



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

2018 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 may join as an MLS-only member.

Complete applications will be processed in the order they are received, with a three-business day turn-around time. Rushed applications may be processed within one-business day but a \$100 rush-fee will be applied. Applications received after 2 pm will be considered received the following business day.

Please only submit complete applications with the required documentation:

- 1. Active Utah real estate license number
 - 2. Complete Agent Application (requires broker signature)
 - 3. Signed MLS Subscription Agreement
 - 4. Payment
 - 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. NAR's Code of Ethics is held from 10:00 am to 1:00 pm. NAR requires all members complete a 3-hour Code of Ethics class every TWO years as a condition of membership and you will receive 3 hours of CORE CE at the Utah Division of Real Estate.

Upcoming Orientation dates: September 10th, November 12th.

BOARD AND MLS-ONLY MEMBERSHIP BENEFITS:

- **MLS, IDX & Supra:** Utilize data at www.ParkCityRealtors.com, market your properties through our e-Blast system, access the Supra key system, get updated with Newsletters, participate in our Wednesday Open House Tour, access Rosters & Statistics.
- **IDX: Free** links are available from within the MLS. Custom feeds are also available for a fee.
- **Transaction Desk:** Forms are available at no additional charge to our members.

BOARD MEMBERS ONLY:

- **Committee, Community, and Philanthropic Opportunities:** Members are well-known in the community for their philanthropic service. We also have leadership opportunities through Committee involvement & participation.
- **Board Events:** Approximately 8 Board Luncheons are held annually and are free for Board members. These are invaluable networking opportunities where speakers provide updates on local information. There are two FREE REALTOR® Ski Days each year by Deer Valley Resort and Park City Mountain / Canyons Village. The Resorts select the date, and this is a privilege not offered to MLS only members
- **19 hours of FREE CE credit: Earn our Nationally recognized Certified Local REALTOR® Designation:** Created to distinguish Park City Board members who choose to be recognized for specialized knowledge and expertise on topics specific to Summit and Wasatch Counties, providing the public with the assurance that their agent of choice has obtained the education and experience necessary to best serve their needs.



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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
- 4. If so, please name the Board & attach a Dues Waiver with this application: _____

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.

Signature

Date



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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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MLS Monthly Billing Policy

Brokers and agents will be invoiced \$50 each month for MLS monthly fee. Our rosters must match the Utah Division of Real Estate's records. If a Broker is a Primary member with the Park City Board, all agents with that brokerage are required to join the Wasatch Back MLS, as well as, become a member of a local board, state, and national association. Agents choose their local association based on where their broker is a member.

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

MLS monthly invoices will be payable on the first of each month at www.ParkCityBoard.com and are late after the 10th of the month. No hard copies are mailed out; an email reminder is sent to each member upon posting of the month's billing. You may log in to view and print all invoices and receipts.

Monthly MLS Fees Procedure:

1. **1st of the Month:** Members receive email notification that MLS monthly fees have been posted to their accounts and may be paid online.
2. **10th of the Month:** Final due date for monthly MLS fee payment.
3. **11th of the Month:** A \$5 late fee is posted to the account.
4. **20th of the Month:** A reminder is sent to the agent and broker.
5. **1st of the next Month:** The agent loses personal MLS access and the past due amount is transferred to the broker.
 - a. A \$100 reinstatement fee plus the outstanding balance must be paid in order for member's MLS access to be restored.
6. **Last day of the next Month:** The brokerage loses MLS access until past due amount is paid.
 - a. Member with past due account is required to pay a reinstatement fee (\$100 within 30 days) or 1/2 entry fee (within 2-12 months) to rejoin the MLS.
 - b. After one year of "Inactive Status," member must pay the full entry fee to become an Active again.

The Park City Board of REALTORS® & Wasatch Back MLS are two separate companies. If writing a check, it will need to be made out either to PCBR (for classes or annual dues) or the WBMLS (MLS monthly & annual dues).

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 and cancel Bill Pay.

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

Name

Signature

Date



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Wasatch Back MLS Schedule of Fines & Sanctions

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:

- 1st offense: Warning issued.
- 2nd offense: \$25 fine
- 3rd offense: \$100 fine
- 4th offense: \$200 fine
- 5th offense: \$500 fine



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6th offense: 3-month MLS usage suspension and, upon reinstatement, must complete an ethics class within one month.

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-



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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.

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 WBMLS 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.)



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VI. NON-DISCLOSURE OF SALES PRICE FEES & FINES SCHEDULE:

A buyer or seller may request that the sales price of their transaction not be disclosed. That is allowed by the WBMLS under the following conditions:

1. Both buyer and seller must agree to not disclose the sales price. The Authorization for Non-Disclosure of Sales Price form must be submitted to the WBMLS Staff with signatures from seller, buyer, listing agent, listing broker, selling agent, and selling broker.
2. A \$5,000 fee is paid to the MLS. The fee is to be paid by the agent representing the party requesting the undisclosed sales price.
3. The fee must be paid within 15 business days of the approval of the Authorization for Non-Disclosure of Sales Price or the transaction close, whichever occurs last. If the fee is not paid within 15 business days of approval or closing, an additional \$1,000 every 5 business days will be added to the fee. For purposes of this schedule, the term “business days” shall mean Monday through Friday, exclusive of State or Federal holidays. If the fee and fines are not paid within 20 business days of approval or closing, the agent requesting the undisclosed sales price will receive a 3-month MLS usage suspension.
4. Actions taken by participants and/or subscribers to circumvent the rules on reporting accurate information (e.g., evade reporting of the sales price or paying an undisclosed sales price fee) will result in a \$1,000 fine plus the \$5,000 fee if the accurate information is not reported or the completed Non-Disclosure of Sales Price is not submitted within 5 business days of notification. There is no warning with these fines. The broker will always be notified when one of their agents has taken action that appears to circumvent the rules.
5. Once the undisclosed sales price is submitted, fee paid, and the transaction closed, the sale will be marked as Non-Participatory and the sold price will be marked as \$0.

VII. VERIFICATION PROCESS:

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

1. A notice will be sent to the Listing Agent and 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 return a signed certification to the Board.
2. If the signed certification is not received within the above time-period, Listing Agent and Broker will each be fined \$500 and given an additional 3 business days to comply. If the certification is not received within six (6) business days of the original notice, the member will be fined an additional
3. \$1,000. If the certification is not received within eight (8) business days of the original notice, the agent will be given a 3-month MLS usage suspension and the member will be required to complete an Ethics Class and pay any outstanding fees and fines before reinstatement.
4. If Listing Agent acknowledges that there was an attempt to circumvent reporting the sales price or paying the undisclosed sales price fee, they will be required to report the accurate transaction information including sales price or submit a completed Authorization for Non-Disclosure of Sales Price within 24 hours. The Listing Agent will be required to pay a \$500 fine plus the appropriate undisclosed sales price fee if they request the sales price not be disclosed. The Listing Broker will



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5. receive no fine. The sale will be marked as Non-Participatory and the sold price will be marked as \$0.
6. If a signed certification is received and later determined to be invalid, it will be as if no certification was received and the above fee and fine schedule will begin, requiring the agent to report the accurate sales price or submit a completed Authorization for Removal of Listing from MLS.

VIII. BROKER REQUEST FOR WAIVER:

Listing Broker shall have the right to request a waiver to this policy. Any applicable fees, fines, or suspension will be delayed until after the appeal has been heard. 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 waive any terms in the procedure listed above.

The Board will consider the request at the next Board Meeting.

IX. 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.

SIGNATURE _____ DATE: _____