

**DECISION
OF THE GOVERNMENT OF THE RUSSIAN FEDERATION
NO. 1407 OF NOVEMBER 23, 1996
ON THE APPROVAL OF THE REGULATIONS ON LICENSING REALTOR ACTIVITIES**

Decision of the Government of the Russian Federation No. 302 of May 8, 2002 abolished this Decision

The Government of the Russian Federation hereby resolves:
To approve the attached Regulations on Licensing Realtor Activities.

Chairman of the Government
of the Russian Federation

V.Chernomyrdin

Appendix

**REGULATIONS
ON LICENSING REALTOR ACTIVITIES
(Approved by the Decision of the Government of the Russian Federation
No. 1407 of November 23, 1996)**

Federal Law No. 128-FZ of August 8, 2001, which shall come into force six months after its official publication, does not stipulate licensing realtor activities

These Regulations shall be applicable in the part not contrary to the Federal Law No. 158-FZ of September 25, 1998 on the Licensing of Certain Types of Activities

1. The present Regulations set forth the procedure, terms and conditions for the issuance to legal entities with no regard to the organisational and legal form thereof as well as to natural persons pursuing entrepreneurial activities without setting up a legal entity (individual entrepreneurs) of the licenses for the pursuance of realtor activities.

2. "The realtor activities" for the purposes of the present Regulations shall be understood as the activities performed by legal entities and individual entrepreneurs under an agreement with a person/entity (or by proxy) concerned for the execution on his/her behalf and at his/her expense or on his/her behalf but at the expense and for the benefit of a person concerned of civil legal deals in tracts of land, buildings, structures, installations, housing and non-housing premises and the rights thereto. Services for valuation of real property shall not be deemed realtor activities.

3. The present Regulations shall not extend to:
the officials of executive authorities taking part in sale of real property in accordance with the legislation of the Russian Federation;
persons organizing sale of real property in accordance with decisions of the executive authorities, local authorities or courts.

4. Licensing of realtor activities shall be carried on by the executive authority organs of the subjects of the Russian Federation as determined by authorized organs of the state power of the subjects of the Russian Federation (hereinafter referred to as "the licensor").

5. To obtain the license an applicant shall submit to the licensor the following:
a) application for the license including indication:
for legal entities - name and organisational and legal form, legal address, number of settlement account and respective bank;
for individual entrepreneurs - full name, passport information (series, number, by what organisation and when has been issued), residence location;
kind of activities;
license effective term;

b) copies of constituent documents (if not attested by notary public - originals shall be produced);

c) copy of the state registration certificate of the legal entity;

d) certificate from the tax organ certifying registration or the state registration certificate certifying registration of the natural person as an individual entrepreneur, with the stamp of the tax organ;

e) information on the licenses for realtor activities received earlier;

f) information to confirm that the specialists pursuing realtor activities have the knowledge and working experience in the such field in accordance with the methodological recommendations endorsed in accordance with the established procedure by the State Property Management Committee of the Russian Federation;

g) document confirming the payment having been made for the consideration of the application.

The said documents shall be accepted with a list thereof made and they shall be registered by the licensor. One copy of the list shall be issued to the applicant and the second one shall remain with the licensor.

No documents except as provided in the present Regulations shall be required to be submitted by the applicant.

6. Consideration of an application on issuance of license shall be paid in amount of three minimum wages.

7. The Decision to grant or deny the license shall be taken within 30 days from the date of receipt of the application with all the necessary documents.

Should an additional expert examination including independent examination be needed the decision shall be taken within 15 days from the date of receipt of the expert statement but at the latest 60 days from the date of receipt of the application with all the necessary documents.

In specific cases depending on the complexity and the volume of the materials subject to expert examination the head of the licensor organ may extend the term of the decision taking for the granting or denying the license additionally to up to 30 days.

8. A charge of 100 minimal wage/salary rates shall be collected for the issuance of the license.

The license shall be issued against the document confirming that the payment has been made for the issuance of the license.

Payment for the consideration of the application and for the issuance of the license shall be entered as revenue to the budget at the expense of which the licensor is being maintained.

9. The license forms have the protection level of a bearer security, registration series, number and are deemed strict registration documents. Acquisition, recording and custody of the license forms shall be the responsibility of the licensor.

10. The following shall be indicated in the license for the right to pursue realtor activities:

name of the licensor;

for legal entities - name and legal address;

for individual entrepreneurs - full name, passport information (series, number, by what organisation and when has been issued), residence location;

kind of activities for the pursuance of which the license is being issued;

terms and conditions for the pursuance of the realtor activities;

license effective term;

license registration number;

license issue date and location.

11. The licensor shall keep a register of the issued, registered, suspended and cancelled licenses. The following shall be included in the register:

information contained in the issued licenses;

information of prolongation, suspension and cancellation of the licenses including the date of the respective decision of the licensor;

information of registration of the licenses issued by the licensor organs of other subjects of the Russian Federation.

A notation shall be entered in the license about the license being put in the aforesaid register.

The persons concerned may get access to the register.

12. Keeping of a general register for all the licenses for the pursuance of realtor activities shall be the responsibility of the State Property Management Committee of the Russian Federation. The licensor organs shall monthly submit to this Committee the information according to the established form of the issued, registered, suspended and cancelled licenses.

13. Assignment of the license to another person/entity shall be prohibited.

14. Grounds for denial of the license shall be:

availability in the documents submitted by the applicant of untrustworthy or distorted information;

negative expert statement whereby non-observance of the terms and conditions necessary for the pursuance of the realtor activities has been established.

Notification of the denial of the license shall be provided by the licensor to the applicant in writing within three days from the date of the respective decision including the reasons for the denial.

15. The license shall be granted for three years and may be prolonged in accordance with the procedure established for the obtaining thereof. The license may be granted for a period of up to three years solely on application of the person/entity which has applied for it.

16. The license shall be signed by the head of the licensor organ (if not available - by deputy thereof) with the seal of this organ affixed.

17. The license for the right to pursue the realtor activities issued by the licensor organ in accordance with the present Regulations shall be effective throughout the territory of the Russian Federation.

The realtor activities under the license issued by a licensor organ of a subject of the Russian Federation may be pursued on the territory of other subjects of the Russian Federation only upon registration of such license in the appropriate licensor organs of these subjects of the Russian Federation.

Registration of the license shall be effected within 30 days upon the production of the license original with verification, if necessary, of the information comprised in the license as well as the terms and conditions for the pursuance of the realtor activities.

Information of the license registration on the territory of other subjects of the Russian Federation shall be entered in the license.

18. The owner of the license shall:

in case of re-organisation, change in the name of the legal entity, change in the passport information of the natural person, loss of the license

within 15 days file an application with the licensor organ which has issued the license for a re-making of the license. The re-making of the license shall be performed in accordance with the procedure established for the issuance thereof. Prior to the re-making of the license the owner shall pursue the activities under the license issued earlier and, should the license be lost, under a temporary permit issued by the licensor organ;

notify the person concerned of the regulatory legal acts regulating relations in real property sphere.

19. The owner of the license shall have no right to act in the capacity of a valuator of real property in the deals to which this owner is a party as a realtor.

20. The licensor organ shall have the right to suspend the license or cancel the license on the following grounds:

filing of appropriate application by the owner of the license;

discovery of untrustworthy information in the documents submitted to obtain the license;

breach of the terms and conditions of the license on part of the owner of the license;

non-fulfillment by the owner of the license of prescriptions or orders of the state organs or suspension by them, in accordance with the legislation of the Russian Federation of the activities of the individual entrepreneur or legal entity pursuing realtor activities.

Should the legal entity be liquidated or the state registration certificate of the natural person as an individual entrepreneur be terminated, the license shall become legally null and void and shall be subject to be returned to the licensor organ.

The decision to suspend or cancel the license shall be brought by the licensor organ to the notice of the owner of the license in writing within three days from the date of the respective decision. Within the same period notification of the said decision shall be provided to the State Property Management Committee of the Russian Federation and organs of the State Tax Service of the Russian Federation as well as the licensor organs of other subjects of the Russian Federation which have registered this license.

The licensor organs of the subjects of the Russian Federation shall suspend in accordance with the established procedure the effect on their territories of the licenses issued by the licensor organs of other subjects of the Russian Federation also in case:

the license not being registered on the given territory;

the owner of the license not observing the requirements set forth in accordance with the legislation of the Russian Federation for the pursuance of the realtor activities on the given territory.

The licensor organ of the subject of the Russian Federation which has suspended the license shall within three days from the date of the license suspension decision inform in writing the licensor organ of the subject of the Russian Federation which has issued the license, the organs of the State Tax Service of the Russian Federation and the owner of the license as well as the licensor organs of the other subjects of the Russian Federation which have registered this license.

21. The effect of the license may be resumed in case the circumstances which caused the suspension of the license change.

The license shall be deemed resumed upon the appropriate decision having been taken by the licensor organ about which it shall notify within three days the owner of the license, the State Property Management Committee of the Russian Federation and the organs of the State Tax Service of the Russian Federation.

Should the license be suspended the term for which the license has been issued shall not be prolonged.

22. The effect of the license shall be terminated:

upon the expiration of the term for which the license has been issued, should there be no application for the prolongation thereof;

should the legal entity be liquidated or the state registration certificate of the natural person being the owner of the license as an individual entrepreneur be terminated;

should the license be cancelled by decision of the licensor organ in accordance with [Item 20](#) of the present Regulations.

23. Control of the observance by the realtor of the terms and conditions of the license shall be performed by the licensor organ.

The owner of the license shall submit on the request of the licensor organ the information needed to control of the conformity of the activities pursued to the terms and conditions of the license.

24. The persons pursuing the realtor activities without a license shall be held answerable in accordance with the legislation of the Russian Federation.

25. The heads and officials of the licensor organs shall be answerable in accordance with the legislation of the Russian Federation for breach or improper performance of the procedure for carrying on licensing activities established by the Government of the Russian Federation.

26. Decisions and actions of the licensor organs may be [appealed in judicial organs](#) in accordance with the established procedure.