

OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LABOR, LICENSING AND REGULATION
500 NORTH CALVERT STREET - 4TH FLOOR
BALTIMORE, MARYLAND 21202
(410) 230-6110
Fax (410) 333-6503

GUIDELINES ON THE USE OF UNLICENSED EMPLOYEES

An unlicensed employee MAY:

- Answer the telephone and forward calls to a licensee.
- Submit listings and changes to a multiple listing service.
- Follow up on loan commitments after a contract has been negotiated.
- Assemble documents for closing.
- Secure documents (public information) from courthouse, public utilities, etc.
- Have keys made for company listings.
- Write and place ads subject to the review and approval of licensee and supervising broker.
- Type contract forms at the direction of, and for approval by, licensee and supervising broker.
- Compute commission checks.
- Place signs on property.
- Arrange the date and time of home, termite, and well/septic inspection, mortgage application, pre-settlement walk-thru, and settlement.
- Prepare flyers and promotional information for approval by licensee and supervising broker.
- Act as courier service to deliver documents, pick up keys, etc.
- Schedule an open house.
- Schedule appointments for licensee to show listed property.
- Accompany a licensee to an open house or showing for security purposes or to hand out preprinted materials.

An unlicensed employee MAY NOT:

- Prepare promotional materials or ads without the review and approval of licensee and supervising broker.
- Show property.
- Answer any questions on listings, title, financing, closing, etc.
- Discuss or explain a contract, listing, lease, agreement, or other real estate document with anyone outside the

brokerage.

- Be paid on the basis of real estate activity, such as a percentage of commission, or any amount based on listings, sales, etc.
- Negotiate or agree to any commission, commission split, management fee, or referral fee on behalf of a licensee.
- Discuss the attributes or amenities of a property, under any circumstances, with a prospective purchaser or lessee.
- Discuss the terms and conditions of the real property offered for sale or lease with the owner of the property.
- Collect, receive, or hold deposit monies, rent, other monies, or anything else of value received from the owner or lessee of the real property or from a prospective purchaser or lessee.
- Provide owners of real property or prospective purchasers or lessees with any advice, recommendations, or suggestions as to the sale, purchase, exchange, or lease of real property to be listed or real property presently available for sale or for lease.
- Hold himself or herself out in any manner, orally or in writing, as being licensed or affiliated with a particular company or real estate broker as a licensee.
- Contact the public concerning the availability of real estate brokerage services unless an inquiry about a specific property is immediately referred to a licensee.

(NOTE THAT THE WORD "LICENSEE" AS IT APPEARS IN THE GUIDELINES MEANS A LICENSED ASSOCIATE BROKER OR SALESPERSON AFFILIATED WITH AND ACTING UNDER THE SUPERVISION OF A BROKER. AN INDIVIDUAL WHO HOLDS A LICENSE, BUT IS AFFILIATED WITH A DIFFERENT BROKER IS CONSIDERED TO BE UNLICENSED FOR THE PURPOSES OF THESE GUIDELINES.)

Elizabeth H. Trimble
Assistant Attorney General
Counsel to the Real Estate Commission