

East Bay Regional Data Multiple Listing Service Broker Participant

Revised: 10/02/09

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New MLS Broker Participant Information

Thank you for your interest regarding participation in East Bay Regional Data Multiple Listing Service. Enclosed: ●Application Form (2 pages) ●Service Center Locations ●Other information.

As a California licensed Real Estate Broker, you may become an MLS Broker Participant.

After becoming a Broker Participant, you:

- Have computer access to listing database, public records and property history.
- Can add and change your listings in the listing database.
- Have access to other MLS areas through our reciprocal program.
- Must attend MLS computer system training classes.
- Can add new Agents to your office/company by completing 'Add An Agent' form.

Make sure these items are included when you mail or fax your application:

- Application Form completed and signed.
- Select the primary Service Center for all your agents
- Copy of your Department of Real Estate (DRE) License.
- Copy of your California Driver's License
- Application fee of \$200 and \$480 Annual fee per licensee.
- Read the Rules and Regulations and make sure that all agents do the same.

Fees can be charged to Mastercard or Visa by adding charge information at the end of the application. There is a \$25 service charge for any returned check or refused charge. If a check is returned or a charge refused, payment must be made by postal money order or certified check.

Reminder:

- You have 45 days to complete a training course for the MLS computer system.
- Go online to our web site at www.ebrdi.com to check class schedules, register for a class, and get driving directions to class locations. Call EBRD @ 925 363-2333 with any questions

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Service Centers

Service Centers for EBRD's Multiple Listing Service are located in Alameda and Contra Costa Counties. Broker Participants select a Service Center for all of their agents in an office location.

The Service Centers:

- Assist with completing MLS application forms.
- Process applications for MLS Subscribers and Broker Participants.
- Collect fees for MLS Subscriptions, Reciprocal Listings, Staff Loaded Listings and other MLS fees.
- Provide MLS Starter Kits (Paragon Instructions, Profile Sheets, MLS Rules, etc.) to new MLS Subscribers and Broker Participants.
- Stock copies of EBRD MLS Rules and other MLS information.
- Accept Reciprocal Listings for Bay Cities MLS (San Francisco City and County), Bay Area Real Estate Information Service (Marin, Napa, Solano, Sonoma), RE Infolink (Monterey, San Benito, Santa Clara, Santa Cruz, San Mateo) and all other Reciprocating MLS's.
- Accept Listings to be Staff Loaded.

Service Center Locations

Antioch

Delta Association of REALTORS®

3428 Hillcrest Ave.,
Ste 200
Antioch, CA 94531
925 757-8283
925 757-8393 – fax

Berkeley

Berkeley Association of REALTORS®

1553 Martin Luther
King Jr. Wy
Berkeley 94709
510 848-4288
510 848-2439 - fax

Oakland

Oakland Association of REALTORS®

1528 Webster St
Oakland 94612
510 836-3045
510 272-0661 - fax

Richmond

West Contra Costa
Association of
REALTORS®

423 46th Ave
Richmond 94805
510 233-1152
510 231-0243 - fax

Walnut Creek

East Bay Regional Data

1000 Burnett Ave. Ste 250
Concord 94520
925 363-2330
925 687-7099 - fax

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MLS Broker Participant Application

I am a Licensed Real Estate Broker under California Law, and I hereby apply for participation in the multiple listing services of East Bay Regional Data, Inc.

Please Print Clearly

1. Primary Service Center: Antioch Berkeley Oakland Richmond Walnut Creek
2. Company Name (Must have proof of valid DBA): _____

Company Address: _____

City: _____ State: _____ Zip: _____

3. Company Phone: (____) _____ Your Extension: _____

4. Company Fax: (____) _____

5. Your Name (as it appears on Real Estate License):
First: _____ Last: _____

Home Address: _____

City: _____ State: _____ Zip: _____

6. Home Phone: (____) _____ Home Fax /Pager Number: (____) _____

7. Social Security Number (Last 4) XXX – XX – _____

8. Department of Real Estate (DRE) License Number: _____

9. DRE License Expiration Date: ____ / ____ / ____

10. Type of License: Broker (Individual) _____ Officer (Corporate) _____

11. Send my mail to my: Home ___ Office ___

12. Would you like your personal phone number displayed on your listings: Y/N. If Yes: (____) _____

13. E-mail address: _____ and/or Web Page _____

Please sign here, thereby giving EBRD permission to send important communication regarding the MLS to your email address above. EBRD will never sell or use this email address for any other purpose than to send important communication directly to you. Signature: _____

14. I would like any faxes sent to my: Home _____ Office _____ E-Mail _____

15. Do you belong to an Association of REALTORS®?
Yes _____ Association _____ Member # _____

16. No Refund: I understand that if this application is canceled or withdrawn I will not be entitled to a refund.

17. I understand I am required to submit a copy of my real estate license as a condition of subscribership.

Service Center Use Only

Broker Code _____ Office Code _____

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I understand that Broker Participants who are not members of an Association of REALTORS® are not entitled to use the term REALTOR®, non-member Broker Participants pay the same MLS fees and costs as are paid by Broker Participants (REALTOR® members and non-REALTOR® members) and must abide by the Rules and Regulations of EBRD as adopted or amended from time-to-time. This includes the participation in a hearing due to violations of the EBRD Rules and also the duty to arbitrate business disputes with other Broker Participants. Non-member Broker Participants are not entitled to vote; to serve as an officer or director; or on any committee; to receive discounts on any REALTOR® Association services that are not part of EBRD or to participate in or have a voice in the administration of EBRD, Inc.

18. I acknowledge that by participating in EBRD, I am obligated to arbitrate disputes submitted by other MLS Broker Participants and Subscribers and agree to abide by the decision.

19. ARBITRATION AGREEMENT:

- a. I hereby agree for myself and the company for which I act, to settle all disputes with any member of the EBRD MLS through binding arbitration conducted by any member of the California Association of REALTORS® in accordance with its rules and regulations or any client covered by the EBRD Rules.
- b. Further, I agree to settle all disputes with any other MLS Broker Participant of the EBRD MLS or any other MLS Subscriber of the EBRD MLS, or any other MLS Broker Participant or MLS Subscriber of a MLS which shares a common database with the EBRD MLS through a Regional or Reciprocal Agreement, through binding arbitration to be conducted in accordance with the EBRD MLS Rules.

20. AUTHORIZATION TO RELEASE AND USE INFORMATION AND WAIVER: I authorize EBRD or its representatives to verify any information in this application including contacting any MLS, the DRE, or current or past broker or business associates. I further authorize any MLS in which I have been a member or MLS Broker Participant or MLS Subscriber to release all membership and disciplinary records to the EBRD MLS. I further authorize the EBRD MLS to use this information in determining future disciplinary sanctions. I waive any cause of action including, but not limited to, slander, libel, or defamation of character resulting from such verification, evaluation or other processing of this application or use of the information gathered by EBRD, California Association of REALTORS®, National Association of REALTORS®, their agents, employees, committees or members.

21. By becoming and remaining an MLS Broker Participant, I agree to abide by the Constitution, Bylaws, Code of Ethics and any other rule as from time to time amended of the National Association of REALTORS®, California Association of REALTORS®, and EBRD.

22. I understand and agree that by becoming and remaining a MLS Broker Participant or MLS Subscriber to the EBRD MLS, I agree to abide by the EBRD MLS Rules, as from time to time amended, including but not limited to the following:

- a. I agree not to use the EBRD MLS data for any purpose other than to market property or support market valuations or appraisals as specifically set forth in the rules.
- b. I agree not to reproduce any portion of the active listings unless specifically authorized under the rules.
- c. I agree not to download EBRD MLS data except as provided in the EBRD MLS Rules.
- d. I agree not to allow anyone other than authorized Broker Participants, their subscribers and the clerical users as defined in the EBRD MLS Rules to access any computer receiving EBRD

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MLS information. I agree not to transmit the information to any Broker Participants, subscribers and clerical users not authorized to access the system by the rules. I agree not to use the EBRD MLS to create another product except as may be used by the Broker Participant who downloaded the data in compliance with the MLS Rules.

- e. I agree I will not give or sell my password to any person nor make it available to any person. I further understand that the California Penal Code and the United States Code prohibits unauthorized access to computer databases. I agree not to allow such unauthorized access by use of either any of my equipment or pass codes.
- f. I understand that the clerical users I have registered may be authorized to have limited access to the EBRD MLS for clerical support only. I understand that clerical users are not allowed to use the information in any way other than to provide such information to me. Persons performing any activities that require a real estate license are not eligible for this clerical user's classification. I further understand that any violation by a clerical user employed by me, under contract with me or used by me is my responsibility and can result in discipline to me and ultimate termination of MLS Services to me.

23. I understand and agree that the above statements are in addition to the EBRD MLS Rules, to which I have also agreed. Violation of any EBRD MLS Rule may result in discipline, fine and ultimate termination of the service. In addition to that, my actions may cause damage to the EBRD MLS and the EBRD MLS may pursue its legal remedies against me to recover such damages.

24. I am enclosing with his application my application fees and required annual fees, and agree to pay such fees as they may change from time-to-time so long as I am a Broker Participant or subscriber to EBRD. Fees are to be paid on an annual basis. If not paid by the due date each licensee is subject to late fees as well as reinstatement fee. Failure to pay dues will result in the TERMINATION of subscription.

I certify that the information given in this application is true and correct.

Signature : _____ Date: ____/____/_____
Applicant for MLS Broker Participant

For Credit Card Payment Only

I authorize EBRD to charge my credit card (below). I understand that:

- 1) Should my credit card company "decline" the request for payment, I will be assessed a \$25 fee and be contacted to arrange for an alternate form of payment.
- 2) More than one decline will cause EBRD to cancel this authorization.

MC/VISA Account # _____ Exp Date: ____/____/____ Total \$ _____

(Signature)

Return the completed and signed form, a copy of your real estate license, a copy of your California Driver's License/I.D. Card, and any payment required, to the Primary Service Center selected on page 3 of this package.

Antioch

Delta Association of REALTORS®

3428 Hillcrest Ave.
Ste. 200
Antioch, CA 94531
925 757-8283
925 757-8393 – fax

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