

MAINE STATE LEGISLATURE

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January 21, 1966

Leo M. Carignan

Real Estate Commission

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Attorney General

Office signs of realty brokers.

ISSUE:

Where two or more real estate brokers form an association or partnership and share the same place of business, must each erect a sign upon the premises indicating his status as a broker?

ANSWER:

Yes.

OPINION:

In addition to providing that every resident real estate broker shall maintain a fixed and definite place of business within the state, 32 N.R.S.A. § 4117 provides as follows:

". . . and shall place and maintain a sign in a conspicuous place on the premises at or near the outside entrance to his principal office and all branch offices. The sign shall indicate that he is a real estate broker and his name shall be clearly shown thereon. Such sign shall be written in clear and legible letters of not less than 2 inches in height and shall be placed so that it can easily be observed. Any branch office shall be similarly staffed at regular periods by a licensee and identified as set forth. . . ." (Emphasis ours)

The purpose of signs is to insure proper identification of brokers to the public. The mere licensing of an association or partnership of brokers to transact business does not provide sufficient identification to the public. For example, X and Y, both duly licensed realty brokers might obtain a license to do business under the name of Z realty company. The trade name of Z realty company falls far short of properly identifying X and Y as realty brokers.

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January 21, 1966

Although in 32 M.R.S.A. § 4112, it is provided that each real estate broker shall display conspicuously his license and the licenses of all his salesmen in his place of business, the legislature apparently felt that more sufficient identification was needed, and thereby enacted the above-quoted language of section 4117.

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