**Section 1450.900 Unprofessional Conduct**

Conduct that constitutes dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public includes, but is not limited to:

a) Failure to act in the best interests of a client.

b) Deliberately misleading a client as to the market value of property.

c) Failing to advertise the property pursuant to the terms of the listing agreement.

d) Deliberately misrepresenting to prospective purchasers or their agents the condition of property or the availability of access to show the property.

e) Purchasing or transferring property through an intermediary in order to conceal the purchase by the licensee.

f) Inducing a seller to list property through false representations.

g) Inducing a seller through false representations or false promises to transfer property to the licensee.

h) Taking unfair advantage of a client's or customer's age, disability or lack of understanding of the English language.

i) Engaging in licensed activities with the public or other real estate licensees in a manner that is abusive, harassing or lewd.

j) Representing oneself as a sponsoring broker or designated managing broker without providing actual supervision and management of the real estate entity or licensees.

k) Failing to reasonably safeguard confidential information or improperly using confidential information.

l) Obstructing an inspection, audit, investigation, examination or disciplinary proceeding.

m) Violation of Section 1450.750 (Special Accounts).

n) Assisting or inducing a licensee or unlicensed individual to violate the Act or this Part.

o) Any conduct constituting a breach of duty to the client causing harm to the client in the future. In establishing harm, the Department need not prove actual economic damage to the client.

p) Use of a managing broker license to permit or enable a broker, residential leasing agent, or other individual to operate or manage a licensed real estate entity without actual participation in and control of that entity by the designated managing broker.

q) Accessing a property or granting permission to access a property without proper authorization.

(Source: Amended at 45 Ill. Reg. 2851, effective February 23, 2021)