

CalBRE's Consumer Recovery Account

CalBRE's Consumer Recovery Account allows a person to recover out-of-pocket losses if defrauded by a real estate licensee and that licensee has insufficient personal assets to pay for that loss.

Here are the general guidelines (other details, exceptions and rules may apply):

1. Up to \$50,000 Per Transaction:

The maximum amount allowable for an approved application to the recovery fund is \$50,000

2. Up to \$250,000 Per Licensee:

The maximum possible aggregate is \$250,000

3. Civil Judgement or Criminal Order Must Be Obtained:

Must provide civil judgement or criminal restitution order

4. Must First Attempt

COLLECTION EFFORTS:

Must first try to collect directly from the person on your own

5. One year Deadline:

Must file within a year after the court judgement or restitution order is obtained

6. Intentional Fraud or Conversion is Required:

Only certain acts of a licensee trigger the ability to access the fund

7. Only Your Actual Loss is Reimbursed:

Only applies to direct and actual losses (not punitive damages or loss of profits and attorney's fees, for example)

8. Licensee Suspended:

If CALBRE pays out from the fund, the licensee is automatically suspended until the money is repaid plus 10% interest