



TREC ADVERTISEMENT RULE REVIEW 2018



New Advertising Rules Effective May 15, 2018

- ▶ Two Rules
 - ▶ §535.154. Registration and Use of Alternate, Team and Assumed Business Names Used in Advertisements.
 - ▶ §535.155. Advertisements



§535.154. Registration and Use of Names

- ▶ Each Alternate name, Assumed Business Name and Team Name must be registered with TREC *BEFORE* the name can be used in advertising.
- ▶ The Broker registers assumed business names and team names.
- ▶ The individual license holder registers any alternate name.



§535.154 Difference between Types of Names

- ▶ ***Broker Assumed Business Name (DBA)*** is another name for the broker's business that can be used by all sponsored sales agents and brokers associated with this broker. Another name that indicates a broker's line of business, e.g. property management or commercial is also a DBA.



§535.154 Difference between Types of Names

- ▶ *Team Name* is a name used only by a team or group of one or more sponsored sales agents or brokers associated with this broker. Team names must end in "team" or "group" and cannot contain the words "brokerage", "company", or "associates" or other similar terms.



§535.154 Difference between Types of Names

- ▶ *Alternate Name* is a name used by an individual license holder other than the name on the individual's license, such as a middle name, married name, maiden name or nickname.
- ▶ Common names for your licensed name, such as Kim for Kimberly or Bill for William are not considered alternate names and do not have to be registered with TREC.



§535.155. Advertisements

- ▶ Each advertisement must include the following in a readily noticeable location in the advertisement:
 - ▶ (1) the name of the license holder or team placing the advertisement; and
 - ▶ (2) the broker's name in at least half the size of the largest contact information for any sales agent, associated broker, or team name contained in the advertisement.



§535.155 (d) - When an Advertisement is Misleading...

- ▶ (4) that uses a title, such as owner, president, CEO, COO, or other similar title, email or website address that implies a sales agent is responsible for the operation of a brokerage;



§535.155 (d) - When an Advertisement is Misleading...

- ▶ (5) that contains a team name with terms that imply the team is offering brokerage services independent from its sponsoring broker, including, but not limited to, ~~"realty"~~, "brokerage", "company", and "associates";



§535.155 (d) - When an Advertisement is Misleading...

- ▶ (7) that contains the name of a sales agent whose name is, in whole or in part, used in a broker's name and that implies that the sales agent is responsible for the operation of the brokerage;



§535.155 (d) - When an Advertisement is Misleading...

- ▶ (11) about the value of a property, unless it is based on an appraisal that is disclosed and readily available upon request by a party or it is given in compliance with §535.17;



§535.17 Includes Estimated Worth or Sales Price Effective 12/6/17

▶ The required written statement now reads:

“This represents an estimated sale price for this property. It is not the same as the opinion of value in an appraisal developed by a licensed appraiser under the Uniform Standards of Professional Appraisal Practice.”

▶ This statement is required today on all CMAs, BPOs and Estimated Worth or “Value” statements.



Advertisement Rules FAQS