

## Listing Exemption Authorization for RESIDENCE

**BSCMLS PROPERTY TYPES INCLUDE\*: RESIDENTIAL** (Single Family, Townhouse, Condominium, Manufactured Home); **MULTI-FAMILY** (Duplex, Triplex, Fourplex, Home w/Apartment, Cabins, Multiple Dwellings); **FARM & RANCH** (Land w/Residence); **LAND W/MANUFACTURED HOME**

\*Required property types on lot sizes of 40.001 acres or more, and/or located outside the BSCMLS service area, are optional for listing entry and therefore do not require this form to be submitted. Please refer to the "BSCMLS Service Area" section of the BSCMLS Policies & Procedures for more information.

**THIS FORM MUST BE SUBMITTED TO THE BIG SKY COUNTRY MLS BY 11 PM ON THE THIRD (3<sup>RD</sup>) DAY AFTER A LISTING AGREEMENT GOES INTO EFFECT**

Today's Date: \_\_\_\_\_

Listing Date: \_\_\_\_\_ (the date the last signature was obtained on the listing contract, or the "start date", whichever came last)

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

City: \_\_\_\_\_ STATE: \_\_\_\_\_ Zip: \_\_\_\_\_ COUNTY: \_\_\_\_\_

- MULTIPLE LISTING SERVICE:** Broker/Agent is a participant/subscriber with the Big Sky Country MLS ("BSCMLS"), the prevalent database of properties for sale in Southwest Montana that is disseminated to and accessible by all other real estate brokers/agents who are participants/subscribers to the MLS. The BSCMLS's purpose is to support its real estate professionals in their cooperative efforts to bring together buyers and sellers and assist in the real estate transaction process.
- \*MANDATORY SUBMISSION TO MLS\*:** The BSCMLS requires participating brokers in the MLS to submit all exclusive right to sell and exclusive agency listing agreements to the MLS by 11 pm the third (3rd) weekday after the listing goes into effect, **OR (if the listing is subject to the rules of the Clear Cooperation policy) within one (1) weekday after the property is marketed to the general public.** If the seller refuses to permit their **RESIDENCE** listing to be disseminated by the service, and the property will not be advertised to the general public, the participant may then take the listing "**Office Exclusive**". Such listings shall be filed with the service by submitting this Listing Exemption Authorization for **RESIDENCE** form, signed by the seller indicating that he/she does not desire the listing to be immediately disseminated by the service.  
**NOTE 1** – "Office Exclusive" listings may only be marketed within the listing brokerage and brokerages within the firm. If at any point during the term of the listing agreement the property is marketed to the public, the listing must be submitted to the MLS by 11pm the following weekday. In an "Office Exclusive" listing, direct promotion of the listing between the brokers and licensees affiliated with the listing brokerage or brokerages within the firm, and one-to-one promotion between these licensees and their clients, is NOT considered public advertising.  
**NOTE 2** – New construction properties are required for entry on the MLS if excavation on the property has begun.  
**NOTE 3** – "Weekdays" for the Big Sky Country MLS are defined as Monday thru Friday, excluding all Federal holidays and weekends.
- IMPACT OF EXCLUSION OF PROPERTY FROM MLS:** If the Property is excluded from the MLS, the Owner understands and acknowledges that (a) real estate brokers and managing brokers from another real estate offices who have access to the MLS, and their buyer clients, may not be aware that the Owner's Property is offered for sale; (b) information about the Owner's Property will not be transmitted by the BSCMLS to various real estate internet sites used by the public to search for property listings; and (c) real estate brokers, managing brokers and members of the public may be unaware of the terms and conditions under which the Owner is marketing the Property.
- EXPOSURE TO BUYERS THROUGH MLS:** Listing property with the MLS exposes the Property to all real estate brokers and managing brokers who are participants/subscribers of the MLS, and potential buyer clients of those brokers and managing brokers. As permitted by the listing broker, the MLS may further transmit the MLS database to Internet sites or applications that post property listings.
- ENTRY INTO MLS AFTER ACCEPTED BUY-SELL:** If an "Office Exclusive" listing goes under contract as a result of NOT being submitted to the MLS for cooperation with other MLS participants, the listing can only be entered for comparison purposes (with the permission of the seller) after the sale is final.
- SELLER OPT-OUT:** Owner authorizes Broker as follows (check ONLY one):
  - DO NOT submit Property to the MLS for a period of \_\_\_\_\_ calendar days from the commencement of the listing.
  - DO NOT submit Property to the MLS until \_\_\_\_\_, 20\_\_\_\_\_.
  - DO NOT submit Property to the MLS for the entire term of the listing agreement.
  - DO NOT submit Property to the MLS until further written notice from Owner.

By signing below, the OWNER(S) acknowledge that they have read, understand, accept, and have received a copy of this form.

Owner Name: \_\_\_\_\_ Owner Name: \_\_\_\_\_

Owner Signature: \_\_\_\_\_ Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Date: \_\_\_\_\_

**THIS SECTION MUST BE COMPLETED ONLY BY THE LISTING AGENT AND BROKER IN CHARGE OF THE LISTING BROKERAGE**

Listing Office Name: \_\_\_\_\_ Listing Agent 1 Name: \_\_\_\_\_

Listing Office City: \_\_\_\_\_ Listing Agent 1 Signature: \_\_\_\_\_

Broker in Charge Name: \_\_\_\_\_ Listing Agent 2 Name: \_\_\_\_\_

Broker in Charge Signature: \_\_\_\_\_ Listing Agent 2 Signature: \_\_\_\_\_