____

4. Business Type (check one) ☐ Corporation ☐ Limited Liability Company ☐ Partnership
☐ Other _____

Corporations and Limited Liability Companies must include a current Franchise Tax Account Status issued by the Comptroller.

5. Mailing Address _____
(Required)

City _____ State _____ Zip Code _____

Phone _____

E-mail _____

6. Business (fixed office)

Physical Address

CANNOT BE A P.O. BOX

(Required)

City _____ State _____ Zip Code _____

Phone _____

E-mail _____

7. Has the business or its designated agent ever been registered or licensed by the Texas Real Estate Commission? ☐ Yes ☐ No

If the answer is YES, fill in the appropriate information below.

Registration or License
Expiration Date

Registration or
License Type

Registration or
License #

Exact Name in Which Registration or License Was Issued

Questions eight (8) through eleven (11) are to be answered by checking one choice; Yes or No. If the answer to any of these questions is YES, you must complete the applicable sections of the Background History Form located at <https://www.trec.texas.gov/forms/background-history-form>.

8. (a) Has the business or its designated agent ever had an application for a registration or license disapproved or denied by the Texas Real Estate Commission? ☐ Yes ☐ No
- (b) Has the business or its designated agent ever had a registration or license issued by the Texas Real Estate Commission suspended, canceled, or revoked or ever surrendered such a registration or license? ☐ Yes ☐ No
- (c) Are there any disciplinary hearings or investigations pending against any license or registration issued by the Texas Real Estate Commission which the business or its designated agent holds? ☐ Yes ☐ No

If the answer to (a), (b), or (c) is YES, you must complete the applicable sections of the Background History Form located at <https://www.trec.texas.gov/forms/background-history-form>.

9. Are there any unpaid judgments against the business or its designated agent relating to an easement or right-of-way transaction in the State of Texas? ☐ Yes ☐ No

If the answer is YES, you must complete the applicable sections of the Background History Form located at <https://www.trec.texas.gov/forms/background-history-form>.

10. (a) Has the business or its designated agent ever been convicted of a criminal offense? (Include all felonies and misdemeanors other than minor traffic tickets.) ☐ Yes ☐ No
- (b) Has the business or its designated agent ever been placed on parole, probation or community supervision (also known as deferred adjudication) regardless of whether the case was dismissed or you were discharged? ☐ Yes ☐ No
- (c) Are there any criminal charges pending against the business or its designated agent? ☐ Yes ☐ No

If the answer to (a), (b), or (c) is YES, you must complete the applicable sections of the Background History Form located at <https://www.trec.texas.gov/forms/background-history-form>.

11. Since January 1, 1998, has the business or its designated agent performed any services for which a real estate license or a registration was required in this state at a time when you were not properly registered or licensed? (Include all periods in which the business or its designated officer or manager acted either before registering or obtaining a license or after a license or registration may have expired.) ☐ Yes ☐ No

If the answer is YES, you must complete the applicable sections of the Background History Form located at <https://www.trec.texas.gov/forms/background-history-form>.

12. Business Name(s) to be assumed (if any) _____

13. Full Name of Designated Agent _____
(must be a current ERW Registrant)

14. Office held (must be officer for corporation, manager for LLC or general partner for partnership) _____

15. Designated Agent's Texas Easement or Right-of-Way Agent Registration Number _____

CERTIFICATION

I certify that the information reflected in this application is true and correct to the best of my knowledge. I further certify that the business has complied with all statutes, rules and regulations required of it to conduct business in this state. I authorize the Texas Real Estate Commission to conduct an investigation of matters reasonably related to compliance with the registration requirements of The Real Estate License Act. I understand that information revealed in an investigation may be cause for disapproval of the application even though other requirements for a registration have been met. I further understand that information submitted in conjunction with this application may be subject to public disclosure or inspection in accordance with the Public Information Act (Chapter 552, Government Code). If granted a registration the business will abide by the provisions of The Real Estate License Act and the Rules of the Texas Real Estate Commission.

THE BUSINESS WILL NOT PERFORM ANY ACT FOR WHICH AN EASEMENT OR RIGHT-OF-WAY REGISTRATION IS REQUIRED UNTIL A REGISTRATION CERTIFICATE HAS BEEN ISSUED TO IT BY THE TEXAS REAL ESTATE COMMISSION.

Date Signed

Signature of Designated Agent

Printed Name of Designated Agent