

“No Showings until” and Possible Ethics Violations

The listing contract authorizes advertising procedures, if there is any modification of that authorization; the seller needs to know about it.

When you advertise a listing that states no showings until a specific date, it should mean just that: no showings until that advertised date. If “no showings until” procedures are implemented by a Realtor® as a way to realize both sides of a commission, it may be determined by an ethics hearing panel that the Realtor who engages in these activities is putting his interest before that of his client. Realtors who advertise properties as “no showings until” (a specific date in time) and then show that property are possibly violating article 1 and 3 of the Realtors Code of Ethics in addition to Wisconsin Administrative Rule RL-24.13.

Article 1

When representing a buyer, seller, landlord, tenant, or other client as an agent, REALTORS® pledge themselves to protect and promote the interests of their client. This obligation to the client is primary, but it does not relieve REALTORS® of their obligation to treat all parties honestly. When serving a buyer, seller, landlord, tenant or other party in a non-agency capacity, REALTORS® remain obligated to treat all parties honestly. (Amended 1/01)

Article 3

REALTORS® shall cooperate with other brokers except when cooperation is not in the client’s best interest. The obligation to cooperate does not include the obligation to share commissions, fees, or to otherwise compensate another broker. (Amended 1/95)

Standard of Practice 3-8

REALTORS® shall not misrepresent the availability of access to show or inspect a listed property

RL 24.13 Drafting and Submission of Offers

- (1) Refusal Prohibited. Licensees shall not refuse to draft or submit any offer to purchase, exchange agreement or option to contract proposal to the owner unless the terms of the offer, exchange agreement or option would be contrary to specific instructions of the owner.
- (2) Withholding Offers Prohibited (a) Listing brokers shall permit access to listed property for showing purposes, to all buyers and persons assisting or advising buyers, without unreasonable delay, unless the buyer’s or other person’s access is contrary to the specific instructions of the seller.