

Application Rec'd ____/____/____ Provisional Accepted ____/____/____ Orientation Attendance ____/____/____
NRDS # _____ MLS User Name: _____ Assigned Password: _____



APPLICATION FOR DESIGNATED REALTOR® & MLS PARTICIPATION

Full Name as it appears on license: _____

Salutation: Ms. Mrs. Mr. Dr. Nickname (if any): _____

APPLICANT INFORMATION

OFFICE INFORMATION

Name for Roster: _____
Home Address: _____
Apt / Care of: _____
City: _____ State: _____ Zip: _____
Home Phone: _____ - _____
Personal Fax: _____ - _____
Mobile or Cell: _____ - _____
E-Mail: _____

Office: _____
Address: _____
Care of: _____
City: _____ State: _____ Zip: _____
Office Phone: _____ - _____
Office Fax: _____ - _____
Additional Line: _____ - _____
Office Website: _____

Preferred Mailing Address: Home - or - Office

Preferred Phone #'s Home Mobile Office

REAL ESTATE LICENSE HISTORY

1. License # _____ Exp Date _____ Type: Broker Appraiser
2. Do you hold, or have you ever held, a real estate license in any other state? If yes, please specify: _____
3. Has your real estate license, in this or any other state, been suspended or revoked? Yes No
4. If "yes", specify the place(s) and date(s) of such action, and detail the circumstances relating thereto: _____

REALTOR® MEMBERSHIP INFORMATION

5. Birth Date: ____/____/____
6. Membership Type: Primary Member Secondary* (local only) Secondary* (plus MA Membership)

Secondary Membership: We honor existing REALTOR memberships held elsewhere with a letter in good standing from your primary board (where you pay NAR dues). Those who hold membership in a Board that is contiguous to Massachusetts has the option to join the MA state association as well. All others must join the MA board.

If Secondary: NRDS # _____

REALTOR® MEMBERSHIP INFORMATION CONTINUED...

7. Office Status: Principal/Partner Office Manager Employee Independent Contractor

8. Do you *currently* hold REALTOR® membership in any other Association? No Yes

If yes, please specify _____

9. Have you *ever* held REALTOR® membership in any other Board in the past? No Yes

If yes, please specify _____

10. Have there been any complaints/cases against you before any real estate association, state real estate regulatory agency or any other agency of government within the last three years? No Yes – If yes, specify the substance of each complaint in each state, the agency before which complaint was made, and the current status or resolution of such complaint: _____

11. Have you ever been convicted of a felony? No Yes - If yes, please give details including state and court of conviction: _____

PRINCIPAL, PARTNER, OFFICER, MANAGER OR DESIGNATED REALTOR® MLS OFFICE INFORMATION

This section must be completed by applicants for REALTOR® Membership, whether primary or secondary or “designated,” who are principals, partners, corporate officers, or individuals in positions of management control on behalf of individuals who are not physically present and engaged in the real estate profession in connection with the firm’s office located within the jurisdiction of the Board (e.g. branch office managers).

12. Office Tax I. D. Number _____

13. Office Status: Sole Proprietor Partnership Corporation Other

14. State the names and titles of all other principals, partners, or corporate officers of your firm.

Name _____ Title: _____

Name _____ Title: _____

Name _____ Title: _____

Name _____ Title: _____

15. List the names and addresses of all branch offices or other real estate firms in which you are a principal, partner, or corporate officer within the jurisdiction of the Board:

Name _____ Address: _____

Name _____ Address: _____

16. Bank References: Indicate Bank / Financial Institution Name

General Acct: _____ Escrow Account: _____

17. Business References: Indicate Company, Title and/or Person(s) Name Phone Number

18. Are you or is any real estate firm in which you are a sole proprietor, general partner or corporate officer involved in any pending bankruptcy or insolvency proceeding or have you or any real estate firm in which

you are a sole proprietor, general partner or corporate officer been adjudged bankrupt in the past three (3) years? Yes* No

If yes, specify the place(s) and date(s) of such action, and detail the circumstances relating thereto:

** The Board may require as a condition of membership that the bankrupt applicant pay cash in advance for Board and MLS fees for up to one (1) year from the date that membership is approved or from the date that the applicant is discharged from bankruptcy (whichever is later) or, in the event that bankruptcy proceedings are initiated subsequent to obtaining membership in the Board, that the member may be placed on a "cash basis" from the date that bankruptcy is initiated until one (1) year from the date that the member has been discharged from bankruptcy.*

19. Have there been any complaints/cases against you before any real estate association, state real estate regulatory agency or any other agency of government within the last three years? No Yes – If yes, specify the substance of each complaint in each state, the agency before which complaint was made, and the current status or resolution of such complaint: _____

20. Have you ever been convicted of a felony? No Yes - If yes, please give details including state and court of conviction: _____

PROFESSIONAL INFORMATION:

Note: This information is not used to assess your membership qualifications. It is simply to allow the Board of REALTORS® to tailor our services and promotional efforts for your specialties. You can change or update this information at any time by contacting the Board office. You do not need to complete this section for membership consideration.

21. Professional Designation or Degrees held: _____

22. Year first entered Real Estate Business: _____ City / State: _____

23. Have you been engaged continuously in the business since then? Yes, at least part-time since licensed
 No, stopped or never actively practiced real estate – or - Occasionally engaged in real estate when circumstances permitted.

24. Other Profession/ Business Experience: _____

25. Are you now engaged in any other business? No, not at this time Yes: (Position) _____

26. Resident here since _____ Previous residence: _____

27. What Professional Designations or educational degrees do you hold, if any? _____

28. Do you hold any governmental positions No, not at this time Yes: (Position) _____

29. Do you currently belong to any organizations? (ie: business, civic, charitable or other) _____

30. Do you hold any leadership roles in other organizations? No, not at this time Yes: (Position) _____

31. Would you like more information on the benefits of serving in volunteer leadership? If yes, your interests:

- Education Housing Opportunities Government Affairs Professional Standards Community Service

32. Business Area: Check all that apply:

- North Berkshire Central Berkshire South Berkshire
 New York / Connecticut / Vermont Pioneer Valley
Other:

33. Professional Specialties: Check all that apply

- Residential Sales Residential Rental Condominiums
 Land / lots Commercial Other:

34. Brokerage Type Offered:

- Buyer and Seller Representation Exclusive Buyer Representation
 Transactional Brokerage Exclusive Seller Representation
 Limited Service Other:

35. Are there any other interests, accomplishments or skills you possess that you would like to share with us?

MLS / REALTOR CERTIFICATION:

The annual dues of each Designated REALTOR® Member shall be in such amount as established annually by the Board of Directors, plus an additional amount to be established annually by the Board of Directors times the number of real estate salespersons and licensed or certified appraisers who are not REALTOR® members.

You must submit the names of every real estate salesperson, broker and licensed or certified appraiser who is employed by or affiliated as independent contractors, or who is otherwise directly or indirectly affiliated with your firm.

_____ total # of Real Estate/Appraisal Licensees Affiliated with your Firm

1. **AGENT NAME** _____ Preferred Phone # _____
License #(s) _____ exp. _____ License Type: Broker Salesperson Appraiser
Agent is: Current BCBR Member Applicant Attached Letter in Good Standing from _____

2. **AGENT NAME** _____ Home Phone # _____
License #(s) _____ exp. _____ License Type: Broker Salesperson Appraiser
Agent is: Current BCBR Member Applicant Attached Letter in Good Standing from _____

3. **AGENT NAME** _____ Home Phone # _____
License #(s) _____ exp. _____ License Type: Broker Salesperson Appraiser
Agent is: Current BCBR Member Applicant Attached Letter in Good Standing from _____

4. **AGENT NAME** _____ Home Phone # _____
License #(s) _____ exp. _____ License Type: Broker Salesperson Appraiser
Agent is: Current BCBR Member Applicant Attached Letter in Good Standing from _____

5. **AGENT NAME** _____ Home Phone # _____
License #(s) _____ exp. _____ License Type: Broker Salesperson Appraiser
Agent is: Current BCBR Member Applicant Attached Letter in Good Standing from _____

6. **AGENT NAME** _____ Home Phone # _____
License #(s) _____ exp. _____ License Type: Broker Salesperson Appraiser
Agent is: Current BCBR Member Applicant Attached Letter in Good Standing from _____

7. **AGENT NAME** _____ Home Phone # _____
License #(s) _____ exp. _____ License Type: Broker Salesperson Appraiser
Agent is: Current BCBR Member Applicant Attached Letter in Good Standing from _____

Please Check Here if An Additional Agent Certification Pages Are Attached.

REALTOR MEMBERSHIP AGREEMENT

I am the REALTOR® Principal / Manager of the _____ firm, partnership, or corporation and hereby apply for Participation in the Multiple Listing Service (MLS) for myself, and user access for the agents of my office. I understand that, if accepted, I shall be designated the "Participant" in the MLS Service and shall have all rights, benefits, and privileges of the Service, and shall accept all obligations of the Service for the Participant's firm, partnership, or corporation.

Office Responsibility: I also hereby apply for Realtor® membership in the Berkshire County Board of REALTORS®, and understand that, if accepted, I shall be designated the "Designated REALTOR®" and shall accept responsibility for the real estate and appraisal licensees affiliated with my office.

Agreement to Pay Fees: I am including the application fee and prorated dues, which I understand will be returned to me in the event I am not accepted to membership. I agree that, if accepted for Membership in the Board, I shall continue to pay the fees and dues owed by me and my firm, as from time to time amended. Note: A portion of the dues payments are tax deductible as ordinary and necessary business expenses, in an amount established and noticed each year.

Attendance at Training: I agree as a condition to membership to complete an Orientation program offered by the Berkshire County Board of REALTORS®, within the next two offerings. I understand that provisional membership will be granted until such orientation program is completed in full. Membership classification shall be amended to "Full REALTOR®" status upon completion of the program or be terminated for non-attendance. In the event provisional membership is terminated, no refunds will be provided. Additionally, submission of a new application and application fee will be required to reapply for provisional membership and current year dues, if not already remitted, will be due and payable.

Abide by Polices and Regulations in Governing Documents: I agree to, upon my own initiative, thoroughly familiarize myself with the Code of Ethics of the National Association of REALTORS® and with the governing documents of the Board of REALTORS®, which is continually available on the Board's website: <http://berkshirerealtors.net/association-highlights/governance>. I agree that my act of paying dues shall evidence my initial and continuing commitment to abide by the aforementioned Code of Ethics, Constitutions, Bylaws, Rules and Regulations, and duty to arbitrate, all as from time to time amended.

Code of Ethics & Arbitration: I further agree to be bound by the Code of Ethics including the obligation to submit to ethics hearing and the duty to arbitrate contractual disputes with other REALTORS® in accordance with the established procedures of the board. I understand that a violation of the Code of Ethics may result in termination of any MLS or REALTOR® 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. This includes compliance with the Bylaws and Rules and Regulations of the Service by all persons affiliated with me.

MLS PARTICIPATION: ENGAGEMENT REQUIREMENT

Firm Must Actively Endeavor to List/Sell/Appraise Real Estate in the Berkshires or contiguous areas to the MLS.

Please note, the MLS Bylaws confirm that mere possession of a broker's license is not sufficient to qualify for MLS participation. Rather, the requirement that an individual or firm 'offers or accepts cooperation and compensation' means that the Participant actively endeavors during the operation of its real estate business to list real property of the type listed on the MLS and/or to accept offers of cooperation and compensation made by listing brokers or agents in the MLS. "Actively" means on a continual and on-going basis during the operation of the Participant's real estate business. The "actively" requirement is not intended to preclude MLS

participation by a Participant or potential Participant that operates a real estate business on a part time, seasonal, or similarly time-limited basis or that has its business interrupted by periods of relative inactivity occasioned by market conditions. Similarly, the requirement is not intended to deny MLS participation to a Participant or potential Participant who has not achieved a minimum number of transactions despite good faith efforts. Nor is it intended to permit an MLS to deny participation based on the level of service provided by the Participant or potential Participant as long as the level of service satisfies state law.

The key is that the Participant or potential Participant actively endeavors to make or accept offers of cooperation and compensation with respect to properties of the type that are listed on the MLS in which participation is sought. This requirement does not permit an MLS to deny participation to a Participant or potential Participant that operates a Virtual Office Website (“VOW”) (including a VOW that the Participant uses to refer customers to other Participants) if the Participant or potential Participant actively endeavors to make or accept offers of cooperation and compensation. An MLS may evaluate whether a Participant or potential Participant “actively endeavors during the operation of its real estate business” to “offer or accept cooperation and compensation” only if the MLS has a reasonable basis to believe that the Participant or potential Participant is in fact not doing so. The membership requirement shall be applied on a nondiscriminatory manner to all Participants and potential Participants.

A preliminary staff investigation shall only be undertaken if there is a reasonable basis to believe that a Participant is not actively working in the market place. If there an allegation that a Participant office is not actively engaged in the real estate business in Berkshire County on a continual and ongoing basis as required for MLS membership according to the Bylaws, Article 4 – Section 1 Participation Defined, staff shall request evidence of any:

1. All Berkshire County properties listed with firm and/or,
2. All showings with buyers on Berkshire County properties and/or,
3. Any other transactional details that show active real estate work in the marketplace with offers of cooperation and compensation offered or accepted with other Berkshire MLS members.

According to the National Association of REALTORS, actively engaged in the market place refers to listings taken in Berkshire County or buyers worked with on listings in Berkshire County. A referral business does not qualify as actively engaged in real estate sales. There is no standard to the number of listings or buyers or success rate in closing a deal.

Should an Applicant/Participant fail to show any of the above minimums upon request and with advanced notice, they shall be given an opportunity to appear before the MLS Board for a hearing according to Section 9 of the Rules and Regulations. (Amended 6/13)

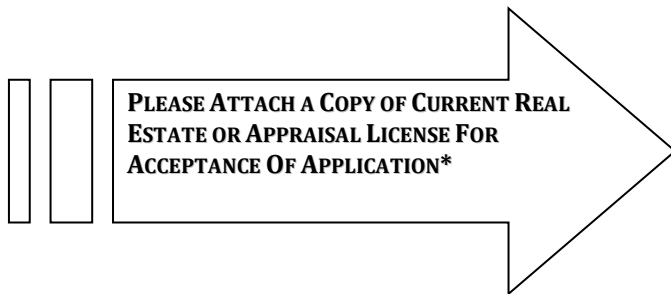
SERVICES PROVIDED:

- ✓ MLS Database Use
- ✓ Technical and Business Support
- ✓ Regional Contracts and Forms
- ✓ IDX / RETS Feeds (fees may apply)
- ✓ Syndication of Listings
- ✓ Weekly Friday Recap eNews
- ✓ Open House / Broker Tour Opportunities
- ✓ Internal Member-to-Member Email System
- ✓ Client Portals

I understand that this application must be administratively approved and I must be pre-registered in order to attend a scheduled new member Orientation program required for full REALTOR® membership and full MLS Participation. I acknowledge that my failure to attend a program after two invitations will immediately result in termination of provisional membership to the Board of REALTORS® and the termination of any service provided by the MLS.

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, may be grounds for revocation of my membership if granted.

X Signature: _____ Date: ____/____/____



PROCESS FOR BECOMING A BOTH A REALTOR® & MLS

- ◆ Submit your membership application, along with your application fees and prorated Association dues. (see chart to calculate correct payment). The Board office staff will review this information, and will (1) accept the application administratively if all information is complete and appropriate payments are made, or will (2) notify you that membership will be delayed until the problem is resolved. In this instance, the application will not be processed, nor will services of the Board or MLS begin until REALTOR® Provisional Membership and MLS Provisional membership is administratively approved. If your application requires amending, or cannot be processed because it has not been completed in its entirety, the dues owed will be based on the application date, without refund or adjustment.
- ◆ Upon provisional approval, you will receive access codes for the MLS and your membership information will be added master database for immediate access to services provided by the Berkshire County Board of REALTORS® (BCBR), the Massachusetts Association of REALTORS® (MAR), the National Association of REALTORS® (NAR) and the Multiple Listing Service (MLS).
- ◆ Education: You will be provided with two opportunities to attend an orientation program before your provisional membership is terminated. You are required to schedule a convenient meeting time with the Board Office staff, to review your specific duties as the Participant of the MLS. This informal session allows you to ask questions related directly to your company structure, and provide valuable information for operating within the MLS parameters. Within six (6) months of the date of membership approval, each new Designated REALTOR® shall be required to demonstrate that they have **completed six (6) hours of instruction geared exclusively to Brokerage ownership and management issues** related to risk reduction and any policies or laws that might result in a significant legal vulnerability or liability to the organization and its members.

DUES FEES & PAYMENTS

The Berkshire County Board of REALTORS® and MLS Payment Total:

All current fees and dues (pro-rated and tax deductible) can be found at:

www.BerkshireRealtors.net/dues

A REALTOR Application Fee, in the amount of \$ 175.00
An MLS Application Fee, in the amount of..... \$ 500.00
Prorated REALTOR Membership Dues in the amount of \$ _____
Monthly MLS Dues per Agent Affiliated with Firm For a Total of: Billed Monthly / Electronically
Total Due and Owing with Application..... \$ _____

Payment Method: Check Cash Credit Card (complete the form below)

CREDIT CARD AUTHORIZATION:

Please charge the above amount to my credit card, as shown below:

Credit Card: Discover American Express Master Card Visa

Credit Card # _____ / _____ / _____ / _____ Exp: ____ / ____

Name as it appears on Card: _____

CVC#: _____ # Billing Zipcode: _____

Signature of Card Holder: _____

Application can be mailed or emailed to the addresses shown below. Please DO NOT email credit card information. You can mail, deliver in person or call in this information. This is for your own safety and security. Thank you.