

# MREC ADVERTISING CHECKLIST

All advertisements to be placed by or on behalf of a real estate licensee should be submitted to the broker, office manager, or the broker-manager's designee for compliance review prior to release. If the advertisement has been created for a member of -- or on behalf of -- a team, the team leader should also review and approve the piece using the guidelines below.



## Name of Licensee

Does the advertisement include the full name of the licensee exactly as it appears on their real estate license?

YES  NO



## License Category

If the advertisement includes a licensee's category, is it correct? The only available options include Salesperson, Associate Broker, or Broker. Terms, such as Associate are not recognized licensing categories.

YES  NO



## Brokerage Name

Does the advertisement "meaningfully and conspicuously" display the Brokerage's name, and include the Brokerage's full name as it appears on the MREC license (not solely a company logo or abbreviation of the company name)?

YES  NO



## Telephone Number of Broker or Office Manager

Does the advertisement include the identified telephone number of the broker or branch office manager?

YES  NO



## Authority to Advertise

Does the licensee have the written authorization of the owner or listing broker to advertise the Property - i.e., a listing contract? For examples, if Broker A has chosen to advertise the listing of Brokerage B in their front office window, Broker A must have written authorization to do so. Another scenario, if a licensee has created advertising that utilizes MLS photos, written permission must be obtained from the MLS to use those photos.

YES  NO



## True & Accurate Picture

Is advertisement's content factual and true? Does the advertisement avoid any misstatement or exaggeration of fact? Do(es) the licensee(s) in the advertisement hold an active real estate license registered at the brokerage branch that the advertisement references?

YES  NO



## Team Advertising

Does the advertisement include the full name of the licensee as the name appears on the license, as advertising in solely the name of the team is prohibited?

YES  NO



## Offering of Inducements

Does the advertisement avoid offering compensation or anything of value through a contest, lottery, drawing or other prize mechanism or element of chance? (Be advised the Commission recognizes an exception to this requirement, for example a drawing at an open house, available to all, not only those who buy/sell the property.)

YES  NO



## Payment of Compensation for Referral Fees

Does the advertisement avoid offering compensation or anything of value to an unlicensed person solely for the referral of a prospective client or customer?

YES  NO



## Property Owned by Licensees

If the advertisement is for the sale, purchase or lease of real property that a licensee owns, does the advertisement state the fact that the owner is a real estate licensee in the State of Maryland?

YES  NO

**NATIONAL ASSOCIATION OF REALTORS®**  
Prospect Equal Service Report

Date:	Sales Associate:	Office:
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**PROSPECT INFORMATION**

Name:			Name:				
Address:			Address:				
Home Phone:		Work Phone:		Home Phone:		Work Phone:	
Owns Now	Rents Now	Must sell to purchase?	Owns Now?	Rents Now?	Must sell to purchase?		
Race: *				Race: *			
<p>*For Affirmative Marketing purposes. Information on prospect race is sought to assist in the monitoring of the firm's commitment to equal professional service. Article 10 of the NATIONAL ASSOCIATION OF REALTOR® Code of Ethics states: REALTORS® shall not deny equal professional services to any person for reasons of race, color, religion, sex, familial status, handicap, or national origin. REALTORS® shall not be parties to any plan or agreement to discriminate against a person or persons on the basis of race, color, religion, sex, familial status, handicap, or natural origin.</p>							
Prospect came to us as a result of		Walk In	Past Customer	Sign	Other		
Referral		Ad (source)	Phone solicitation	Mail Solicitation			

**PROSPECT NEEDS AND WANTS**

Prospect wishes to	purchase	rent	possession date
Prospect's price range preference	Purchase price range:	rental:	(use from rental)
Prospect requested locations:			
Type of home:	# Bedrooms:	# Baths:	Dining Room Family
Does prospect desire information regarding Housing for Older Persons? If so, is any member of prospect's household over 55?			

**SERVICE PROVIDED**

Was prospect asked questions regarding his/her finances? If yes, indicate information obtained.	Income	Down Payment	Other (specify)	
Was prospect offered information on financing options? Indicate any rate information provided	Conventional /fixed rate	Adjustable rate	FHA/VA	other (specify)
Did you financially qualify the prospect? ___Yes ___No ___not applicable if yes, attach worksheets if yes, Qualified Purchase Price:	Did you refer the prospect elsewhere for financial qualification? ___Yes ___No ___not applicable if yes, attach worksheets if yes, Qualified Purchase Price:			

Contact dates and comments?



## PROTECTED CLASSES AND THEIR DEFINITIONS\*

### FEDERAL



- **COLOR:** Pertaining to a person's skin color
- **FAMILIAL STATUS:** Families in which one or more children under 18 lives with: a parent; a person who has legal custody of the child or children; or the designee of the parent or legal custodian, with the parent or custodian's written permission. Familial status protection also applies to pregnant women and anyone securing legal custody of a child under 18.
- **NATIONAL ORIGIN:** Refers to the geographic area in which a person was born, or from where their ancestors came.
- **PHYSICAL OR MENTAL DISABILITY:** In reference to you or someone close to you who: has a physical or mental disability (such as hearing, mobility, and visual impairments, including use of a guide dog; drug addiction and alcoholism, mental illness, intellectual or developmental disability, HIV or AIDS, or cancer) that substantially limits one or more major life activities; has a record of such a disability; or is regarded as having such a disability.
- **RACE:** Categories of physical characteristics and/or genetic groupings of human populations.
- **RELIGION:** Participation with one of the world's structured religions; one's spiritual beliefs; inference of religion by place of worship.
- **SEX** (i.e., gender): Sexual orientation or gender identity per Presidential Feb 11, 2021 Exec. Order - see respective definitions.

### MARYLAND



Includes All Federal Protections Listed Above Plus:

- **MARITAL STATUS:** The state of being single, married, separated, divorced, or widowed.
- **RACE:** The State of Maryland has expanded the definition of "race" to include traits associated with race including hair texture, afro hairstyles, and protective hairstyles (including braids, twists, and other hairstyles).
- **SEXUAL ORIENTATION:** A component of identity that includes a person's sexual and emotional attraction to another person and the behavior and/or social affiliation that may result from this attraction.
- **GENDER IDENTITY:** the gender-related identity, appearance, expression, or behavior of a person, regardless of the person's assigned sex at birth, which may be demonstrated by:
  1. Consistent and uniform assertion of the person's gender identity.
  2. Any other evidence that the gender identity is sincerely held as part of the person's core identity.
- **SOURCE OF INCOME:** Any lawful source of money that is paid to or for the benefit of a renter or buyer of housing and includes grants, government assistance, alimony, child support, pensions, annuities, legal gifts, or investment earnings.

### LOCAL/COUNTIES

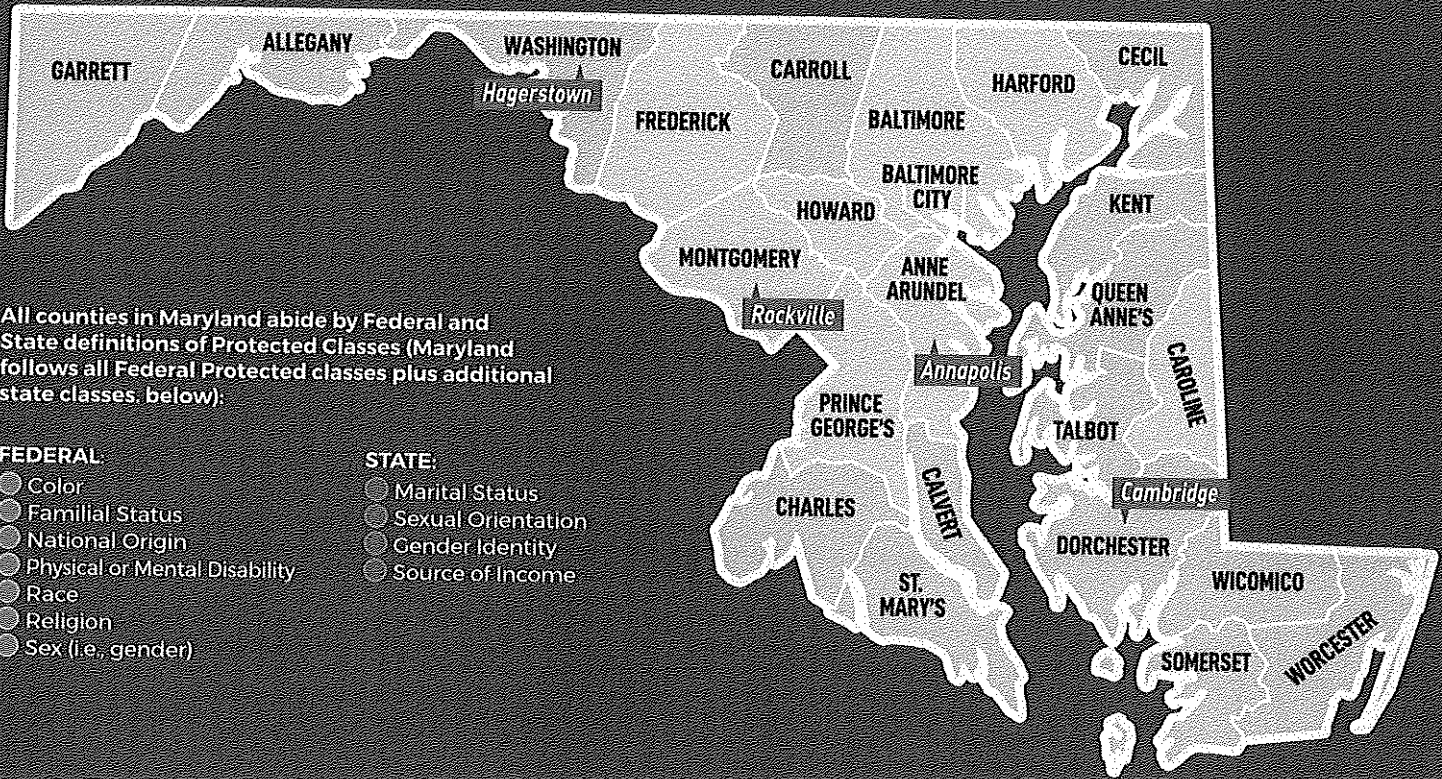


Includes All Federal And State Protections Listed Above Plus:

- **AGE:** Generally referring to adults 18 yrs & over.
- **ANCESTRY:** Line of descent.
- **CREED:** A person's beliefs; also, a summary of principles or opinions to which someone professes or adheres.
- **ETHNIC ORIGIN:** Cultural upbringing, including ceremonies and traditions.
- **FAMILY RESPONSIBILITY:** Refers to decisions based on an assumption of a person's care giving responsibilities, either childcare or care of another family member.
- **LAWFUL INCOME:**  
See 'Source of Income'.
- **OCCUPATION:** The principal lawful activity of one's life, generally including students, welfare recipients and retired persons.
- **PERSONAL APPEARANCE:**  
The outward appearance of any person, irrespective of sex, with regard to hair style, facial hair, physical characteristics or manner of dress.
- **POLITICAL OPINION:** The opinion of persons relating to government, the conduct of government, political parties, candidates for election or elected office-holders.
- **PRESENCE OF CHILDREN:**  
Households that include the temporary custody or permanent occupancy of persons under the age of 18 years.

\*For detailed legal references by County, go to:  
[www.mdrealtor.org/programs/housing/programs/fair-housing](http://www.mdrealtor.org/programs/housing/programs/fair-housing)

# MARYLAND REALTORS® PROMOTES FAIR HOUSING



All counties in Maryland abide by Federal and State definitions of Protected Classes (Maryland follows all Federal Protected classes plus additional state classes, below):

**FEDERAL:**

- Color
- Familial Status
- National Origin
- Physical or Mental Disability
- Race
- Religion
- Sex (i.e., gender)

**STATE:**

- Marital Status
- Sexual Orientation
- Gender Identity
- Source of Income

## PROTECTED CLASSES

Maryland counties and Baltimore City follow all Federal Protected classes plus additional state classes; the counties that follow these standards only are highlighted in purple. Several counties and cities have additional Protected Classes, as described below. For a chart version of Protected Classes, please visit <http://mdrealtor.info/ProtectedClasses>.

**ALLEGANY**

**ANNE ARUNDEL**

- Ancestry
- Citizenship/Immigration
- Creed
- Occupation

**Annapolis**

- Citizenship/Immigration

**BALTIMORE COUNTY**

- Age
- Creed
- Veteran/Military

**BALTIMORE CITY**

- Age
- Ancestry

**CALVERT**

**CAROLINE**

- Age

**CARROLL**

**CECIL**

**CHARLES**

**DORCHESTER**

**Cambridge**

- Age
- Ancestry
- Creed

**FREDERICK COUNTY**

- Age

**GARRETT**

**HARFORD**

- Age
- Creed
- Occupation
- Personal Appearance
- Political Opinion

**HOWARD**

- Age
- Creed
- Occupation
- Personal Appearance
- Political Opinion

**KENT**

**MONTGOMERY**

- Age
- Ancestry
- Creed
- Family Responsibility

**Rockville**

- Age
- Ancestry
- Ethnic Origin
- Genetics
- Veteran/Military

**PRINCE GEORGE'S**

- Age
- Citizenship/Immigration
- Genetics
- Occupation
- Personal Appearance

**QUEEN ANNE'S**

**ST. MARY'S**

**SOMERSET**

**TALBOT**

**WASHINGTON**

**Hagerstown**

**WICOMICO**

**WORCESTER**



## STEERING CHECKLIST

- **RETURN PHONE CALLS**
  - Return all calls
- **BROKERAGE AGREEMENTS**
  - Have a consistent policy regarding usage
  - Discuss the fair housing paragraph in the brokerage agreement which also addresses love letters
- **ASK QUESTIONS TO ESTABLISH CLIENT'S CRITERIA**
  - Don't make assumptions
  - Use objective not subjective criteria
    - No "nice" neighborhood – ask client for specifics - single family? Condo? City? Suburban? Price Point?
    - No "good" schools – direct client to third party source, client determines; good test scores do not equal good schools
- **PROVIDE LISTINGS BASED ON CLIENT'S OBJECTIVE CRITERIA**
  - Client can narrow the list, not you
- **INITIAL MEETING WITH CLIENT**
  - Have a consistent policy
    - ID Required for all, or just some?
    - Pre-Qualification letter required for all, or just some?
  - Property showings – show clients properties in neighborhoods they choose or based upon their objective criteria
- **OFFERS AND COUNTER-OFFERS**
  - Remind clients about previous discussion regarding following fair housing laws, including best practices concerning love letters
  - Trust your gut if you sense red flags in comments/actions
- **SELLER/BUYER WANTS TO DISCRIMINATE**
  - Speak to your broker
  - May need to terminate relationship with client
  - Report to MCCR (<https://mccr.maryland.gov/Pages/Intake.aspx>)
- **BEST PRACTICES**
  - Use this checklist
  - Follow broker policy
  - Call the Legal Hotline if you have questions (443.716.3502)