

“Coming Soon” Advertising

Are you considering placing a “Coming Soon” advertisement?

“Coming Soon” advertisements are neither specifically permitted nor prohibited by *The Real Estate Act*, its Regulations, or the Commission’s Bylaws. However, a “Coming Soon” advertisement still must comply with the same legislation and bylaws as any other advertisement. This includes:

- Bylaw 726, which provides that advertisements must not be false, inaccurate, or misleading
- Bylaw 727, which requires written authorization be obtained from the owner before the property is advertised, and that the advertisement is in accordance with the lawful instructions of the owner
- Bylaw 728, which requires the written consent of the owner to have a sign on the property which designates the property as being on the market
- Section 55 of the Act, which requires the brokerage’s name to appear on the advertisement.

REALTORS® should also consider local MLS® rules prior to advertising a property as “coming soon”. “Many MLS®s require listings to be submitted to the MLS® within a specified, usually fairly brief, time period after the listing contract has been executed; some may permit listed properties to be advertised as “coming soon” while being kept out of general distribution on the MLS® as long as such advertising is not targeted to the general public; and some require participants to obtain sellers’ written consent to keep a listing out of the MLS®.”¹

¹ Katherine Johnson, “Coming Soon – Is it in the Seller’s Best Interest?”, National Association of REALTORS® (June 16, 2014), online:

<http://www.realtor.org/articles/coming-soon-is-it-in-the-seller-s-best-interest>.