



Advertising by Licensees

MD LAW

Maryland law requires that all advertisements include your name (as listed on your pocket card) and the name of the company with which you are affiliated (not simply the company logo). Both names must be meaningfully and conspicuously placed in the ad. While the phrase “meaningful and conspicuous” may seem subjective, we strongly advise members to use a common sense approach to advertising.

The guiding principle for these regulations is to minimize consumer confusion. We recommend that you show your proposed advertising to a neighbor or someone unfamiliar with the real estate industry. If that person is able to quickly identify the licensee and the company for whom the licensee works, the ad would most likely be acceptable to the Real Estate Commission. If not, the ad may be considered misleading.

If an individual (personal) telephone number or web address is included in the advertisement, the office telephone number must be listed as well. The purpose for this rule is to provide a consumer with direct access to a broker or manager without the necessity of first contacting the agent.

Additionally, both Maryland law and the National Association of REALTORS® (NAR) Code of Ethics prohibit licensees and REALTORS® from advertising in a misleading or untruthful manner. In other words, you must be careful at all times to present a true and accurate picture in your advertising and representations to the public.

With respect to the Equal Housing Opportunity logo, federal law dictates that all advertisements should include the Equal Housing Opportunity logo. Finally, members of NAR may use the REALTOR® logo. For additional information regarding proper usage of the REALTOR® logo, click on the following link: <https://www.nar.realtor/logos-and-trademark-rules/logo-trademark-faq>.

VA LAW

All advertising must be under the direct supervision of the principal broker or supervising broker, in the name of the firm and, when applicable, comply with the disclosure required by § 54.1-2138.1 of the Code of Virginia. The firm's licensed name must be clearly and legibly displayed on all advertising.

Electronic media advertising

1. Any electronic media advertising undertaken for the purpose of any licensed activity is subject to the provisions of this chapter.
2. All electronic media advertising that can be viewed or experienced as a separate unit (i.e., email messages and web pages) must contain disclosure that shall be viewable on the main page or is no more than one click away from the main page.
3. All electronic media listings advertised must be kept current and consistent as follows:
 - a. Electronic media listing information must be consistent with the property description and actual status of the listing. The licensee shall update in a timely manner material changes to the listing status authorized by the seller or property description when the licensee controls the electronic media site.
 - b. The licensee shall make timely written requests for updates reflecting material changes to the listing status or property descriptions when a third party electronic media listing service controls the website displaying the listing information.

Other advertising

1. For sale and for lease signs placed on the property shall include but not be limited to the firm's name and the firm's primary or branch office telephone number.
2. Business cards shall include but not be limited to the licensee's name, the firm name, and contact information.

The following activities shall be prohibited:

1. Implying that property listed by a licensee's firm and advertised by the firm or licensee is for sale, exchange, rent or lease by the owner or by an unlicensed person;
2. Failing to include a notice in all advertising that the owner is a real estate licensee if the licensee owns or has any ownership interest in the property advertised;
3. Failing to include the firm's licensed name on any sign displayed outside each place of business;
4. Failing to obtain the written consent of the seller, landlord, option or or licensor prior to advertising a specific identifiable property; and
5. Failing to identify the type of services offered when advertising by general description a property not listed by the party making the advertisement.

For more information: <https://law.lis.virginia.gov/admincode/title18/agency135/chapter20/section190/>