

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



**APPLICATION FOR MLS ONLY 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. REALTOR Membership Primary Board: \_\_\_\_\_
7. Applicant NRDS # \_\_\_\_\_ Office NRDS # \_\_\_\_\_
8. Office Status:  Principal/Partner  Office Manager  Employee  Independent Contractor

*Please include a letter in good standing from your primary Realtor Association.  
Your primary association is where you remit national dues. Thank you.*

## 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).

9. Office Tax I. D. Number \_\_\_\_\_

10. Office Status:       Sole Proprietor       Partnership       Corporation       Other

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

Name \_\_\_\_\_ Title: \_\_\_\_\_

Name \_\_\_\_\_ Title: \_\_\_\_\_

Name \_\_\_\_\_ Title: \_\_\_\_\_

Name \_\_\_\_\_ Title: \_\_\_\_\_

12. 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: \_\_\_\_\_

13. Bank References: Indicate Bank / Financial Institution Name

General Acct: \_\_\_\_\_ Escrow Account: \_\_\_\_\_

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

\_\_\_\_\_

15. 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 that the bankrupt applicant pay cash in advance for 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, 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.*

16. 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: \_\_\_\_\_

\_\_\_\_\_

17. 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.

18. Professional Designation or Degrees held: \_\_\_\_\_
19. Year first entered Real Estate Business: \_\_\_\_\_ City / State: \_\_\_\_\_
20. 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.
21. Other Profession/ Business Experience: \_\_\_\_\_
22. Are you now engaged in any other business?  No, not at this time  Yes: (Position) \_\_\_\_\_
23. Resident here since \_\_\_\_\_ Previous residence: \_\_\_\_\_
24. What Professional Designations or educational degrees do you hold, if any? \_\_\_\_\_
25. Do you hold any governmental positions  No, not at this time  Yes: (Position) \_\_\_\_\_
26. Do you currently belong to any organizations? (ie: business, civic, charitable or other) \_\_\_\_\_
27. Do you hold any leadership roles in other organizations?  No, not at this time  Yes: (Position) \_\_\_\_\_
28. 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
29. Business Area: Check all that apply:  
 North Berkshire  Central Berkshire  South Berkshire  
 New York / Connecticut / Vermont  Pioneer Valley  Other:
30. Professional Specialties: Check all that apply  
 Residential Sales  Residential Rental  Condominiums  
 Land / lots  Commercial  Other:
31. Brokerage Type Offered:  
 Buyer and Seller Representation  Exclusive Buyer Representation  Exclusive Seller Representation  
 Transactional Brokerage  Limited Service  Other:
32. 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 (not including yourself)

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.

## 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 understand that, if accepted, I shall accept responsibility for the real estate and appraisal licensees affiliated with my office.

**Agreement to Pay Fees:** I am including the application fee, which I understand will be returned to me in the event I am not accepted to membership. I agree that 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.

**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

**I agree that my firm actively endeavors 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.

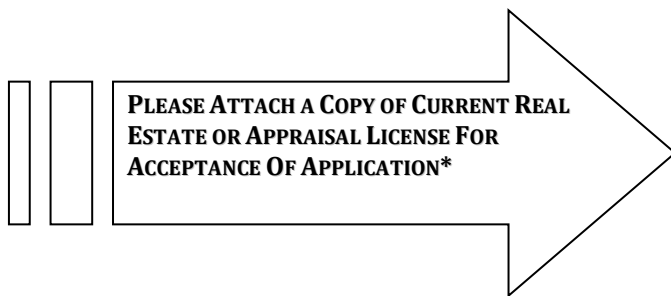
Should an Applicant/Participant fail to show any of the above minimums upon request and with advanced notice, they shall be given an opportunity to appear before the MLS Board for a hearing according to Section 9 of the Rules and Regulations. (Amended 6/13)

## 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 hereby certify that the foregoing information furnished by me is true and correct, and I agree to the rules and regulations and participation requirements set forth in the governing documents and 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: \_\_\_\_/\_\_\_\_/\_\_\_\_



## 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](http://www.BerkshireRealtors.net/dues)

An MLS Application Fee, in the amount of..... \$ 500.00  
First Month Fees..... \$ .00  
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.