GUIDELINE OF THE STATE REAL ESTATE COMMISSION
REAL ESTATE ASSISTANTS AND UNLICENSED INDIVIDUALS

The State Real Estate Commission is regularly questioned about what duties are permissible for assistants and other unlicensed individuals. The answer depends upon whether the individual is licensed or unlicensed.

Unlicensed

An unlicensed assistant or individual may not perform any duties that require licensure.

An unlicensed assistant or individual **may not**, for example:

1. Host an open house to be attended by the public.
2. Explain or interpret information on the listing sheets to licensees or the public, whether in person, over the telephone or over the Internet.
3. Provide information on the style of the home, location of the home, lifestyle or amenities available.
4. Tour/show a model to the public.
5. Discuss prices, price ranges or mortgage rates with the public.
6. Engage in telemarketing, excluding cemetery sales.

An unlicensed assistant or individual **may** for example:

1. Furnish information from listing sheets to other real estate licensees/offices.
2. Host an open house to be attended by only real estate licensees.
3. Prepare and distribute brochures about listed properties to other real estate offices.
4. Erect “for sale” signs.
5. Maintain lock boxes.
6. Perform general clerical duties.

Unlicensed assistants or individuals may be employed, supervised and directly compensated by a broker, associate broker or salesperson. Licensees who permit unlicensed assistants or individuals to perform services that require licensure (i.e. those listed in the first category), may be disciplined for aiding and abetting unlicensed practice.

Licensed

A licensed assistant may perform all of the duties that a licensee may perform.

Licensed assistants must be employed, supervised and directly compensated by the broker who holds their license.

Adopted by the State Real Estate Commission, this 22nd day of June, 1999.

Rita M. Halverson, Chairman
State Real Estate Commission

Amended by the Real Estate Commission to include unlicensed individuals, this 13th day of June, 2000.

Joseph Tarantino, Jr., Chair
State Real Estate Commission