



## PARK CITY BOARD OF REALTORS®

1889 Prospector Ave

Park City, UT 84060

Telephone (435) 200-6900 • Fax (435) 200-6901 • E-mail [Kara@ParkCityRealtors.com](mailto:Kara@ParkCityRealtors.com)

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### Agent/Appraiser Application

Welcome and thank you for your interest in the Park City Board of REALTORS® and the Wasatch Back Multiple Listing Service. The Board and the MLS are two separate companies which are administered out of the same office. If you are already a REALTOR® member with another Association, you are not required to join the Board; you may join as an MLS-only member. Please see the next page for a description of the benefits of Board membership.

### To join the Board, MLS or both, you will need to submit the following documentation:

- 1. Active Utah real estate license number
  - 2. Complete and submit this Agent Application (requires broker signature)
  - 3. Submit signed MLS Subscription Agreement
  - 4. Pay your dues (Fee sheet attached)
  - 5. BOARD (Board & MLS) Members must attend New Member Orientation within 60 days
- OR
- 6. MLS-ONLY Members must provide a dues waiver from their primary board with this application

### New Member Orientation (not required for MLS-only members)

Orientation is held on the second Monday of every other month and runs from 8:30 am – 1 pm at the Park City Board of REALTORS® office, located at 1889 Prospector Avenue in Park City.

You will meet Board staff and learn about the policies of the Board, the UAR and the NAR. Our MLS system will be demonstrated, and the Rules and Regulations, Supra key program, policies and procedures of the MLS will be discussed.

NAR's Code of Ethics course is part of Orientation and is held from 10:00 am to 1:00 pm. NAR has mandated that all members complete a 3 hour Code of Ethics class every TWO years as a condition of membership. This class satisfies that requirement, as well as, provides 3 hours of CORE Continuing Education credit at the Utah Division of Real Estate.

### The 2017 – 2018 Orientation Schedule is below.

\*\*\* Please note: *dates may be subject to change; please call to confirm.*

2017: October 9<sup>th</sup> & December 11<sup>th</sup>

2018: January 8<sup>th</sup>, March 12<sup>th</sup>, May 7<sup>th</sup>, July 9<sup>th</sup>, September 10<sup>th</sup>, November 12<sup>th</sup>

\*\*\*You may attend Orientation if you don't have your license yet, but you will remain "inactive" until you receive it. You must have your license in hand in order to be an active member.

\*\*\*You may be active prior to attending Orientation, provided that all other requirements are met and that you do complete it within the allotted time frame or you will be dropped from membership.



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### MEMBERSHIP BENEFITS

#### **Park City Board of REALTORS® and MLS-only members:**

**Park City Board of REALTORS® Web Site:** [www.ParkCityRealtors.com](http://www.ParkCityRealtors.com).

Board e-Blast system (Members may market their properties to approximately 1,200 REALTORS®)  
Calendar, Classes, Newsletters, Open Houses, Rosters, Reference Material, Statistics, Useful Links

**IDX – Internet Data Exchange:** *Free* IDX links are available from within the MLS. Custom feeds are also available for a fee. For instructions please go to [www.ParkCityRealtors.com/IDX](http://www.ParkCityRealtors.com/IDX)

**Transaction Desk:** This state-of-the-art forms program is available at no additional charge to our members and includes access to Authentisign, a digital signature program. You may access this through [www.pcmls.com](http://www.pcmls.com).

**Education:** The Park City Board of REALTORS® is the only Board in Utah with a license to offer NAR approved classes / Designations. We offer free MLS training and Code of Ethics for new members. State-of-the-art classroom and respected, knowledgeable instructors promote high quality education opportunities. You may sign-up for classes and events online at [www.parkcityboard.com](http://www.parkcityboard.com).

#### **Park City Board of REALTORS® members only:**

**Community Involvement and Philanthropic Opportunities:** Members are well-known in the community for their volunteer activities providing much-needed funds for local non-profit organizations.

**Awards Party and other Social Functions:** All social functions are open to Affiliates and REALTOR® members of the Park City Board.

**Board Luncheons:** The Board Luncheons are free to all Affiliate and REALTOR® members, approx. 6 – 8 per year. MLS-only members and members' guests are welcome to attend; there is a \$20 charge for them.

**Ski Days:** Deer Valley Resort, Park City / Canyons offer Board members and affiliates a FREE ski day each season. (The Board does not guarantee this privilege; it is up to the discretion of the ski areas.) Not extended to MLS-only members.

**Park City Local Expert Agent Designation:** The Board has created a series of classes and activities which allows members to receive this unique Designation. Those who hold the Designation have a superior knowledge of our unique market and community.

**Additional Benefits:** TransUnion SmartMove Credit Reports (Tenant Screening Tools) Park City MARC Discount, free MLS training.



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## AGENT/APPRaiser APPLICATION

NAME: \_\_\_\_\_ SUBMISSION DATE: \_\_\_\_\_

PREFERRED PHONE: \_\_\_\_\_ OFFICE PHONE: \_\_\_\_\_

PHYSICAL HOME ADDRESS: \_\_\_\_\_ City \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_

MAILING ADDRESS (*where do you want to receive written communications from the PC Board?*):

If Mailing is same as Physical, check box

Street: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

EMAIL\* \_\_\_\_\_ WEBSITE \_\_\_\_\_

*\*Required by the National Association of REALTORS®*

OFFICE NAME: \_\_\_\_\_ BROKER NAME: \_\_\_\_\_

### **NAR MEMBERSHIP STATUS: CHECK ONE**

- 1. Board & MLS Primary (*pay your NAR and UAR dues through us?*)
- 2. Board & MLS Secondary (*pay through another Board?*)
- 3. Board-Only
- 4. MLS-Only

\*\*\*If you are joining as an MLS-Only member, please attach a Dues Waiver from your primary board.

Utah Real Estate License#: \_\_\_\_\_ NAR ID #: \_\_\_\_\_

### **Check the box that applies to you:**

- 1. Newly Licensed
- 2. Reinstated
- 3. Current member of another Board 
  - a. If so, please name which Board & attach a Dues Waiver with this application.

\_\_\_\_\_



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## PARK CITY BOARD OF REALTORS® AGREEMENT

I hereby apply for REALTOR® Membership in the Park City Board of REALTORS®. I agree as a condition of membership, to complete the Park City Board of REALTORS® Orientation/Ethics course, and otherwise, on my own initiative **to thoroughly familiarize myself with the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®, the Constitutions, Bylaws, and Rules and Regulations of the Board, the State and National Associations,** and if elected a Member, will abide by the Constitutions and Bylaws and Rules and Regulations of the Board, State and National Associations, and if a REALTOR® Member, will abide by the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS® including the obligation to arbitrate controversies arising out of real estate transactions as specified by Article 17 of the Code of Ethics, and as further specified in the Code of Ethics and Arbitration Manual of the NATIONAL ASSOCIATION OF REALTORS®, as from time to time amended, and (2) that applicant consents that the Board, through the Board administrative staff, or through such other committee as may be authorized by the Board of Directors, may invite and receive information and comment about applicant from any Member or other persons, and that applicant agrees that any information and comment furnished to the Board by any person in response to the invitation shall be conclusively deemed to be privileged and not form the basis of any action for slander, libel, or defamation of character. The applicant shall, with the form of application, have access to a copy of the Bylaws, Constitution, Rules and Regulations, and Code of Ethics referred to above. I agree to treat the Park City Board of REALTORS® Membership Directory, and any weekly MLS Bulletins as trade secrets of the Park City Board of REALTORS®.

**Note: Applicant acknowledges that as a Member if he/she subsequently resigns or is expelled from membership in the Board with an ethics complaint or arbitration request pending, the Board of Directors may condition renewal of membership upon applicants verification he/she will submit to the pending ethics or arbitration proceeding and will abide by the decision of the hearing panel, or if applicant resigns or is expelled from membership without having complied with an award, plus any cost that have been established as due and payable in relation thereto, provide that the award and such costs have not, in the interim, been satisfied.**

I hereby certify that the foregoing information furnished by me is true and correct, and I agree that failure to provide complete and accurate information as requested, or any misstatement of fact, shall be ground for revocation of my membership.

\_\_\_\_\_  
Applicant Name (please print)

\_\_\_\_\_  
Applicant Signature

As Principal Broker/Appraiser of \_\_\_\_\_, I concur with the signed statement of intent above.  
(Firm Name)

\_\_\_\_\_  
Broker Name

\_\_\_\_\_  
Broker Signature

\_\_\_\_\_  
Date



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# **I am a REALTOR®**

## **I Pledge Myself**

**I pledge to protect the individual right of real estate ownership and to widen the opportunity to enjoy it;**

**To be honorable and honest in all dealings;**

**To seek to better represent my clients and customers by building my knowledge and competence;**

**To act fairly toward all in the spirit of the Golden Rule;**

**To serve my community well, and through it, my country;**

**And to observe the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS® and conform my conduct to its lofty ideals.**

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**Print Name**

**Date**

---

**Signature**

**Date**



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### MLS Monthly Billing Policy

Brokers and agents will be invoiced \$65 each month for monthly MLS dues.

Our rosters must match the Utah Division of Real Estate's records, so Every REALTOR® listed with a Broker who is a Primary member with the Park City Board is required to join a Board, UAR, NAR, and/or the Wasatch Back MLS.

If the Broker's Primary board is NOT Park City, membership is optional. Please call the Board for information about exceptions to this rule.

The invoices will be payable on the first of each month at [www.ParkCityBoard.com](http://www.ParkCityBoard.com) and are late after the 10<sup>th</sup> of the month. No hard copies are mailed out; an email reminder is sent to each member upon posting of the month's billing. Call the Board for the current rules and regulations regarding membership eligibility.

### Current Billing Policy

- 1<sup>st</sup> of the Month: Each member is invoiced for that month.
- 10<sup>th</sup> of the Month: All accounts are due. A \$5 late fee will be assessed if not paid by the 10<sup>th</sup>. If you have signed up for Auto-Pay, your credit card will be charged on the 10<sup>th</sup> or later.
- Last day of the month: If your monthly fee has not been paid by the last day of each month, your Personal MLS access will be suspended until completed.
- 90+ days past due: If a member is over 90 days past due on their monthly MLS payments, the *agent will be dropped from membership and the broker will be billed for the total past due amount. If that is not paid within 30 days, the company will lose access to the MLS until the amount past due is paid in full.*

The Park City Board of REALTORS® and the Park City MLS are two separate companies. So if you are writing a check, it will need to be made out either to the PCBR (for classes, store items, annual dues) or the WBMLS (for monthly fees, annual MLS dues). If you would like to pay for items from both companies, please bring or send two checks.

If you are paying online for items in both categories, be aware that your credit card statement will show two charges, one for each company. If you have set up Autopay for your monthly MLS dues, it will not be affected. If you use Bill Pay at your bank for your monthly MLS dues, please re-name it payable to the Park City MLS or sign up for Autopay at [www.ParkCityBoard.com](http://www.ParkCityBoard.com) and cancel Bill Pay.

By signing here, I confirm that I understand and agree to abide by the above policy.

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**Print Name**

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**Signature**

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**Date**



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## Wasatch Back MLS Schedule of Fines & Sanctions for MLS Violations

### I. DATA INPUT VIOLATIONS:

With respect to a listing, each of the items listed below is a violation of the Rules and Regulations. Following written notification (e-mail and/or mail) of the violation(s), the member will have a three (3) business day grace period to correct the violation(s). If the violation(s) is corrected during this grace period, the fine will be waived. For purposes of this schedule, the term “business days” shall mean Monday through Friday, exclusive of State or Federal holidays. If the violation is not corrected during the three (3) business day grace period, the member will be fined \$50.00. If the violation is not corrected within five (5) business days of the original violation, the Board will assess an additional \$50 fee and may, but is not required to make the correction.

1. Failure to enter a listing which is complete and accurate in every mandatory field. (Section 1.2)
2. Failure to enter any changes in the broker compensation including bonuses (Section 5, Note 2A)
3. Failure to update tax identification number after a permanent number is issued or to correct an error if the tax identification number is entered incorrectly. (Section 1.2)
4. Failure to enter at least one photo within 5 days of entering the Listing on the MLS. (Section 1.2F)
5. Failure to enter a listing in the correct property type, or entering a listing into more than one property type. (Section 1B)
6. Failure to include an “Amenities,” “Lifestyle”, or “Surrounding Area” banner on the primary photo of any Listing that is taken off of the property.. (Section 1.2G)
7. Posting a photo that does not accurately represent the property views (Section 1.2H).
8. Failure to include an “Under Construction” banner on the primary photo of any listing that does not have a Certificate of Occupancy. (Section 1.2I)

### II. TIMELINESS AND MISCELLANEOUS VIOLATIONS:

The MLS Rules & Regulations stipulate that entry of, and status changes to, listings must occur within five (5) business days of either the effective date or the date that all required signatures have been obtained (whichever is later). Violations are tracked for a 2-year period from the first offense per each individual violation. Following written notification (e-mail and/or mail) of the violation(s), the member will have a three (3) business day grace period to correct the violation(s). If the violation(s) is corrected during this grace period, the fine will be waived. For purposes of this schedule, the term “business days” shall mean Monday through Friday, exclusive of State or Federal holidays. If the violation is not corrected during the three (3) business day grace period, the member will be fined \$50.00. If the violation is not corrected within five (5) business days of the original violation, the Board will assess an additional \$50 fee and may, but is not required to make the correction.

The following violations and the fines associated with the offense(s) are as follows:

- 1<sup>st</sup> offense: Warning issued.
- 2<sup>nd</sup> offense: \$25 fine
- 3<sup>rd</sup> offense: \$100 fine
- 4<sup>th</sup> offense: \$200 fine
- 5<sup>th</sup> offense: \$500 fine
- 6<sup>th</sup> offense: 3 month MLS usage suspension and, upon reinstatement, must complete an ethics class within one month.



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1. Failure to enter a listing of any property within the MLS jurisdiction. (Section 1)
2. Failure to submit a signed "Certification to Withhold Property Listing" (Section 1.3A)
3. Failure to comply with the public remarks rules. (Section 1.2C)
4. MLS subscriber NOT obtaining the prior consent of the listing broker to advertise their listing. (Section 2.7)
5. Failure of a subscriber to disclose through the MLS any ownership in the listed property (Section 5.1)
6. Failure of a subscriber to disclose a contemplated personal interest in the property at the time the purchase offer is submitted (Sections 5.2)
7. Non-Subscriber placing a listing through their Participant where the Licensed Agents are not a Subscriber. (Section 8.b.i., Note 1). Non-subscriber information cannot be listed in the confidential and/or any public remarks sections. (Section 3.18)
8. Failure to enter any changes to listing agreement, including change in listing price (Section 1.4)
9. Failure to enter an extension, withdrawal or renewal (reinstate date) for a listing (Sections 1.5 & 1.10)
10. Failure to enter the renewal or removal of a contingency (Sections 1.6 & 2.6)
11. Failure to report a status change (Section 1.5)
12. Failure to enter a Pending Sale with a Time Clause Contingency (Section 2.5B)
13. Failure to enter a Pending Sale (Section 2.5B)
14. Failure to enter a closed sale (Section 2.5)
15. Failure to enter the cancellation of a Pending Sale (failed sale) (Section 2.8)
16. Failure to remove a time clause contingency (Section 2.8A)
17. Failure to obtain permission from the original listing broker, or any other owner of a photograph or other visual image, to use such photographs or visual image associated with any current or previous listings, except as permitted by Section 13A of Rules and Regulations of the Park City Multiple Listing Service. (Section 13A)
18. Failure to enter at least one photo within 5 calendar days of entering the listing on the MLS. (Section 1.2F)
19. Failure to include an "Under Construction" banner on the primary photo of any listing that does not have a Certificate of Occupancy. (Section 1.2G)
20. Failure to submit a written offer to a seller. (Section 2.2)
21. Failure to include the words "Limited Service Listing" in the confidential remarks of a Limited Service Listing. (Sec. 1.2.1A)
22. Failure to disclose dual rate commission in confidential remarks (Sec. 5.3.A)
23. Failure to disclose HUD identification number in confidential remarks when a range of commissions is approved by HUD. (Sec. 5.3C)
24. Misrepresentation of availability of access to show or inspect listed property (Sec. 2.10)
25. Failure to report a potential Short Sale when reasonably known. (Section 5.0.1)
26. Failure to enter a closed Short Sale. (Section 2.5)

### III. IMMEDIATE FINES:

Violations are tracked for a 2-year period from the first offense per each individual violation. There is no warning associated with these fines and the fine schedule is as follows. Following written notification (e-mail and/or mail) of the violation(s), the member will have a three (3) business day grace period to correct the violation(s). For purposes of this schedule, the term "business days" shall mean Monday through Friday, exclusive of State or Federal holidays.

If the violation is not corrected during the three (3) business day grace period, the member will be fined an additional \$50.00. If the violation is not corrected within five (5) business days of the original violation, the Board will assess an additional \$50 fee and may, but is not required to make the correction.





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1st offense - \$100

2nd offense - \$200

3rd offense - \$500

4th offense - \$1,500

5th offense - 3 month MLS usage suspension and, upon reinstatement, must complete Ethics Class within 1 month.

1. Subscriber and/or affiliate subscriber (e.g., home inspector, photographer) who loans or transfers a key pad, or device with key pad ability to any unauthorized person or entity or uses the key pad for any unauthorized purpose. (Section 20.3.n)
2. Failure to disclose the presence of exempted prospects or the expiration date of their exemption in the MLS "confidential remarks" (Sec. 5.3B)
3. Failure to coordinate showing appointments through the listing broker, or otherwise failing to follow showing instructions contained in the MLS listing (Section 2)
4. Failure to obtain written authorization, in advance, from the owner of a property verifying his/her consent to market the property not yet owned by a potential seller, or the assignability of a real estate purchase contract by the potential seller. A potential seller is anyone who does not yet own the property.
5. Subscriber providing MLS credentials to ANYONE. (Section 4A)
6. Placing a lock box on a property without the prior written consent of the owner of that property (Sec. 20.3k)
7. Failure to obtain signed authorization from seller & the listing broker before entering a listing, an extension, withdrawal or renewal of a listing (Section 1B, Note 1)
8. Violation of any provisions of the Park City Multiple Listing Service Rules & Regulations, including but not limited to the prohibition of communication of confidential information (Section 10.2D)
9. Disclosing Sold data to any entity other than the MLS or an active client (Section 2.5C, Note 2.A)

#### IV. VERIFICATION PROCESS:

The PCMLS may request subscriber who violates these rules and regulation to provide any signed and dated document(s), at the PCMLS's discretion, reasonably related to such violation(s). (Sec 1.2E) Failure to provide the PCMLS with the requested documentation within three (3) business days after the request shall result in an additional \$25 administrative fine.

#### V. APPEALS PROCESS:

Appeals to the fines may be requested by providing written notice to the PCMLS together with the basis of the appeal, within 15 days of the original notification of violation (refer to Article 9, Enforcement of Rules or Disputes in the MLS Rules and Regulations.)

#### VI. INTENTIONAL MISCONDUCT FINES:

Actions taken by participants and/or subscribers to circumvent the rules on reporting accurate information (e.g., evade reporting of the sales price) will result in an immediate fine and possible suspension.

Actions taken to avoid reporting Sold data to the MLS (Section 2.5A)

1st offense: \$500

2nd offense: \$1,000

3rd and subsequent offenses: 3-month MLS usage suspension. Member must complete an Ethics Class and pay fine before reinstatement.

Intentional Misconduct fines do not reset or sunset. Therefore, regardless of the amount of time between the first, second, and third offenses, the second offense will receive a \$1,000 and the third offense results in a 3-month suspension from the MLS. After the third offense, all subsequent offenses will result in a \$1,000 fine & 3-month suspension.



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Intentional Misconduct Fines are applied only to the agent unless the broker actively participated in the agent's misconduct, in which case it is also applied to the broker. The broker will always be notified of an Intentional Misconduct offense by any of their agents.

#### IV. VERIFICATION PROCESS:

When a suspected violation occurs, the following steps will be taken:

1. A notice will be sent to the Listing Agent and Listing Broker requiring certification that no attempt to circumvent rules on reporting accurate information was made and that no commission was paid to any Agent or Brokerage, including any cooperating Broker. Listing Agent and Listing Broker will be given 3 business days to returned a signed certification to the Board.
2. If the signed certification is not received within the above time-period, Listing Agent and Listing Broker will each be fined \$500.00 and the sale will be marked as undisclosed sales price.
3. If Listing Agent acknowledges that there was an attempt to circumvent reporting the sales price, they will be required to report the accurate transaction information including sales price within 24 hours. The Listing Agent will be required to pay a \$500.00. Listing Broker will receive no fine. If Listing Agent fails or refuses to report the accurate sales price, the agent will be fined an additional \$250.00 (\$750.00 total) and the sale will be marked as undisclosed sales price.
4. If a signed certification is received and later determined to be invalid, it will be as if no certification was received and section 2 above will apply.
5. Intentional Misconduct fines do not reset or sunset. Therefore, regardless of the amount of time between the offenses, if listing agent acknowledged an attempt to circumvent reporting of the sales price and received a \$500.00 fine, the second offense will incur a \$1,000 fine.
6. The third offense shall receive a \$1,000 fine and an immediate 3-month suspension

#### V. BROKER REQUEST FOR WAIVER:

Listing Broker shall have to the right to request a waiver to accommodate a request for confidentiality. Broker shall complete a form with the accurate sales information including price and submit this to Board of Directors with a business justification for why the Board should grant the use of the undisclosed sales price in this situation. If the Board approves the request, the Broker may report the transaction as undisclosed sales price. At closing, the Broker shall supply the Board with a copy of the Settlement Statement that will be kept confidential. The Board may use the actual sales price in its aggregated statistics but will not reveal the actual sales price to anyone other than the Board staff.

#### VI. PAYMENT OF FINES

Fines will be billed to the subscriber's MLS account and are payable as stated in Section 7C of the MLS Rules and Regulations.

I agree that I have received, read and understand the above fines and sanctions.

NAME \_\_\_\_\_ SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

Please print legibly



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## SUPRA KEYS AND BOXES

### **ACTIVE KEY:**

Annual Lease Fee from Supra (August to August)	\$221.96
Activation Fee (one time)	\$ 75.00
Optional Insurance	\$ 25.00

### **eKEY (app for phones / requires Bluetooth)**

Supra eKey service fee per month	\$ 18.39
Activation Fee (one time)	\$ 50.00

\*\*\*If you are a new member, Board staff will need to assign you a Supra key. This can be done in a few minutes anytime once your application has been completed and processed.

**\*\*\*MLS-only Members, please note:** If you have a Supra key from another Utah Board that participates in the WFR MLS, we will add it as a cooperating key at no charge.

This will allow you to open Park City keyboxes as well as WFR MLS keyboxes.

***Please provide your key serial number, your pin code, and the Board where your key was assigned:***

Name: \_\_\_\_\_ Issuing Board: \_\_\_\_\_

Serial Number: \_\_\_\_\_ PIN Number: \_\_\_\_\_

The Wasatch Back MLS uses the Supra Bluetooth keyboxes. Both the Active Key and the eKey will open our boxes for subscribers-only.