



Alabama Real Estate Commission
Empowering | Connecting | Educating
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BRIEFLY LEGAL AND COMMISSION NOTE

Law Requirement for Social Media Advertising

June 28, 2019

TODAY'S QUESTION

What does the law require of social media advertising?

THE ANSWER

Social media advertising regarding your business as a real estate licensee is one of the most inquired about topics in the legal division. Here are the three most common platforms.

1. **Instagram**—Because Instagram allows 2200 characters per post with up to 30 hashtags, there is no exception to the requirement that it contain the qualifying broker or company name in either the users name or caption.
2. **Facebook**—Facebook has a character limitation of 63,206 per post update. Any post that is advertising must have the company name or qualifying brokers name contained therein. In addition, any photo must have a description containing the company name or qualifying brokers name if neither of these are in the Facebook users name.
3. **Twitter**—Twitter has a character limit of 280 characters. You must include the qualifying brokers name or the company name in each tweet.

Is it advertising? Any tweet, post, photo or comment that is promoting a product, service, or event is considered advertising and must comply with license law; specifically, Section 34-27-36(a)(6) and (15). Check out these sections on our website arec.alabama.gov or in a new license law book coming soon! Complimentary copies of the License Law will be mailed to all qualifying brokers within the next two weeks.

As always, if you have any specific questions, give Mandy Speirs a call at 334-242-5544.

COMMISSION NOTE

In late August, the Commission will start posting disciplinary actions on the Commission's website in addition to our quarterly Update newsletter. Starting with the disciplinary actions occurring in July, you will be able to search our online database for licensees and view any disciplinary actions that have been brought against them. Before disciplinary actions are finalized and posted on the site, the 30-day appeal period must run. If a licensee appeals a Commission action to the Circuit Court, no disciplinary action will be posted until the appeals process has been exhausted. The online database will be updated regularly, but the Commission will not display any disciplinary actions occurring prior to those presented at the July 2019 hearing.

Have a safe, fun July 4th everyone! The Commission offices will be closed for the holiday July 4-5.

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