



## Licensed Real Estate Agent On Duty

*By Brian Madigan*

How many times have you seen this sign? Ever wondered what it means? It means nothing. In fact, it's illegal!

Real Estate practitioners in Ontario are governed by the Real Estate and Business Brokers Act which is administered by the Real Estate Council of Ontario. There are only two categories: brokers and salespersons, nothing else. And, they are registered not licensed.

RECO does not permit salespersons to refer to themselves as “agents”, nor are they permitted to use the term “licensed”. This is not something new, this has been the law in Ontario for decades.

It is interesting to note that in some States, including New York State both terms are used. But, does this excuse a registered salesperson from using these terms in Ontario?

Fortunately, most newspapers seem to know the correct terminology and will publish advertisements complying with the legislation. The question remaining is why do you see these signs, why do they appear on business cards, letterheads, brochures and websites?

For some reason, real estate practitioners never seem to have adopted use of the correct terms. You would think that the fact that they are required to carry around and produce for inspection, if asked, a copy of their “Certificate of Registration” that this might prompt some to change.

So, what does all this mean? Should you hire someone as your salesperson who refers to themselves as a “licensed agent”? At first blush, you might think not; however, if you were to exclude them all, you would likely eliminate some very capable, qualified and experienced practitioners in the field.

This terminology has crept into the vernacular and although it is legally incorrect in most circumstances it doesn't do any harm. In any event, all qualified practitioners know that they are registered sales representatives and not licensed agents. If you are interviewing several to list your home, maybe this is a question you'd like to ask.

*Brian Madigan LL.B., Realtor is an author and commentator on real estate matters and you may direct questions to him at Coldwell Banker Innovators Realty Inc. 905-796-8888 [BRMadigan@Rogers.com](mailto:BRMadigan@Rogers.com) or visit [www.OntarioRealEstateSource.com](http://www.OntarioRealEstateSource.com)*