

APPLICATION FOR MLS-ONLY MEMBERSHIP (FIRM NON RVAR BOARD)

To: MULTIPLE LISTING SERVICE INC. (Hereinafter referred to as MLS)

The \_\_\_\_\_ (Name of Real Estate Company, Hereinafter referred to as Participant) hereby applies for membership in and the services of the MLS, enclosing a check in the amount of \$250.00, (\$125.00 if a Branch office of a participant) due and payable at time of provisional acceptance, for the entrance fee which is to be returned in the event of non-election. The Principal Broker has read and agrees to subscribe to and abide by its By-laws and Rules and Regulations. Participant irrevocably waives all claims against MLS or any of its officers, directors or members, for any action in connection with the business of MLS and particularly as to its or their acts in electing or failure to elect, suspending, expelling, or otherwise disciplining the applicant, or participant. Upon expiration of said membership for any cause, participant will return to MLS all certificates, signs, seals, forms, supplies and any other property owned by MLS and/or indicating membership in MLS.

Participant agrees to pay any and all fees, assessments and charges as may rightfully be imposed upon it under the By-Laws and Rules and Regulations of MLS as long as it remains a member thereof. Participant agrees to arbitrate, pursuant to MLS rules, any disputes with other members arising out of the use of MLS.

**Definition of MLS Participation:** Any REALTOR® of this or any other Association who is a principal, partner, corporate officer, or branch office manager acting on behalf of a principal, without further qualification, except as otherwise stipulated in these rules, shall be eligible to participate in the Multiple Listing Service upon agreeing in writing to conform to the rules and regulations thereof and to pay the costs incidental thereto. However, under no circumstances is any individual or firm, regardless of membership status, entitled to Multiple Listing Service "membership" or "participation" unless they hold a current, valid real estate broker's license and offer or accept compensation to and from other Participants or are licensed or certified by an appropriate state regulatory agency to engage in the appraisal of real property. Use of information developed by or published by a Board Multiple Listing Service is strictly limited to the activities authorized under a Participant's licensure(s) or certification and unauthorized uses are prohibited. Further, none of the foregoing is intended to convey "participation" or "membership" or any right of access to information developed by or published by a Board Multiple Listing Service where access to such information is prohibited by law.

Note: 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.

Participant hereby submits the following information for your consideration.

- 1) NAME of PRIMARY BOARD \_\_\_\_\_
- 2) NAME of Principal Broker (exactly as shown on license): \_\_\_\_\_
- 3) Firm VA License No. \_\_\_\_\_ Broker License No : \_\_\_\_\_
- 4) Sole Owner \_\_\_\_\_ Partnership \_\_\_\_\_ Corp. \_\_\_\_\_
- 5) Name of Firm (as carried by the Virginia Real Estate Board) \_\_\_\_\_
- 6) Office Address: \_\_\_\_\_  
City: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_
- 7) Broker E-mail Address : \_\_\_\_\_
- 8) Firm Web site Address: \_\_\_\_\_
- 9) Broker's Home Address: \_\_\_\_\_  
  
ZIP # \_\_\_\_\_ Telephone # \_\_\_\_\_ FAX # \_\_\_\_\_
- 10) Principal Broker's Signature: \_\_\_\_\_
- 11) Date: \_\_\_\_\_

**MULTIPLE LISTING SERVICE OF ROANOKE VALLEY INC.**  
4358 Starkey Road, SW  
Roanoke, VA. 24018  
Phone: 540-772-0526  
Fax: 540-772-8058