

Information from the State Real Estate Commission Regarding "Team" Advertising

On January 15, 1997, the State Real Estate Commission determined that "team" advertising is prohibited. The Commission was concerned that this advertising was misleading to the consumer because it gives the impression that the "team" is a licensed entity. After publication of the 1998 newsletter and the receipt of numerous requests and additional information, on June 22, 1999, the Commission reversed its position and adopted a Guideline to address team advertising. Since then, the Commission discussed team advertising with licensees on numerous occasions during its public meetings and at Realtor® board forums. Based on those discussions, at its December 13-14, 2005 meeting, the Commission amended its original Guideline and adopted the following:

Licensees are permitted to advertise as a team provided the following criteria are met:

1. The team name is either the licensed or Commission-registered nickname of a licensee on the team. The team name may not be a fictitious name.

<i>Examples of acceptable team: NAMES</i>	<i>Example of unacceptable team: NAMES</i>
Benjamin Franklin team	Franklin team
Ben Franklin team (where Ben is registered as a nickname)	

2. On all advertisements, except business cards, all team members must be listed using the team member's licensed or Commission-registered nickname.
3. Unlicensed individuals, including office staff, may not be listed or pictured as members of the team.

<i>Examples of acceptable team: ADVERTISEMENTS</i>	<i>Example of unacceptable team: ADVERTISEMENTS</i>
<p>"Joe Smith Team" Joe Smith (associate broker), John Thomas (salesperson) and Michael Jones (licensed assistant) (phone)</p> <p>Masters of Real Estate, Inc. Office (phone)</p>	<p>"Joe Smith Team" Joe Smith (associate broker), John Thomas (salesperson), Michael Jones (licensed assistant) and Sally Jordon (Closing Coordinator) (phone)</p> <p>Masters of Real Estate, Inc. Office (phone)</p>
<i>Examples of acceptable team: BUSINESS CARDS</i>	<i>Example of unacceptable team: BUSINESS CARDS</i>
<p>John Thomas Member of the Joe Smith Team (phone)</p> <p>Masters of Real Estate, Inc. Office (phone)</p>	<p>John T. Member of the Joe Smith Team (phone)</p> <p>Masters of Real Estate, Inc. Office (phone)</p>

4. A team may only be composed of licensees from the same real estate company.
5. The requirements of §35.305, including the prominence requirement of the broker's name and number, must be met on each page of the advertisement.

In addition to the five criteria, like all other advertisement, "team" advertising cannot be false, misleading or deceptive.

Amended this 13th day of December, 2005. Adopted by the State Real Estate Commission, this 24th day of January, 2006.

/s/ Joseph Tarantino, Jr.

Joseph Tarantino, Jr., Chairman
State Real Estate Commission