

Reciprocity Reached With Other States

The Division has negotiated real estate licensure reciprocity with five states: Arkansas, Kentucky, Nebraska, Oklahoma, and Wyoming. If you have any questions regarding securing an Ohio real estate license through a reciprocal state, contact the Division's Testing Section or reference our website. Ohio licensees seeking licensure in any of the reciprocal states should contact that state's Real Estate Division.

BE ADVISED:

When transferring or reactivating your license, you cannot provide any real estate related services until such time as the Division issues your new license. The date your license is issued will be reflected on the license itself.

Conducting business prior to your license being issued by the Division can result in disciplinary action being taken against both the involved salesperson and the broker. Contact the Division if there is any question as to the date your license is issued.

Robert W. Patchen Named Assistant Superintendent

Robert (Rob) Patchen joined the Division on June 5th as Assistant Superintendent. He replaces Bill Damschroder, who accepted a legal position with the Department of Commerce, Division of Administration.

Before joining the Division, Rob served as the Chief of the Bureau of Operations and Maintenance for the Division of Industrial Compliance. He also formerly served as that Division's chief counsel

and Chief of the Bureau of Licensing and Certification.

From 1986 to 1995, Rob was an Assistant Attorney General, representing the Bureau of Underground Storage Tank Regulations and numerous state boards and commissions.

Rob earned his BBA degree from the University of Notre Dame and his Juris Doctor degree from the University of Toledo College of Law.

New Canons of Ethics Adopted

On February 16, 2000, the Ohio Real Estate Commission adopted new canons of ethics as a result of the recommendations of the Canons of Ethics Task Force.

The Commission elected to change the Canons in order to remove redundancy between them and the already established Ohio Real Estate statute. The overlap between the Canons and the statute created some confusion, and the task force recommended that the Canons be purely aspirational, separate and distinct from the statute.

When House Bill 524 was signed, another recommendation of the task force became law. From now on, continuing education instructors will be required to

teach O.R.C. Section 4735.18 in the ethics course. Furthermore, two new disciplinary sanctions were added. They are:

- 4735.18(A)(35): "Having knowingly inserted or participated in inserting any materially inaccurate term in a document, including naming a false consideration."
- 4735.18(A)(36): "Having failed to inform the licensee's client of the existence of an offer or counter offer or having failed to present an offer or counter offer in a timely manner, unless otherwise instructed by the client, provided the instruction of the client does not conflict with any state or federal law."

More Advertising Basics: Advertising Agent Owned Property

Licensees advertising their own property for sale, lease, rental, or exchange, must be aware of some very basic requirements. These basic requirements are set forth in O.R.C. Section 4735.16.

When advertising your own property and the property is NOT listed with your brokerage:

- All advertising must contain the licensee's name as it appears on the license to conduct business.
- There must be some indication that the person is a real estate licensee.

For illustration purposes, we have John Doe, as sales agent with Sunshine Realty, selling his own property. He does not have it listed with any broker. When advertising this property, he must include in the advertisement his licensed name and some identification of his licensed

status. He can do this in a number of ways. All of the following are compliant with real estate license law:

- John Doe, owner/agent
- John Doe, real estate agent
- John Doe, REALTOR (provided John Doe is indeed a REALTOR)

When advertising your own property, and the property IS listed with your brokerage:

- All advertising must contain the licensee's name as it appears on the license to conduct business.
- If the licensee is a salesperson, the name of the brokerage must appear in at least equal prominence to that of the salesperson.
- If the licensee is a broker, the brokerage name must also appear in the advertisement. The equal

prominence provision does not apply to this situation.

Examples of when John Doe lists the property through his brokerage:

- John Doe/Sunshine Realty
- John Doe, agent, Sunshine Realty
- John Doe, agent/owner, Sunshine Realty

These examples are not meant to be exhaustive. There are many ways an agent may disclose license status, and if necessary the name of the brokerage, to be in compliance with real estate license law.

The advertising provisions in real estate license law outline the minimum information necessary for advertising real estate for sale. It should be noted that brokers may impose additional advertising requirements, or disclosures, for an agent's advertising.