

# GREC Rules regarding Open Houses

## [520-1-.07 Management Responsibilities of Real Estate Firms.](#)

... sales, exchanges, or property management; 2. hosting **open houses**, kiosks, home show booths, or fairs; 3. preparing promotional materials or advertisements ...  
[rules.sos.state.ga.us/docs/520/1/07](http://rules.sos.state.ga.us/docs/520/1/07).

O.C.G.A. Section 43-40-25 (a) (19) & (20):

(f) The Commission has identified the following tasks that **unlicensed support personnel** under the direct supervision of a licensee affiliated with a broker **cannot perform**:

1. making cold calls by telephone or in person or otherwise contacting the public for the purpose of securing prospects for listings, leasing, sales, exchanges, or property management;

**2. hosting open houses, kiosks, home show booths, or fairs;**

3. preparing promotional materials or advertisements without the review and approval of licensee and supervising broker;

4. showing property;

5. answering any questions on title, financing, or closings (other than the time and place);

6. answering any questions regarding a listing except for information on price and amenities expressly authorized in writing by the licensee;

7. discussing or explaining a contract, listing, lease, agreement, or other real estate document with anyone outside the firm;

8. negotiating or agreeing to any commission, commission split, management fee, or referral fee on behalf of a licensee;

9. discussing the attributes or amenities of a property, under any circumstances, with a prospective purchaser or lessee;

10. discussing with the owner of real property, the terms and conditions of the real property offered for sale or lease;

11. collecting or holding deposit monies, rent, other monies or

## **(6) Utilizing Unlicensed Support Personnel – Task Guidelines.**

(a) Whenever a licensee who is affiliated with a broker engages support personnel to assist the affiliated licensee in the conduct of the real estate brokerage business, both the firm and the affiliated licensee are responsible for the acts of the support personnel; for assuring that the support personnel comply with the requirements of this rule and the license law; and for seeing that any licensed support personnel are properly licensed with the firm. Unless such support personnel holds an active real estate license, the support personnel may not perform any duties and tasks of a real estate licensee and may perform only ministerial duties, those that do not require discretion or the exercise of the licensee's own judgment.

(b) Nothing in this rule shall prohibit an individual employed by a broker to assist in the management of property from undertaking those activities permitted by O.C.G.A. Section 43-40-29 (10).

(c) Individuals actively licensed with one firm may not work as support personnel for a licensee(s) in another firm. Individuals whose licenses are on inactive status and who work as support personnel for a licensee(s) may perform only activities that do not require licensure until and unless such individuals activate their licenses.

(d) Any real estate brokerage firm that allows an affiliated licensee to employ (or engage under an independent contractor agreement) support personnel to assist such affiliated licensee in carrying out his or her real estate brokerage activities must:

1. enter into a written agreement with the affiliated licensee authorizing the use of the support personnel, delineating the duties that the support personnel may perform, and approving any compensation arrangement that the firm permits the affiliated licensee to have with the support personnel;
2. enter into a written agreement with the support personnel assisting its affiliated licensee specifying any duties that the support personnel may undertake in behalf of the affiliated licensee;
3. assure that the affiliated licensee and the support personnel have entered into a written agreement specifying all duties that the support personnel may undertake in behalf of the affiliated licensee and the manner in which the support personnel shall be compensated.