

Ag 114

STATE OF WISCONSIN
STATE DEPARTMENT OF AGRICULTURE

I, D. N. McDowell, Director of the State Department of Agriculture of the State of Wisconsin, hereby certify that the attached copy of an order of the State Department of Agriculture adopting rules relating to real estate advertising, advance fees (Wis. Adm. Code ch. Ag 114) is a full, true and correct copy of said order and of the whole thereof.

Dated: October 10, 1958.



Director, State Department
of Agriculture

Docket No. 549.
G. O. 192.

ORDER OF THE STATE DEPARTMENT OF AGRICULTURE
ADOPTING RULES

Pursuant to authority vested in the State Department of Agriculture by section 100.20, Wis. Stats., the State Department of Agriculture hereby adopts rules as follows:

Chapter Ag 114 of the Wisconsin administrative code is adopted to read:

Chapter Ag 114

REAL ESTATE ADVERTISING, ADVANCE FEES

Ag 114.01 Definitions. As used herein:

(1) "Advance fee" means a payment for listing or advertising, in any manner, the sale or lease of property.

(2) "Property" means any interest or estate in real estate or in a business.

(3) "Person" shall include a corporation.

Ag 114.02 Misrepresentations. No person in soliciting advance fees or contracts therefor shall make any of the following

representations contrary to fact:

(1) That the amount of the advance fees or the time of their payment is other than as provided by written contract.

(2) That advance fees are not payable prior to the sale of property.

(3) That advance fees or any part thereof will be refunded if the property is not sold within a specified time, or that refunds are freely and customarily made if property is not sold.

(4) That he or any person whom he represents has or will furnish a list of qualified prospects who are interested in buying the type of property involved.

(5) That he or any person whom he represents can secure the sale of the property within a specified period of time.

(6) That he or any person whom he represents is affiliated or has any business connection with any real estate or business opportunity brokers.

(7) That he or any person whom he represents resides in or maintains an office within the state.

(8) That he or any person whom he represents will perform any act or engage in any service beyond the acts or services required by the terms of any written contract between the parties.

(9) That he is an experienced or qualified appraiser of property.

(10) That the property will sell at a named price or at a price in excess of that named or asked by the owner.

Ag 114.03 Contracts. No person soliciting advance fees

shall fail to furnish the property owner contracting therefor with a true copy of the entire contract, which shall specifically identify each advertising medium to be used and the size and number of advertising insertions to be made therein.

The rules contained herein shall take effect on December 1, 1958.

Dated: October 10, 1958.

STATE DEPARTMENT OF AGRICULTURE

By D. N. McDowell
Director