

PURPOSE AND SCOPE

The scope of this policy applies to the use of social media in connection with the real estate business. This policy applies regardless of the social media platform being used and regardless of whether the technology used is a company or personal device. This policy shall be observed by all real estate licensees and unlicensed assistants (collectively referred to as “Agents”) affiliated with _____, (“the Brokerage”).

As used in this policy, “*engaging in social media*” means posting or uploading content to any type of interactive electronic communication including but not limited to websites, social networks, blogs, apps, discussion forums, and listservs.

This policy is not intended to cover activities which fall completely outside the scope of an Agent’s employment in the real estate business; however, any conduct which reflects adversely upon the Brokerage or the Realtor® organization generally may be reviewed under the terms of this policy.

GENERAL RULES

You are solely responsible for the content you make available on the web, and it remains your responsibility to stay compliant with local, state and federal law and the Code of Ethics of the National Association of REALTORS®. Agent will hold the Brokerage harmless for any loss or damages arising from any postings made by an Agent via social media in violation of this Social Media Policy.

The following sections of the policy provide general rules for using social media responsibly and safely, in the best interests of the Brokerage. These rules are intended to add to, not contradict, limit, or replace any legal prohibitions or contractual obligations.

Online Advertising

Any and all real estate advertising must comply with the applicable state licensing and advertising laws (MCL 339.2512e). All individual licensees and teams must clearly identify themselves as being affiliated with a licensed broker. All rules that apply to traditional print advertising also apply to online advertising.

- All advertising must disclose your status as a real estate licensee and include the Brokerage’s name and address or telephone number
- Agent is responsible for ensuring that any listing of qualifications, credentials or training contained on the site is correct, accurate and not misleading.

SOCIAL MEDIA POLICY

- Agent shall not falsely claim association with any person or group.

Fair Housing Compliance

The law prohibits an Agent from discriminating in any activity related to the sale, rental, financing, insuring, advertising, or terms and conditions related to housing on the basis of race, color, religion, sex, disability, national origin, familial status, marital status, age, or any other protected classification under local ordinance.

- Agents shall not post content which expresses or implies a preference based upon an individual's protected class.

Intellectual Property

Agents must respect laws regarding copyrights, trademarks, and other third-party rights. You are responsible for assuring that any material (listing photos, articles, artwork, music, etc.) posted to a webpage or MLS does not infringe on another individual's copyright or trademark.

- Wherever possible, link to other content elsewhere on the Web instead of republishing.
- Where appropriate, reference sources of particular information you post or upload and cite them accurately. Plagiarism applies online.
- Agents must obtain clear authority prior to posting any third party's content.
- Agents are responsible for ensuring that he/she is authorized to use photos/audios/videos posted to the site.
- Agents may not write regarding the listings of other licensees.
- If an image has been materially altered in any way, that fact must be disclosed.

Antitrust

Agents may not participate in any online activity that could be interpreted as an unreasonable restraint of trade. Comments about commission rates and/or commission splits may be viewed as an attempt to fix prices. Negative comments about a competitor or a vendor may be viewed as a group boycott. The bottom line is that if you could not say something in a room of competitors, you should not discuss it online.

Safeguarding Confidential Information

Agents shall ensure that content posted online does not contain unauthorized disclosures of confidential information of either clients or the Brokerage. Agent shall secure permission to post the image of another person for marketing purposes.

Vendor Advertising

No vendor advertising may be posted to either an Agent's personal business page or the Brokerage business page. Agent shall not pay or receive anything of value in consideration for posting information. In both cases, this includes standalone posts as well as posts made in comment sections.

RPAC Solicitations/Political Advocacy

RPAC contributions shall not be solicited in any online public forum. When representing the Brokerage, refrain from expressing your own political views about individual politicians. In the business context, you should represent yourself as a member of the Realtor® party, which supports real property rights regardless of political affiliation.

ONLINE LANGUAGE

In General

Use appropriate business decorum in all online communications. This means treating all coworkers, clients and competitors with respect and professionalism.

The Brokerage requires professionalism and honesty in social media and other communications. Always strive to be accurate in your communications and remember that your statements have the potential to result in liability for you and the Brokerage. You are responsible for assuring that your online content does not contain false, defamatory, demeaning or degrading statements.

You are personally responsible for what you communicate on social media. Remember that what you publish might be available to be read by the masses (including the Brokerage itself, future employers, and social acquaintances) for a long time. Keep this in mind before you post content.

Protecting the Brokerage's Goodwill, Brand, and Business Reputation

When engaging in social media activity via a personal business account and speaking on an industry-related topic, make it clear that you are speaking on your own behalf.

Any statement regarding the Brokerage shall clearly disclose your affiliation with the Brokerage. It is important to specifically state that any personal opinions you express may not represent those of the Brokerage. For example, consider such language as "the views in this posting reflect my personal views and do not represent the views of my Brokerage." Use good judgment about what you post and remember that anything you say can reflect on the Brokerage, even if you do include such a disclaimer.

BROKERAGE BUSINESS PAGE

Page Administrator

The Brokerage maintains an official business page ("Brokerage Page") on multiple social media platforms, such as Facebook, so that the Brokerage has a recognizable presence and the ability to communicate with customers and other real estate professionals online. Only a designated representative ("Page Administrator") of the Brokerage is permitted to create and alter the Brokerage Page. If you are authorized to speak on behalf of the Brokerage, be sure that your posts reflect the Brokerage's position.

"Take Down" Policy

The designated Page Administrator shall monitor all Brokerage Pages and has the authority to remove third-party posts and comments which are deemed inappropriate by the Brokerage. This includes content that may be viewed as vulgar, discriminatory, harassing, or that violates state and/or federal law. Inappropriate posts/comments should be reported the Page Administrator so that the content may be reviewed.

PERSONAL BUSINESS PAGE

You are solely responsible for monitoring your personal business page(s) for inappropriate third-party posts and comments. This includes tracking and removing content that may be viewed as vulgar, discriminatory, harassing, or that violates state and/or federal law. Understand that if you fail to remove inappropriate posts and comments from your personal business page, you could face liability as a publisher of that content, even if the content was posted by a third party.

SOCIAL MEDIA POLICY

TERMS OF USE

Agents shall be familiar and comply with the policies and requirements of any social media platform they use as part of their job duties or in the course of their business. Review the Terms of Use of all social media sites you visit and ensure your use complies with those terms. Do not expose yourself or the Brokerage to legal risk by using a social media site in violation of its terms of use.

NATIONAL ASSOCIATION OF REALTORS® CODE OF ETHICS

Agent is responsible for ensuring that all social media engagement conforms to the standards established in the National Association of REALTORS® Code of Ethics.

ACKNOWLEDGEMENT OF RECEIPT AND REVIEW

By signing below, I acknowledge that I have received a copy of the Brokerage's Social Media Policy and that I read, understood, and agree to comply with it. I understand that the Brokerage expressly reserves the discretion permitted by law to interpret, change, modify, update or delete provisions without immediate notice. I understand that any violation of this Policy can result in disciplinary action.

_____ Date: _____
Print Name

_____ Date: _____
Signature