

Summary of Key Professional Standards Changes

** effective January 1, 2018 **

1. Amend Standard of Practice 12-10 as follows:

Standard of Practice 12-10

REALTORS®' obligation to present a true picture in their advertising and representations to the public includes Internet content posted, images, and the URLs and domain names they use, and prohibits REALTORS® from:

- 1) engaging in deceptive or unauthorized framing of real estate brokerage websites;
- 2) manipulating (e.g., presenting content developed by others) listing and other content in any way that produces a deceptive or misleading result;
- 3) deceptively using metatags, keywords or other devices/methods to direct, drive, or divert Internet traffic; or
- 4) presenting content developed by others without either attribution or without permission, or
- 5) ~~to otherwise mislead consumers.~~ otherwise misleading consumers, including use of misleading images.

Rationale: As consumers rely increasingly on images of listed property in tailoring their home search, excessive use of photo altering techniques or extreme distortion of a space's size in a photograph may not only mislead consumers, but damage the credibility of REALTORS® and the industry that rely on photographs in the MLS or on websites to accurately represent listed property. These amendments provide that Article 12's obligation to present a true picture includes images, and that misleading consumers through the use of misleading images is prohibited under Article 12.

**** NOTE:** This only clarifies that misleading photos are a potential violation of the Code, if there were any Realtors® who were somehow not clear on that concept. But it does not define when a photo is misleading enough to be a violation. For example, a photo that "virtually stages" an empty room by adding a couch and chairs is probably not a violation. But if that same virtual furniture is added in a way that deliberately covers up holes in the wall and floor it is much more likely to be a violation.

2. Remove references to dissenting opinions

All references to dissenting opinions in ethics hearings or appeals have been removed.

Rationale: Dissenting opinions have been permitted as a local options, but very few are filed in the course of any one year. The references were removed to avoid creating confusion over a process that rarely occurs, but since no language has been included that would prohibit dissenting opinions, it will still be a local option to allow them and under what circumstances.

3. Modernize Case Interpretations

The Committee approved edits to nearly 80 of the Case Interpretations in the *Code of Ethics and Arbitration Manual* to modernize references to the Code of Ethics, pricing, marketing strategies, and internet tools. Another four Case Interpretations were deleted.

**** NOTE:** Case Interpretations will no longer be available in the printed version of the manual, but will only be published online.

4. Update Code of Ethics Training learning objectives and criteria

Overall document edited/rewritten for clarity, with a few adjustments to content. References to some Standards of Practice updated to reflect amended text, and other references added or deleted to reflect market realities.

Rationale: These enhancements simplify and streamline enforcement of the Code of Ethics training requirement, providing much needed, clear guidance on training objectives for members and association staff. .