

State Licensing

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Which states require a real estate license?

Every state requires a real estate license for the sale of real estate, or real property – or, in fact, any interest in real property. The states that don't require licensure for the sale of a business generally take the position that the lease is incidental to the sale of the business, or that the fee is not based on the transfer of the lease. Unlicensed business brokers in these states are not supposed to be involved in the lease, even the assignment of it.

The following list can change on a moment's notice, but as of this writing, these states are the ones that, in our opinion, require a real estate license for the sale of a business.

- Alaska
- Arizona
- California
- Colorado
- Florida
- Georgia
- Idaho
- Illinois (Illinois does not actually require a license, but registration with the state securities commission is necessary.)
- Minnesota
- Nebraska
- Nevada
- Oregon
- South Dakota
- Utah
- Washington
- Wisconsin
- Wyoming

The following states don't currently require a license, but are on our watch list:

- Hawaii
- Kentucky
- Michigan (Michigan recently required a real estate license, but a court case nullified it and the legislature might feel that they should act and require licensing for the sale of a business.)