

# SVVAR MLS FEE WAIVER

## WHAT YOU NEED TO KNOW

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### **NEW FEE WAIVER FOR ACCESS TO THE MULTIPLE LISTING SERVICE (MLS) OF THE SEDONA VERDE VALLEY ASSOCIATION OF REALTORS® (SVVAR) BEGINS JULY 1, 2018.**

You may have heard about changes we are making to the rules pertaining to MLS access requirements 7.42 and 7.43 set forth by the National Association of REALTORS (NAR). Essentially, these changes mean that the MLS of SVVAR will be offering a no-cost fee waiver for licensees affiliated with a SVVAR MLS participant (broker) who do not want to use the services of the MLS of SVVAR as long as the licensee (and the principal broker) is a member of another MLS -- some have been calling this 'MLS of Choice.'

### **HOW WILL THE FEE WAIVER WORK?**

Starting July 1st, 2018, a no-cost waiver will be made available to all current and future participants (brokers) of the MLS of SVVAR. If any agents affiliated with a MLS participant (broker) of SVVAR wish to waive their access to the MLS of SVVAR, they will need to complete the "Multiple Listing Service Waiver/Certification of Non-USE" form and have the participant (broker) sign the form and certify that they meet the requirements of the waiver including that the agent is a subscriber of another Multiple Listing Service (MLS). The waiver will then be reviewed and approved by the SVVAR staff before becoming effective. Once effective, any agents on the waiver will not be able to access any MLS services (see more below) and will also not pay any MLS fees. The waiver will have to be recertified by the SVVAR MLS participant (broker) on an annual basis to remain in effect.

### **IF I WAIVE MY ACCESS TO THE MLS OF SVVAR, WHAT DOES THAT MEAN?**

Quite simply, you **MAY NOT** use any of the services offered by the MLS of SVVAR - and that includes a

unilateral offer of compensation as the buyer's agent, the ability to list properties in the MLS as a listing agent, the ability to put your property on or attend an MLS Tour, access any of our MLS products, including, but not limited to: FlexMLS,, HomeSnap, ShowingTime, etc. You **MAY NOT** possess, control, or use a lockbox key to enter, view, or show any property that is listed in the MLS. You **MAY NOT** directly or indirectly access or use in any manner whatsoever the listing information stored in the MLS. You **MAY NOT** use, directly or indirectly, in any manner whatsoever, information from the MLS to list properties for sale or lease, to identify or locate properties for any potential buyers or lessees, and **MAY NOT** participate in listing or sales activity requiring licensure for any properties listed in the MLS.

### **WHAT DOES THIS MEAN FOR THE VAST MAJORITY OF MEMBERS?**

Absolutely nothing! You will simply continue to be a member of the MLS of SVVAR and receive the benefits and services that we offer - If you want to access the data inside the MLS of SVVAR, to put your listings in the MLS of SVVAR, to display MLS listings of SVVAR on your website, to be compensated as a buyer's agent on a listing in the MLS of SVVAR, to put your listing on an MLS Tour, to attend an MLS Tour, and to use valuable SVVAR products including the SUPRA Key & Keybox system or to use our data distribution controls and access points (Zillow, REALTOR.com, ListHub, etc.).

### **WHAT ABOUT TEAMS?**

Some agents on a team mistakenly believe that if only one person on the team adds or edits listing in the MLS of SVVAR, that the rest of the team does not need to subscribe to the MLS of SVVAR. All active real estate licensees must subscribe to the MLS of SVVAR or qualify for a waiver. This includes (but is not limited to) licensees who are part of a real estate team, licensees who represent buyers exclusively, or licensed or certified appraisers.

**Multiple Listing Service WAIVER/Certification of NON-USE**  
**SEDONA VERDE VALLEY ASSOCIATION OF REALTORS® MLS**

The Broker Participant of this Service shall be exempt from payment of Multiple Listing fees for any licensee employed by or affiliated as an independent contractor with the Participant who **does not** have access to or utilization of the Service (including but not limited to computer program, lockbox key) and is a member of the \_\_\_\_\_ Multiple Listing Service (MLS).

The exemption for any licensee shall automatically be revoked upon the licensees utilization of the Service in any manner.

Such exemption shall be effective beginning \_\_\_\_\_ and ending December 31, 2018.

**CERTIFICATION OF LICENSEE AFFILIATED WITH BROKER PARTICIPANT:**

I, \_\_\_\_\_ associated with \_\_\_\_\_  
PRINT (Name of Licensee) PRINT (Name of Broker)

working in \_\_\_\_\_ (PRINT-Name of Office)  
**does not** utilize the Multiple Listing Service in any way at any time, and understand that if I should utilize the Multiple Listing Service (including but not limited to computer program, lockbox key) at any time, the Participant with whom I am affiliated is obligated to pay an additional licensee fee. I understand that if I am found in violation of this Waiver agreement, my broker will be billed MLS fees for the full amount of the quarter in which I am found in violation, and is also subject to additional penalties as described below.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Licensee affiliated with Broker Participant

**CERTIFICATION BY BROKER PARTICIPANT AS TO LICENSEES  
CERTIFICATION ABOVE:**

I AGREE THAT IF \_\_\_\_\_ (PRINT Licensee Name) utilizes the Multiple Listing Service in any way as described above at a future date, I will notify the MLS and pay the required fees. I understand that if this licensee is found in violation of the Waiver agreement, I will be charged MLS service fees for him/her for the full amount of the quarter in which he/she is found in violation. I also understand that in addition to this service fee, sanction may be imposed by the Sedona Verde Valley Association of REALTORS® Board of Directors as specified in the MLS Rules and Regulations which may include a fine not to exceed \$2,500. **If payment of all fees due are not paid within 30 days of the due date, all MLS service to the Broker Participant will be discontinued until paid in full.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of MLS Broker Participant