

REAL ESTATE ADVERTISING 101

Real Estate Brokers

Real estate brokers **must** include the following in any advertisement to buy, sell, exchange, rent, lease, or mortgage real property or a business opportunity:

- the broker's name or the name under which the broker is conducting business;
- the broker's telephone number *or* street address; and
- a statement that the person doing the advertising is a real estate broker.

This requirement does **not** apply if the broker personally owns the property. This property may be advertised in the broker's own name. However, the advertisement must indicate that the individual who is selling or leasing the property is a licensed broker.

A real estate broker **cannot** conduct business or advertise under a name other than that in which the broker's license is issued or under an assumed name that is authorized by law.

A real estate broker must notify the department of its adoption of an assumed name with its license application, or within 30 days after it adopts an assumed name, whichever is earlier.

Real Estate Salespersons and Associate Brokers

Real estate salespersons and associate brokers **must** advertise under the supervision of and in the business name of employing brokers.

Advertising that includes the name of associate brokers, salespersons, or cooperating groups of associate brokers/salespersons employed by the same broker **must include BOTH:**

- the telephone number or street address of the employing broker; and
- the business name of the employing broker in a font that is equal *or* greater in size than the name of the associate broker, salesperson, or cooperating group.

This applies to advertisements to buy, sell, exchange, rent, lease, or mortgage real property or a business opportunity.

There are **two exceptions**. One exception applies to associate brokers. Licensed associate real estate brokers may advertise real property that they personally own for sale or lease in their own name. They are not required to include the name of the employing broker in the advertisement. However, the advertisement must clearly indicate that the person who is selling or leasing the property is a licensed broker.

The second exception applies to salespersons who want to either sell or lease their property. First, salespersons who use property as a principal residence may advertise to sell it in their own name. Second, salespersons who own property may advertise to rent or lease it in their own name.