

Massachusetts Real Estate Marketing Requirements

Broker Name

Broker Disclosure: 254:CMR 3.00:9(a)) Broker Identification. No broker may advertise real property to purchase, sell, rent, mortgage or exchange through classified advertisement or otherwise unless he/she affirmatively discloses that he/she is a real estate broker. No broker shall insert advertisements in any advertising publication or other means where only a post office box number, telephone, facsimile, electronic mail number or street address appears. All advertisements shall include the name of the real estate broker.



Agent Role

Agent Working on Behalf of a Real Estate Broker: (254:CMR 3.00:9(b)) "Salespeople are prohibited from advertising the purchase, sale, rental or exchange of any real property under their own name." Code of Ethics: "REALTORS® shall ensure that their status as RE professionals is readily apparent in their advertising, marketing, and other representations,..." Advertisements that only list a salesperson or team name without noting the name of the broker and firm is a violation of 254 CMR 3.09(a) and (b).



Firm Name

Firm Name: Code of Ethics 12-5: REALTORS® shall not advertise nor permit any person employed by or affiliated with them to advertise real estate services or listed property without disclosing the name of that Realtor®'s firm in a reasonable and readily apparent manner either in the advertisement or in electronic advertising via a link to a display with all required disclosures." 254 CMR 3.09 interpretation: "If there is a corporate entity or d/b/a the firm name must be included, if a sole proprietorship then the actual Broker's name must be also be stated.



State

State of Licensure: Code of Ethics Standard of Practice 12-9 "REALTOR® firm websites shall disclose the firm's name and state(s) of licensure in a reasonable and readily apparent manner. Websites of REALTORS® and non-member licensees affiliated with a REALTOR® firm shall disclose the firm's name and that REALTOR®'s or non-member licensee's state(s) of licensure in a reasonable and readily apparent manner."



Accuracy

Truthful Ads: CMR: (9) Advertising. A broker shall not advertise in any way that is false or misleading. Code of Ethics: 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. [This obligation] ...includes Internet content posted, and the URLs and domain names they use, and display of only professional designations, certifications, and other credentials to which they are legitimately entitled."



Fair Housing

Fair Housing Symbol: HUD Fair Housing Advertising § 109.30 (a) Use of Equal Housing Opportunity logotype, statement, or slogan. All advertising of residential real estate for sale, rent, or financing should contain an equal housing opportunity logotype, statement, or slogan as a means of educating the homeseeking public that the property is available to all persons regardless of race, color, religion, sex, handicap, familial status, or national origin. The choice of logotype, statement or slogan will depend on the type of media used (visual or auditory) and, in space advertising, on the size of the advertisement. Best when is linked to www.HUD.gov/FairHousing or www.NationalFairHousing.org



Limited space exemptions (tweets, thumbnails) can be found at www.BerkshireRealtors.net/ads



Berkshire REALTORS®