SELLER CERTIFICATION FOR EXEMPT LISTING (FIRM EXCLUSIVE)

This **Firm Exclusive Seller Authorization** is an addition to the listing agreement between the Seller(s) and the Listing Brokerage identified below.

This addendum must be executed and submitted to the appropriate Compliance Department within one (1) business day of the Marketing Date on Listing Agreement.

Failure to do so will result in a Category II violation of Clear Cooperation and may result in a fine.

If the agent is a member of GRRA, please submit to compliance@grra.org.
If the agent is a member of HPRAR or WSRAR, please submit to compliance@triadmls.com.

The National Association of REALTORS® Clear Cooperation Policy 8.0:

Section 1.01 – Clear Cooperation

Within one (1) business day of marketing a property to the public, the listing broker must submit the listing to the MLS for cooperation with other MLS participants. Public marketing means engaging in any one or more of the following: flyers displayed in windows, yard signs, digital marketing on public facing websites, brokerage website displays (including IDX and VOW), digital communications marketing (email blasts), multi-brokerage listing sharing networks, applications available to the public, or any substantively similar activity. *(Adopted 11/19)*

Note: Exclusive listing information for required property types must be filed and distributed to other MLS Participants for cooperation under the Clear Cooperation Policy. This applies to listings filed under Section 1 and listings exempt from distribution under Section 1.3 of the NAR model MLS rules if it is being publicly marketed, and any other situation where the listing broker is publicly marketing an exclusive listing that is required to be filed with the service and is not currently available to other MLS Participants.

Triad MLS Rules Section 1.4 Firm Exclusive Listings:

Where a valid listing agreement exists between the listing broker and seller, and seller has directed the listing broker to not publicly market and to not disseminate through the Service to other MLS Participants and Subscribers, the Participant may then take the listing as an office exclusive exempt listing ("Firm Exclusive Listing") and such listing shall be filed with the Service, but not disseminated to other MLS Participants. The filing of a Firm Exclusive Listing must be accompanied by a certification (Firm Exclusive Addendum or substantially similar) signed by the seller, obtained by the listing broker, which includes:

(a) Disclosure about the professional relationship between the Participant and the seller;
(b) Acknowledgement that the seller understands the MLS benefits they are waiving or delaying with the Firm Exclusive Listing, such as broad and immediate exposure of their listing through the MLS; and
(c) Confirmation of the seller's decision that their listing not be publicly marketed and disseminated by the Service to other MLS Participants and Subscribers as a Firm Exclusive Listing.

Upon demand, the Board of Directors of each Association or Triad MLS shall have the right to review the original listing contract.

***NOTE*:** If the MLS Participant publicly markets the Firm Exclusive Listing, it is subject to Section 1.01, Clear Cooperation, and the MLS Participant must distribute the listing within one (1) business day of the public marketing.

NOTE: A Firm Exclusive Listing is the equivalent of an "Office Exclusive Listing" in national policy.

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This form is used to document your decision, as the seller, to limit marketing of your Property via a Firm Exclusive. Your Property is identified in the signature block at the bottom of this form. Questions regarding your marketing options should be directed to your Broker.

1. **SCOPE**

   You and your Broker, identified in the signature block below, have entered into a Listing Agreement for your Property with an effective date of __________(Marketing Date) and ending on _________(Expiration Date). Pursuant to the Listing Agreement, you have directed your Broker to market your Property for sale as a Firm Exclusive.

2. **IMPORTANT EXPLANATIONS**

   a. **Active listings.** Most homes for sale are "active listings," which maximizes a property's exposure to potential buyers. If you complete this form, your Property will **NOT** be an "active listing" and you will be limiting exposure of your Property.

   b. **Broad buyer and broker exposure.** Most brokers representing buyers learn about listings for sale through the MLS. Most home buyers search for available properties through major real estate websites and apps.

   c. **Risks with limiting exposure.** Limiting marketing exposure of your Property means fewer potential buyers will see your Property, which could decrease the sales price and take longer to sell your Property. Electing your Property to be marketed as a Firm Exclusive significantly limits exposure for your Property.

3. **FIRM EXCLUSIVE ELECTION**:

☐ **FIRM EXCLUSIVE** – I do not want my Property on the MLS and I do not want broad buyer and broker exposure.

My Property will:

- NOT be displayed on the internet on any websites or apps, including my Broker's website and apps.
- NOT be marked with a For Sale sign in the yard.
- NOT be included in other public marketing materials.

By making this election, you certify that you have read this form, made your election voluntarily, and understand that you are forfeiting the marketing advantages outlined above.

4. **EXPIRATION.**

   If you subsequently direct your Broker to publicly market your Property, your Broker must submit your Property to the MLS.

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The information in this form is confirmed and made effective by the signatures provided below.

1. A fully executed Listing Agreement was signed with a marketing date of:	______/_____/_____ MONTH DAY YEAR
2. Seller(s) acknowledge Listing Firm cannot offer any Public Marketing on a Firm Exclusive Listing. The only marketing efforts can be within the Listing Firm. Upon any Public Marketing, Listing Firm is required to submit the listing to Triad Multiple Listing Service offering cooperation.	__________ Seller(s) Initials
3. Seller(s) acknowledges that upon the closing of the sale, the property may be entered into Triad Multiple Listing Service for comparable purposes.	__________ Seller(s) Initials

____
Property Address

____
Seller Signature(s) Date

____
Listing Agent (Print Name) Date

____
Listing Agent Signature Date

____
Head Broker (Print Name) Date

____
Head Broker Signature Date

____
Listing Brokerage (Print)