



# NAR Data Privacy Self-Regulatory Program

NAR Annual Meeting—November 2012  
Orlando, FL

# + 3 Elements to Self-Regulatory Programs

## ■ Best Practices

- Adopted by NAR BOD in 2010

## ■ Education and Training

- Outreach campaign underway
- Fed Tech Policy Committee expected to recommend mandatory privacy training for all NAR members via NAR Bylaws

## ■ Enforcement

- Need to choose between self-enforcement or contract third party i.e. BBB





# NAR Data Best Practices



REALTORS® recognize that as data collection continues to become a valuable asset for building relationships with their clients, so does their responsibility to be trusted custodians of that data. Consumers are demanding increased transparency and control of how their data is used. While each state has its own definition of “Personally Identifiable Information,” for purposes of these principles “personal information” will be interpreted broadly to mean any information that can be used to uniquely identify, contact, or locate a single person or can be used with other sources to uniquely identify a single individual. For this reason, REALTORS® endorse the following Data Privacy and Security principles:

## ■ **Collection of Personal Information Should be Transparent**

REALTORS® should recognize and respect the privacy expectations of their clients. They are encouraged to develop and implement privacy and data security policies and to communicate those policies clearly to their clients.

## ■ **Use, Collection and Retention of Personal Information**

REALTORS® should collect and use information about individuals only where the REALTOR® reasonably believes it would be useful (and allowed by law) to administering their business and to provide products, services and other opportunities to consumers. REALTORS® should maintain appropriate policies for the reasonable retention and proper destruction of collected personal information.



# NAR Data Best Practices



## ■ Data Security

REALTORS® should maintain reasonable security standards and procedures regarding access to client information.

## ■ Disclosure of Personal Information to Third Parties

REALTORS® should not reveal personal information to unaffiliated third parties unless 1) the information is provided to help complete a consumer initiated transaction 2) the consumer requests it; 3) the disclosure is required by/or allowed by law (i.e. investigation of fraudulent activity); or 4) the consumer has been informed about the possibility of such disclosure through a prior communication and is given the opportunity to decline (i.e. opt-out.)

## ■ Maintaining Consumer Privacy in Business Relationships with Third Parties

If a REALTOR® provides personal information to a third party on behalf of a consumer, the third party should adhere to privacy principles similar to the REALTOR® that provides for keeping such information secure.

## ■ Single Federal Standard

NAR supports a single federal standard for data privacy and security laws in order to streamline and minimize the compliance burden.

# + Education & Outreach

- Integrate Privacy Best Practices into NAR Designations/Certs
  - Accredited Buyer's Representative (ABR) Rollout Dec. 2012
  - Real Estate Marketing Reboot Rollout March 2013
  - Short Sales & Foreclosures Rollout TBD
  - E-Pro Rollout March 2013
  - Seniors Real Estate Specialist (SRES) Rollout April 2013
  - RPR: Real Time Data, Market Knowledge, Informed Consumers  
Rollout Feb. 2013
- Coordinate with private designations to integrate Privacy Best Practices
- Develop Standalone Online Course to be offered for CE credit and distributed through REALTOR University



# + Education & Outreach

- Develop dedicated web page on Realtor.org for Privacy Education
- Develop Data Privacy & Security Field Guide with NAR's Info Central
- Coordinate state issue campaigns with NAR's Community & Political Affairs to assist with State RE Commission efforts to create additional mandates
- Review Standard Real Estate forms to identify unnecessary collection of sensitive data i.e. SSN



# + Communications – Pre Annual Meeting

- Steve Brown posts Voices of Real Estate Blog –10/22
- Blog Post on NAR Facebook page 10/22
- Post featured on AE INS 10/24
- Blog post in “From the Leadership” section of NAR member newsletter 10/25



# + Ongoing Communications Plan



- Centralized Privacy Education webpage will serve as central hub for NAR education information
- Create content for state/local association newsletters
- Identify opportunities to provide content to NAR radio program, REALTOR magazine and other communications vehicles



# + Enforcement/Consumer Complaint Resolution

- Explore enforcement mechanisms after rollout of education campaign and only after greater awareness of Best Practices has been achieved throughout NAR membership.
- Federal Technology Policy Subcommittee is exploring options and is likely to recommend a bylaws amendment to create an enforcement mechanism.

