

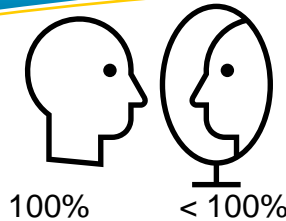
2025 Calendar

- Georgia Instructor Training Workshop (GIT)
July 15-17, 2025
Augusta, GA
[Register](#)
- GREC Annual School Meeting
Lake Lanier Islands
December-4-5, 2025

To sign up to
receive the GREC
RENewsletter
[Click Here](#)

EDUCATION
ADVISOR
Greconnect.com
[Link](#)

Georgia Real Estate Infobase
[Click Here](#)



This Issue

Licenses Owning Real Estate	P.1-2
GREC Job Opportunities	P. 1
GREC Connect	P. 1
Disciplinary Stats	P. 2
Focus on Terminology	P. 2

Licenses Owning Real Estate

Many Licensees own real estate other than their principal residence. Often Licensees do not think their Broker should be privy to their personal real estate dealings. However, their Broker is liable and responsible for real estate trust funds that come into the Licensee's possession. Whether the Licensee owns the real estate completely or owns it with others is important regarding the handling of trust funds.

The Commission considers a property "owned by a Licensee" if the deed for the property reflects **either**:

- (a) only the name of the Licensee OR
- (b) only the name of a business entity of which the Licensee is the sole owner, member, or stockholder.

If neither of these situations is the case, the property is **not 100% owned** by the Licensee. Therefore, any trust funds must be placed in the Firm Trust Account of the Broker holding his/her license.

If a Broker (or any Licensee owns rental real estate), all security deposits and other trust funds from those personal real estate assets must be placed into a designated Trust Account registered with the Commission.

- If a Licensee owns **100%** of a rental property, the agent can obtain permission from his/her Broker to set up a separate, personal Trust Account registered with the Commission. He/she must give the Broker holding his/her license quarterly reports on the Trust Account. The Broker is still responsible for those funds.
- If a Licensee (non-Broker) does **Not own 100%** (the Licensee is a co-owner of the property), the Licensee does not have a choice and must use the Broker's Firm Trust Account to hold security deposits, earnest money, and other trust funds related to personal real estate activities.

... Continued on page 2

Visit the [GREC CONNECT](#) session weekly on Fridays 9:00 AM
GREC CONNECT is a weekly Zoom call with GREC Education Advisor, Kim Yarrington. Every Friday morning at 9:00 AM via the greconnect.com website, you can join in to listen, learn, and share. Each week the topic is shared through GREC's Facebook™ page and by email. Should you have any questions, contact Kim at education@grec.state.ga.us.

Job Opportunities at the Georgia Real Estate Commission
[Investigator](#) Click for More Information
[Information Specialist](#) Click for More Info

Owning Real Estate Continued from page 1

A Licensee is considered an expert in the field of real estate and is held to a higher standard than the average consumer when dealing in real estate transactions. It is an Unfair Trade Practice and a violation of the License Law to act “in the dual capacity of agent and undisclosed principal in any transaction” [O.C.G.A. 43-40-25 \(b\)\(9\)](#) . Therefore, the Licensee must fully disclose his/her licensure and must fully comply with all License Laws and rules when dealing in their own real estate.

The following is a reminder regarding advertising for Licensees acting as principals in a real estate transaction:

When selling property, and the real estate is under a Brokerage engagement: (e.g. listing)

- Advertisements cannot be in the Licensee’s own name.
- Advertisements must be in the name of the Broker/Firm holding the Licensee’s license.
- Licensure must be disclosed in any contract or other documents.

If the property ***is not*** under any Brokerage engagement:

- The Licensee’s Broker must be advised in writing of the property to be advertised.
- The Licensee’s Broker must give written consent to any advertising of the Licensee’s own property.
- The advertising must be clear that the party advertising holds a real estate license

Specific Violations in reference to Licensees acting as principals are listed as unfair trade practices in [O.C.G.A. 43-40-25](#)

Remember that these rules apply to the ***Inactive*** Licensee as well as the ***Active*** Licensee. Sanctions that can be imposed by the Real Estate Commission against Licensees acting as an agent can also be imposed against Licensees acting as a principal.

The Broker can protect him/herself by having thorough Office Brokerage Policies and Procedures and independent contractor agreements that address the personal real estate transactions of Licensees affiliated with the Firm.

June 2025 Meeting - Commission Actions Taken	
Cases Sent to the Attorney General for Review and Disposition by Consent Order or by Hearing	0
Cease & Desist Orders Issued	0
Citations Issued	6
Letter of Findings Issued	0
Consent Orders Entered Into	2
Final Orders of Revocation of Licensure	0
Cases Closed for Insufficient Evidence or No Apparent Violation	8
Licensing Cases - Applicant has a Criminal Conviction - License Issued	4
Licensing Cases - Applicant has a Criminal Conviction - License Denied	0
Total	20

[Click to review a legend of the disciplinary actions the Commission may impose.](#)



Focus on “Principal”

Principal refers to the main parties to the contract or lease, such as the buyer and seller or the tenant and landlord. The one who owns or will own/lease the property is the principal in at transaction. In an agency agreement, the principal is the person retaining the services of a real estate broker. Principle refers to a code of ethics and rules of behavior.

[Link to
GREC
Online
School](#)

To sign up to
receive the GREC
RENewsletter
[Click Here](#)

SUBMIT
Comments
&
Suggestions

[Link to GREC
Disciplinary Actions](#)
View Current
Suspensions and
Revocations

[Link to
Proposed Rule
Changes](#)

**Georgia Real Estate
Commission**
Suite 1000
International Tower
229 Peachtree Street NE
Atlanta, GA 30303-1605
Phone 404-656-3916