

## Real estate policy

As there are a wide variety of laws governing the sale of real estate around the world, eBay offers a variety of advertising formats. For more details on listing real estate on eBay, and our role as a platform for advertising, please read our full policy guidelines below.

**Frequently Asked Questions**

**Can I list a property on eBay for a friend?** No, eBay users are not allowed to list real estate for a third-party, unless you are a licensed real estate professional. For more information, please read our full policy below.

**What are the benefits of using the Classified Ad format, rather than an auction format, to list my property?** You can list your asking price, so there is no bidding. Any interested buyers then fill out a contact form, and their information is sent to you, so you can contact them. You can also choose to advertise your property for 30 or 90 days, and can revise your listing at any time within that period.

**Read our full policy**

**Real estate policy overview**

To best meet the needs of our users while accommodating the wide variety of laws governing the sale of real estate across the globe, eBay offers advertisements of real estate in a variety of formats. These Real Estate Rules explain these format offerings, clarify eBay's limited role as a hosting platform for advertising and venue-provider, and outline certain limitations on eBay's obligations and liabilities. Your use of the eBay Real Estate Pages confirms your agreement to these rules.

**eBay Real Estate Inc.**

Real estate advertising services on eBay are offered by eBay Real Estate Inc. a wholly-owned subsidiary of eBay Inc. On eBay's site and in these Rules, this company is referred to as "eBay Real Estate."

Selling an undivided interest in a land real estate property is not permitted. An undivided interest is defined as a partial interest by two or more people in the same property. This prohibition shall not apply to mineral rights.

Activity on eBay is required to follow this policy, the eBay

[User Agreement](https://www.ebay.com/help/policies/member-behavior-policies/user-agreement?id=4259) and all applicable laws, as well as respect the rights of third parties. If it

doesn't, eBay may take action consistent with applicable laws and the eBay [User Agreement](https://www.ebay.com/help/policies/member-behavior-policies/user-agreement?id=4259), and may even be legally required to do so. Such actions may include, as an example only: Removing the listing or other content, issuing a warning, restricting activity or account suspension.

## Some Examples

### Auction-Style Format Items

Due to the wide variety of laws governing the sale of real estate, eBay Real Estate auction-style advertisements of real property do not involve legally binding offers to buy and sell. Instead, eBay Real Estate's auctions are simply a way for sellers to advertise their real estate and meet potential buyers. eBay is commonly referred to as an online auction web site, however eBay Real Estate is not a traditional "auctioneer." eBay Real Estate is not involved in the actual transaction between buyers and sellers and, as a result, has no control over the quality, safety or legality of the properties advertised, the truth or accuracy of the postings, the ability of sellers to sell items or the ability of buyers to buy items. eBay cannot ensure that a buyer or seller will actually complete a transaction.

Auction-style format advertisements for the sale of real estate are designed to assist the parties in identifying the most interested potential buyer(s). The listings do not result in binding agreements to buy and sell real estate; however, they do allow sellers and buyers to use eBay Real Estate as a venue to determine who may be most interested in the property. In this format, potential buyers are asked not to bid unless they intend to complete the purchase of the advertised property, subject to customary diligence and contingencies. Sellers are not permitted to claim in their listings that a bid results in a binding obligation to consummate the purchase. Following the close of the auction-style bidding, the sellers and buyers are expected to contact each other to prepare and deliver the appropriate paperwork to buy and sell the property, and to take such other actions as may be required by local laws. As noted below, eBay Real Estate cannot give legal advice to buyers or sellers, and users should seek professional advice when selling or buying real estate. Depending on the property, sellers may be required to deliver to buyers a disclosure statement prior to a sale, and in all cases buyers should conduct their own due

diligence related to property inspection, title review, building code compliance, termite inspection, flood plain, hazardous materials and other local issues transparent only to an expert. While eBay Real Estate cannot guarantee consummation of the sale to either seller or potential buyers, our rules require sellers and top-bidding potential buyers to follow through in good faith. If the parties do follow through in good faith, but the transaction does not close, the parties should still leave positive feedback for each other. If you elect to use the "auction-style" advertisement for certain kinds of real estate, you will be charged a "Notice Fee" when the auction-style advertisement is over. This fee applies whether or not the real estate sale is completed. You will not be charged a "final value fee" tied to the sale of the real estate. See <https://www.ebay.com/help/selling/fees-credits-invoices/selling-fees?id=4822>; Selling Fees for more information.

### Classified Ad Listings

eBay Real Estate also offers sellers the option of advertising their property in a Classified Ad format rather than an auction format. The Real Estate Classified Ad format has the following features:

- You can list your asking price. No bidding takes place
- Interested buyers fill out a contact form and their information is sent to you
- You can advertise your property for 30 days or 90 days
- You may revise your item at any time in the advertisement duration

Real Estate Classified Ad listings do not result in feedback, because the format aims to generate multiple leads rather than a single high bidder. When this contact information is forwarded to sellers via email, sellers are obliged to treat the potential buyers' contact information in full compliance with our User Privacy Notice. This policy prohibits use of the potential buyers' information for any purpose other than communicating with the potential buyers about the information and services referenced in the item description, unless expressly permitted to do so. Failure to comply with this policy can result in seller expulsion from the eBay community. Once buyers and sellers make contact through these listings, they can, as noted above, then proceed to discuss off the website purchase terms, including price, inspections, and the like, as is customary in an offline real estate transaction.

### Private Mortgage Notes

Within

eBay's "Other Real Estate" pages, eBay sellers are permitted to advertise for sale certain purchase money notes and mortgages (referred to in these rules as "mortgage notes"). These mortgage notes are created when, in a real estate transaction preceding the offer of the mortgage note on the eBay site, a purchaser of certain real estate obtains financing for all or a portion of a property from the seller, and executes a note in favor of the seller secured by a mortgage on the real property being purchased. A mortgage note created in this manner may be advertised for sale on eBay (in either the Auction format or Classified Ad format) if the following requirements are satisfied:

- The mortgage note must have arisen in connection with a bona fide real estate transaction
- The interest offered constitutes the entire indebtedness under the note
- The purchaser will receive the mortgage note by unconditional endorsement, without recourse, together with a full assignment of the mortgage securing the note, both of which the purchaser will hold until satisfaction of the note
- The mortgage note is offered without any interposed services or other enhancements to be provided by the seller
- The sale of the mortgage note complies with all applicable law

All mortgage notes are required to be offered only in the "Other Real Estate" category.

## Additional information

### Privacy of Information

Sellers must treat buyers' contact information in full compliance with our [User Privacy Notice](https://www.ebay.com/help/policies/member-behaviour-policies/user-privacy-notice?id=4260). This policy prohibits sharing the buyer's information with third parties as well as use of the buyer's information for any purpose other than communicating with the buyer about the item, unless expressly permitted to do so by the buyer.

### Real Estate Licensees

Sellers who are licensed as an agent, broker, or other licensed real estate professional must ensure that their item description conforms to all laws and regulations applicable to online advertising of properties by such licensees. These requirements may include, among other things, disclosure of the licensee's name, any firm with which the

licensee is affiliated, office location, and the jurisdiction(s) where the licensee is licensed.<h3>Trading Assistants</h3>A user may not list real estate for a third-party unless the user is a licensed real estate professional.<h3>Professional Assistance</h3>The purchase and sale of real estate is a complicated matter that is governed by laws, practices and customs that vary significantly from locality to locality. Sellers are advised that many jurisdictions require that you provide a disclosure statement to all prospective buyers regarding the condition of your property. In addition, under U.S. federal law, sellers have an obligation to disclose information on lead-based paint hazards. Members are strongly advised to seek the help of a licensed real estate professional and/or a real estate attorney to help in the negotiation and sale of any real estate. Members may wish to visit the website of the <a href="http://www.arello.com/" target="\_blank">Association of Real Estate License Law Officials - opens in new window or tab</a>, which offers a search tool providing access to a database of information about the current license or registration status of real estate licensees.<h3>eBay Real Estate's Role as a Venue Provider / Brokerage Relationship (Agency) Disclosure</h3>The role of eBay Real Estate in the sale of properties is limited to hosting advertisements provided by sellers and providing a venue for communications about a property. eBay Real Estate is not responsible for, and does not engage in, brokering, selling, purchasing, exchanging, or leasing posted properties or providing a "multiple listing service" as that term is traditionally used. eBay Real Estate does not counsel sellers or buyers, show properties, negotiate sales contracts, or hold a position of trust and confidence, whether or not in connection with the eBay website. Accordingly, no brokerage relationship or any agency or fiduciary relationship is intended to be or shall be deemed to have been created between eBay Real Estate and any seller or buyer of real estate. eBay Real Estate makes no representations about properties advertised on eBay, about the sellers of such properties, about the accuracy of information provided by such sellers, or about the financial capabilities of prospective buyers. Prospective buyers are advised to perform all due diligence before entering into a contract to purchase property, and, as emphasized

above, all parties are encouraged to seek the help of a licensed real estate professional and real estate attorney.

### License Information

eBay Real Estate does not purport to broker transactions, although it holds certain state real estate broker [licenses](https://www.ebay.com/help/policies/prohibited-restricted-items/ebay-real-estate-inc-real-estate-licenses?id=4632).

### Relationship to eBay's User Agreement

With respect to real estate items, if these Real Estate Rules conflict with eBay's User Agreement, these rules apply.

Tip Visit [Seller Help](/sellerhelp/policy) - opens in new window or tab to find details of any policy issues with your account or listings, and get the information you need to quickly resolve them.

## Why does eBay have this policy?

eBay and eBay Real Estate want to ensure that sellers and buyers comply with all governmental laws and regulations. Since the sale of real estate is regulated, or may cause harm to eBay, eBay Real Estate or its members, the sale of real estate on eBay is restricted.