

MLS PARTICIPATION APPLICATION

I, _____, being a member in good standing of the **Jackson Association of REALTORS®**, Inc. do hereby agree and declare that I (and all licensed agents for whom I am responsible) will conform to the Bylaws in **Article XVIII, Section 4. Participation**, which states that any REALTOR® member of this or any other Association who is a principal, partner, corporate officer, or branch office manager acting on behalf of a principal, without further qualification except as otherwise stipulated in these bylaws, shall be eligible to participate in Multiple Listing upon agreeing in writing to conform to the Rules and Regulations thereof and to pay the costs incidental thereto. However, under no circumstances is any individual or firm, regardless of membership status, entitled to Multiple Listing Service "Membership" or "Participation" unless they hold a current, valid real estate broker's license and **offer or accept** compensation to and from other Participants or are licensed or certified by an appropriate state regulatory agency to engage in the appraisal of real property. Use of information developed by or published by an Association Multiple Listing Service is strictly limited to the activities authorized under a Participant's licensure(s) or certification and unauthorized uses are prohibited. Further, none of the foregoing is intended to convey "Participation" or "Membership" or any right of access to information developed or published by an Association Multiple Listing Service where access to such information is prohibited by law (Amended 11/08). According to the Policies & Procedures and Rules & Regulations of the Multiple Listing Service of Jackson, MS, Inc. the Participant shall pay costs incidental to membership and to further pay the **Participation fee of \$500.00** as set by the Board of Directors of the Multiple Listing Service of Jackson, MS, Inc.

_____, shall be designated as the voting member, and I hereby certify that I meet all requirements of voting designees.

I am responsible for the following licensed agents:

1. Name: _____
2. Name: _____
3. Name: _____
4. Name: _____

Signed: _____ **Date:** _____

FIRM NAME: _____ **Phone:** _____

Mailing Address: _____

Participation Fee: \$ _____ **Online Access Fee:** \$ _____

Reinstatement Fee pd. \$ _____ (\$50) **Reinstatement?** Yes ___ No ___

Website address: _____

Note: Mere possession of a broker's license is not sufficient to qualify for MLS participation. Rather, the requirement that an individual or firm 'offers or accepts cooperation and compensation' means that the Participant actively endeavors during the operation of its real estate business to list real property of the type listed on the MLS and/or to accept offers of cooperation and compensation made by listing brokers or agents in the MLS. "Actively" means on a continual and on-going basis during the operation of the Participant's real estate business. The "actively" requirement is not intended to preclude MLS participation by a Participant or potential Participant that operates a real estate business on a part time, seasonal, or similarly time-limited basis or that has its business interrupted by periods of relative inactivity occasioned by market conditions. Similarly, the requirement is not intended to deny MLS participation to a Participant or potential Participant who has not achieved a minimum number of transactions despite good faith efforts. Nor is it intended to permit an MLS to deny participation based on the level of service provided by the Participant or potential Participant as long as the level of service satisfies state law.

The key is that the Participant or potential Participant actively endeavors to make or accept offers of cooperation and compensation with respect to properties of the type that are listed on the MLS in which participation is sought. This requirement does not permit an MLS to deny participation to Participant or potential Participant that operates a Virtual Office Website ("VOW") (including a VOW that the Participant uses to refer customers to other Participants) if the Participant or potential Participant actively endeavors to make or accept offers of cooperation and compensation. An MLS may evaluate whether a Participant or potential Participant "actively endeavors during the operation of its real estate business" to "offer or accept cooperation and compensation" only if the MLS has a reasonable basis to believe that the Participant or potential Participant is in fact not doing so. The membership requirement shall be applied on a nondiscriminatory manner to all Participants and potential Participants. (Adopted 11/08)