

FAQs: 2027 Marketing Practice Changes

The changes under this new law (2025 Wis. Act 69) go into effect on January 1, 2027. The following FAQs are current as of April 24, 2026.

Marketing of listed property

1. What does 2025 Wis. Act 69 (Act 69) law mean for marketing listings?

The new law benefits Wisconsin's real estate industry by promoting transparency, consistency and consumer choice. Sellers may choose how their property is marketed when it is listed by a real estate firm. If a seller chooses to restrict the marketing of their property, they will be asked to affirmatively opt out of public marketing.

2. Does Act 69 apply to all types of properties?

The marketing of listed property in Act 69 applies to residential transactions involving properties with one to four dwelling units.

3. What are the options for marketing a listed property?

A seller may choose to have their property publicly marketed or may choose to restrict the marketing of their property. Within one business day from the start of a listing contract for sale or lease, a listing firm must advertise or market the property on one or more internet platforms or websites that are accessible to the general public and agents working with buyers unless the seller opts out of the public internet advertising.

4. What is public marketing?

Generally, public marketing means the property will be made available on internet platforms, real estate websites, social media platforms, and other advertising channels that buyers and agents can access. Public marketing makes the property visible to a wide audience of prospective buyers.

5. What is the benefit of public marketing?

Public marketing can help ensure all interested parties have an opportunity to learn about the property. Some benefits may include greater exposure to more prospective buyers, increased competition, more feedback from showings, and a better sense of interest in the property.

6. Under this new law, what are a listing firm's marketing obligations when listing a property?

The listing firm must share information about the property with agents working with buyers, respond to inquiries from any agent working with buyers, and make the property available for showings. The listing firm must list the property within one business day of the listing period on one or more internet platforms or websites that are accessible by buyers and agents. If the seller does not want the property advertised on the internet within one business day, the seller can opt out but will have to complete a WB form that includes the required disclosure language.

7. What does it mean to make the property available for showings?

Under 2025 Wisconsin Act 69, the listing firm must make the property available for showing to prospective buyers. This means the firm must reasonably facilitate and respond to showing requests and cannot impose unnecessary barriers to access. However, the seller retains control over access to their property. A seller may accept or decline specific showing requests or establish reasonable showing instructions. If a seller chooses to decline showings, whether generally or in specific instances, the listing firm must follow the seller's lawful instructions. Opting out of internet marketing does not automatically eliminate showings, but it may affect how buyers become aware of the property.

8. What will the disclosure language look like in the WB forms?

The language warns a seller that if they choose to keep their property off the internet, they acknowledge by the seller's initial that 1) licensees and buyers may not know the property is for sale, 2) the property will not appear on the internet that is accessible to buyers and agents working with buyers, 3) buyers and agents may not know the terms and conditions under which the seller is offering the property for sale, and 4) reduced exposure of the property may reduce the number of offers and could result in a lower sale price and may negatively affect the seller's ability to sell the property at terms favorable to the owner.

9. Does Act 69 prohibit office-exclusive listings?

Generally, office-exclusive listings are only shared internally in a firm before listing the property publicly online. Act 69 does not prohibit office-exclusive listings, but the seller is required to complete a WB document that includes the required disclosure language.

10. Does Act 69 prohibit pre-market listings?

No. A pre-market listing generally means the property is being advertised to the public before it is posted on the Multiple Listing Service (MLS). If pre-market listings are not viewable by the public and agents working with buyers, the seller will have to complete a WB document that includes the required disclosure language. It is important to note that Wisconsin law requires a listing contract before a property can be advertised. In addition, the listing firm is required to follow any MLS rules.

11. Can a seller change their mind after signing the disclosure and opt-out form?

Yes, the seller may decide to change the marketing of their property after signing the disclosure and opt-out form. The seller and the listing firm may discuss how to adjust the marketing strategy during the term of the listing.

12. Can a seller still choose to restrict specific individuals from viewing the property?

Yes, a seller may choose to restrict access to their property from certain individuals, so long as such restriction is not based on a person's protected class. This means the property owner may identify specific agents and prospective buyers with whom the property owner does not wish to work or allow to view the property.

13. Where can people learn more about Act 69?

The WRA's practice changes resource webpage at www.wra.org/practicechanges will be updated as new tools and information are available.