

Highland Lakes Association of Realtors®, Inc.

2008 Applicant Information – Association

This application must be dated and signed by your sponsoring Designated REALTOR® and returned to the Association office either by mail or in person during normal office hours (M-F, 8:30am-4pm). All blanks on the application should be completed.

We accept personal or business checks, cashiers checks or money orders only. We are not able to accept credit card payments either in person or online.

Membership services will begin immediately on a probationary basis until presentation to the Board of Directors in their normally scheduled meeting (third Tues. month). However, continuation of membership is contingent upon attendance of the Association New Member Orientation Course within 120 days of application. You will be notified in writing (via e-mail) prior to the next scheduled Orientation.

As a member of this Association, you agree to pay all membership dues and fees as established by the Board of Directors and on your own initiative, to thoroughly familiarize yourself with the Code of Ethics of the National Association of REALTORS®, including the duty to arbitrate business disputes in accordance with the Code of Ethics and Arbitration Manual of the Highland Lakes Association of REALTORS®, the State Association and the National Association.

NOTICE: Should your sponsoring Designated REALTOR® change from the one shown on this application at any time during your membership with this Association, you **MUST** notify the Association office in writing within ten (10) working days. There is a process in which the Association staff must adhere to and a fee is due from the agent at any time there is a change of office to be made.

Upon termination of your membership with this Association you **MUST** notify the Association office in writing immediately and return all items that have been leased to you or checked out to you by the Association. (i.e. Supra Keys, cradles, computer software, etc.)

THE SIX POINT MEMBERSHIP CRITERIA OF THE NATIONAL ASSOCIATION OF REALTORS® FOR APPLICANTS FOR REALTOR® MEMBERSHIP:

1. Applicant must hold a valid real estate license, and be actively engaged in the Real Estate business and its recognized branches.
2. Applicant must be employed by a Designated REALTOR®, or affiliated with A Designated REALTOR® as an independent contractor.
3. Applicant must make written application for REALTOR® membership in the Association.
4. Applicant must signify intention to abide by the National Association of REALTORS® Code of Ethics.
5. Applicant must signify intention to abide by the Constitution, Bylaws, and Rules and Regulations of the local Association, the State Association and the National Association.
6. Applicant must complete the Association New Member Orientation Course within **120** days of application or membership will be terminated. Upon failure to complete the mandatory orientation within the appropriate time period, membership will be discontinued and a \$250 fine will be assessed. Once payment of the fine is received by the Board Office, MLS service may be restored; however, the member **must** attend the next scheduled new member orientation in order to bring their membership back into good standing with the Board of Directors. Should the member fail to attend the next scheduled orientation, the process and fine will be repeated.

Date of next scheduled NMO: _____

Time: _____

Location: _____

MLS Participation Agreement

(For MLS Access by REALTOR® (principals) or a firm comprised of REALTOR® (principals) who are not members of the board/association.)

Highland Lakes Board/Association of REALTORS®

Name: _____

Office: _____

Primary Board or Association: _____

I agree as condition of participation in the MLS to abide by all relevant Bylaws, Rules and other obligations of participation including payment of fees. I further agree to be bound by the Code of Ethics on the same terms and conditions as board/association members including the obligation to submit to ethics hearings and the duty to arbitrate contractual disputes with other REALTORS® in accordance with the established procedures of the board/association. I understand that a violation of the Code of Ethics may result in termination of my MLS privileges and that I may be assessed an administrative processing fee which may be in addition to any discipline, including fines, that may be imposed.

Signature _____

Date _____

NOTE: If the board intends to discipline MLS users and/or Subscribers directly, each User and/or Subscriber must sign this form in the space provided. Please refer to the section of the Handbook on Multiple Listing Policy (Residential) entitled *Applicability of Rules to Users and/or Subscribers* for information on establishing authority to impose discipline on non-principal “users” or “subscribers” affiliated with MLS “Members” or “Participants.”

Highland Lakes Association of REALTORS®, Inc.
2008

Multiple Listing Service Application

Applicant's Full Name: _____
(Name as it appears on your TREC pocket card)

Home Address: _____
(Street or P.O. Box) (City) (State) (Zip)

Email address: _____

Home phone: () _____ Cell: () _____

Individual Website: _____

TREC License #: _____ Expiration Date: _____

TX Dr. License # _____

Date of Birth: _____ Designations: _____

Current Board: _____

Company Name: _____

Designated REALTOR/Broker: _____

Office Address: _____
(Street or P.O. Box) (City) (State) (Zip)

Office Phone # _____ Fax # _____

User Name: _____ Password: _____

User Choice: May be alpha or numeric or combination of both.

1) Are there now any pending or unresolved complaints, or have there been within the past 5 years, any complaints against you or the firm with which you have been associated before any state real estate regulatory agency, real estate Association, or any other agency?

Please check: Yes ___ or No ___

(If yes, specify the substance of each complaint in each state, the agency before which the complaint was made, and the current status or resolution of such complaint.)

2) Have you been convicted of a felony or misdemeanor in the last 5 years?

Please check: Yes ___ or No ___ (If yes, describe on back.)

By signing below, I agree to abide by the Bylaws and Code of Ethics of the National Association of REALTORS®, and the Highland Lakes Association of REALTORS®. I have read the attached information, and affirm that the information provided above is true and correct to the best of my knowledge. I agree that failure to provide complete and accurate information, or any misstatement of fact, may be grounds for revocation of my membership.

Signature of Applicant

Date: _____

Signature of Sponsoring Designated REALTOR®

Date: _____

Highland Lakes Association of REALTORS®[®], Inc.

2008

**Multiple Listing Service
(with Association Membership)**

New Membership Fees: (1 time only)

BROKERS/DR'S/DESIGNATED PROFESSIONALS: \$350.00
Processing Fee \$ 50.00

ASSOCIATES: \$ 50.00
Processing Fee \$ 50.00

MLS Quarterly Dues

BROKERS/DR'S/DESIGNATED PROFESSIONALS: \$ 115.00
(incl. tax \$122.59)
EACH SALESPERSON \$ 85.00
(incl. tax \$90.61)

SUPRA PRODUCTS

Key issuance fee: \$ 80.00
dKey: Annual Lease \$115.28
Insurance: (dKey only) Annual Insurance (Opt.) 25.00

eKey: (Basic: Access Only) monthly 16.18
(Professional: Access & MLS Data) monthly 24.53

PDA or Smart Phone must be compatible with system – ask Assoc. staff for details.

(Co-op Key from another board) \$50.00 one time fee
Lockboxes: Purchase \$98.00 + \$8.09 tax = **\$106.09**

In order for an agent to join the Multiple Listing Service of HLAoR, the designated REALTOR® of that firm must also be a member.

A requirement for membership is that you **must attend** a New Member Orientation course within 120 days of application.

Fee Sheet

HIGHLAND LAKES ASSOCIATION OF REALTORS® MLS DUES AND FEES

BROKER/DR MEMBERSHIP FEE*	\$ _____
PROCESSING FEE*	\$ _____
ASSOCIATE MEMBERSHIP FEE*	\$ _____
PROCESSING FEE*	\$ _____
Current Quarter MLS DUES**	\$ _____ + _____
<i>8.25% Tax on Dues Only Included</i>	
Co-op Key from other Board (\$50)	\$ _____
Other Products Sold: _____	\$ _____
TOTAL PAYABLE TO HLAoR MLS	\$ _____

**Membership and Processing Fees are one-time only, as long as membership is maintained.
If you leave the MLS, you will be required to pay membership and processing fees to rejoin.
** MLS Dues Are Billed Quarterly (amt. may be prorated at time of joining)*

SUPRA PRODUCTS:

*Separate Fee Payable to SUPRA
(Credit/Debit Card or Electronic Check)*

Key issuance fee:		\$ 80.00
dKey:	*Annual Lease	\$115.28
Insurance: (dKey only)	Annual Insurance (Opt.)	25.00
eKey: (Basic: Access Only)	monthly	16.18
(Professional: Access & MLS Data)	monthly	24.53

PDA or Smart Phone must be compatible with system – ask Assoc. staff for details.

**Annual Lease fee may be prorated.*

HLAoR OFFICE USE ONLY:

SUPRAKEY# _____ PIN# _____
 LOCKBOX# _____

Assoc. Total: \$ _____ + MLS Total: \$ _____ = \$ _____ Agent Total

Check No. _____ Amount of Check \$ _____

Name on Check: _____

Acknowledgement of Receipt

On this date, _____ I received a copy of the
HIGHLAND LAKES ASSOCIATION OF REALTORS®
Multiple Listing Service Policy and Procedures.

Agent/Broker

MANDATORY
New Member Orientation Requirement

Applicant must complete the Association New Member Orientation Course within **120** days of application or membership will be terminated. Upon failure to complete the mandatory orientation within the appropriate time period, membership will be discontinued and a **\$250** fine will be assessed. Once payment of the fine is received by the Board Office, MLS service may be restored; however, the member must attend the next scheduled new member orientation in order to bring their membership back into good standing with the Board of Directors. Should the member fail to attend the next scheduled orientation, the process and fine will be repeated.

I have read the above requirement for membership to the Highland Lakes Assoc. of REALTORS and agree to fulfill this requirement within the time period allowed. I, also, understand that there may be no more than 2 class dates being offered during a 120 day time period. I acknowledge that I will be notified via email as to the upcoming dates of such course and agree to reply with my intent of attendance; therefore, I agree to keep my email address current with the Highland Lakes Assoc. of REALTORS®

Member Signature

Date

Highland Lakes Association of REALTORS®

Multiple Listing Service Policy and Procedures

Updated June 2008

These Policy and Procedures hereby support, reinforce and clarify the Highland Lakes Association of REALTORS® Multiple Listing Service Rules and Regulations.

The power to alter, amend or repeat the MLS Policy and Procedures is vested in the MLS Committee and is subject to review and approval by the Board of Directors.

The Purpose of the Multiple Listing Service is to list, sell, lease and appraise Real Estate. Any other use for any other purpose would be a violation of these policies. An automatic **\$250** fine will be imposed for each violation.

LISTING PROCEDURES

Section 1. The MLS will not accept “open” listings.

Any member who is not a co-listing agent of a property, may not accept and list, in our MLS, a property from a non-member agent.

Where properties are suitable for listing in more than one section of the MLS, that listing may be entered in more than one section, subject to payment of a five dollar (**\$5.00**) service charge for the additional listing. (No listing may be entered into more than one (1) geographical area.)

All **Residential** listings are **required** to have a **minimum of three (3) photos** and all **Waterfront Lot** listings are **required** a **minimum of one (1) photo**. Photos must be submitted within **5 days** after a Residential or Waterfront Lot Listing has been entered in the MLS database. If a photo has not been put in the system or received by the HLAoR office on the 5th day after the listing submission, the listing will be withdrawn from the database. Any listing withdrawn for violation from lack of photo must be reactivated by HLAoR Board office and not re-entered as new listing by agent. A **\$25** per listing fine will be assessed for photo violations and must be paid prior to reactivation of listing.

The **FIRST** photo in all residential listings must be the street view of the house.

When a listing is “under contract” or “pending” or “pending taking backup” and the contract fails, the listing should be restored by reporting it “back on market”.

Any listing withdrawn by one office may not be re-entered in the MLS by another office unless the original listing has been released by the Participating Designated REALTOR® or has expired.

MLS FINES

Section 2. UNAUTHORIZED USE.

Unauthorized use results in an **immediate** fine of **\$250**. Including, but not limited to the following:

- *Use of an MLS lockbox key by anyone other than the assigned key holder.
- *Access and/or Use of the MLS Computer Database by a non-subscribing agent.

NOTE: A fine of \$250.00 will be imposed by the MLS Committee for unauthorized use. Additional actions could include the filing of a complaint with the TAR Professional Standards Committee and initiating legal action should the circumstances so indicate.

Section 3. SUBMISSION OF “SOLD” SALES PRICE.

The true (actual) sales price of Real Property must be entered in the MLS within 48 hours after the property is sold. No submission of “0” shall be entered as the sold price. **Sold** data must be entered into the **MLS within 48 hours** of the closing date. (Closing date is to be defined as the date on the closing documents.) **There is an immediate fine of \$100 for failure to report.** Ten days after notification if the sold data is still not entered in the MLS there will be an additional fine of \$250. If after 30 days the data is still not entered in the MLS, the listing Broker will be subject to review and possible suspension by the Board.

Any listing entered in the MLS as “*withdrawn*” or “*expired*” and subsequently sells within 90 days must be reported in the MLS. Listings are not to be withdrawn or allowed to expire to avoid reporting sold data. Any compensation received from listing a property, shall be considered “Sold” and must therefore be reported in MLS.

Section 4. DATABASE VIOLATIONS.

Following database violations are subject to a **fine of \$25.00** per listing after notification is given and failure to provide data **by 5pm the next business day**. Notification will be by email. Please make sure that your email address is current with the Board Office.

- Inclusion of disparaging remarks in listing
- No legal description
- No complete owner(s) name (unless requested by owner, in which case agent will denote on listing to “See Agent”)
- No features
- No directions
- No tax rate
- No approx. year built
- No waterfront (if waterfront)
- Omission of Subdivision or Survey Name
(*if new subdivision – contact board office in writing*)
- Comments that could be harmful to the interest of the Seller
- No City, State, Zip Code
- No Parcel ID or “R” Number

Following database violations are subject to an **immediate fine of \$25.00** per listing

- Late submission of Listing (based upon list date)
- Inclusion of Gate Code in Listing
- Inclusion of Security Code in Listing
- Failure to disclose a non-exclusive right to sell listing

Posting of listing agent's information *ANYWHERE* in a listing, *except where required*, (name, phone number, email, website, etc.) including in "Public Remarks, Addendum & Signs in Photos" is subject to an **immediate \$50 fine**. (*The "Agent Confidential Remarks" field is reserved for this type of personal information.*)

Following database violations are subject to an **immediate fine of \$50.00** for first occurrence and \$100 thereafter, per listing. There will be a 24 hr. grace period.

- Late Reporting of "Pending" status
- Late Reporting of "Pending Taking Backup" status
- Personal or Business websites hyperlinked to the URL that has been reserved for virtual tours in MLS.

Following violations will result in an **immediate \$150 fine**.

- Listing of a non-member Agent or Broker **ANYWHERE** in the MLS. (Includes virtual tours.)

NOTE: Failure to correct any database violations by 5PM of the following business day, after receipt of notification, will result in withdrawal of the listing and the imposition of an additional \$25.00 fine each 10 days after the date of the original notification. Where there is continuing and apparent willful violation relative to a property listing or the collective listings of a Participant, a fine of up to \$250.00 may be imposed by the MLS Committee. Notifications are sent via email. Please make sure that your information is current with the Board Office.

Section 5. WITHDRAWN / EXPIRED LISTINGS.

Any listing which has been *withdrawn/expired* under 90 days, may be reactivated by Board Office at request of agent, any listing over 90 days must be re-entered. Additionally, all change or activation requests should be made via fax or email to the Board Office.

Any listing that has been *withdrawn* from the MLS may not be reentered, as a new listing, by the same REALTOR® within 30 days, without the written consent of the seller.

Section 6. NOTIFICATION OF TERMINATING MLS USE BY AN AGENT OR ADMINISTRATIVE ASSISTANT.

Broker must send written notification to the Board Office within 48 hours when an Agent or Admin Assistant with MLS access leaves an office or the HLAoR MLS. If no notification is sent, Broker must pay Agent's current quarterly MLS dues (if not already paid) in addition to a fine of \$250.

Section 7. MEMBERSHIP REQUIREMENTS

All agents under the sponsorship of a Designated Realtor/Broker who holds primary board status in HLAoR must join a Board of Choice within 2 weeks from the TREC stated Broker Sponsorship Date or there will be a **\$500** fine for Non Compliance. This includes all New Agents and Agents Changing Sponsoring Brokers.

Offense	Time Period	Fine	Notes
Late Submission of Listing (ACT)	48 hours	\$25	Immediate fine. Based on listing date
Late Reporting of Pending Status (PTB or PED)	48 hours	\$50	Immediate \$50 first occurrence and \$100 thereafter per listing.
Late Reporting of <u>Actual</u> Sales Price (SLD)	48 hours	\$100	Immediate \$100 per listing. After 10 days an additional fine of \$250 and after 30 days Broker & Agent are subject to review by Board of Directors
Late Submission of Photos	5 days	\$25	Listing is withdrawn until fine is paid. 3 photo minimum for Residential Listings and 1 photo minimum for Waterfront Listings. May not re-enter as new listing to avoid fine.
Missing Legal Description, Complete Owner's Name, Features, Directions, Tax Information, or Year Built.	-	\$25	Fine enforced after notification is given and failure to provide data by 5pm the following business day.
Misrepresented Listing in verbage or picture(s)	-	\$25	Fine enforced after notification is given and failure to provide data by 5pm the following business day
Inclusion of gate code or security code in listing	-	\$25	Immediate fine. Must be corrected by 5pm the following business day.
Double Listing	-	\$25	Fine enforced after notification is given and failure to provide data by 5pm the following business day
Failure to disclose a non-exclusive right to sell listing	-	\$25	Immediate fine. Must be corrected by 5pm the following business day.
Inclusion of disparaging remarks in listing	-	\$25	Fine enforced after notification is given and failure to provide data by 5pm the following business day.
Unauthorized use of MLS lockbox key or MLS database	-	\$250	Immediate fine.
Listing of a Non-Member Agent or Broker anywhere in MLS	-	\$150	Immediate fine. Must be corrected by 5pm the following business day.
Hyperlink of Personal or Business Website to URL reserved for Virtual Tours in MLS	-	\$ 50	Immediate fine. Must be corrected by 5pm the following business day.
Posting of listing agent's information (name, phone number, email, website, etc.) in "Public Remarks or Addendum or Signs in Photos" <i>(Agent Confidential Remarks field is reserved for this information)</i>	-	\$ 50	Immediate fine. Must be corrected by 5pm the following business day.
Exclusion of Parcel ID or "R" Number	-	\$25	Fine enforced after notification is given and failure to provide data by 5pm the following business day.

Highland Lakes Multiple Listing Service

Program Name: Paragon 4 – Online Version

MLS Help Line: **877-657-4357** (Technical Support)

MLS Website: <http://hlmls.fnismls.com>

MLS Training Manual can be obtained from the MLS Website at the following location: MLS Docs – Manuals & Handouts – “Paragon Essentials” is the full training guide.

MLS Data Forms can be obtained from the MLS Website at the following location: MLS Docs – Class Profile Sheets – choose document from this list.

Highland Lakes Association of REALTORS®

918 Second Street, Marble Falls, TX 78654

Phone: 830-693-5787 Fax: 830-693-3845

Association Website: www.HighlandLakesRealtors.com

Highland Lakes Association of REALTORS[®], Inc.

918 Second Street, Marble Falls, TX 78654

Phone: 830-693-5787 Fax: 830-693-3845

www.highlandlakesrealtors.com

Facsimile & E-Mail Consent Form

Pursuant to the FCC Rules Regarding Facsimile & E-Mail "Advertising".

As a Designated REALTOR[®]/Agent/Affiliate member, I/we hereby give Highland Lakes Association of REALTORS[®] the authority to send any "advertisement" related to information, programs, educational offerings, functions, etc. to my/our desk/firm by FAX or E-MAIL. This authorization shall remain in effect as long as my/our membership remains current with the Highland Lakes Association of REALTORS[®]. I/We understand I/we may remove my/our consent authorization at any time during my/our membership by making my/our request known to the Association in a signed, written notification.

Name of Applicant (Designated REALTOR[®], REALTOR[®], or Affiliate)

Name of Firm or Business

Fax Number Requested To Be Used

E-Mail Address Requested To Be Used

Signature

Date

Highland Lakes Association of REALTORS®

918 Second Street
Marble Falls, TX 78654
Phone: 830-693-5787
Fax: 830-693-3845

**Highland Lakes Assoc of REALTORS®
MLS Access Policy**

This is notification to the Designated Realtor/Broker and all Real Estate Agents of all Real Estate Agencies that retain membership status with MLS access to the Highland Lakes Association of Realtors® (HLAoR). The Highland Lakes Association of Realtors® Multiple Listing Service (MLS) is a members only access program. Only members in good standing with HLAoR may access and/or use our Multiple Listing Service (MLS). Any unauthorized access or use by any non-member is prohibited and is subject to immediate penalty.

I, _____, hereby understand and agree to abide by the members only access to the Highland Lakes Association of Realtors® Multiple Listing Service (MLS) as stated in the MLS Policy and Procedures. I furthermore understand that any violation of this policy is subject to an immediate fine of \$250 as set forth by the Highland Lakes Association of Realtors® MLS Committee and its Board of Directors.

HLAoR Member Signature

Date

Use Only If Applicable

Highland Lakes Association of REALTORS®

dKey or eKey Co-operating Agreement

I, _____, would like to co-operate my existing SUPRA key.
Agent Name

dKey or eKey
(Circle One)

Key Number: _____

PIN: _____

Board Issuing Existing Key: _____

Agent Signature

Date: _____

(Board to Co-op Key with)