

Talk About It Tuesday, 5/26/26

New DPOR Regulations



Key Outcomes

Family First Realty conducted a mandatory training on new DPOR regulations effective April 1, 2026, covering major changes to advertising requirements, supervising broker duties, property access rules, and client identity verification. All agents will be required to sign acknowledgment of these changes via AuthentiSign.

Major Regulatory Changes

Advertising Requirements

- **One-click rule eliminated:** All advertisements must now display firm name, telephone number, email address, and web address directly—no click-through allowed
- **Property status updates mandatory:** Listings must be updated to "under contract," "pending," or "sold" on all platforms (social media, YouTube, etc.) as status changes
- **Agent-owner disclosure removed:** No longer required to indicate "owner-agent" in ads, though still required in written contracts
- **Contact information definition:** Must include office phone, email, and web address; agents advised to add office address in small print on graphics for safety

Property Access Rules

- **Unauthorized access prohibited:** Any property access without written owner authorization is now a violation, supervised or not—a complete reversal from previous regulations
- **Written permission required:** Agents must obtain explicit written authorization from sellers to access properties, even as listing agents
- **Listing agreement updates needed:** Current REIN forms may not include adequate language; agents should document access permissions in "other terms" section until forms are updated

Client Identity Verification

- **New buyer verification requirement:** Before signing buyer-broker agreements, agents must take reasonable steps to verify client identity to prevent fraud
- **Required verification steps:** Meet in person or video call, request photo ID (driver's license/passport), verify appearance matches documentation, and trust instincts if something feels off
- **Tax records allowed:** Can pull property tax records to verify identity for listings, particularly for vacant land transactions where fraud has been reported

Supervising Broker Duties

- **Timely supervision mandated:** Brokers must provide guidance to agents in a timely manner—agents should not be left waiting for transaction support
- **Cooperating broker response required:** Supervising brokers must respond to other brokers with reasonable diligence and promptness

Additional Changes

Escrow and Compensation

- **Self-reporting eliminated:** No longer required to self-report late earnest money deposits, though violations can still be reported by others
- **Unlicensed assistant payments:** Can now pay unlicensed assistants per transaction rather than only hourly or project-based
- **Outside compensation allowed:** Agents may accept reimbursements (e.g., HOA document fees) and builder bonuses with prior written broker approval

Home Office Operations

- **Home-based business allowed:** 20-25 year restriction on conducting business from home has been removed
- **Branch office trigger:** Regular client meetings at home may require branch office license (costs a few hundred dollars)
- **License display requirements:** Principal broker's office must display firm license, broker license, and all active agent licenses

Personal Property Sales

- **Outside brokerage sales permitted:** Agents may sell their own property outside their brokerage if they have ownership interest, subject to broker's written policy approval

Policy Implementation

Compliance Requirements

- **Third-party advertising:** If unable to edit third-party automated posts (e.g., advertising services), agents must request status changes in writing and retain documentation
- **Retroactive compliance not required:** Changes apply only to listings and activities from April 1, 2024 forward
- **Broker policy controls:** Company policies may be more restrictive than state regulations and take precedence

Documentation and Training

- **Training materials available:** Overview documents, PowerPoint slides, FAQ, and redline version of regulations will be distributed with resource links
- **AuthentiSign required:** All agents must sign acknowledgment of new regulations and any related policy changes, with initials required at key sections
- **Talk About It Tuesday series:** This is the first in a new recurring 30-minute training series for agents

Pending Confirmation

- Review current listing agreement templates to determine if additional property access language needs to be added to "other terms" section
- Clarify broker policy on agents selling their own property outside the brokerage
- Determine if current broker policies adequately address accepting outside compensation (bonuses, reimbursements)

Action Items

- **Amber McCulloch:** Edit training video to remove closing discussion, prepare AuthentiSign document with regulation summary and initial points, send to all agents
- **Amber McCulloch:** Conduct deep dive into REIN listing agreement language regarding property access permissions and update templates as needed
- **All agents:** Review materials when distributed and complete AuthentiSign acknowledgment
- **All agents:** Update social media posts from April 1 forward with current property status (under contract/sold)
- **All agents:** Ensure all advertisements include firm name, phone, email, and web address per new requirements

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Resources Provided

- Virginia DPOR Real Estate Board regulation changes (effective April 1, 2026)
- Materials sourced from Realtor Association educational documents
- Overview (2-page power-packed summary), detailed PowerPoint presentation, FAQ document, and redline version showing specific changes
- Links to all resources will be included in follow-up distribution

Discussion Highlights

Christopher Hannon raised concerns that several changes represent fundamental reversals from previous regulations, particularly regarding payments outside broker control, selling property outside the brokerage, and property access requirements.

Mary manages "Open Houses in the 757" Facebook group with nearly 1,900 members and asked about adding office address to group graphics; advised to include it in near-transparent color.