
Tennessee Real Estate Commission

Policy Statement Number 93-CPS-001

Revision Date: October 4, 1995

Personal Assistants

An unlicensed employee, assistant, or secretary may:

1. Answer the phone, forward calls, and give information contained only on the listing agreement as limited by the broker.
2. Fill out and submit listings and changes to any multiple listing service.
3. Follow up on loan commitments after a contract has been negotiated and generally secure status reports on the loan progress.
4. Assemble documents for closing.
5. Secure public information from court-houses, utility districts, etc.
6. Have keys made for company listings.
7. Write ads for approval for licensee and supervising broker, and place classified advertising.
8. Receive, record, and deposit earnest money, security deposits, and advance rents under the direct supervision of principal broker.
9. Type contract forms for approval by licensee and supervising broker.
10. Monitor licensees and personnel files.
11. Compute commission checks.
12. Place signs on property.
13. Order repairs as directed by the licensee.
14. Prepare fliers and promotional information for approval by licensee and supervising broker.
15. Deliver documents and pick up keys.
16. Place routine telephone calls on late rent payments.
17. Schedule appointments for licensee to show listed property.
18. Gather information for a comparative marketing analysis (CMA).
19. Hand out objective, written information on a listing or rental.
20. Give a key to a prospect, or unlock property.
21. Disclose the current sales status of a listed property.

An unlicensed employee, assistant, or secretary may not:

1. Make cold calls by telephone or in person to show potential listers or purchasers.
2. Show properties for sale and/or lease to prospective purchasers.
3. Host public open houses, host licensee open houses, home show booths, or fairs.
4. Answer questions concerning properties listed with the firm except only that information contained on the listing agreement as limited by the broker.
5. Prepare promotional material or advertising of properties for sale or lease without the approval of the supervising broker.
6. Discuss or explain listings, offers, contracts, or other similar matters with persons outside the firm.
7. Be paid on the basis of real estate activity; such as percentage of commission, or any amount based on listings, sales, etc.
8. Act as a "go-between" with a seller and buyer such as when an offer is being negotiated.
9. Negotiate or agree to any commission split or referral fee on behalf of a licensee.