

2026 Calendar

Georgia Instructor
Training Workshop GIT
July 21 – 23, 2026
DeKalb Board
Tucker, GA

October 20 – 22, 2026
Georgia REALTORS®
Sandy Springs, GA

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Reality Check When Utilizing Unlicensed Assistants

Every Broker, Associate Broker, Salesperson, and CAM met requirements to earn a real estate License. Therefore, he/she understands that real estate Brokerage activities may not be performed by an assistant that does not hold a real estate License. There are numerous companies and services offering support services for agents. Be careful of the services provided as they are an extension of the Licensee using them. For example, a marketing assistant may develop marketing materials, but the Broker must still approve ANY property advertisement before it is published. Another example is the listing support person or the transaction coordinator. These services could cross a line of providing professional advice. GREC [Rule 520-1-.07 \(6\)](#) provides details and reasonable guidelines of tasks that may or may not be performed by unlicensed assistants. However the list is not all inclusive and does not identify every possible activity.

The following are summaries of actual investigations completed by the Commission that involved unlicensed support staff. (All names are fictitious.)

Consider the case of Mirkle and Benson. Mirkle reluctantly agreed to be the managing Broker for Bold Realty which managed over 50 active salespersons in the office. Managing Broker Mirkle did not make herself readily available to affiliated Licensees for such tasks as reviewing contracts because she was so busy doing deals herself. Although she knew Salesperson Benson recently hired support staff, she did not consider what needed to be done to utilize an unlicensed assistant in compliance with the License Law, Rules, and Regulations. During an audit of the Firm where other violations were discovered, it was determined that the managing Broker failed to assure that there were any written agreements regarding the use of an unlicensed assistant. The specific actions that lead to violations [\(520-1-07 \(6\) \(d\) \(1\) \(2\) \(3\)\)](#) are listed below:

1. The managing Broker Mirkle did not require Salesperson Benson to have a written agreement between himself and his unlicensed assistant specifying the assistants' duties or to outline compensation to the assistant.
2. Broker Mirkle failed to enter into a written agreement with Benson authorizing the use of the unlicensed assistant, delineating the duties allowed to be performed by the unlicensed assistant, or to approve any compensation paid to the unlicensed assistant.

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Visit the [GREC CONNECT](#) session weekly on Fridays 9:00 AM
GREC CONNECT is a weekly Zoom call with GREC Deputy Commissioner, 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 kyarrington@grec.state.ga.us.

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Reality Check When Utilizing Unlicensed Assistants

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3. Mirkle also failed to enter into a written agreement with the unlicensed assistant of Benson specifying the duties the unlicensed assistant could perform for the Licensee.

Both the Broker and the Salesperson were required to pay significant fines in addition to legal, investigative, and administrative fees to the Commission.

Additional Examples

The following are short summaries of actual investigations completed by the Commission that involved unlicensed assistants and clearly illustrate multiple violations resulting from improper utilization of unlicensed persons.

GREC Case A:

1. A Qualifying Broker failed to review the Purchase & Sale Agreement (on another Firm's form) that was prepared and presented by an unlicensed support person.
2. He compensated that unlicensed person.
3. He failed to have a written agreement with said unlicensed support person specifying the duties which may be performed.
4. He failed to provide documents and did not include Firm License numbers.

GREC Case C:

A property management Firm failed to enter into a written agreement with Jane Doe, an unlicensed support person specifying the duties she may perform on behalf of the Firm 43-40-25 (b) (33)(C) 520-1-.07 (6)(a) & (d) 1

GREC Case B:

An individual that was not licensed conducted business or otherwise acted in the capacity of a Licensees...43-40-30(a) A Cease and Desist from any further actions which require a Licenses from the Commission was issued. Violations for the Cease and Desist could make the respondent submit to further proceedings. The fines could not to exceed **\$1,000 for each transaction** and **each day** the respondent engaged in acts in violation shall constitute a separate violation

GREC Case D:

1. A Qualifying Broker failed to review a Property Management Agreement.
2. She failed to ensure the Firm utilized only Licensed personnel to perform the acts of a License.
3. The Broker failed to include the Firm License number in agreements.
4. She failed to enter into a written agreement with the unlicensed assistant specifying the duties which may be performed 43-40-18 ©(3) &(5) and 520-1-.07(6)(a) *9d(1) and 520-1-.10.

GREC Case E:

1. A Qualifying Broker allowed an unlicensed assistant to conduct real estate brokerage activities.
2. She failed to include in the unlicensed assistant agreement the duties she may undertake and the tasks that are prohibited.
3. She utilized a name not registered with the Commission in the listing and in XMLS and failed to include the Firm's License number on the Purchase and Sale agreement.

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Both the Firm and the affiliated Licensee using an assistant are responsible for the acts of the unlicensed assistant.

Rules regarding unlicensed staff working for more than one Firm:

- Rule [520-1-.07 Management Responsibilities of Real Estate Firms](#). addresses the use of support staff. It does not make a distinction between unlicensed and Licensed support personnel. Note that the rule allows an active Licensee that is an affiliated Licensee at one Firm to be simultaneously employed as an assistant at another real estate Firm.
- An active Licensee practicing real estate and affiliated with one Broker can obtain written permission from his/her Broker to also work as an active Licensee practicing real estate with another real estate Firm. Obviously, the Broker must voluntarily agree in writing to do so. Of course, from a practical business perspective, it may not be a desirable position for Brokers to compete with each other involving the same Licensee, and confidentiality concerns will have to be addressed by both Firms.

Resources:

An unlicensed assistant may only perform ministerial duties and tasks that do not require the discretion or the exercise of judgment of a Licensee.

- Those activities that may perform are included in [Rule 520-1-.07 \(6\)\(e\)](#)
- Those activities that may Not be performed are listed in [Rule 520-1-.07 \(6\)\(f\)](#)
- The [September 2025 issue of the GREC RENews](#) discusses the 3 written agreements required when utilizing unlicensed support personnel.

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Job Opportunities at the Georgia Real Estate Commission
Opening for position as Investigator with GREC.

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 View Current Suspensions and Revocations

June 2026 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	1
Citations Issued	6
Letter of Findings Issued	0
Consent Orders Entered Into	0
Final Orders of Revocation of Licensure	1
Cases Closed for Insufficient Evidence or No Apparent Violation	18
Licensing Cases - Applicant has a Criminal Conviction - License Issued	1
Licensing Cases - Applicant has a Criminal Conviction - License Denied	1
Licensee(s) Failed to Make a Written Request for a Hearing Within 60 Days of a Conviction of an Offense	2
Total	30

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