



# MLS CERTIFICATION OF NONUSE

2424 E Valley Oaks Drive, Visalia CA 93292 P (559) 627-1776  
www.tularecountyrealtors.com  
www.tcmls.org  
info@tularecountyrealtors.com

## REQUIRED FOR BROKER-PARTICIPANT ONLY

Broker-Participant Name	
Firm Name	
License#	Expiration Date

## MLS RULES

### PARTICIPATION FEES

**5.1.1 Initial Participant and/or Application Fee.** Applicants for MLS services may be assessed an initial participation and/or application fee.

**5.1.2 Recurring Participation Fee:** The recurring participation fee of each Broker Participant shall be an amount times the total number of (1) the Broker Participant plus (2) the number of salespersons who have access to and use of the MLS, whether licensed as brokers or salespersons, who are employed by or affiliated as independent contractors with such Participant or the Participant's firm. If more than one principal broker in the same firm elects to be a Participant, the number of salespersons in the firm will only be used once in calculating the recurring participation fees. A Broker Participant is not obligated to pay recurring participation fees or other MLS fees and charges for real estate licensees affiliated with the Participant or the Participant's firm if such licensees work out of a branch office of the Participant or the Participant's firm that does not participate in or otherwise use the MLS.

**5.1.4 Computer Access Fees:** The recurring computer access fee for each Participant shall be an amount times the total number of Subscribers and salespersons licensed or certified as Appraisers, brokers or salespersons, who are employed by or affiliated as independent contractors with such Participant.

### NONUSE

**5.1.5 Certification of Nonuse.** Participants may be relieved from payment under section 5.1.2 and 5.1.4 hereunder by certifying in writing to the MLS that a licensed or certified person in the office is engaged solely in activities that do not require a real estate license or certification or that the real estate licensee or licensed or certified appraiser will not use the MLS or MLS compilation in any way. In the event a real estate licensee or appraiser is found in violation of the nonuse certification, the Participant shall be subject to all MLS fees dating back to the date of the certification. The Participant and Subscriber may also be subject to any other sanction imposed for violation of MLS rules including, but not limited to, a citation and suspension or termination of participation rights and access to the service.

As the Broker-Participant, I acknowledge that only authorized users are permitted to access or use the MLS compilation and service. Any action that permits or facilitates access or use of MLS compilation and service by unauthorized parties is prohibited. Real estate licensee or appraiser employed by or affiliated as independent contractor with the firm who requires access or use of the MLS compilation and service shall apply for and participate as a Subscriber. Licensed or certified individual that engaged solely in activities that do not require a real estate license or certification who requires access or use of the MLS compilation and service shall apply for and participate as a Clerical User. **Licensee or appraiser employed by or affiliated as independent contractor with the firm, who do not require access or use of the MLS compilation and service shall be certified as "nonuse", be exempted from participation fee and computer access fee and WILL NOT ACCESS AND USE THE MLS COMPILATION AND SERVICE IN ANY WAY.**

In the event a real estate licensee or appraiser is found in violation of the nonuse certification, including but not limited to, sharing passcodes, submitting property listings of non-member licensees to the service, including non-member licensee contact information in the service, sharing key service or otherwise allowing unauthorized parties to access or use MLS compilation and service, I shall be subject to all MLS fees dating back to the date of the certification. I may also be subject to any other sanction imposed for violation of MLS rules including, but not limited to, a citation and suspension or termination of participation rights and access to the service.

Broker-Participant Signature: \_\_\_\_\_ Date: \_\_\_\_\_