



Maximum One Greater Atlanta

Property Management of Agent’s OWN Property





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MAXIMUM ONE GREATER ATLANTA PROHIBITS PROPERTY MANAGEMENT FOR THEE PUBLIC

REQUIREMENTS FOR LICENSEES OWNING RENTAL PROPERTY

If an agent owns or co-owns rental property, it is Maximum One’s® policy to hold any trust funds or agent may place them in the trust account of a property management company. **Maximum One® does not allow agents to hold any trust funds on any property** the agent owns although it is allowed by GREC. (License Law 43-40-20(h) & GREC Rule 520-1-1)

Procedure for transferring Security Deposit / Trust Funds to Maximum One®:

- As Landlord, you must provide Maximum One® a copy of the Move-In Inspection you signed prior to accepting the Security Deposit
- Provide Maximum One® a copy of the Lease you signed with the Tenant
- Give Tenant written notice of transfer of Security Deposit
 - Notice must include name of Holder: **Maximum One Realty Greater Atlanta or Maximum One Greater Atlanta Realtors – depending upon which Maximum One company you join**
 - Corporate Address: 1355 Terrell Mill Rd., Bldg. #1464, Marietta, GA 30067 770-919-8825
 - Name of Bank: **Chase Bank**
- Transfer the Security Deposit with funds payable to: “Maximum One Realty Greater Atlanta” or “Maximum One Greater Atlanta Realtors
- Create a “Lease Transaction” in Paperless Pipeline to upload these documents into this Transaction Management System

Note: RECEIPT OF THESE TRUST FUNDS & REQUIRED DOCUMENTS MUST BE RECEIVED BY THE BROKERAGE **WITHIN 14 DAYS** OF DATE AGENT RECEIVES THIS INFORMATION.

Note: Maximum One® is not a party to the lease but needs these forms in order to disburse these trust funds at the termination of the lease upon written notice & signed Move-Out Inspection form.

Note: Georgia Law (OCGA §44-7-33) establishes an inspection procedure for a Landlord & Tenant to agree on a pre-occupancy condition of the rental unit. Georgia law requires that BEFORE the tenant pays a security deposit & moves in, the Landlord must give the tenant a complete list of any existing damages to the unit that is signed by



both the Landlord & Tenant. The tenant is to be given the opportunity to inspect the rental unit to determine if the list is accurate or if any additional defects need to be added to the list. The tenant must sign the list or specify in writing on the list the items in dispute & then sign. The move-in inspection requirement applies to landlords who own more than ten (10) units (including ownership by spouse, children, business entities or Landlords who employ a Property Management Company.) Under Georgia Law (OCGA §44-7-36) landlords who own fewer than ten (10) units & who manage the units themselves are not required to follow the inspection procedures; ***Landlords are not allowed to withhold the security deposit if they failed to perform the inspection when the tenant moved into the unit.***

Disbursement of Security Deposit Upon End of Lease

Maximum One will disburse the Security deposit held in Escrow based upon the Signed Move-Out Form or Georgia Landlord/Tenant Law if there is no signed Move-Out form.

Fully Executed “Move-Out” Form

Maximum One will disburse the Security Deposit as directed by the Landlord & Tenant on the Signed “Move-Out” form.

- You as Landlord, will conduct a final walkthrough with tenant & complete a “Move-Out” form itemizing any money from Tenant’s Security Deposit to be disbursed to Landlord in compliance with signed lease.
- This document needs to be signed and dated by Tenant and Landlord. Upload a copy of this form into the Transaction in Paperless Pipeline.
- Add a Note into the Transaction in Paperless Pipeline of the Tenant’s Mailing Address where they will receive the Security Deposit in whole or in portion based upon the signed “Move-Out” form

In Absence of “Move-Out” Form – Lease &/or Georgia Landlord/Tenant Law

If there is no fully executed Move-Out form signed by the Tenant & landlord, then Maximum One will adhere to the signed Lease &/or Georgia Tenant Landlord Laws. These laws outline the terms & timeframes for the Escrow Agent releasing Security Deposits including the landlord Sending the appropriate Notice to the Tenant & the time frame between that Notice & when the Holder may release the funds. Agent is responsible for adhering to the latest Laws relating to sending Tenants Notice to comply with this issue.



Useful Lease Forms

Georgia Association of Realtors

CB31 What New Landlords Need to Know About Leasing Property
CBO4 Lead-Based Paint Pamphlet
CBO7 Mold Pamphlet
CBO8 EPA Home Buyer’s and Seller’s Guide to Radon Pamphlet
F122 Exclusive Leasing Listing Agreement
F125 Non-Exclusive Leasing Listing Agreement
F128 Exclusive Leasing/Management Agreement
F131 Services to be Performed by a Manager Exhibit
F134 Exclusive Tenant Brokerage Agreement
F137 Non-Exclusive Tenant Brokerage Agreement
F140 Agreement to Work with Tenant as a Customer
F901 Rental Application F904 Adverse Action Letter Regarding Rental Application
F907 Owner’s Property Disclosure Statement (Lease) Exhibit
F910 Move In/Move Out Condition Report (Long Version)
F911 Move-In Inspection Report (Short Form)
F912 Move-Out Inspection Report (Short Form)
F913 Lease for Residential Property (Not to Be Used for Lease/Purchase Transactions)
F916 Lease for Lease/Purchase Agreement Exhibit
F918 Lead-Based Paint Exhibit (Leases)
F919 Consent to Take Pictures and Video of Property
F920 Required Renter’s Insurance Exhibit
F921 Pool on Property Exhibit
F922 Notice to Tenant of Changes Affecting the Rental of Property
F925 Amendment to Lease Agreement
F928 Notice (To be used in Lease Transactions)
F931 Additional Signature Page (Tenants and Landlords)
F934 Leasing Commission Confirmation
F316 Lead-Based Paint Exhibit
F319 Disclosure Information Concerning Lead Upon Transfer of Residential Property –
42 U.S.C. § 4852(d)
F322 Community Association Disclosure Exhibit

RE Forms

RE91 Letter of Intent to Lease
RE120 Contract for the Lease of Residential Real Property
RE121 Lease Application
RE122 Rental Property Condition Report
RE123 Lease Special Stipulations, continued
RE124 Option to Purchase Leased Property



MAXIMUM ONE – Property Management of Agent’s Own Property

- RE125 Lease Commission Acknowledgement
- RE126 Amendment and Unilateral Notice Under Lease
- RE127 Lease Termination Agreement
- RE136 Community Association Exhibit
- RE140 Disclosure of Information on Lead-Based Paint
- RE141 EPA’s Protect Your Family from Lead in Your Home
- RE142 EPA’s A Brief Guide to Mold, Moisture, and Your Home
- RE144 EPA’s A Citizen’s Guide to Radon
- RE147 Renting Property- The Process
- RE240 Pet Exhibit
- RE260 Notification
- RE153 Exclusive Lease Procurement Listing Agreement
- RE154 Lease Management Listing Agreement
- RE155 Exclusive Tenant Brokerage Agreement
- RE160 Non-Exclusive Tenant Brokerage Agreement
- RE210 Agreement for Additional Trust Funds to be Deposited
- RE211 Agreement to Transfer Trust Funds to another Party
- RE212 Agreement to Disburse Trust Funds



RentSpree - Agent-Branded Tenant Screening Site

Benefits How to Report Pricing Help

Login

Sign Up Free



Premier Rental Application and Screening Suite for Maximum One Realty Greater Atlanta agents

Powered by  rentspree

Request a Demo

Start Screening

Benefits of using RentSpree

To Get Started & create an account:

www.rentspree.com\maximumonegreateratlanta

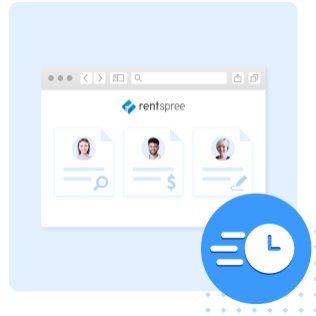
<https://www.rentspree.com/partner/maximumonerealtygreateratlanta>

Click on “Request a Demo.” Once your account is created, you get an agent-branded site for tenants to get screened & background checks

\$60 Background / Screening Fee – Applicable to multiple properties if you save it as a pdf



Benefits of using RentSpree



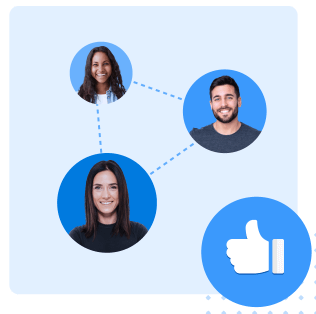
Save time

Any agent can sign up and start screening tenants in two minutes or less. All reports are returned efficiently, even on nights and weekends so there is never any waiting. RentSpree gets the deal done.



Reduce Liability

Agents who work with RentSpree know that RentSpree manages the entire screening process. No more handling sensitive information or collecting screening fees from clients.





Happy Clients

You will receive a clean and professional application package from each applicant who applies. Your clients will thank you for quickly accessing the comprehensive information needed to make an informed decision.

How RentSpree works

Invite applicants to apply

Share ApplyLink™ with prospective renters so they can apply online. RentSpree will then walk applicants through the entire application process.

Applicants give authorization

Applicants enter all required information and authorize their TransUnion screening reports to be pulled and shared with you.

View and share with landlords

You will receive an email notification for each applicant who applies. Access all reports in seconds and share with landlords - allowing them to determine the best renter for their properties.

What’s included on Tenant Screening report?

Full Credit Report & Score

Get a complete overview of applicants’ credit histories, including all payment history, trade lines, inquiries, collections, and more.

Criminal Background Check

Screen prospective tenants with a comprehensive background check that searches over 200 million criminal records.

*Not available in the state of New Jersey

Eviction Related Proceedings

Access an applicant’s eviction history with resources from over 25 million records across all 50 states.

*Not available in the state of New York



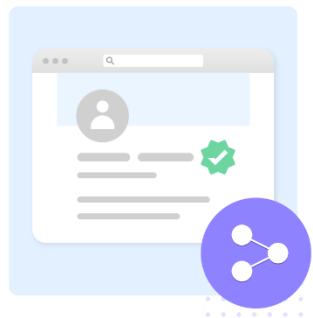
More Tools for Agents



Listing Pages

Create property listing pages and share them with your network.

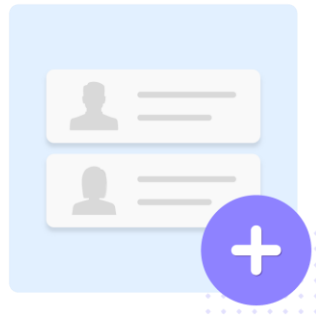
[Create Listing Page](#)



Agent Profiles

Build a personalized profile to promote your business.

[Create Profile](#)



Rental Client Manager

Organize client data and stay connected with clients all in one place.

[Add Contacts](#)

\$60 Background / Screening Fee – Applicable to multiple properties if you save it as a pdf

Resource: <https://www.rentspree.com/partner/homesmartcrossisland#report>

For More Information:

Dominique Rollins

Client Success Manager | RentSpree

dominiquer@rentspree.com

www.rentspree.com

D 323.305.5776





Agent as Principal

If you are the principal in any transaction involving real property (i.e. personal residence or investment property) regardless if you are receiving/paying a commission or not, you must:

- Send Broker an email with the property address of your desire / intent to buy / sell / rent / lease / option / exchange real property – prior to signing a contract / agreement (**GREC 520-1-.11(1)**)
- Create a transaction in Paperless Pipeline & upload all the documents into that transaction in Paperless Pipeline
- All transactions must go through a Compliance review – in order to protect the public, license law does not allow a licensee to draw a distinction between their brokerage activity for the public & brokerage activity for real property they own (**§O.C.G.A. 43-40-18**)
- You must use either GAR contract forms or RE contract forms for these transactions unless specific written permission to the contrary is authorized
- You must sign an Exclusive Listing Agreement with Maximum One if you are Selling a Property and a Buyer Brokerage Agreement with Maximum One if you are Buying a Property (Lease Listing if Renting & Tenant Brokerage if Renting)
 - You must list properties in FMLS (& GAMLS if you are a member) if the property is located in an FMLS Compulsory Area
- You may not hold any trust funds (earnest money or security deposits) in your own account – all escrow funds must be deposited with either Maximum One, another Broker or a Property Management Company
- All agents must identify themselves as being a licensed agent in Georgia and include their Real Estate License Number and the firm number of the Broker holding their license
- Reveal any material relationship with any one else on the contract – including any business entity acting as principal – i.e. “Listing Agent is a member of _____, LLC which is the Seller in this transaction.”
- If this is your personal primary residence, if you complete the “Agent Owner Letter” in FMLS & upload to your transaction in PPL, there is no FMLS fee.
 - **PER FMLS: TO AVOID FMLS FEE, NO LATER THAN 48 HOURS AFTER CLOSING, AGENT MUST COMPLETE FMLS “AGENT OWNER LETTER” & FMLS #118 & UPLOAD CLOSING SETTLEMENT STATEMENT INTO MX1 TRANSACTION MANAGEMENT SYSTEM – THESE 3 DOCUMENTS MUST BE DELIVERED (via Email or Fast Forms) TO FMLS NO LATER THAN 3 DAYS TO AVOID FMLS FEE**
- Even if you choose to take a reduced or \$0 commission, the full MX1 Transaction fee / Split is due
- If any of the parties in the transaction require Broker’s permission to take a reduced commission or \$0 commission, please make that request for a Broker Commission Permission Letter in your transaction in Paperless Pipeline & email that request to the Managing Broker & your Compliance Broker. We will need



the following information: There is a “Commission Permission” Letter template in the Reference Section of Paperless Pipeline for you to complete

- Your name as it appears on contract (& parties) as Buyer or Seller (i.e. you & spouse)
- Total commission for your side of the transaction
- Total amount of commission you wish to apply towards the deal
- You must **STILL** pay all of your Transaction fee or Split, Royalty fee, MLS fees & any overdue agent fees – so we will not be able to give permission for the amount of these to go into the deal.

GREC Marketing/Advertising Guide Updated June 2022

- You are required to review the GREC advertising rules & regulations: Complete rules on advertising can be found in **Rule 520-1-.09** www.grec.state.ga.us
- All advertising (print media, signs, website, e-mail, business cards, blogs, vlogs, Craigslist, Facebook, etc...) by an affiliate licensee must be done in the name of firm and under the supervision of the broker. When a licensee advertises a specific property or properties for sale, for rent, or for exchange, the name of the licensed firm offering the property must appear in equal or greater size, prominence, and frequency than the name or names of any affiliated licensees or groups of licensees. Additionally, the telephone number of the firm must appear in equal or greater size, prominence, and frequency than any telephone numbers of any affiliated licensees or groups of licensees. *See also Rule 520-1-.09*
- All marketing materials must be approved by your Broker or the Managing Broker
- Any advertising on the Internet by a licensee of real estate for sale shall disclose the name and telephone number of the licensee's firm on every viewable web page of a website except as herein otherwise provided
- Licensee must make every reasonable attempt to assure that the public knows they are being contacted by a real estate agent

GREC Advertising Guide

- **ALL Advertising** (Including Specific Property)
 - Is Not Misleading or Inaccurate
 - Does Not Discriminate
 - In the Name of the Broker (Firm not the person)
 - Corporate Name or Trade Name as approved by GREC
 - In a manner reasonably calculated to attract the attention of the public
 - Reviewed & Approved by the Broker



- **Advertising Specific Property** (House, Apartment, Subdivision, Condo, Land, Etc.)
 - REQUIRED
 - Brokerage Name – Corporate or Trade Name as Registered with GREC
 - Brokerage Phone Number as registered with GREC (but can have agent extension afterwards as long as when public calls there is an option for them to get to Broker without having to go through agent)
 - Broker’s Name equal or greater size, frequency or prominence than agent(s).
 - Broker’s telephone number is equal or greater size, frequency or prominence than telephone number of agent(s).
 - Can use the size of Broker's Logo in name as measurement “yardstick” for size
 - OPTIONAL
 - Affiliate Licensee(s) or Team Name
 - Telephone number other than broker
 - E-mail/Web address

Advertising Licensee-Owned Property

- Written notification to Broker PRIOR to signing contract for listing / purchase / sale / lease / option / exchange
- Broker’s written consent & approval
- Includes appropriate licensee disclosure – This is required even for INACTIVE agents who still hold a real estate license
 - “Seller holds a real estate license in Georgia” or
 - “Georgia Real Estate License Number _____”
- Complies with Rules on advertising specific property

ELECTRONIC Marketing:

- Agent Website - EVERY page must include Brokerage Name & Brokerage Phone Number
- All other Electronic Marketing - if you don't have enough room for all of GREC compliance, you MUST include a link to a website (yours or your Broker's) that IS in full-blown GREC compliance - i.e. the public must be 1 click away from something that does meet GREC marketing compliance laws

Broker's Address:

- There is NOTHING in GREC License Law about a Brokerage Address being on anything - not required on signs, business cards, postcards, etc.



- BUT GREC does allow for a Brokerage to have a policy requiring the Brokerage address being business cards or anything else

Business Cards:

- Must meet terms of ALL Marketing
- Does not need Broker's Phone Number UNLESS
 - Broker requires by policy
 - That Business Card will ever be in a listing

Directionals:

- They are marketing a specific property so per GREC, directional should meet the terms of marketing a specific property

Resources:

- GREC Article: <https://www.grec.state.ga.us/articles/advertising.html>
- GREC Rule: 520-1-.07 (6) – Utilizing Support Personnel – Task Guidelines

Proposed Rule Changes as of GREC Hearing 3/11/20

- The **proposed rule amendments** were considered for adoption by the Commission at its meeting on March 11, 2020, at 9:30 a.m. following the public hearing.
-
- **Update as of 3/12/20** - GREC Rule Change - Teams Definitions & Prohibited Words for Advertising: GREC met on March 11th and had a public hearing and was scheduled to vote. Based on the calls & emails and discussions at the Public Hearing, GREC is going to propose an UPDATED Rule Change to the definition of "Team" & "Team Captain" as well as what words may be used in marketing & advertising. It appears that GREC may allow the use of "Real Estate" "Realty" Broker" "Associate Broker" and some others. They will vote on the new Proposal in their April meeting and then bring up for a public hearing before voting it into law. Other issues they are taking into consideration: grandfathering in marketing (i.e. YouTube videos) that includes any prohibited words, giving a several month "grace" period for agents to switch over their marketing, and more. Many issues were discussed at the Public hearing.
-
- **Note as of 4/14/20:** Due to the current Coronavirus Pandemic, GREC has suspended their meetings. This issue will most likely be delayed .



- **Note as of 2/3/22:** GREC had a meeting 7/14/21 where additional discussion caused additional law changes. Another Public Hearing was scheduled for 10/13/21. I have no further information and nothing has been published by GREC as of 2/3/22.
- *****AS OF 2/3/22 THERE HAVE BEEN NO DEFINITIVE RULE CHANGES MADE BY GREC TO THE BEST OF THE SCHOOL’S KNOWLEDGE.** –For More Information See:**
<https://grec.state.ga.us/>

SYNOPSIS OF PROPOSED AMENDMENTS TO THE GEORGIA REAL ESTATE COMMISSION RULES CHAPTER 520 Rule 520-1-.02 - Terms

- **Purpose:** The purpose of this proposed amendment is to define the terms “Team” and “Team Leader” as they relate to real estate brokerage activity in Georgia.
-
- **Main Feature:** Defining the terms “Team” and “Team Leader”.
-
- **CHAPTER 520 Rule 520-1-.02 (2) - Terms**
- (u) “**Team**” is comprised of two or more licensees who
 - 1. act on behalf of, and are affiliated with, the same firm;
 - 2. work together on a regular basis to provide real estate brokerage services;
 - 3. represent themselves to the public as a team; and
 - 4. are identified by a team name.
-
- (v) “**Team Leader**” is a licensee designated by his or her qualifying broker or broker as a Team Leader. Each Team in a firm must have a Team Leader. Each Team Leader shall maintain an accurate list of the names, license numbers, contact information for each team member, and provide the list to the qualifying broker or broker of the firm.

SYNOPSIS OF PROPOSED AMENDMENTS TO THE GEORGIA REAL ESTATE COMMISSION RULES - CHAPTER 520 Rule 520-1-.09 - Advertising

- **Purpose:** The purpose of this rule is to provide guidance for real estate firms and to help prevent confusion by the general public, regarding the advertising of real estate Teams in Georgia, by identifying requirements that are specific to the advertising of Teams for Georgia real estate salespersons, brokers and firms.
-
- **Main Features:** Identifying the responsibilities of Team Leaders, qualifying brokers or brokers when advertising Teams. Identifying required and prohibited words and phrases used in Team advertising.
-
- **CHAPTER 520 Rule 520-1-.02 (11) – Advertising as Teams**
- (a) It shall be the **Team Leader’s responsibility** to submit all team advertising to the qualifying broker or broker of the Firm of which the Team is affiliated. The qualifying



broker or the broker shall timely review all advertising by Teams to assure compliance with the advertising rules of Chapter 520-1-.09.

- (b) The **word “team” or “group”** must be included as part of the name for all Teams. Real estate team or group names may **not include** the following words or phrases, or variations thereof:
 - Associate Brokerage
 - Company
 - Corp
 - Inc
 - LLP
 - Broker
 - Corporation
 - Incorporated
 - LLC
 - LP
 - Real Estate

As of 2/3/22 – These Words/Phrases have changed to:

- Brokerage
- Broker
- Company
- Corporation
- Corp.
- Firm
- Incorporated
- Inc.
- LLC

As of 6/22/22 – These Proposed Rule Changes Regarding Teams was VETOED by the Governor’s Office

- Governor Brian Kemp vetoed these proposed License Law changes due to lack of consumer complaints & potential restraint on trade & unnecessary government regulations
- So there will be NO changes in License Law or GREC Rules to the marketing & advertising of Teams nor to the definitions & responsibilities of Team Leaders



Future Plans by GREC – per Deputy Commission Craig Coffee as of 6/22/22

- Amending the GREC Marketing & Advertising Rules to make them LESS restrictive & more general (i.e. not have different rules for advertising a specific property vs. marketing your services as a real estate agent – approximately 12 – 24 months away
- Potential required CE coursework specifically for Brokers – on the horizon – being investigated by GREC Educational Advisory Committee
- Issue: Different types of Brokers – Residential, Commercial, Property Management, CAM, etc.

Issue: Add 3 additional required hours, keep within the 36 required hours, in addition to required License Law course, in place of required

How to Use Paperless Pipeline to Create a Transwaction = “Turn In” Documents to the Broker

Video Tutorial

Watch this Video Tutorial on how to access & utilize Paperless Pipeline.

“Paperless Pipeline Tutorial” - <https://youtu.be/e5coYJJ527g>

Other Useful Video Tutorials

You may also access this & other useful videos by going directly to YouTube –

- Find “Real Estate Made Crystal Clear”
- Click on “Playlists”
- Look for Playlist “MX1 Operations”