

**QUESTION & ANSWER
FOR THE NEW 18.85 RCW
June 10, 2010**

QUESTION: I heard that there are some changes to the new real estate rules that will affect all licensees. Is my information correct?

ANSWER: Yes, as you are aware the new Washington Administrative Code (WAC) is effective July 1, 2010. Prior to being adopted by the Real Estate Commission the new WAC rules went through a long review process including a public hearing. Upon publication of the rules, despite the extensive review, members of the real estate community raised some concerns regarding certain aspects of the rules. The real estate program staff met with numerous licensees and industry representatives in addition to reviewing a great number of emails from industry practitioners. The extensive input resulted in the real estate program staff clarifying and revising parts of some of the new rules. The Real Estate Commission recently approved the rule revisions. While these rule changes will not be fully effective until late summer, the real estate program staff will use the revisions as guidelines effective July 1, 2010.

QUESTION: What is changing?

ANSWER: Advertising rules have been revised.

- Licensees may advertise a title, group, team, or brand name without obtaining an assumed name license if the advertisement always uses and displays the real estate firm's licensed name or the real estate firm's licensed assumed name in a **clear and conspicuous manner**.

Yes, this is very similar to current advertising policies **except** that as of July 1, 2010 the real estate firm's name must be **clear and conspicuous** which means that by color, contrast, size or audibility the real estate firm name must be readily noticeable and understood. All brokers and managing brokers should determine if their property signs meet the new criteria.

- Advertising an unlicensed title, group, team, or brand name may not include wording that suggests a legal entity separate from the real estate firm such as "Inc.", "LLC.", "Corp", etc.
- Advertising an unlicensed title, group, team, or brand name may not include wording that is commonly understood to reference an entire firm or office such as "realty", "realtors", "firm", or "real estate".

The recipient of any advertising must be able to clearly distinguish the licensed real estate firm name from the name of the unlicensed group, team, or brand that is advertising in conjunction with the firm.

- All affiliated licensees wanting to use an unlicensed title or brand must receive advance written approval from their real estate firm's designated broker. This written permission should be available to the department auditors and investigators upon request.

Our next Question and Answers will discuss other Washington Administrative Code revisions that were recently approved by the Washington Real Estate Commission.