

TOP 10 LEGAL INSIGHTS & TRENDS

6.17.25

LEGAL TEAM



Evian White De Leon, Esq.
Chief Legal Counsel & COO



Elizabeth Soto, Esq.
Associate Legal Counsel

Antitrust Policy

The MIAMI Association of REALTORS® adheres to a strict policy of compliance with both federal and state antitrust laws. As such, any discussions or activities with potential anti-trust implications, including but not limited to commission price fixing, market allocation, customer allocation, bid rigging, or boycotts, are strictly prohibited. MIAMI REALTORS® strongly endorses a competitive marketplace, ensuring that competitors have the freedom to engage in business without artificial restrictions on competition.

La Asociación de REALTORS® de MIAMI se adhiere a una estricta política de cumplimiento con las leyes antimonopolio federales y estatales. Como tal, cualquier discusión o actividad con posibles implicaciones antimonopolio, las implicaciones, incluyendo pero no limitándose a la fijación de precios de comisiones, la asignación de mercados, la asignación de clientes, la manipulación de ofertas o los boicots, están estrictamente prohibidas. MIAMI REALTORS® apoya firmemente un mercado competitivo asegurándose que competidores tengan la libertad de participar en negocios sin restricciones artificiales a la competencia.



Scan Here to
KNOW THE FACTS
MiamiRealtors/Facts



MiamiRealtors.com

DISCLAIMER:

This session is only meant to provide education and information on relevant legal topics facing the industry and is not a substitute for legal advice or representation.

#1: ACT LIKE THEY'RE WATCHING (BECAUSE THEY ARE)

Plaintiffs' attorneys, DOJ, NAR, the media, and more. Make sure your house (brokerage) is in order – stay ready so you don't have to get ready.

TALKING POINTS: IF APPROACHED ABOUT THESE ISSUES

- **EMAIL INQUIRIES FROM COMPETITORS**

- Make sure your antitrust policy is up to date (and in writing)
- Respond with a template (edit as needed):
 - *Thank you for your email. Even though we collaborate and regularly work together in the real estate industry, we are still competitors, so we have to be mindful of antitrust issues. Part of that means all business decisions must be made unilaterally and independently. While we won't be able to discuss the issues you've raised here, please let us know if there is any other way we can be of assistance.*

- **CONVERSATIONS AND MEETINGS WITH COMPETITORS**

- This doesn't apply to transactions you and/or your customer are involved in
- Tell them you can't continue the conversation
- Walk away...really

- **SOCIAL MEDIA**

- Have a written policy on social media (and if/when to remove comments/discussions)
- Remove, as appropriate, in line with your social media and antitrust policies
- Don't "like" or comment on others' posts that pose antitrust concerns

#2: CHANGE IS THE NEW NORMAL

Your superpower is the ability to adapt to change!
And knowledge is power. Join the legal WhatsApp
group to get updates in real time!



#3: GET BACK TO THE BASICS

If knowledge is the new power, then education is your currency. Start with the basics (like the practice changes required by the NAR settlement and sales meetings) and take a deep dive after that. Don't see what you want for brokers, managers, agents? Tell us.

#4: RISK IS YOUR FRIEND, NOT YOUR FOE

If you know what the risks are, you know how to avoid them (like scammers...they're scamming in full force). Sign up for the Broker Blueprint series to get the information you need on risk mitigation.



#5: DON'T LET YOUR CHATBOT GET YOU SUED

There's a new wave of lawsuits claiming that the failure to include a disclaimer in chatbots is a violation of the FSCA. Get all the info you need to avoid and defend against these lawsuits here:

<https://bit.ly/chatbotlawsuits>.

#6: RELAUNCH OF THE BROKER/MANAGER NEWSLETTER

It's back! Be the first to know about critical legal, MLS, advocacy, and membership updates.



It's back! Your exclusive update with everything Brokers and Managers need: marketing tools, agent resources, news you can share, legal updates, helpful handouts, tips and insights, and more. Curated just for you to help lead your office and grow your business.



Protect Yourself from ChatBox Lawsuits NOW!
Dozens of lawsuits have been filed against companies that use chatbots on their websites. **Take action NOW** to prevent getting sued! [MORE](#)



Broker Power Hour
Broker, managers, and admins – join us for fast powerful updates on what you need to know. It's Hybrid – join us on Zoom or in-person at the MIAMI Global HQ.



Broker Blueprint Series
Join the MIAMI REALTORS® Legal Team for a webinar series that covers everything you need to do what you do best – real estate, risk management, corporate structure resources... [SIGN UP HERE](#)



VIP Luncheon
On Wednesday, March 19, 2025, MIAMI REALTORS® hosted an exclusive VIP Broker Power Lunch at the MIAMI Global Headquarters. This high-impact event brought together top brokers and managers for key industry insights, market updates, and high-level networking. [MORE](#)



Condo Resource Page
Where you can access the latest information on the new state condo regulations, important forms, information on milestone inspections, the Miami-Dade county's special assessment loan program, Miami-Dade County HOA database and more. [MORE](#)



New Exclusive Legal Forms
Find out what's new, updated, and how to use them. Easily access the latest form updates, guides, and exclusive MIAMI forms—all in one place. [MORE](#)



South Florida Market News & Stats
Access our monthly real estate statistical reports for Miami-Dade County, Broward County and Palm Beach County... [MORE](#)

#7: STAY ON TOP OF NEW FORMS, TOOLKITS, AND RESOURCES

miamirealtors.com/legalupdates

Forms (yes, our own!), monthly updates tracking Florida REALTORS®' forms, toolkits, and MORE.

Don't see it? Ask for it.

#8: BE A CONDO CONNOISSEUR

miamirealtors.com/condos

Landing page with guides on milestone inspections (Broward is different!), SIRS, DBPR resources, link to the condo database, condo stats, and forms **EXCLUSIVE** to MIAMI members.

#9: RULE CHANGES MIGHT BE COMING (AGAIN) TO INDEPENDENT CONTRACTORS

Department of Labor is reconsidering the 2024 rule (and is going back to the 2008 version of the rule in enforcement actions), but courts are still using the 2024 version. Best practices? Make sure to have clear written agreements with agents that address ALL the various factors (and stick to those agreements!).

#10: SNEAK PEAK ON WHAT'S COMING FOR MLS RULES

NAR released a new mandatory policy on “delayed marketing” options. Associations have until 9/30/25 to implement.

Spoiler alert: over the next 2 months, MIAMI will be meeting with YOU and your brokerages to get your feedback and to hear your concerns before the Corporate Board of Directors considers any potential changes. Stay tuned for a survey as well.

ASK LEGAL!

legal@miamire.com



EVIAN
White De Leon, Esq.
Chief Legal Counsel & COO



ELIZABETH
Soto, Esq.
Associate Legal Counsel