

Advertising sold properties

This bulletin explains brokerage and agent obligations related to advertising a trade in real estate and when each party's consent is required.

Summary

Brokerages and agents advertising that a property is sold must not include anything that could reasonably be used to:

- **Identify any party to the transaction**, unless that party has consented in writing;
- **Identify a specific property**, unless the owner of the property has consented in writing; or
- **Determine any of the contents of an agreement of purchase and sale**, including the price, unless the parties to the agreement have consented in writing.

The consent must be clear and include the date on which the consent takes effect and the date on which the consent expires.

RECO Bulletins are a series of publications developed to provide helpful information to brokerages and real estate agents about their duties and obligations under the *Trust in Real Estate Services Act, 2002* (TRESA) and its regulations. Bulletins may be updated as required. Please check the RECO website to ensure you are referencing the most current version.

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Who needs to consent?

To determine whose written consent to seek — the buyer, seller, or both — an agent must answer the following questions:

- **When will the advertisement be distributed?** Will the advertisement be published before or after the transaction is completed?
- **Who is placing the advertisement?** Which party did the agent represent in the transaction?

Remember, if you need to contact a party that was represented by another agent, communication must go through the other agent, unless you have the agent's consent to contact the person directly.

Advertising before a transaction is completed

PROPERTY SOLD

If the seller's brokerage wants to advertise that the property is sold (with or without an image of the property), the seller's consent is required.

If the buyer's brokerage wants to advertise that the property is sold (with or without an image of the property), the seller's consent is required.

PROPERTY SOLD AND PRICE OR TERMS INCLUDED

If the seller's brokerage wants to advertise that the property is sold (with or without an image of the property) and wants to include price information, or other terms of the deal, both the seller's and buyer's consent is required.

If the buyer's brokerage wants to advertise that the property is sold (with or without an image of the property) and wants to include price information, or other terms of the deal, both the seller's and buyer's consent is required.

Advertising after a transaction is completed

PROPERTY SOLD

If the seller's brokerage wants to advertise that the property is sold (with or without an image of the property), the buyer's consent is required.

If the buyer's brokerage wants to advertise that the property is sold (with or without an image of the property), the buyer's consent is required.

PROPERTY SOLD AND PRICE OR TERMS INCLUDED

If the seller's brokerage wants to advertise that the property is sold (with or without an image of the property) and wants to include price information, or other terms of the deal, both the seller's and buyer's consent is required.

If the buyer's brokerage wants to advertise that the property is sold (with or without an image of the property) and wants to include price information, or other terms of the deal, both the seller's and buyer's consent is required.

Related information

Bulletin No. 5.1 Advertising requirements

Bulletin No. 5.2 Permitted terms

Bulletin No. 5.3 Advertising online

Bulletin No. 5.5 Advertising compliance review

Bulletin No. 5.6 Advertising complaints from brokerages