

**PENNSYLVANIA STATE ADDENDUM TO  
REAL BROKER NATIONAL POLICIES AND PROCEDURES MANUAL**

Real Broker, LLC (Company) makes this addendum a part of the Independent Contractor's Agreement to set forth state specific policies and procedures for an agent affiliating with the Company in the State of Pennsylvania (Agent). This addendum supersedes all previous Pennsylvania state addendums. The Company reserves the right to modify, suspend, or discontinue any of the terms, policies, procedures and/or benefits described in this addendum with proper notice.

**Licensing Authority**

Pennsylvania State Real Estate Commission (the "Commission")

Mailing Address: State Real Estate Commission, PO Box 2649, Harrisburg, PA 17105-2649

Physical Address: One Penn Center, 2601 N 3<sup>rd</sup> St, Harrisburg, PA 17110

Drop-Off Hours: Starting Monday, March 16th the front lobby will be closed to the public.

Phone: 717-783-3658

Toll Free: 833-DOS-BPOA (367-2762)

Email: RA-REALESTATE@pa.gov

Website:

<https://www.dos.pa.gov/ProfessionalLicensing/BoardsCommissions/RealEstateCommission/Pages/default.aspx>

Pennsylvania Licensing System (PALS): <http://www.pals.pa.gov/>

Real Estate Licensing and Registration Act (RELRA)

<https://www.legis.state.pa.us/CFDOCS/LEGIS/LI/uconsCheck.cfm?txtType=HTM&yr=1980&sessInd=0&smthLwInd=0&act=0009>

Regulations of the Pennsylvania State Real Estate Commission: Chapter 35

<http://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/049/chapter35/chap35toc.html&d>

**Main Office**

Our legal name and license number is below. You do not need to include your license number(s) on your advertising in Pennsylvania. The main office for licensing purposes is our New York headquarters. If using an address, you must use the main office address (or an approved branch office address at which you are licensed). Additionally, the main office number must be on all advertising (or the office number of an approved branch office at which you are licensed).

Real Broker LLC (Lic RBR003163)

27 West 24<sup>th</sup> Street, Suite 407

New York, NY 10010

855-450-0442

Broker of Record: R. Eric Axelson (Lic RM424600)

pabroker@therealbrokerage.com

## **Discrimination**

The Pennsylvania Human Relations Act, as amended (PHRA) protects against unlawful discrimination of individuals or groups on the basis of race, color, sex, familiar status, religious creed, ancestry, age, national origin, handicap or disability, use of guide support animal because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals ((43 P. S. § § 951—963). In addition, some jurisdictions, including Philadelphia and Pittsburgh, have their own local fair housing laws. It is the agent's responsibility to make sure they are treating all customers fairly at all times.

[-https://www.phrc.pa.gov/Resources/Law-and-Legal/Pages/The-Pennsylvania-Human-Relations-Act.aspx](https://www.phrc.pa.gov/Resources/Law-and-Legal/Pages/The-Pennsylvania-Human-Relations-Act.aspx)

[-https://www.phila.gov/fairhousingcommission/pages/default.aspx](https://www.phila.gov/fairhousingcommission/pages/default.aspx)

[-https://pittsburghpa.gov/chr/](https://pittsburghpa.gov/chr/)

## **License Renewal**

All real estate licenses are issued on the basis of a 2-year license term. Example: June 1, 2020 to May 31, 2022. All licenses are good for two years and run from June 1 to May 31 in even number years. You will renew your own license on the PALS website.

## **Continuing Education**

In order to renew their license, a licensee must take fourteen (14) hours of continuing education (CE) each cycle. The licensee should take care to ensure they are only taking CE from approved sources.

## **REALTOR® Boards and MLSs**

Because your broker's primary local board is in New Jersey, you must join or transfer to a local Realtor board in Pennsylvania, or some other state that is contiguous with New Jersey (Delaware or New York) within thirty (30) days of affiliating with Real. If you would like to join an additional state board for access to forms, you may do so as a secondary member. You must belong to at least one (1) MLS in the region in which you practice.

## **Seller's Disclosure**

A written seller's property disclosure is required in Pennsylvania.

## **Agency, Dual and Designated Agency**

You shall provide each consumer with an agency disclosure, called the Consumer Notice, prior to any discussion of money or motivation. This includes providing this at open houses before you begin substantively speaking with the consumer.

Dual agency is legal in Pennsylvania with the informed consent of all parties. This can be accomplished with proper disclosure via the Consumer Notice, the listing and buyer agency agreements, and the agreement of sale. In addition, Pennsylvania offers Designated Agency. This is automatic and the broker does not need to take any action. If two agents at Real are representing the seller and buyer respectively on the same transaction, they would be considered designated agents, while the company would still be a dual broker. Of course if the same agent is helping both the buyer and seller in the same transaction, that would still be considered to be dual agency.

## **Deposits; Earnest Money; Escrow; Good Faith Deposits**

While we have the proper escrow accounts in place to comply with state law, we do not utilize them for any reason. Please have an attorney, the cooperating brokerage, or a title company hold these funds. You as the agent may never hold funds in escrow for another person.

**Advertising Rules.** These rules shall apply to all categories of advertising including all publications, radio or television broadcasts, all electronic media including email and the internet, business stationery, business cards, business and legal forms and documents, signs and billboards, email signatures and social media profiles and activity.

An advertisement by an associate broker or salesperson shall contain the business name and telephone number of the employing broker. The names and telephone numbers shall be of equal size.

**MISCELLANEOUS (in alphabetical order)**

**Advertisements of lotteries, contests, prizes, certificates, gifts and lots.** An advertisement by a licensee for the solicitation, sale or offering for sale of real estate that employs lotteries or contests or that offers prizes, certificates, gifts or free lots has certain advertising and record-keeping requirements. Because of this, you shall see your broker before doing this.

**Criminal Offenses.** A licensee shall notify the Commission of being convicted of, or pleading guilty or nolo contendere to, a felony or misdemeanor, within 30 days of the verdict or plea. A licensee shall notify the Commission of disciplinary action taken against him by the real estate licensing authority of another jurisdiction within 30 days of receiving notice of the disciplinary action.

**Nicknames.** Licensees who wish to use and advertise a nickname for their first names shall include the nickname on their licensure applications or biennial renewal applications. Please provide a copy of the nickname approval to the Company and/or your broker.

**Non-Standard Property Types.** In Pennsylvania, your license allows you to service campgrounds, cemeteries and timeshares. That said, any agents wishing to participate in the sale or rental of any non-standard property types such as those above and/or business brokering, timeshares, out-of-state development marketing, AirBnB properties (nightly rentals), weekly shore rentals, etc., shall first get the permission of the broker.

**State Meetings.** Given that we are a virtual brokerage, with the advent of technology, and given that we recently had a pandemic, state meetings and trainings are offered at least once monthly on Zoom and in Workplace. As the schedule varies, you should pay attention to the PA group on Workplace for dates and times.

**Teams.** Licensees are permitted to advertise as a team provided the following criteria are met:

1. The team name is either the licensed or Commission-registered nickname of a licensee on the team. The team name may not be a fictitious name.
2. On all advertisements, except business cards, all team members must be listed using the team member's licensed or Commission-registered nickname.
3. Unlicensed individuals, including office staff, may not be listed or pictured as members of the team.
4. A team may only be composed of licensees from the same real estate company.
5. The requirements of §35.305, including the prominence requirement of the broker's name and number, must be met on each page of the advertisement.

In addition to the five criteria, like all other advertisements, "team" advertising cannot be false, misleading or deceptive. All team names, members and employees, licensed or otherwise, shall be registered with the broker.

**Unlicensed Assistants.** Any assistants, licensed or otherwise, shall be registered with the broker.