

Electronic Advertising Reminder for REALTORS®

*Author: Peter T. Ruth RAYAC Solicitor
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Advertising real estate services electronically is now as common as signing documents with the click of a mouse, scheduling an inspection or getting access to a lockbox with app, or attending an open house via Facetime. Just as common, unfortunately, are the Hotline calls that involve this often confusing topic.

As an initial matter, agents must remember that regardless of the medium, all advertisements for real estate services or listed properties must disclose “the name of the REALTOR®’s firm in a reasonable and readily apparent manner either in the advertisement or in electronic advertising via a link to a display with all required disclosures.” NAR Code of Ethics, Standard of Practice 12-5.

In short, the NAR Code of Ethics allows a REALTOR® to forego including the required information in every electronic advertisement via social media, electronic mail, or a website without violating the Code of Ethics as long as the ad includes a link to a display with all of that required information.

Before utilizing this approach to online advertising, it’s important that licensees confirm the link in any such ad actually directs the consumer to a display with the required information.

It’s also important to remember that just because an online advertisement may comply with the NAR Code of Ethics, the Pennsylvania State Real Estate Commission similarly imposes requirements for the employing broker’s information on **all** advertisements (each ad “shall contain the business name and telephone number of the employing broker” in equal size). The Commission, however, presently provides no alternative for this required information for electronic advertising.

A best practice is to routinely check your advertisements for compliance. Review prospective ads with your Broker, and when possible, with legal counsel who can insure compliance and keep you (and your ads) out of trouble.