



LEGAL TIP OF THE WEEK

BLIND ADS

The Division of Real Estate continues to receive complaints about “Blind Ads.”

The issue revolves around agents posting their listings on Craigslist, KSL, Facebook and other social media sites, without including their brokerage information. As a licensee, you have direct responsibility to oversee all advertising to make sure that your brokerage information is included on the advertisement – whether you personally place the ad or someone else does for you. Never presume that your brokerage information will be auto populated into an advertisement. Some websites may ask for your name and brokerage, but then do not include it in the advertisement, resulting in a “blind ad.”

The Division of Real Estate recommends all licensees place the brokerage name in the body of the property text of the advertisement to ensure that the advertisement meets the rule requirements.

Affirmative Duties Required of All Licensed Individuals. An individual licensee shall:

R162-2f-401h(1). Except as provided for in subsections (2) and (3), a licensee shall not advertise or permit any person employed by or affiliated with the licensee to advertise real estate services or property in any medium without clearly and conspicuously identifying in the advertisement the name of the brokerage with which the licensee is affiliated.

R162-2f-401h(4). The name of the brokerage identified by a licensee in an advertisements shall be the name of the brokerage as shown on Division records
Any agents working together as teams, with a separate team name must also still include the brokerage name in all advertisements.

BOTTOM LINE... It is the responsibility of the licensee to verify the advertisement BEFORE PUBLICATION to make sure that the brokerage information meets the above referenced rules.

This is a Publication of the Cache Valley Association of REALTORS®

LEGAL TIPS OFFERED BY THE CACHE VALLEY ASSOCIATION OF REALTORS® ARE INTENDED FOR BROKER AND AGENT TRAINING. IN THE EVENT ADDITIONAL LEGAL ADVICE IS NEEDED, WE ENCOURAGE MEMBERS TO CONTACT THE UAR LEGAL HOTLINE AT (801) 676-5211 MONDAY, WEDNESDAY AND FRIDAY BETWEEN THE HOURS OF 8:30 AM AND 4:00 PM.

