

## SELLER AUTHORIZATION AND DISCLOSURES

### COMING SOON/DELAYED MARKETING AND OFFICE EXCLUSIVE

Property Address: \_\_\_\_\_

Listing Brokerage Name: \_\_\_\_\_

Listing Agreement Start Date \_\_\_\_\_ End Date \_\_\_\_\_ (Listing Term)

The MLS Rules and Regulations require an Owner (Seller) of Property who agrees to any type of delayed distribution or marketing of their listing in the MLS or publicly to be provided with mandatory disclosures. As Seller you alone direct your listing broker/agent how you wish to market your property. There are a several Multiple Listing Options available to you. You decide what option is in your best interest and whether you want your property to be immediately active in all venues or platforms or if you prefer to defer or suspend public marketing or MLS distribution of the property's listing based upon a desire to prepare the property for showings, privacy concerns or other valid reasons.

#### EACH OPTION BELOW IS EXPLAINED. YOU CAN SELECT ONLY **ONE** OPTION.

As Owner/Seller I have read and understand each of the listing options available to me and explained below. I understand that the option I select will determine how I direct my Listing Agent/Broker to market and distribute my property listing. My Listing Agent/Broker will comply with the option I have selected, unless I have notified my Listing Agent/Broker of a change, or the MLS rules require my listing to be made fully active.

☐ **OFFICE EXCLUSIVE:** An Office Exclusive listing is registered as a Non-MLS Listing with the MLS during the full Listing Term and shall remain in that status until I have modified my selection in writing and notified my listing broker or as required by the MLS rules. The Office Exclusive is **not** published in the MLS and other MLS participants **cannot** view the listing. An Office Exclusive does **not** permit any public marketing. My listing can only be viewed by those agents and brokers of the Listing Brokerage Firm as it is a direct promotion within the listing brokerage. If **public marketing\*** occurs my listing broker must comply with the MLS Rules and my listing will be made available and published to other MLS participants at that time. *I have directed my listing broker to list my Property as an Office Exclusive.*

**\*Public Marketing** includes the following: flyers in windows, yard signs, public facing digital marketing, social media platforms, whether public or private, broker website displays (IDX and Syndication where the listing information is sent to various websites, real estate portals or mobile apps), digital marketing communications (such as email/text blasts or automated message by text or voice), any multiple brokerage platform or network, and real estate applications (including by example only Realtor.com, Redfin or Zillow.) No public marketing is permitted during an Office Exclusive. **MLS Clear Cooperation Rules require that within one (1) business day of marketing the property to the public, the listing broker must submit the listing the MLS for cooperation with other MLS participants.**

☐ **COMING SOON/ DELAYED MARKETING:** With this option the listing is entered and filed with the MLS and is immediately distributed to and available for viewing by all MLS participants. My listing broker is permitted to market the listing as I further direct to include displaying the listing on my broker's own business website, publishing in print media or placing signage on the property. No other no public marketing is permitted by any other MLS participant on its website, nor will there be any advertising on any IDX feed, multiple brokerage platforms, or syndications. At my discretion, I can direct my listing broker to show the Property and at all times my listing broker can communicate with other participants of the MLS about the listing. *I have directed my listing broker to list my property as Coming Soon/Delayed Marketing. I understand that this listing option status is available to me for a maximum of thirty (30) calendar days, and on the 31<sup>st</sup> day, the MLS system will automatically make my listing fully active.*

**MANDATORY DISCLOSURES:** By signing below I affirm I have a professional relationship (written brokerage agreement) with my listing Broker, I have read the disclosures and understand the benefits of full MLS distribution

and marketing, what constitutes Public Marketing and the Fair Housing rules that prohibit discrimination in marketing, listing, showing, negotiating or selling my property.

A. Professional Relationship: I /We affirm I have I/We have a professional relationship with the listing broker.

B. MLS Benefits Waiver:

- i. By selecting an Office Exclusive or Coming Soon/Delayed Marketing option for listing my Property I voluntarily and knowingly waive the substantial benefits that are provided in a fully active status which includes **full MLS distribution and marketing**, such as distribution of my listing to the MLS participants, the public and dissemination through IDX feeds and syndications. Additional advantages include immediate exposure to a vast number of real estate professionals, maximum online visibility to the broadest pool of active, qualified buyers, and increased competition that routinely boosts quicker showings, stronger offers, and possible higher price offerings and closed sales price.
- ii. I have been advised that unrestricted MLS participation is widely regarded as the single most effective means of maximizing market reach, accelerating time of sale and securing optimal pricing. When choosing any Opt-Out listing (Office Exclusive) or Coming Soon/Delayed Marketing I knowingly assume responsibility for any extended marketing time, reduce buyer interest or adverse impact on final sales terms.
- iii. I have been advised in writing of what actions or events are deemed Public Marketing and I understand that as to an Office Exclusive any public marketing triggers the *Clear Cooperation Rules* which require full MLS distribution within one (1) business day, regardless of any other term that may be applicable to the listing option I have selected.

C. Fair Housing: My selection for marketing and distributing the listing for my Property is not designed to exclude my listing from the MLS based upon any refusal, unwillingness or reluctance to show, list, negotiate or sell to any protected individual/class of persons based upon race, color, religion, national origin, sex, ancestry, age, marital status, physical or mental disability, familial status or any other class protected by Federal, State or local fair housing laws.

Owner: \_\_\_\_\_  
Print Name Signature Date

Owner: \_\_\_\_\_  
Print Name Signature Date

Broker/Authorized Agent Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
MLS ID# \_\_\_\_\_