AB 723 — what every California real estate listing needs.

A 5-minute brief from SEAREI · May 2026 · searei.com

California AB 723 took effect January 1, 2026.

California Business and Professions Code §10140.8 requires that every digitally altered listing photo include four things:

1. Visible disclosure on or adjacent to the altered image — readable at typical thumbnail size (most boards: 5% of image height minimum).

2. Disclosure language in the listing description identifying which photos have been digitally altered.

3. Original photo retention — the unaltered original must be retained (typically 5 years) and producible on request.

4. Audit-ready record — both images plus the date of alteration, retrievable on demand.

"Digitally altered" includes virtual staging, AI enhancement, removed or added furniture, changed paint, edited landscaping, and altered views through windows. Willful violation is a crime under California Real Estate Law.

What happens if you don't comply.

• **MLS sanctions.** Boards can fine, suspend, or revoke listing privileges.

• **Brokerage liability.** The brokerage is on the hook, not just the agent.

• **DRE exposure.** The California Department of Real Estate has investigative authority over deceptive marketing under §10176.

• **Civil exposure.** Undisclosed material alterations can give buyers grounds for misrepresentation claims (Cal. Civ. Code §1709–1710).

Sample disclosure language SEAREI applies automatically.

California (AB 723 / §10140.8):
"This image has been virtually staged. Original, unaltered images are available through the linked listing materials."

Washington:
"Images have been virtually staged. Items shown may not be included with the property."

NWMLS (Rule 80):
"Virtual staging has been applied to this image."

British Columbia (BCFSA):
"This image has been digitally altered to show virtual staging."

Your AB 723 binder. Five things in it.

For every staged listing photo, you should be able to produce:

1. **The original, unaltered photo.** As taken — no edits, no enhancement, no staging. JPEG or original camera RAW.
2. **The disclosure-labeled staged photo.** With the visible label baked into the image at delivery, not added later in Photoshop.
3. **The date of staging.** The day the alteration was applied. If the staging vendor doesn't timestamp this, you have a gap.
4. **The rule applied.** §10140.8 for California, NWMLS Rule 80 for Washington, BCFSA guidance for BC. Naming the rule on your record proves intent.
5. **Where the originals are stored.** A path your auditor can reach. A folder on Dropbox is acceptable. A folder on your dead employee's iPhone is not.

If a board audits your listing, those five items are what they ask for. Bring all five and you're closed in ten minutes. Bring three of five and you're spending the next quarter responding to discovery.

If you use SEAREI, the binder is the verify URL.

Every SEAREI delivery ships with all five items packaged in a tamper-evident PDF certificate plus a permanent public verification page. When an MLS officer asks for documentation, you forward the verify URL. They click it. The original photo, the staged photo, the date, the rule, the SHA-256 hash, the brokerage that issued the certificate — all on one page. No SEAREI account required to view.

> **For solo agents:** $39 / photo. First listing free.
>
> **If you already have staged photos:** MLS Ready, $49 / listing flat (unlimited photos).
>
> **For brokerages:** $29 / agent / month, billed annually. First month free for brokerages with 20+ agents.
>
> Start a listing free at searei.com/signup — or schedule a 15-minute brokerage call at searei.com/contact.

This brief summarizes the practical requirements of California AB 723 and parallel rules in Washington, NWMLS, and British Columbia. It is not legal advice. SEAREI compiles MLS disclosure rules from each board's published guidance and aligns the certificate it issues with those rules. Always verify the current rules with your local MLS and your own counsel before relying on any disclosure for a specific listing.

© 2026 SEAREI · a product of SEATECHONE LLC · searei.com