



### CANOPY MLS WAIVER REQUEST FORM

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Except in instances where a waiver is granted as noted below, all active real estate licensees, including those who are part of a real estate team or who represent buyers exclusively, licensed or certified appraisers and appraisal trainees affiliated with a Member Participant (MP) must subscribe to the MLS. Applying for a waiver requires the signature of the MP and must be approved.

**If multiple agents within the firm will not utilize any services of the MLS under the firm indicated below, please submit list with agent names and license numbers, along with one of the six (6) reasons for the waiver request.**

While on waiver from the Canopy MLS, any licensee found to be (1) named as the listing or co-listing agent on a listing agreement, or named as the listing agent on a purchase agreement for a property listed in the Canopy MLS, or (2) named as the buyer agent on a buyer agency agreement or named as the selling agent on a purchase agreement for a property listed only in the Canopy MLS, except in the case of buyer agents from an MLS with which Canopy MLS has entered into a data-access agreement, will immediately be activated as a Subscriber, charged the Canopy MLS start-up fee and all applicable quarterly fees back to the initial date of the violation of this waiver policy and may be fined. The agent will also be required to complete the MLS New Member Orientation (if applicable). **In addition, the Member Participant of the office will be fined \$1,000.** When Canopy MLS revokes a waiver, the MP may not apply for a new waiver for that licensee until one year from the date of revocation.

Member Services staff administratively approves waiver requests for the following reasons. The Canopy MLS Board of Directors must approve any waiver request for a reason not listed below.

- 1. **PROPERTY MANAGEMENT:** Associates with an active license who deal exclusively in property management or commercial and industrial properties and who do not access the MLS system for any reason.
- 2. **OFFICER:** Principals or officers of the company with an active license, but who are not actively engaged in general real estate brokerage and who do not access the MLS system for any reason.
- 3. **NEW HOMES:** Any agent associated with a MP who represents a new-home builder and handles on-site sales only, either working directly for the builder or indirectly for a MP representing the builder and who do not access the MLS system for any reason.
- 4. **REFERRAL AGENT:** Any associated licensees who receive referrals only and do not use the MLS data in any manner to generate those referrals and are not engaged in listing or selling real property.
- 5. **COMMERCIAL/OTHER MLS:** Any licensee with an MP of MLS who exclusively subscribes to and markets listings in another MLS or Commercial Information Exchange (CIE). Listings that are co-listed with other licensees who are not MPs or Canopy MLS Subscribers shall not be entered into the MLS. \*Please indicate the name of the MLS that is utilized: \_\_\_\_\_
- 6. **APPRAISER/APPRAISER TRAINEE/REAL ESTATE LICENSEE:** Real estate licensee, certified or licensed appraiser or appraiser trainee already subscribes to the Canopy MLS under (firm) \_\_\_\_\_

#### PLEASE FILL OUT COMPLETELY

#### Certification of Broker/Salesman affiliated with Member Participant (MP)

I, \_\_\_\_\_ (Agent, print), (Real Estate Lic NC # \_\_\_\_\_ SC # \_\_\_\_\_) do not use any services of the MLS under the below indicated firm. I understand that if I should utilize the MLS in any form, at any time, the Member Participant with whom I am affiliated is obliged to pay the required set-up and subscription fee and subject to MLS category I violation.

Agent's Signature \_\_\_\_\_ Date \_\_\_\_\_

#### Certification of Member Participant (MP, head of firm, BIC)

I, \_\_\_\_\_ (MP, print), MLS Login ID \_\_\_\_\_, agree that the above-named agent does not utilize the MLS in any way under my firm, \_\_\_\_\_.

I have read the above and agree to the terms of this waiver and hereby request that the above-named licensee be granted a waiver from the MLS for the reason indicated above (check one).

Member Participant's Signature \_\_\_\_\_ Date \_\_\_\_\_