

# ACT 2025-380 (HB382): A Summary

*Real estate transactions; required disclosure forms; description of brokerage services; terms of compensation; required written brokerage agreements under certain circumstances; penalties and fines for certain violations; duties of qualifying brokers and licensees; scope of operation of teams*

**Effective Date: October 1, 2025.**



Defines “Buyer’s Agreement” (lines 31-34), “Listing Agreement” (lines 58-64), “Principal Broker” (lines 88-90), and “Team” (lines 103-106)

Limits out-of-state co-brokerage agreements to three co-brokerage agreements per year per out-of-state broker, not to exceed \$50,000,000.00 per year (lines 150-153)

Increases maximum fines for license law violations from \$2,500.00 per count to \$5,000.00 per count (lines 236-237)

Removes providing the Commission a bad check from being a license law violation (lines 344-345). Instead, if a bad check is provided to the Commission and is not remedied within 30 days, the license will become inactive. Failure to make full payment within 6 months results in the license lapsing (lines 455-468).

Limits dual agency to when a licensee with informed written consent represents all parties to a transaction (lines 503-509)

Removes “sub-agency” from statute (lines 553-556)

Replaces the term “transaction broker” with “transaction facilitator” to better represent the actual services being provided; however, the bill also sets forth that the terms “transaction broker” and “transaction facilitator” are synonymous under the law (lines 557-562)

Allows for one licensee in a company to represent a buyer and another licensee in that same company to represent the seller in the same transaction without dual agency being automatically created and instead creates two designated single agents (lines 635-644)

Allows a licensee to use any branch office of the company under which he/she is licensed to meet clients (lines 920-921)

Requires the leader of a team to be designated as a team leader with the qualifying broker (lines 965-966)

Requires the team leader to maintain a list of the members of the team and provide that list to the qualifying broker (lines 967-969)

Prevents licensees from being a member of more than one team (line 972)

Allows the Commission to adopt rules regarding advertising criteria for teams (line 973-975)

Requires teams to, at minimum, include the name of at least one of the team members in any advertisement; the name of the company with whom the licensee is licensed in any advertisement; include the term “team” or “group” in the team’s name and receive written authorization from the qualifying broker of the licensee to include the team’s name in any advertisement (lines 975-986)