

## Keypad Rules and Regulations

### Eligibility

1. Every Association REALTOR® and non-member in good standing who meets the criteria of the Rules and Regulations shall be eligible to obtain a keypad, subject to their execution of a vendor agreement and subject to any vendor rules and regulations. REALTOR® members do not need to hold membership in the Multiple Listing Service in order to participate in the lockbox system; however, they will receive a “Call before Showing” (CBS) keypad. Only one keypad per member will be issued.
2. Affiliate members of the Association who are actively engaged in a recognized field requiring inspection of property may obtain a keypad, subject to their execution of a vendor agreement and subject to any vendor rules and regulations. Only one keypad per member will be issued.
3. REALTORS® from other Associations that are either secondary members or MLS-only members may be issued keypads.

### Changes to Membership

When a keyholder, a) no longer chooses to participate in the lockbox system, or, b) is no longer a member of the Association, or c) transfers to a different firm, the keyholder is responsible for notifying the Association of such change. In the case of discontinuing the service or termination of membership, the keyholder is responsible for turning in the keypad and all other equipment within seven (7) days, and fulfilling any other terms agreed to in the vendor agreement. Charges on keypads will continue to be billed until all equipment is returned to the Association and the proper cancellation forms are completed.

### Suspension

The Association may refuse to sell or lease keypads, may terminate existing keypad agreements and may refuse to activate or deactivate any keypad held by an individual convicted of or charged with a felony or misdemeanor if the crime, in the determination of the Association, relates to the real estate business or puts or threatens to put, clients, customers, or others at risk.

### Training

All new keyholders must attend a training class in order to avoid suspension of their keypad.

### Keyholder Responsibilities

1. A keyholder may not use the keypad to access a keybox without first calling the listing office to ascertain the availability of the property and to schedule a preview or showing, unless instructed otherwise by the listing office/appointment center (clarification: appointments are required for all vacant and occupied homes, for radon placement and removal, for repeat showings or inspections, etc.) Violations of this rule shall result in penalties, including but not limited to fines up to \$500 for each violation and/or suspension from use of the keybox system for a specified period of time.
2. Keyholder shall not allow their keypad to be loaned, given or used by other persons at any time. Violations of this rule shall result in penalties, including but not limited to a fine of up to \$500 for each violation of this rule and/or suspension from use of the keybox system for a specified period of time. (A broker-in-charge may loan his or her keypad to an agent who experiences keypad problems after WSRAR business hours. Brokers-in-charge assume liability for the use of the keypad under these circumstances.)
3. A keyholder may not allow a person who is not a customer/client or assistant to be present in the property without the authorization of the listing agent.

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### CBS Keypads

With CBS keypads, the Association does not guarantee to the member that REALTORS® will provide CBS codes for the member’s keyboxes. It is solely at the discretion of the REALTOR® to provide CBS codes to members for their own keyboxes and to maintain records of their own CBS codes. For security purposes, the Association cannot release CBS codes to members; the codes must be obtained through the listing agent.

### Shackle Codes

The Association will only provide shackle codes for keyboxes to the keyholder to which the keybox is assigned.

**Key Audit**

An annual key audit shall be held during the month of November of each year. Each keyholder shall be sent a certification form verifying they are still in possession of the keypad that is assigned to them in the lockbox system database. The certification form shall be returned to the Association prior to November 30<sup>th</sup>. Any keyholders that do not respond by that time will have their keypads deactivated until the form is submitted.

**Penalties and Enforceability**

Any keyholder may be assessed penalties, including fines for violations of these keybox system rules. Penalties may include a letter of reprimand, suspension from use of the keybox system for a period of time, and/or a fine up to \$500.

Any member, having reason to believe that the penalty/fine imposed on that member is without merit, may request a hearing before the MLS Committee. The request for hearing must:

1. Include proof of correction where applicable
2. Include copies of any relevant documents
3. Include an appearance deposit equal to ½ the assessed fine where applicable
4. Be sent to WSRAR within twenty (20) days after receiving the penalty/fine

After receiving the request, WSRAR shall send notice to the member offering two hearing dates. The member will have fifteen (15) days to notify WSRAR of the preferred date. If the member does not respond within that timeframe, it will be considered a “non-appearance” and the remaining ½ of the fine will be assessed and/or the penalty will remain in effect. If the member fails to appear at the hearing and has not requested a continuance, it will be considered a “non-appearance” and the remaining ½ of the fine will be assessed and/or the penalty will remain in effect.

The member who requested the hearing may cancel the request. The request must be in writing and received prior to the hearing date. The remaining ½ of the fine will be assessed and/or the penalty will remain in effect, and the member waives any future right to contest the penalty/fine which was the subject of said hearing.

Minutes will be taken at the hearing. The MLS Committee will submit their decision in writing within ten (10) days. If a majority of the MLS Committee finds that a rule or regulation has been violated, the fine stands and the remaining ½ of the fine will be assessed and/or the penalty will remain in effect. If the majority of the MLS Committee finds that the member’s appeal prevails on its merits, the penalty/fine will be revoked and the appearance deposit will be returned, if applicable.

If any provision of these rules and regulations shall be held to be invalid, illegal or unenforceable, such holdings shall not affect the validity, legality or enforceability of the remaining provisions. These rules and regulations shall include any and all amendments thereto which may be adopted from time to time.

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**Mechanical Lockboxes**

Please be advised WSRAR strongly discourages the use of mechanical keyboxes due to their lack of security safeguards. WSRAR strongly recommends changing the combination on mechanical lockboxes upon purchase and then frequently thereafter. Please keep the codes in a secure place and release them only to people authorized for entry into your listings.

I agree to abide by these rules and regulations and the SUPRA rules and regulations, as they appear in the front of the user’s guide, at all times.

Signed: \_\_\_\_\_

Please print name: \_\_\_\_\_

Keypad number (on back of keypad): \_\_\_\_\_

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