CONSUMER POLICY CENTER

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MANY STATES PREVENT OR LIMIT CONSUMERS FROM LEARNING DISCIPLINARY ACTIONS AGAINST REAL ESTATE AGENTS

Washington, D.C. – Today the Consumer Policy Center (CPC) released a new report on the extent to which state governments provide public access to information about disciplinary actions against real estate licensees. The report – Evaluating State Disclosure of Disciplinary Actions Against Real Estate Agents – rated only two states as providing good access to this information: Illinois and Arizona.

"State regulators need no additional authority to increase consumer access to important information about agents they may employ," said Wendy Gilch, a CPC fellow and the report's author. "Regulators need only a stronger commitment to their statutory obligation to protect home buyers and sellers," she added.

State real estate regulators, which usually include a real estate commission, provide the public with information about real estate licensees. This information is provided through a "lookup" that is meant to show information about the agent's license, along with any disciplinary actions and warnings.

The report examined the access all 50 states provide to this information. It assessed whether a disciplinary action was easy to find and easy to understand, as well as whether the record showed past brokerage employment. Twenty-one states were rated as needing improvement, while 24 were deemed to provide poor access. Three states could not be rated. Only three states flagged a disciplinary action on the first page a consumer sees, and in 16 states, a consumer checking the lookup would have found no sign of the action at all.

The report found that in most states, a lookup will not inform consumers what they need to know. Disciplinary actions are buried, mislabeled, kept off the lookup, or never made public at all. Agents charged with serious crimes can stay licensed and show a clean record for months, even years. And on the rare occasion when an agent is in the news, the record itself may disappear for a time but reappear later.

The report also tested whether artificial intelligence could fill the gap. Asked whether the same agents had been disciplined by the state, an AI model found no record of any action in 34 of the 47 states tested. Where it did find a record, the information came from meeting minutes, orders and newsletters, not from the lookups regulators tell consumers to use.

The report provided specific recommendations to the states as to how to improve the disclosure of key information about agents. They included flagging actions on the main page, keeping records searchable and permanent, disclosing letters and warnings, reporting housing and consumer protection violations, not just convictions, and making discipline visible to search engines and AI tools.

“Consumers spending hundreds of thousands of dollars on a purchase should be given information about serious state or federal charges against agents on whom they depend,” said CPC’s Gilch. “Consumers should have the ability to determine whether the information will affect their choice of agent,” she added.

The Consumer Policy Center (CPC), launched in early 2025, is a think tank whose experts undertake research and commentary to advance the consumer interest. Many of these experts have led consumer or government organizations, held university appointments, and published scholarly research. The CPC does not take positions on policy issues; the analysis and views in CPC publications are those of their authors.