



Gina Session, Legal Information Line Attorney

October 11, 2022

NEVADA BUSINESS LICENSES AND SALES AGENTS IN NEVADA

Many of you have been receiving a letter from the Secretary of State's Office advising you that you are required to have a Nevada State Business License. The question we are being asked is whether, as an independent contractor working for a brokerage, a sales agent is still required to have a Nevada State Business License.

The answer to this question is yes. NRS 76.100 (1) states: "A person shall not conduct a business in this State unless and until the person obtains a state business license issued by the Secretary of State..." The law does not include an exception for sales agents that work as an independent contractor for a brokerage. By definition, an independent contractor is a separate entity from the business that they contract to work for. Sales Agents conduct business in Nevada and are required to hold and annually renew a Business License.

As noted in the letter from the Secretary of State, a sales agent that is a W2 employee of a brokerage that has a Nevada State Business License does not need a business license. In that case, if you mistakenly received the letter from the Secretary of State, you need to contact the Secretary of State with the name of the business and the NV ID Number for the business. The information should be sent to blcompliance@sos.nv.gov.

If you need to apply for a business license, you can apply on-line at www.nvsilverflume.gov. You can also contact the Secretary of State's Customer Service division at (775) 684-5708 if you need assistance or have questions about applying for a business license.

Statements made by the Nevada REALTORS® Legal Information Line attorneys on the telephone, in e-mails, or in legal eNews articles are for informational purposes only. Nevada REALTORS® staff attorneys provide general legal information, not legal representation or advice regarding your real estate related questions. No attorney-client relationship is created by your use of the Legal Information Line. You should not act upon information you receive without seeking independent legal counsel. Information given over the Legal Information Line or in these articles is for your benefit only. Do not practice law or give legal advice to your clients! Inform your clients they must seek their own legal advice.