

Southwest MLS, Inc.

~ APPLICATION FORM ~

WAIVER OF MLS SUBSCRIPTION FEES

FOR

AFFILIATED LICENSEES, BROKERS, AND APPRAISERS

As established in the SWMLS Rules and Policies, the individual(s) named on this Form shall be exempt from payment of the MLS Subscription Fees, provided such Waiver Applicant(s) continuously satisfies the following requirements.

1. Waiver Applicant(s) already subscribes to a different MLS where their principal broker is an MLS Participant
2. Waiver Applicant(s) does not, and will not, use the MLS services and content, including, but not limited to:
 - a. Accessing current listing data, comp and statistical information/reports, and MLS data feed;
 - b. Using MLS products and services available only to authorized MLS Subscribers affiliated with the MLS Participant;
 - c. Waiver Applicant is NOT a listing agent for any active listing filed with the MLS;
 - d. Waiver Applicant is NOT part of a designated real estate "Team" where one or more of the other Team members are subscribers to the MLS;
 - e. MLS Participant / Principal Broker must verify waiver recipient(s) subscription to a different MLS. Verification can include, but is not limited to: 1) invoices, 2) receipts, 3) letters of good standing, or 4) any other documentation that can demonstrate that subscription is held in another MLS.

CERTIFICATION BY WAIVER APPLICANT'S MLS PARTICIPANT / PRINCIPAL BROKER

I certify that the Waiver Applicant(s) named herein is/are affiliated with me and meets the above requirements, and therefore is/are eligible for a waiver of MLS Subscription Fee(s).

I understand that I will need to supply an additional signed Application Form for any future Waiver Applicant(s).

Further, I agree to notify the MLS within 30 calendar days if any waiver recipient becomes ineligible for a waiver. Simultaneously with such notice to the MLS, I will either (i) sever the agent from this office, or (ii) inform the agent that he/she must subscribe to the MLS within 30 business days of the notification. Such affirmative notice, and the subsequent completion of (i) or (ii) above, shall not constitute a breach of this agreement and shall not incur the penalties described below.

Penalties: I understand that any violation of the conditions herein will result in automatic revocation of the waiver from the individual recipient. I agree to pay MLS Subscription Fees, retroactive to the beginning of the current billing year or the date of this Application Form (whichever is less), plus a \$ 50 non-compliance fee for each waiver recipient that has his or her waiver revoked, within 30 calendar days after the waiver recipient becomes ineligible for this waiver. I acknowledge that non-payment of the amounts owed, by the due date, as indicated on the associated MLS invoice, will result in the MLS access for myself and all subscribers associated under my participation being suspended until all fees have been paid.

This Waivers effectiveness will coincide with the SWMLS billing cycle, July 1 through June 30 yearly. If at any time during the during this waiver period any of the listed Waiver Applicant(s) uses any of the SWMLS services, this waiver will be cancelled for that Applicant(s). Application for renewal of waiver must be received prior to May 31st.

Signature of MLS Participant / Designated Broker

Date

Printed Name of MLS Participant / Designated Broker

Print Company Name/ Code

WAIVER OF INDIVIDUALS AFFILIATED WITH MLS PARTICIPANT

The Participant hereby acknowledges the Waiver Applicant(s) below have been informed that any change to their waiver eligibility as defined herein must be communicated immediately to the Participant. Waiver Applicant(s) further acknowledges that non-compliance with the terms of the Application Form and its notification provisions will result in the Participant incurring Subscriber Fee and a non-compliance fee. Participant certifies that the following real estate and appraiser licensees meet all the requirements for receiving an MLS Subscription Fee waiver as described herein:

(This form must be filled out fully by the Participant/Principal Broker. The MLS will respond to the Participant with "Approved" or "Denied" confirmation.). Participants of SWMLS are not eligible to receive waivers from the Service. This waiver is not transferable if the Subscriber transfers his/her license to another Participant.

In the Reason for Waiver please specific the reason. Examples include, "Long term illness", "Out of Area", "Exclusive Tract Sales", "Prop. Management", "Commercial only", "Farm/Ranch Only". If the waiver reason is "Subscribing to other MLS", please specific the name of the other MLS in New Mexico.

Waived Licensees, Brokers, and Appraisers					
Applicant Name	Real Estate License #	Reason for Waiver	Date of Application for Waiver	MLS Use Only	
				MLS approval or denial	Date
