

ADVERTISING CHECKLIST

The following checklist is applicable to all forms of advertising including: newspaper advertising, marketing materials, bus stop benches, billboards, websites, letterhead, business cards, fax cover sheets, e-mail signatures, etc. Please see RECO's [Website Advertising Checklist](http://www.reco.on.ca/IndustryInfo_Advertising_AdvertisingChecklistForWebsites.html) at http://www.reco.on.ca/IndustryInfo_Advertising_AdvertisingChecklistForWebsites.html for information applicable to websites.

General

- Is the name of the brokerage shown as it is registered with RECO?
- Is the name of the brokerage prominently displayed? Remember, at all times, it must be clear that it is the brokerage advertising.
- Does the designation "Brokerage" or "Real Estate Brokerage" clearly appear with the brokerage name?
- Does the phrase "Independently Owned and Operated" clearly appear with the brokerage name? (Only applicable to franchises & licensees).
- Is there an appropriate method to contact the brokerage directly? A method to contact the brokerage must be included in all advertising. This can be a telephone number, mailing address or e-mail address that has been provided to the Registrar.
- Are you being consistent with the contact information that you provide in your advertisement? If you provide a personal telephone number, have you also included a brokerage telephone number? For example, contact methods must be consistent so you cannot provide a personal telephone number and a mailing address for the brokerage.
- Is the brokerage e-mail or office telephone number provided in your advertisement answered by the brokerage and listed with RECO as a brokerage telephone number or e-mail address?
- Are any additional (non brokerage) telephone numbers in the advertisement identified appropriately as being direct, cellular or home telephone numbers? Are any additional email addresses on your website identified appropriately as being "direct"?
- For individual registrants, does your name appear as it is registered with RECO?
- For individual registrants, is your name clearly shown together with your designation ("Broker of Record", "Real Estate Broker of Record", "Broker", "Real Estate Broker", "Salesperson", "Real Estate Salesperson", "Sales Representative", or "Real Estate Sales

Representative")? Please note that the designation "Associate Broker" can only be used until March 31, 2008 however RECO encourages early compliance.

- Are you incorrectly using the term "Specialist"? The term "Specialist" is NOT permitted in your advertising?
- Are you correctly using any titles such as president or vice president? These titles can only be used if you are officially an officer of the brokerage corporation and registered as such with RECO.
- Are you referring to yourself or other individual registrants as "agents"? Remember that only the brokerage is the "agent". Individual registrants are not "agents".

Teams

- Are you incorrectly using other terms to advertise your team such as "Group" or "Associates"? Please note that any terms other than "Team" are not permitted.
- Are all members who form part of your "Team" identified together with appropriate designations? Are the members of the "Team" identified within the same advertisement where the term "Team" is used?
- When you advertise an award that is based on "team" performance, are you disclosing this fact? Have you obtained permission from the other members of the "team"? (Please see below for more requirements pertaining to award advertising).

Awards and Claims

- When you advertise an award, are you clearly indicating the provider (i.e. your real estate franchise, your real estate brokerage, etc.), the basis (i.e. sales volume, commission earned, etc.) and the date or period of time to which the award applies? Are you making these disclosures within every advertisement in which the award appears?
- Awards that have been purchased cannot be advertised.
- Are any claims made in your advertising accurate and verifiable?
- When you advertise claims such as "#1 Sales Representative in Anytown" or "The largest brokerage in Anytown", are these claims verifiable and accurate? Have you substantiated these claims by indicating the source or provider (i.e. your local real estate board, etc.) of the statistics or information that relate to the claim, the type of statistics or information (i.e. sales volume, number of sales representatives, etc.) on which the claim is based, and the date or period of time to which the claims apply? Have you included these disclosures within the same advertisement?

Promises and Offers

- Have you included appropriate disclosures with respect to the terms applicable to any promises or offers that you are making (i.e. 1% Commission, Guaranteed Sale Program, etc.)? Are these disclosures presented within the same advertisement?
- Are the terms of your offer(s) available in writing to any individual inquiring about the offer(s) without an obligation on that individual to provide confidential or personal information?
- Are you offering a rebate or incentive to clients? Please review the Registrar's Bulletin on Bird Dog fees.
- If the offer in your advertisement is not a brokerage offer, have you reviewed the terms of the offer to ensure that the wording does not inadvertently oblige the entire brokerage to honour the offer? Remember that buyers and sellers are clients or customers of the brokerage and not the individual salesperson or broker. Do you have written authority, as necessary, to make the offer?

Disclaimers/Qualifiers

- Are disclaimers/qualifiers clearly shown in the advertisement? RECO requires that disclaimers/qualifiers can be easily read.
- Are the disclaimers/qualifiers clearly connected to the content in the body of the advertisement to which they apply (i.e. a unique symbol)?

"For Sale" and "Sold" Properties

- Do you have permission from the applicable party (seller, buyer, their representative) to advertise a property, including its address, picture(s), location and/or transaction details? (See the Advertising Guidelines section V for details)

Private Information

- If you collect private information (for example, via a "mortgage application" on your website), have you included a Privacy Policy? Please contact the Privacy Commissioner of Canada at www.privcom.gc.ca for more information regarding privacy legislation and associated requirements.

For more detailed information, please refer to RECO's [Advertising Guidelines](#) under the Real Estate & Business Brokers Act, 2002 or contact RECO.