**Information on Coming Soon Advertising**

**There are some basic real estate law issues that have to be addressed.  Properties cannot be advertised by a broker or agent without written permission from the owners.  This is a listing agreement.  There are two, Exclusive and Non-Exclusive Listing Agreements.  A non-Exclusive does not protect an agent's commission as they will only earn it if they bring the buyer.  I never suggest this avenue as it does not protect the agent and the sellers will want the agent to help with the transaction if they get an offer they like but won't be due a commission.**

**Coming soon is considered advertising and if we do not have written authorization to advertise via the listing agreement we are not able to advertise.  The listing agreement gives specific times and once we sign a listing agreement we have to enter the property into FMLS.**

**Now if they want to go ahead and sign the listing agreement, they can do that and since they really are not interested in showing the home until they are out, they can show by appointment only and not have a lock box on the door.  This can cause some issues if the real intent is not to show until March 6th and it gets listed on February.  You absolutely cannot put anything on the listing that states that it cannot be shown until March 6th as that is not allowed.**

**If they are willing to allow a few showings from now until they move out then I would suggest you go ahead and sign the listing agreement and do not put a lock box on the door and have them call the agent to set up a showing.  This allows controlled viewing of the home without the owners being bombarded.  They most likely won't want to do this as if they are in the process of moving out, they are not going to want anyone to see the home until they are completely out and have the home cleaned for showing.**

**There is really no other option on this, we cannot put it on any website, be it neighborhood or any other unless we have the right to advertise and that is only via listing agreement.  Coming Soon is an issue that is currently under review as it is advertising without written authorization.  That is the kicker that the real estate commission is trying to resolve and at this point, I won't allow agents to use coming soon because it is a form of advertising and right now, they are coming down hard on all advertising issues.**

**If the property is really a great one and will sell quickly, they are probably better off just waiting to advertise once they have moved out and has been cleaned.**

**Bernie Drake**