

Welcome!



Let's start with the Crossword Quiz

Put on your thinking cap!

12 Across

State requirement for showing
or selling anywhere.

=

→ Really? Just for showing?

17 Across

Time limit to report your name
or address change to the state

=

→ And tell KCRAR, too.

4 Down

Should give previous one to a new buyer

=

→ Can you think of a better way to disclose material defects?

→ Have seller add a cover letter if needed.

Incomplete disclosure is a misrepresentation of the facts.

11 Across

Person who owns the listing

=

- ➔ What if the Seller wants to cancel?
- ➔ What if you want to change companies?

19 Across

A big Fiduciary Duty

=

What are the other duties?

C - - - -

O - - - - - - - -

A - - - - - - - - - -

D - - - - - - - - - -

C - - - - - - - - - - - -

A - - - - - -

Note: Which of these when provided to a CUSTOMER would be misrepresentation of your real status?

13 Down

Referral Fee percentage amount

=

→ Ask your Broker

8 Down

Number of CE hours required for license renewal

=

→ Where to find hours finished?

1 Across

A course required by the National Association of REALTORS® (every 3 years)

=

Know the difference between the real estate commissions and the REALTOR association!

MREC – Ethics Core

KREC – Kansas Required Core

3 Across

Informative acts not rising to the level of Agency

=

14 Down

10 Banking days to deposit in Missouri for this

=

16 Down

Form for Residential Practitioners to use when selling Commercial Property

=

➔ Don't risk handling transactions outside your area of expertise...

*Think fiduciary duties & state regulations
See Code of Ethics*

Code of Ethics – Article 11

Standard of Practice 11-1

When REALTORS® prepare opinions of real property value or price they must:

- be knowledgeable about the type of property being valued,
- have access to the information and resources necessary to formulate an accurate opinion, and
- be familiar with the area where the subject property is located
- unless lack of any of these is disclosed to the party requesting the opinion in advance.

7 Down

Neutral Agent

=

- ➔ How do you become one?
- ➔ What would you disclose?
- ➔ What else do you have to do?
- ➔ Will you get paid?

Do not misrepresent your status just to make a customer happy or impress them with your negotiating skills!

20 Across

Commission earned from this must be run through the Broker

=

→ Are there any other payments to treat the same way?

9 Across

Contract addition illegal anywhere, anytime,
any way, any how

=

- ➔ But what if the lender says to do it?
- ➔ What if the buyer really wants that \$4,000 zero-turn lawn mower?

**Do not misrepresent the *true* sales price of
the real estate!**

15 Across

Owner or Listing Broker
permission is required to do this.

=

→ “Courtesy of” is okay?

2 Down

Beginning date at top of listing is also known as this.

=

→ At what time can you start advertising?

6 Down

Disclosed Dual Agency legal in this state

=

→ When is it a good idea to use it instead of Transaction Brokerage?

10 Down

Must include this in all advertising

=

→ More on advertising to follow!

8 Across

All names should be on listing agreement for these groups.

=



What are some other issues teams should keep in mind?

5 Down

Relevant or significant

=

- ➔ Ask yourself, “Is this something a buyer would want to know? Is this something that could affect their decision?”
Ghosts? Murder? Suicide?

(Note: this does not apply to Fair Housing issues, many group homes, etc.)

18 Across

Best Teacher Ever

=



Let's Talk Advertising

An Australian real estate agent was fined \$22,000 for running afoul of New South Wales advertising laws.

Misleading advertising? A misrepresentation about the property?





Code of Ethics (excerpt)

Article 12

REALTORS® shall be honest and truthful in their real estate communications and shall present a true picture in their advertising, marketing, and other representations.

State Regulations: Advertising

➔ Are you embarrassed by your company?

Then why do you attempt to hide the name?

➔ Can you advertise someone else's listing?

More Regulations:

➔ What's required on Facebook and Twitter ?

But, there's not enough space!

➔ Individuals and Teams

Your Broker must approve your advertising and websites.

(As well as agency relationships, contracts, etc.)

CHANGES TO ADVERTISING

An overview from the Kansas Real Estate Commission
of advertising rules effective July 1, 2020

WHAT IS NEW?

No affiliated licensee may include a name or team name in advertising which:

- Uses the terms "realty," "brokerage," "company," or other terms that can be construed as a separate real estate company from their supervising broker's company.
- Is more than 2x greater in font size than the supervising broker's business name or trade name.
- Is not adjacent to the supervising broker's trade name or business name in any internet, website, social media or social networking advertisement.

All advertising shall:

- Not be confusing, misleading or inaccurate
- Be conducted with supervising broker approval
- Prominently and conspicuously include the supervising broker's trade or business name
- Include any other information considered necessary by the supervising broker

WHAT HAS NOT CHANGED?

WHAT IS ADVERTISING?

Advertising means communication in any form of media between a licensee or other entity acting on behalf of one or more licensees and consumers or the public, for any purpose related to licensed real estate activity.

Advertising Regulations

Examples of Advertising

DOES THIS YARD SIGN COMPLY?

Yes.

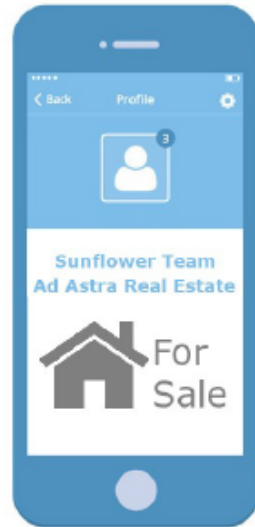
The team name does not use terms that can be construed as a separate real estate company from their supervising broker's company;

And the team name is not 2x greater in font size than the supervising broker's business name.

Sunflower Team

Ad Astra Real Estate Company

555-555-5555



DOES THIS DIGITAL AD COMPLY?

Yes.

The team name, Sunflower Team, is adjacent to the supervising broker's business name, Ad Astra Real Estate, in this social media advertisement.

WHAT ARE MY RESOURCES?

- 1 Review **K.S.A. 58-3086** and **K.A.R. 86-3-7**
- 2 Ask your supervising broker
- 3 Consult an attorney



Advertising



Missouri says:



Broker's regular business name or the name under which the broker or the broker's firm is licensed and shall indicate that the party advertising is a real estate broker and not a private party.



If the licensee's name or telephone number, or both, is used in any advertisement, the advertisement also shall include the name and telephone of the broker or firm who holds the licensee's license.

KCRAR Contract Issues

- ➔ Blanks in contracts: Fill it **ALL** in.
- ➔ Agency Disclosure on page 13:
Agent who writes the contract must complete it.
- ➔ Buyer & Seller sign two copies of the cancellation?
- ➔ “TBD” is not acceptable.
- ➔ Expiration Date: Extend it – final signatures will not do it.

Mother May I?

- Use a “sold rider” before the deal closes
- Communicate directly with the Buyer Agent’s client
- Not attend your buyer’s home inspection- (Fiduciary obligation!)
- Use a “price escalation clause” with an offer
- Trash talk the co-op agent

Mother May I?

- ➔ Ignore the Do Not Call list
- ➔ Fail to identify yourself and your company: cold calling, Co-ops, etc. (Never misrepresent yourself as a buyer. You are a licensee!)
- ➔ Skip providing the “Brokerage Relationships” flyer
- ➔ Advertise payment of \$680 without other information

Mother May I?

- ➔ Answer for your Client without talking to them first
- ➔ Search for an “easy” Inspector
- ➔ Ignore the preliminary Title work
- ➔ Carry a firearm at my Open House?

Mother May I?

- ➔ Be a Transaction Broker to sell my own listing to an unrepresented buyer
- ➔ Purchase my own listing as a Transaction Broker
- ➔ Use a drone to take listing photos
(<55 pounds, pass test, line-of-sight)

Mother May I?

- ➔ Pay a referral fee to an unlicensed person?
- ➔ Have my unlicensed assistant host an Open House? Or a Lender?
- ➔ Give my Seller a gift?



→ Meet everyone
and qualify FIRST

- Download the KCRAR *Kinetic Global App*
- Google and check Craigslist for your listings' addresses
- Don't Text and Drive

Follow the **GOLDEN RULE**

AUTOMO

- Don't charge in during someone else's showing
- Return calls promptly
- Disagree politely
- Review the KCRAR
Professional Courtesies

Thanks for attending!

