**Central Susquehanna Valley Board of REALTORS® Multiple Listing Service**

558 Mill St., Suite 1 ~ Danville, PA 17821

Phone 570-275-3950 ~ Fax 570-275-4066 ~ E-mail mls@csvrealtors.com [www.csvrealtors.com](http://www.csvrealtors.com/)

**MLS EXEMPTION OF FEES (Formerly Waiver) Q AND A\***

# THE FOLLOWING QUESTIONS AND ANSWERS ARE GIVEN REGARDING THE “MLS WAIVER OF FEES” FOR THE CSVBR-MLS AND DO NOT CONNOTE ANSWERS REGARDING THE REAL ESTATE COMMISSIONS RULES (RELRA) ON PRACTICING REAL ESTATE LAWFULLY IN PENNSYLVANIA.

**Q-WHAT IS THE MLS WAIVER STATUS?**

1. THE MLS WAIVER IS ACTUALLY THE **“WAIVER OF THE MLS MONTHLY PER LICENSEE FEE”** THAT IS ISSUED TO A BROKER FOR AN AGENT AFFILIATED WITH THE BROKER’S OFFICE WHO IS LICENSED TO SELL REAL ESTATE BUT WHO WILL NOT BE ACTIVELY LISTING, SELLING, DOING TRANSACTIONS, HOSTING OPEN HOUSES, OR CONDUCTING CLOSINGS, ETC. THEY MAY NOT HAVE AN ACTIVE FLEX ID OR SENTRICARD.

# Q-WHO QUALIFIES FOR THIS STATUS?

1. AGENTS WITH A CATASTROPHIC ILLNESS WHO ARE TEMPORARILY INCAPACITATED.
2. A “BUSINESS BROKER”, SELLING COMMERCAIL BUSINESSES ONLY AND NOT THE REAL ESTATE IN WHICH THE BUSINESSES ARE CONDUCTED.
3. A “REFERRAL AGENT” WHO REFERS BUSINESS TO THEIR BROKER AND WHO IS NOT DOING ANY OF THE ABOVE ACTIVITIES.

# Q-IS AN AGENT UNDER A MLS WAIVER REQUIRED TO PAY REALTOR® DUES?

1. YES, THE MLS WAIVER PERTAINS TO THE MONTHLY **MLS** FEE CHARGED TO BROKERS FOR EACH AGENT IN THEIR OFFICE. IT IS NOT A WAIVER OF REALTOR® DUES.

# Q-MUST AN AGENT UNDER A MLS WAIVER COMPLETE NEW MEMBER ORIENTATION?

1. YES, THEY ARE STILL REALTORS®, AND IT IS A NAR REQUIREMENT FOR REALTOR® MEMBERSHIP.

# Q-MUST AN AGENT UNDER A MLS WAIVER COMPLETE THE NEW MEMBER ORIENTATION REVIEW CLASS?

1. YES.

# Q-MUST AN AGENT, UNDER A MLS WAIVER, COMPLETE NAR’S REQUIREMENT OF TWO AND ONE-HALF (2 ½) HOURS TRAINING ON THE CODE OF ETHICS EVERY THREE YEARS?

1. YES, AGAIN, THEY ARE STILL REALTOR® MEMBERS.

# Q-MUST AN AGENT UNDER A MLS WAIVER COMPLETE MCE FOR PA REAL ESTATE LICENSE RENEWAL?

1. YES, LOCAL ASSOCIATIONS OF REALTORS® HAVE NO AUTHORITY TO WAIVE THIS REQUIREMENT; IT IS A PA REAL ESTATE COMMISSION RULE.

# Q-HOW LONG ARE WAIVERS ISSUED FOR?

1. A MAXIMUM OF ONE YEAR, HOWEVER, BROKER’S CAN REAPPLY FOR THE WAIVER.

# Q-WHAT IS THE FINE FOR VIOLATING THE WAIVER?

1. $1000 FINE TO THE BROKER, WHETHER THE WAIVER IS VIOLATED INADVERTENTLY OR DELIBERATELY.

**Q-CAN AN AGENT RETURN TO FULL ACTIVE STATUS INSTEAD OF REMAINING UNDER AN MLS WAIVER?**

1. YES. THE BROKER WOULD NEED TO SEND A FORMAL LETTER TO THE MLS STATING THE EFFECTIVE DATE THE AGENT WAS RETURNING TO FULL ACTIVE STATUS. UPON RECEIPT OF THE LETTER, THE AGENT’S FLEXMLS I.D. WOULD BE REACTIVATED AND A SENTRICARD REISSUED, IF THE AGENT OPTS TO HAVE A SENTRICARD. THE BROKER BILLING WOULD BE ADJUSTED TO ADD MLS FEES FOR THE AGENT.Q-IS THERE A FEE FOR CHANGING FROM A WAIVER STATUS TO ACTIVE.
2. NO, EXCEPT THE MONTHLY **MLS** FEE WOULD BE REINSTALED.

**Q-MAY AN AGENT WITH AN MLS BROKER WHO IS WAIVERED UNDER THE “REFERRAL AGENT” SPECIALTY RECEIVE A REFERRAL FEE?**

1. YES. THEY MAY RECEIVE A REFERRAL FEE (i.e. A FEE FOR REFERRING BUSINESS TO THEIR BROKER), BUT THAY MAY NOT BE PAID A COMMISSION. TO DO SO WOULD VIOLATE THE WAIVER AND THE BROKER WOULD BE FINED.

**Q-WHAT MAY A LICENSED ADMINISTRATIVE ASSISTANT, TO A BROKER OR ANOTHER AGENT, DO WITHOUT VIOLATING A WAIVER UNDER THE SPECIALTY OF “LICENSED ADMINISTRATIVE ASSISTANT?”**

1. A LICENSED ADMINISTRATIVE ASSISTANT MAY ASSIST BY GIVING INFORMATION TO THE PUBLIC REGARDING LISTINGS, BUT MAY NOT LIST, SELL OR SHOW PROPERTIES, HOST OPEN HOUSES, ETC. (ACT AS A PRACTICING AGENT). TO DO SO VIOLATES THE WAIVER, AND THE BROKER WILL BE FINED.

**SHARING OF CSVBR-MLS FLEX/MLS ACCESS and/or SENTRILOCK ACCESS:** Do not share your access information with anyone under any circumstances including colleagues, friends, family and/or unauthorized assistants.

 **1st offense $500 2nd offense $1,000 3rd Offense Deactivation of Sentri App**

Any appeal of the decision of the CSVBR-MLS Board may be to the CSVBR-MLS Board within twenty (20) days of the decision being rendered.

 All other complaints of unethical conduct shall be referred by the CSVBR-MLS

 Board to the CSVBR Board of Directors for appropriate action in accordance with the professional standards procedures established in the CSVBR Bylaws.

**\*NO Q & A COVERS EVERY CONCEIVABLE QUESTION. PLEASE CALL THE MLS OFFICE FOR MORE INFORMATION.**