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About Pam Strickland

Pam is a Real Estate Broker from Santa Barbara with over 38 years experience in Real Estate and Mortgage Lending.

Past-President, CAMB (California Association of Mortgage Brokers).
Selected Mortgage Broker of the Year in 1992 by the CAMB and in 1993 by the NAMB (National Association of Mortgage Brokers).

Member, SAFE MLO National Test Maintenance Committee.

Past Member, California Mortgage Review Committee for the SAFE Act Mortgage Test.

Past Member, National Legal Review Committee for the SAFE Act Mortgage Test.

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Any recommendations contained in this message are based on Pam's many years of personal experience and research in the Real Estate industry and must not be considered legal advice. Please consult with appropriate legal counsel for further clarification.

Contact Pam at:

[pam@pamstrickland.com](mailto:pam@pamstrickland.com)

**Happy fall to all! The DRE has been very busy lately checking out social media and Internet advertising for compliance to all of the advertising rules. Don't fall short of their rules and expectations!**



## Advertising

New rules for licensee advertising went into effect this year and, as noted above, the DRE has been extremely diligent in checking compliance with the laws. Every broker/owner should immediately have their agents submit all URLs for advertising and they need to be checked for compliance. The **DRE form RE-559** should be distributed to all agents and an acknowledgement of receipt should be required. These sites include, but are not limited to, Facebook, Pinterest, Realtor.com, Zillow, Trulia, Snapchat, LinkedIn, YouTube and personal websites. The basic rules are:

- If an agent advertises anything related to real estate activities on any website or advertising piece (even the fact that they are in the real estate business), their DRE number must be **PROMINENT**;
- The agent's broker affiliation must be prominently and **CORRECTLY** disclosed (with the exact company name or an approved dba, if applicable) as well as the DRE number of the agent;
- An agent cannot advertise as if they are in business for themselves (i.e. Jane Doe Homes, Jane Doe Real Estate, Jane Doe Properties);
- A **TEAM NAME** must include the **LAST NAME** (surname) of at least one member of the team and must include the word **GROUP** or **TEAM** or **ASSOCIATES**;
- An agent must use their **EXACT** surname in all of their activities (including a hyphenated name, if they are licensed that way);
- Any advertising that includes an address must be either the **MAIN** or a **BRANCH** address of the company license;
- Old websites that show an agent's previous broker must be removed.

## Roster and Renewals

Another issue that keeps arising in audits and office surveys is the ongoing problem of broker/owners being unable to keep up with their agent's licensing status. This is especially problematic when the broker/owner has no way of keeping track of the expiration date of their licensees. I recently met an employee at a large California brokerage who has written an incredible program that automatically keeps track of the agents, whether they have renewed or are close to renewal, if their address is current with the DRE, and if, somehow, their license has been marked **NBA** (no broker affiliation). I want to share his website so that you can look into obtaining this program for your own brokerage. To say I was impressed is putting it mildly! Check it out here: [www.ComplianceGenie.com](http://www.ComplianceGenie.com)

## Trust Accounts

It is getting harder and harder to find a bank that will open a Real Estate Broker Trust Account (and even those who say they do often open it incorrectly). Here is a link to the DRE's information regarding the opening of a trust account. Take it with you to your bank and see if they meet these requirements.

[www.dre.ca.gov/files/pdf/openingtrustaccount.pdf](http://www.dre.ca.gov/files/pdf/openingtrustaccount.pdf)

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## Follow Up Audits

The DRE has started conducting follow up audits for those companies who have been issued cite and fine citations in the last few years. If you fall into that category, make sure you are prepared for the follow up audit. You need to be perfect, with NO violations this time around!

### Compliance Consulting

For a thorough evaluation of your company's compliance with the multitude of regulations that pertain to the real estate industry, Pam is available for private, confidential in-office consulting. She can also help you prepare for and get through a DRE audit or office survey. Further information is available on her website: [www.pamstrickland.com](http://www.pamstrickland.com)

To schedule an appointment, call Bob MacLeod at 805-689-2230.