**Section 1450.715 Advertising**

a) Deceptive and misleading advertising includes, but is not limited to, the following:

1) Advertising property subject to an exclusive listing agreement with a sponsoring broker, other than the licensee's sponsoring broker, without the permission and identification of the sponsoring broker with the exclusive listing;

2) Use of terms in a team name that are inherently misleading (e.g., company, realty, real estate, agency, associates, brokers, properties, property), unless the term is followed by the word "team".

3) Failing to remove advertising of a listed property within a reasonable time, considering the nature of the advertising, the licensee's control over the removal of the advertising, the ease of removing the advertising, knowledge that the advertising was continuing, and any other pertinent criteria, after the closing of a sale on the listed property or the expiration or termination of the listing agreement, whichever occurs first;

4) Advertising property at auction as an absolute auction or auction without reserve, when a minimum bid or opening bid is required;

5) Advertising property in a manner that creates a reasonable likelihood of confusion regarding the permitted use of the property; and

6) Engaging in:

A) Phishing;

B) Using URL, domain name, username, social media handle, metatag, keyword or other device or method intended to deceptively direct, drive or divert internet traffic; or

C) Misleading consumers.

b) All advertising must include the sponsoring broker's name and conform to the following requirements:

1) For purposes of this Part, a logo, emblem, label, trademarked image, or similar identification used by the sponsoring broker is not considered a part of the sponsoring broker's name unless it contains the sponsoring broker's name.

2) Any advertising that meets one of the following shall be considered in compliance with this Part:

A) The font size used for the letters in the sponsoring broker's name is as large or larger than the letters used in the team name or individual licensee name;

B) The area, in terms of the height and width containing the sponsoring broker's name, is as large or larger than the area, in terms of height and width, than that of the team name or individual licensee name; or

C) Any logo, emblem, label, trademarked image, or similar identification incorporating the sponsoring broker's name, is as large or larger than that of the team name or individual licensee name.

c) For the purposes of this Section and Section 1450.720, listing information available on a sponsoring broker's or other licensee's website, extranet or similar website, but behind a firewall or similar device requiring a password, registration or other type of security clearance to access, shall not be considered advertising.

d) For the purposes of this Section and Section 1450.720, unsolicited marketing of licensed activities and prospecting for clients by licensees shall be considered advertising.

e) Nothing in Section 10-30 of the Act shall require a sponsoring broker to include the name of one of its sponsored licensees on the sponsoring broker's signs or other advertising.

f) Licensees registered with the Division as designated managing brokers shall indicate that status in any marketing or advertising that includes their name, except on "For Sale" or similar signs placed on real property, as set forth in Section 10-30(g) of the Act. Licensees holding a managing broker license and not named as the designated managing broker with the Division may represent or hold themselves out as a managing broker, but not as a designated managing broker.

g) Advertising for a real estate auction must contain, when applicable, the name and address of:

1) The licensed broker or managing broker;

2) The licensed auctioneer, as defined in Section 5-20(13) of the Act;

3) The licensed auctioneer and any individual holding a real estate auction certification; or

4) The licensed broker or managing broker and any individual holding a real estate auction certification, who is not otherwise exempt under Section 5-20(13) of the Act.

(Source: Amended at 45 Ill. Reg. 2851, effective February 23, 2021)