

The only change made to NAR's Code of Ethics for 2016 was to simplify the disclosure statements required in Standard of Practice 12-5. (Additions are highlighted, deletions marked with strikethroughs.)

REALTORS® shall not advertise nor permit any person employed by or affiliated with them to advertise real estate services or listed property in any medium (e.g., electronically, print, radio, television, etc.) 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. **This Standard of Practice acknowledges that disclosing the name of the firm may not be practical in electronic displays of limited information (e.g., "thumbnails", text messages, "tweets", etc.). Such displays are exempt from the disclosure requirement established in this Standard of Practice, but only when linked to a display that includes all required disclosures.** (Adopted 11/86. Amended 1/4/16)

Top 3 Code of Ethics complaints

Only REALTORS® can be named in complaints to the Texas Association of REALTORS® based on alleged Code of Ethics violations, but anyone—members of the public or other REALTORS®—can file a complaint. Here are the three most common articles cited in Code of Ethics complaints from 2015:

1. Article 12

Many Article 12 complaints deal with Texas REALTORS® who don't disclose the name of their firm or professional status as Texas REALTORS® on advertisements such as farming postcards, magazine ads, signs, and so forth.

Article 12 says ... REALTORS® will be honest and truthful in their real estate communications and present a true picture in their advertising, marketing, and other representations, and ensure their status as real estate professionals is readily apparent in their advertising, marketing, and other representations.

2. Article 1

Often, Article 1 complaints deal with Texas REALTORS® who are not being honest or truthful.

Article 1 says ... REALTORS® pledge to protect and promote the interests of their client.

3. Article 16

Article 16 complaints are frequently about Texas REALTORS® contacting someone who already has an exclusive representation agreement with another REALTOR®, often through farming postcards, or by not asking whether the person was already represented.

Article 16 says ... REALTORS® will not engage in any practice or take any action inconsistent with exclusive representation or exclusive brokerage relationship agreements that other REALTORS® have with clients.

[Read the full Code of Ethics and learn more about the ethics-complaint process at \[texasrealestate.com\]\(http://texasrealestate.com\) > For Texas REALTORS® > Ethics.](#)

Top 5 TREC complaints

Both Texas REALTORS® and license holders who are not REALTORS® are subject to Texas Real Estate Commission complaints. Here are the top five complaint categories from September 2014, to September 2015.

1. Sales-other

Includes violations such as general negligence, false promises, improper rebates, referrals, and earnest-money issues not related to leasing and property management.

2. Leasing/property management-other

Includes issues like general negligence, false promises, and referrals.

3. Breach of fiduciary duty

Includes making a false promise.

4. Advertising

Includes misleading information and unregistered DBA or assumed names used by a broker or sponsored sales agent.

5. Licensure issues

For example, failing to disclose criminal history.

➔ See the Texas Real Estate Commission's enforcement FAQs at trec.state.tx.us/faq/enf.asp to get clarity about complying with the Real Estate License Act and TREC rules.

