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## Marketing/Advertising

- You are required to review the GREC advertising rules & regulations: Complete rules on advertising can be found in **Rule 520-1-.09** [www.grec.state.ga.us](http://www.grec.state.ga.us)
- All advertising (print media, signs, website, e-mail, business cards, blogs, vlogs, Craigslist, Facebook, etc...) by an affiliate licensee must be done in the name of firm and under the supervision of the broker. When a licensee advertises a specific property or properties for sale, for rent, or for exchange, the name of the licensed firm offering the property must appear in equal or greater size, prominence, and frequency than the name or names of any affiliated licensees or groups of licensees. Additionally, the telephone number of the firm must appear in equal or greater size, prominence, and frequency than any telephone numbers of any affiliated licensees or groups of licensees. *See also Rule 520-1-.09*
- All marketing materials must be approved by your Broker or the Managing Broker
- Any advertising on the Internet by a licensee of real estate for sale shall disclose the name and telephone number of the licensee's firm on every viewable web page of a website except as herein otherwise provided
- Licensee must make every reasonable attempt to assure that the public knows they are being contacted by a real estate agent

## GREC Advertising Guide

- **ALL Advertising** (Including Specific Property)
  - Is Not Misleading or Inaccurate
  - Does Not Discriminate
  - In the Name of the Broker (Firm not the person)
    - Corporate Name or Trade Name as approved by GREC
    - In a manner reasonably calculated to attract the attention of the public
  - Reviewed & Approved by the Broker
- **Advertising Specific Property** (House, Apartment, Subdivision, Condo, Land, Etc.)
  - REQUIRED
    - Brokerage Name – Corporate or Trade Name as Registered with GREC
    - Brokerage Phone Number as registered with GREC (but can have agent extension afterwards as long as when public calls there is an option for them to get to Broker without having to go through agent)
    - Broker's Name equal or greater size, frequency or prominence than agent(s).
    - Broker's telephone number is equal or greater size, frequency or prominence than telephone number of agent(s).
    - Can use the size of Broker's Logo in name as measurement "yardstick" for size
  - OPTIONAL
    - Affiliate Licensee(s) or Team Name
    - Telephone number other than broker
    - E-mail/Web address

## Advertising Licensee-Owned Property

- Written notification to Broker PRIOR to signing contract for listing / purchase / sale / lease / option / exchange
- Broker's written consent & approval
- Includes appropriate licensee disclosure – This is required even for INACTIVE agents who still hold a real estate license
  - “Seller holds a real estate license in Georgia” or
  - “Georgia Real Estate License Number \_\_\_\_\_”
- Complies with Rules on advertising specific property

## ELECTRONIC Marketing:

- Agent Website - EVERY page must include Brokerage Name & Brokerage Phone Number
- All other Electronic Marketing - if you don't have enough room for all of GREC compliance, you MUST include a link to a website (yours or your Broker's) that IS in full-blown GREC compliance - i.e. the public must be 1 click away from something that does meet GREC marketing compliance laws

## Broker's Address:

- There is NOTHING in GREC License Law about a Brokerage Address being on anything - not required on signs, business cards, postcards, etc.
- BUT GREC does allow for a Brokerage to have a policy requiring the Brokerage address being business cards or anything else

## Business Cards:

- Must meet terms of ALL Marketing
- Does not need Broker's Phone Number UNLESS
  - Broker requires by policy
  - That Business Card will ever be in a listing

## Directionals:

- They are marketing a specific property so per GREC, directional should meet the terms of marketing a specific property

## Resources:

- GREC Article: <https://www.grec.state.ga.us/articles/advertising.html>
- GREC Rule: 520-1-.07 (6) – Utilizing Support Personnel – Task Guidelines

## Proposed Rule Changes as of GREC Hearing 3/11/20

- The **proposed rule amendments** were considered for adoption by the Commission at its meeting on March 11, 2020, at 9:30 a.m. following the public hearing.
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- **Update as of 3/12/20** - GREC Rule Change - Teams Definitions & Prohibited Words for Advertising: GREC met on March 11th and had a public hearing and was scheduled to vote. Based on the calls & emails and discussions at the Public Hearing, GREC is going to propose an UPDATED Rule Change to the definition of "Team" & "Team Captain" as well as what words may be used in marketing & advertising. It appears that GREC may allow the use of "Real Estate" "Realty" Broker" "Associate Broker" and some others. They will vote on the new Proposal in their April meeting and then bring up for a public hearing before voting it into law. Other issues they are taking into consideration: grandfathering in marketing (i.e. YouTube videos) that includes any prohibited words, giving a several month "grace" period for agents to switch over their marketing, and more. Many issues were discussed at the Public hearing.
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- **Note as of 4/14/20:** Due to the current Coronavirus Pandemic, GREC has suspended their meetings. This issue will most likely be delayed .
- **Note as of 2/3/22:** GREC had a meeting 7/14/21 where additional discussion caused additional law changes. Another Public Hearing was scheduled for 10/13/21. I have no further information and nothing has been published by GREC as of 2/3/22.
- **\*\*\*AS OF 2/3/22 THERE HAVE BEEN NO DEFINITIVE RULE CHANGES MADE BY GREC TO THE BEST OF THE SCHOOL'S KNOWLEDGE.** –For More Information See: <https://grec.state.ga.us/>

## SYNOPSIS OF PROPOSED AMENDMENTS TO THE GEORGIA REAL ESTATE COMMISSION RULES CHAPTER 520 Rule 520-1-.02 - Terms

- **Purpose:** The purpose of this proposed amendment is to define the terms “Team” and “Team Leader” as they relate to real estate brokerage activity in Georgia.
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- **Main Feature:** Defining the terms “Team” and “Team Leader”.
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- **CHAPTER 520 Rule 520-1-.02 (2) - Terms**
- (u) “Team” is comprised of two or more licensees who
  1. act on behalf of, and are affiliated with, the same firm;
  2. work together on a regular basis to provide real estate brokerage services;
  3. represent themselves to the public as a team; and
  4. are identified by a team name.
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- (v) “Team Leader” is a licensee designated by his or her qualifying broker or broker as a Team Leader. Each Team in a firm must have a Team Leader. Each Team Leader shall maintain an accurate

list of the names, license numbers, contact information for each team member, and provide the list to the qualifying broker or broker of the firm.

## SYNOPSIS OF PROPOSED AMENDMENTS TO THE GEORGIA REAL ESTATE COMMISSION RULES - CHAPTER 520 Rule 520-1-.09 - Advertising

- **Purpose:** The purpose of this rule is to provide guidance for real estate firms and to help prevent confusion by the general public, regarding the advertising of real estate Teams in Georgia, by identifying requirements that are specific to the advertising of Teams for Georgia real estate salespersons, brokers and firms.
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- **Main Features:** Identifying the responsibilities of Team Leaders, qualifying brokers or brokers when advertising Teams. Identifying required and prohibited words and phrases used in Team advertising.
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- CHAPTER 520 Rule 520-1-.02 (11) – **Advertising as Teams**
- (a) It shall be the **Team Leader’s responsibility** to submit all team advertising to the qualifying broker or broker of the Firm of which the Team is affiliated. The qualifying broker or the broker shall timely review all advertising by Teams to assure compliance with the advertising rules of Chapter 520-1-.09.
- (b) The **word “team” or “group”** must be included as part of the name for all Teams. Real estate team or group names may **not include** the following words or phrases, or variations thereof:
  - Associate Brokerage
  - Company
  - Corp
  - Inc
  - LLP
  - Broker
  - Corporation
  - Incorporated
  - LLC
  - LP
  - Real Estate

### As of 2/3/22 – These Words/Phrases have changed to:

- Brokerage
- Broker
- Company
- Corporation
- Corp.
- Firm

- Incorporated
- Inc.
- LLC

## As of 6/22/22 – These Proposed Rule Changes Regarding Teams was VETOED by the Governor’s Office

- Governor Brian Kemp vetoed these proposed License Law changes due to lack of consumer complaints & potential restraint on trade & unnecessary government regulations
- So there will be NO changes in License Law or GREC Rules to the marketing & advertising of Teams nor to the definitions & responsibilities of Team Leaders

## Future Plans by GREC – per Deputy Commission Craig Coffee as of 6/22/22

- Amending the GREC Marketing & Advertising Rules to make them LESS restrictive & more general (i.e. not have different rules for advertising a specific property vs. marketing your services as a real estate agent – approximately 12 – 24 months away
- Potential required CE coursework specifically for Brokers – on the horizon – being investigated by GREC Educational Advisory Committee
- Issue: Different types of Brokers – Residential, Commercial, Property Management, CAM, etc.
- Issue: Add 3 additional required hours, keep within the 36 required hours, in addition to required License Law course, in place of required License Law course, etc.