**20:69:03:19.  Advance compensation.** If an agency agreement provides for compensation for services for other than a sale or lease of an interest in real property, the licensee may collect compensation for those services before closing the sale or lease of the interest in the real property. If a client or customer agrees in writing to allow a broker to receive compensation for any agreed upon service before closing the sale or lease of an interest in real property, the compensation must be placed in the broker's trust account until performance of services has been consummated or terminated by written agreement from both parties.

 **Source:** 16 SDR 36, effective August 29, 1989; transferred from § 20:56:05:21.01, 20 SDR 18, effective August 16, 1993; 37 SDR 112, effective December 8, 2010.

 **General Authority:** SDCL 36-21A-84.

 **Law Implemented:** SDCL 36-21A-84.