



# LEGAL HOTLINE Q&A

FROM GET THE FACTS, January 30, 2024

## Question:

Many Realtors have a list of Buyer's and/or potential "future Buyer's" receiving automated email from our MLS that alerts them of homes on the market. In some cases those potential "future Buyer's" have not begun an actual house search. Beginning January 1, 2024 should the Buyer Broker have a Buyer Brokerage Services Agreement in place with everyone receiving auto-alert messages or, just those that who are actively looking at homes with their Broker?

## Answer:

It is not a RE Brokerage Service to send an auto-generated email and thus, no brokerage services agreement is required if that is the only service broker is providing the person. If the recipient of the email wants to view homes with broker or engage the broker in some fashion that causes broker to deliver RE Brokerage Services, then broker should enter a services agreement with that person before, or as soon as reasonably practical after, those services begin.

The Legal Hotline Lawyer does not represent Washington REALTORS® or its members. The advice contained herein does not constitute legal counsel. To browse through our database of past Q & A's, visit [warealtor.org/legal-hotline](http://warealtor.org/legal-hotline). Attorney Annie Fitzsimmons writes the Legal Hotline Question and Answer of the Week. This is a WR members-only benefit so you will be prompted to log in with your MI number and password. Your Designated Broker is cc'd on Legal Hotline inquiries.



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