

**Sec. 08.88.695. Definitions.** In AS 08.88.600 – 08.88.695,

- (1) “compensation” includes a commission;
- (2) “confidential information” means information from or concerning a person that
  - (A) the licensee acquired during the course of the licensee’s relationship as a licensee with the person;
  - (B) the person reasonably expects to be kept confidential;
  - (C) the person has not disclosed or authorized to be disclosed to a third party;
  - (D) would, if disclosed, operate to the detriment of the person; and
  - (E) the person is not obligated to disclose to the other party in a real estate transaction;
- (3) “designated licensee” means
  - (A) a real estate licensee who works for a real estate broker and represents or provides specific assistance to a person in a real estate transaction when another licensee who is working for the same broker represents or provides specific assistance to an unrepresented person in the same transaction; or
  - (B) a real estate broker who represents or provides specific assistance to a person in a real estate transaction when another licensee who is working for the broker represents or provides specific assistance to another person in the same transaction;
- (4) “neutral licensee” means a real estate licensee who
  - (A) provides specific assistance to both the buyer and the seller, or both the lessor and the lessee, in a real estate transaction; and
  - (B) does not represent either party;
- (5) “personal services contract” includes a listing, a fee agreement between brokers and sellers, buyers, lessors, or lessees, a management contract with property owners, or any other agreement by which a broker agrees to perform a duty with respect to real estate for an agreed upon fee or commission;
- (6) “real estate services” means services related to a real estate transaction;
- (7) “represent” means to provide real estate services to a person if the services are not limited to specific assistance;
- (8) “specific assistance”
  - (A) means
    - (i) **asking questions regarding confidential information for a real estate transaction;**
    - (ii) **showing pieces of real estate selected for a buyer’s or lessee’s specific needs or desires;**
    - (iii) **preparing a written offer for a real estate transaction; or**
    - (iv) **entering into a personal services contract;**
  - (B) **does not include**
    - (i) **hosting an open house;**
    - (ii) **casual conversation regarding real estate;**
    - (iii) **receiving calls or electronic inquires from the licensees’ signs, advertisements, or Internet site;**
    - (iv) **providing information regarding a piece of real estate;**
    - (v) **setting an initial appointment to show a piece of real estate**
    - (vi) **receiving unsolicited information from a buyer or lessee before or after disclosure of a real estate relationship.**