

## Social Media Usage Policy

As used in this policy REALTOR® shall refer to the Designated Broker. Agent shall mean a licensed real estate agent employed by or affiliated with the REALTOR®. Users shall mean individuals visiting the social media sites of Agents. Social Media as used in this policy shall apply to both activities at the agent's web sites (e.g., blogging) and use of third party social media tools (e.g., Facebook, Twitter, LinkedIn, etc.). Because there already exist hundreds of different Social Media tools which may be utilized by agents and more are constantly being created, the provisions of this policy are to be interpreted generally to apply to the types of interaction the agent has with the social media service rather than to specific web sites and providers. Notwithstanding anything in this policy, it remains the responsibility of the Agent to comply with the requirements of local, state and federal law and the Code of Ethics of the National Association of REALTORS®.

The scope of this policy shall extend to all uses of social media in connection with the real estate business (use in connection with the real estate business would include any use in which the agent seeks to promote or capture real estate business from consumers or other agents). This policy is not intended to cover the activities of Agents falling completely outside the real estate business; however any conduct which reflects adversely upon broker or the brokerage may be reviewed under the terms of this policy.

Whenever identification is required by this policy it shall include the following (include those that apply):

- a. Name/Logo of brokerage **SILVERCREEK REALTY GROUP**
- b. Name of broker **CINDY WOYAK**
- c. Address of the brokerage office with which the agent is affiliated **1099 S. WELLS ST. SUITE 200, MERIDIAN ID 83642**
- d. Phone/Fax/E-mail of the brokerage office **NOT REQUIRED**
- e. Name of the agent responsible for the web site
- f. State of licensure **IDAHO**
- g. Agents affiliated with a team may also include the name of that team
- h. Phone/Fax/E-mail of agent or team responsible for the web site
- i. Any other requirements mandated by state law/regulation
- j. *Any additional brokerage* identification requirements

### Blogging

- 1) Agent shall be responsible for compliance with all laws and regulations governing real estate business including fair housing, antitrust and real estate license laws and regulations.
  - a) Where identification is required the same items of identification listed in the Internet policy shall apply or
  - b) Where identification is required, at a minimum the following elements shall be disclosed (see list above to select)
- 2) The Agent shall be responsible for informing the REALTOR® (and obtaining approval) of any blogging site maintained by Agent and shall be provided with information necessary to subscribe to the blog
- 3) Terms of Use
  - a) REALTOR® is responsible for establishing the process for governance of the blog by posting terms of use for the blog.
    - i) Agent shall use the terms of use of the brokerage for blogs; or
    - ii) Agent shall create terms of use and allow them to be reviewed by broker prior to launch of the blog
    - iii) Agent shall make the terms of use available to REALTOR® upon request.

- b) The terms of use shall include:
  - i) Users shall abide by any legal requirements related to the use of the blog and the site's terms of use for the blog including specifically its privacy policy. Users shall be responsible for their conduct on site
  - ii) Obtain clear authority from Users to utilize anything the User includes on the site
  - iii) Prohibit the unauthorized use of third party content or the posting of any unlawful or objectionable materials
  - iv) Prohibit the use of the site to harass or stalk anyone
  - v) Prohibiting the posting of content which infringes on the rights of any third party
  - vi) Prohibit the posting of content which expresses a preference based upon an individual's membership in a protected class
  - vii) Provide a take-down policy in the event any such materials are posted to the site
  - viii) Disclaim responsibility for any third party sites linked to through the site
  - ix) Generally disclaim and limit any liability arising from the content of the site whether provided by Agent or a User
  - x) Provide a privacy policy consistent with that used by the brokerage
- 4) Agent shall not pay or provide anything of value to another party in consideration of comments placed on the blog. If Agent does allow comments to be posted in return for consideration, the fact that the commenter has received compensation shall be disclosed.
- 5) Identification
  - a) Agents shall identify themselves when establishing a blog in such a way that Users of the blog shall know the Agent's name, their status as a real estate licensee and the name of the brokerage with which they are affiliated.
  - b) In any posting related to the brokerage, the Agent shall assure that the Agent's relationship to the brokerage is clear so as to avoid violation of the FTC rules.
  - c) Agents shall not participate in the blog of another party without disclosing their identity and the brokerage with which they are affiliated.
- 6) Responsibility for Maintenance
  - a) All blogging must be monitored by agent for false / defamatory / demeaning / degrading comments at least once per \_\_\_\_\_
  - b) Agent is responsible for removing or clarifying any comment if the agent knows that it is false or misleading
- 7) Agent is responsible for assuring that the content and operation of the blog conform to the standards established in the Code of Ethics
- 8) REALTOR® must be notified of any offer of compensation to the Agent for real estate related services communicated or established through the blog

### **Use of Third-Party Social Media Sites (Facebook, YouTube, Twitter, etc.)**

There are hundreds of providers of social media services in which real estate agents may participate. The purpose of this policy is to provide guidelines intended to provide both agents and the brokerage with legal liability risk management and to protect the brokerage's reputation and good will in the community. Like with blogging, the scope of this policy is intended to relate to use of social media in connection with the real estate business, but regardless of the social media service being used, when related to the real estate business the Agent should observe these guidelines.

Agents are required to read and be familiar with the policies and requirements of any site on which they participate and to comply with the requirements of that site. In particular, Agents should know the privacy practices and policies of the sites. Where options are provided, the Agent shall / may select an option which provides a level of protection to Users of Agent's social media site consistent with the level of protection afforded by the brokerage at the brokerage's web site. Agents should remain aware that items posted on social media sites may be forwarded or used for purposes other than originally intended. Agents should be aware of this when making decisions as to what to include on their social media sites.

### **Posting of Professional Contacts/Qualifications (e.g., LinkedIn)**

- 1) Agent is responsible for assuring that any listing of qualifications, credentials or training contained on the site is current, accurate and not misleading. Any changes to the foregoing shall be promptly revised on the site.
- 2) Agent shall not falsely claim association with any person or group
- 3) Notwithstanding any provision herein, Agent remains responsible for complying with the license laws and regulations governing the conduct of licensees and all applicable local, state and federal laws.

- 4) Agent is responsible for assuring that the content conforms to the standards established in the Code of Ethics

### **Posting of text (e.g., Facebook, MySpace, Twitter)**

- 1) All text shall be the Agent's own and not plagiarized or copied from another party without that party's permission. This shall not prohibit the use of reasonable quotations from the writings of others or writing for which the Agent has received permission to use or using writings consistent with the practices of the site (e.g., retweeting). No content which infringes the rights of any third party may be used.
- 2) Agent may/may not write regarding the listings of other licensees within the brokerage
- 3) Agent may /may not write regarding the listings of other brokerages
- 4) Agent shall assure that writings do not contain unauthorized disclosures of confidential information of clients, customers or REALTOR®
- 5) Agent is responsible for assuring that the use of the site is consistent with the Code of Ethics, local, state and federal laws and all applicable real estate license laws and regulations, including where necessary identifying Agent.

### **Posting of comments to social media pages of others**

- 1) Any statement regarding the brokerage shall clearly disclose the Agent's relationship to the brokerage
- 2) The Agent shall disclose his/her status as a real estate professional as a part of any real estate related statement
- 3) Agent may/may not accept compensation for placing a comment on a site
- 4) Agent is responsible for assuring that the use of the site is consistent with the Code of Ethics, local, state and federal laws and all applicable real estate license laws and regulations, including where necessary identifying Agent.

### **Posting of photos (Flickr)**

- 1) Agent is responsible for assuring that that Agent is authorized to use any photo posted to the site (to avoid copyright issues)
- 2) Agent shall secure permission to post for marketing purposes the image of another person on the site
- 3) If an image has been materially altered in any way by Agent, the fact that the image is altered shall be disclosed
- 4) Agent is responsible for assuring that the use of the site is consistent with the Code of Ethics, local, state and federal laws and all applicable real estate license laws and regulations, including where necessary identifying Agent.

### **Posting of audio/video (YouTube)**

- 1) Agent is responsible for assuring that that Agent is authorized to use any audio/video posted to the site (to avoid copyright issues)
- 2) Agent shall secure permission to post for marketing purposes the image of another person on the site
- 3) If an image has been altered in any way by Agent, the fact that the image is altered shall be disclosed
- 4) Agent is responsible for assuring that the use of the site is consistent with the Code of Ethics and all applicable real estate license laws and regulations, including where necessary identifying Agent.

## **Unacceptable! What is Banned From Silvercreek Realty Group's Resources**

Agents are prohibited from engaging in the brokerage's resources for the following activities:

- Pornography
- Spam
- Chain mail
- Malicious e-mail
- Business unrelated to the brokerage
- Any other illegal use