

Sec. 08.88.401. Prohibited conduct; penalties.

- (a) A person licensed under this chapter may not falsely represent to
 - (1) have been awarded a degree or other designation;
 - (2) be a member or an affiliate of a professional organization; or
 - (3) be a member of a franchise or other business association.
- (b) A person
 - (1) who is not a real estate broker licensed in this state may not accept a fee or a commission for performance of an act for which a license is required by this chapter except that a real estate broker validly licensed in another state may accept a fee or commission or a portion of a fee or commission for assisting a real estate broker licensed in this state in the performance of an act for which a license is required by this chapter;
 - (2) who is an associate broker or a real estate salesperson licensed in this state may accept a fee or commission for performance of an act for which a license is required by this chapter only from the licensee's employing broker, except that the wages of a person who is engaged as a licensed assistant under AS 08.88.398 may be accepted by the person from the assistant's employer.
- (c) A person licensed under this chapter may not knowingly make, authorize, direct, or aid in the publication of a false statement or misrepresentation concerning land or a subdivision or other real estate offered for sale, lease, or rent or concerning an association being managed.
- (d) A person licensed under this chapter may not knowingly pay any part of a fee, commission, or other compensation received by the licensee in buying, selling, exchanging, leasing, auctioning, or renting real estate to
 - (1) a person who is not licensed under this chapter, except as provided in (e) of this section;
 - (2) another licensee, except through the licensee's responsible broker; or
 - (3) another licensee knowing that the other licensee intends to pay all or a portion of that which is received to a person who is not licensed under this chapter.
- (e) The prohibition of (d)(1) of this section does not prohibit
 - (1) payments by a licensee to a person licensed to perform real estate activities in another jurisdiction if the other person has assisted the licensee in the performance of an act for which a license is required by this chapter;
 - (2) payments from a real estate licensee to a principal as part of the resolution of a dispute regarding the terms of a transaction or regarding the property transferred; or
 - (3) contributions from a licensee to a charitable organization and advertisement of the licensee's intent to make the charitable donation.
- (f) A person may not
 - (1) use or attempt to use a license issued under this chapter that was issued to another person;
 - (2) give false or forged evidence to the commission or to a representative of the commission in an attempt to obtain a license;
 - (3) impersonate an applicant under this chapter;
 - (4) knowingly use or attempt to use an expired, suspended, revoked, or nonexistent license; or
 - (5) falsely claim to be licensed and authorized to practice under this chapter.
- (g) A person who violates this section or AS 08.88.161 is guilty of a class A misdemeanor.