person to engage in the business of, act
in the capacity of, advertise or assume to
act as a real estate broker or real estate
salesperson within this state without first
obtaining a real estate license from DRE.
A "real estate broker," as defined in sec-
tion 10131, includes a person who, for
compensation or in expectation of com-
ensation, regardless of the form or time
of payment, does or negotiates to do one
or more of the following acts for another
or others:

- sells or offers to sell, buys or offers to
  buy, solicits prospective sellers or pur-
  chasers of, solicits or obtains listings of,
or negotiates the purchase, sale, or ex-
  change of real property or a business op-
  portunity;

- leases or rents or offers to lease or
  rent, or places for rent, or solicits listings
  of places for rent, or solicits for prospec-
tive tenants, or negotiates the sale, pur-
  chase, or exchange of leases on real prop-
  erty, or on a business opportunity, or col-
llects rents from real property, or im-
provements thereon, or from business op-
portunities;

- assists or offers to assist in filing an
  application for the purchase or lease of,
or in locating or entering upon, lands owned
by the state or federal government;

- solicits borrowers or lenders for or
  negotiates loans or collects payments or
performs services for borrowers, lenders,
or note owners in connection with loans
secured directly or collaterally by liens on
real property or on a business opportunity;
or

- sells or offers to sell, buys or offers to
  buy, or exchanges or offers to exchange a
real property sales contract, or a promis-
sory note secured directly or collaterally
by a lien on real property or on a business
opportunity, and performs services for the
holders thereof.

The Attorney General noted that a real
estate broker may not compensate an un-
licensed person to perform acts for which
a license is required. In determining
whether a real estate broker, acting as a
mortgage broker in performing the ser-
\[...\]