

## UNLICENSED ASSISTANTS

As a licensee you are responsible for the actions of your employees who aid or assist you in the course of you performing your licensed activity. The Board of Realty Regulation has created a list of activities that cannot be completed by an unlicensed personal assistant. This list is by no means exhaustive and is meant as a guideline only. You must refer to the current statutes and rules for further guidance. Remember, unlicensed persons cannot complete any task for which a license is required. It may be unprofessional conduct for you to assist in unlicensed practice.

1. An unlicensed assistant may not access a property in the presence of a potential buyer/tenant unless accompanied by a licensee.
  - EXCEPT: An unlicensed assistant may open property for MLS caravans, appraisers, utility and repair people, home inspectors, deliver flyers, stage a home for showing, take photos, or inspect vacant homes without the presence of a potential buyer/tenant.
2. An unlicensed assistant may not contact a prospective seller/buyer/landlord/tenant for the purpose of soliciting a listing agreement; buyer broker agreement; property management agreement; or rental/lease agreement
  - EXCEPT: An unlicensed assistant may contact and extend an invitation to an open house.
3. An unlicensed assistant may not attend settlements/closings unless they are in the presence of a licensee.
4. An unlicensed assistant may not negotiate contracts, rental agreements, leases, buyer/seller agency agreements, listing agreements, management agreements, title matters, financing, or closing issues.
  - EXCEPT: An unlicensed assistant may provide information which is generally available to the public or which has been disclosed in the marketing process.
5. An unlicensed assistant may not disclose any confidential information.