



## **The Rules of Advertising**

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We all know that advertising must not be false or misleading and must reflect an accurate and true picture of the property being sold. But people often ask, *what else should I know about advertising in Nevada?* To explain some of the nuances of Nevada's advertising rules, I have drafted this question and answer article that highlights some important information that REALTORS® need to know. Always remember to run all advertising by your broker.

***Q: I am part of a “team” but I want to advertise individually? Am I allowed to do so or do I have to advertise as part of my team?***

**A:** Yes, you are allowed to advertise individually and as part of the team. The Nevada Real Estate Division in their publication: [Nevada Law and Reference Guide](#), Fourth Edition 2014, established regulations regarding the formation of teams. You can find the link to this publication here: [http://red.state.nv.us/publications/law\\_guideprint.htm](http://red.state.nv.us/publications/law_guideprint.htm).

Below is a list of the following regulations concerning team advertising:

1. A team must have two or more members. A single person cannot be, nor advertise, as a team.
2. Team members must be employed by the same broker. A team may not be composed of members who work for different brokerages.
3. The team name must incorporate the last name of one of the team members. For example, Jane Young and Mary Smith may form “The Young Team”.
4. Team names must not use a trade name nor may the team name be deceptively similar to a name under which another person or entity is lawfully doing business. The test of whether a name is “deceptively similar” is whether a person of average intelligence would be misled by the name. It does not require actual deception or intent to deceive.

***Q: Am I allowed to advertise as a “team” with another agent employed by a different broker?***

**A:** No, according to NAC 645.611, a licensee may use the term “team” or “group” to advertise the services provided if (3) the members of the team or group are employed by the same broker.



***Q: What if my team only has one other licensee?***

**A:** Advertising using the term “team” or “group” is allowed if the team is composed of more than one licensee according to NAC 645.611 (2). Also, keep in mind that when advertising as a team, NAC 645.611 (4) states that the name of the team or group must contain the last name of at least one of the members of the team or group. In addition, make sure the advertising complies with all other applicable provisions of this chapter and chapter 645 of NRS.

***Q: Do I have to advertise using my real name or can I advertise using my nickname?***

**A:** A licensee should advertise using the name under which he or she is licensed with the Division. This way the Division can accurately identify the licensee and the brokerage with which the licensee is affiliated. Pursuant to NAC 645.610 (1) (c): the name of a brokerage firm under which a real estate broker does business or with which a real estate broker-salesperson or salesperson is associated must be clearly identified with prominence in any advertisement. In determining whether the name of the brokerage firm is identified with prominence, the Division shall consider, without limitation, the style, size and color of the type or font used and the location of the name of the brokerage firm as it appears in the advertisement.

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