**Section 1450.720 Digital or Electronic Advertising and Communication**

a) For purposes of this Section:

1) "Advertising" or "Marketing Real Property" means use of a website, digital platform, or any form of social media to disseminate:

A) Information regarding properties listed with a sponsoring broker;

B) The identity of that sponsoring broker or the individual licensee for each property; and

C) Information related to those properties.

2) "Advertising" or "Marketing of Licensed Activities" means a website, digital platform, or any form of social media that includes an offer or solicitation to provide licensed activities in connection with marketing or identifying real property for sale or lease.

3) "Scraping or Data Mining" means copying or extracting existing listing information or keywords from a website, digital platform, or any form of social media of another licensee and using or altering that material and posting or displaying it for the benefit of the general public on another digital platform, form of social media, or in front of a firewall on another website, without written or electronic permission and disclosure from the original listing licensee.

b) Sponsoring Broker's Advertising or Marketing Real Property

1) A sponsoring broker having permission to advertise or market real property must include the following information on the website, digital platform, or any type of social media where the sponsoring broker's advertisement or marketing appears:

A) The sponsoring broker's name;

B) The city or geographic area and state or country where the property being advertised or marketed is located;

C) The city and state where the sponsoring broker's physical principal office or other offices registered with the Division are located or a direct link that connects to the sponsoring broker's virtual office, website, or digital platform; and

D) If the sponsoring broker does not hold a real estate license for the jurisdiction where the property is located, the regulatory jurisdictions where the sponsoring broker does hold a real estate license.

2) When a sponsoring broker is advertising a property that is subject to an exclusive listing agreement with another sponsoring broker, the sponsoring broker seeking to advertise the property shall obtain permission from, and identify in the advertisement, the sponsoring broker with the exclusive listing.

c) Sponsoring Broker's Advertising or Marketing of Real Estate Services

A sponsoring broker advertising or marketing licensed activities or soliciting business in connection with licensed activities must include the following information:

1) The sponsoring broker's name; and

2) The city and state where the sponsoring broker's physical principal office or other offices registered with the Division are located or a direct link that connects to the sponsoring broker's virtual office, website, or digital platform.

d) Licensee's Advertising or Marketing Real Property

Any licensee with permission to advertise or market real property must include the following information on the electronic location where the licensee's advertisement or marketing appears:

1) The licensee's name as licensed with the Division or, if applicable, the name registered with the Division (see Section 1450.150(b)). If the licensee is part of a team, the team name may be substituted for the individual licensee's name;

2) The city or geographic area and state or country where the property being advertised or marketed is located;

3) The sponsoring broker's name;

4) The city and state where the sponsoring broker's physical office registered with the Division is located or, in the case of a virtual office, a direct link that connects to the sponsoring broker's virtual office website or digital platform; and

5) If the licensee does not hold a real estate license for the jurisdiction where the property is located, the regulatory jurisdictions where the licensee does hold a real estate license.

e) Licensee's Advertising or Marketing of Real Estate Services

A licensee advertising, marketing, or soliciting business in connection with licensed activities must include the following information:

1) The licensee's name as licensed with the Division or, if applicable, the name registered with the Division (see Section 1450.150(b)). If the licensee is part of a team, the team name may be substituted for the individual licensee's name;

2) The sponsoring broker's name; and

3) The city and state where the sponsoring broker's physical office registered with the Division is located or, in the case of a virtual office, a direct link that connects to the sponsoring broker's virtual office website or digital platform.

f) Sponsoring Broker − Electronic or Digital Communication

A sponsoring broker engaged in licensed activities using any electronic or digital means of communicating must include the following information in the initial communication with a member of the public or another licensee:

1) The sponsoring broker's name; and

2) The city and state where the sponsoring broker's principal physical office or other offices registered with the Division are located or a direct link that connects to the sponsoring broker's virtual office website or digital platform.

g) Licensee − Electronic or Digital Communication

A licensee engaged in licensed activities using any electronic or digital means of communication must include the following information in the initial communication with a member of the public or another licensee:

1) The licensee's name as licensed with the Division or, if applicable, the name registered with the Division (see Section 1450.150(b)). If the licensee is part of a team, the team name may be used in addition to the individual licensee's name;

2) The sponsoring broker's name; and

3) The city and state where the sponsoring broker's physical office registered with the Division is located or, in the case of a virtual office, a direct link that connects to the sponsoring broker's virtual office website or digital platform.

h) A sponsoring broker or other licensee may link to listing information from another electronic or digital location without approval unless the owner of that electronic or digital location specifically requires consent. Any link must not mislead or deceive the public as to the ownership of any listing information.

i) All licensees, including sponsoring brokers, shall periodically review advertising and marketing information on their websites or digital platforms and update the information as necessary to assure that the information is current and not misleading.

j) All licensees, including sponsoring brokers, using websites or digital platforms for advertising must provide a direct link:

1) To all required disclosures relating to the sponsoring broker's name and other relevant business information; and

2) All terms and conditions of any offers or inducements made pursuant to Section 10-15(c) and (d) of the Act.

k) A domain name, URL, username, or social media handle does not constitute advertising.

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