

Common Advertising Issues

The Commission has recently undertaken a review of industry advertising practises and noted the following as common areas of concern:

Websites and social media profiles that do not include the name of the brokerage as it appears on the brokerage's certificate of registration. This can include pages that do not include any reference to the brokerage or those that do not include the full registered name of the brokerage. A brokerage's logo can be relied upon if the logo includes the full registered name of the brokerage.

Registrants who are trading in real estate using nicknames that have not been registered with the Commission. This includes registrants who are using shortened versions of their given names.

Individual registrants using the words "Real Estate" or "Realty" with their name in advertising. Registrants must trade under the name on their certificate of registration.

Properties that are still advertised for sale after the property has been sold or the listing has expired. While some online advertising platforms are automatically updated, others are not, but registrants must ensure advertisements for expired listings or properties that have been sold are not left up indefinitely.

Advertising properties as "sold" without written authorization to do so from the owner. Once possession is transferred to the buyer, it is the buyer who must authorize ongoing advertising. A "sold" advertisement that includes an exterior picture of the property may be acceptable provided there is no other information which identifies the property.

Social media profiles that have not been updated to reflect a registrant's move to a new brokerage. Registrants are expected to use their best efforts to ensure that online advertising and profiles are up-to-date and compliant, including contacting 3rd party providers and developers to delete, correct or restore control of the same.

Remember:

Advertising must not be false, inaccurate, misleading, in bad taste or offensive, harmful to the best interests of the public, or prohibited by law.