

Standard Form Changes

One of the services that the Mississippi Association of REALTORS® provides to its members is forms that are commonly used in real estate transactions. To be sure that our standard forms are the best they can be, we continually get input and feedback from our members, our attorney and others. Our attorney, Ron Farris, has recently reviewed all of our forms and has made recommendations to make them more user-friendly and clean up some language that was causing some problems. Look for these later in the year after our Standard Forms Committee meets in March.

A few changes have already been made and are now on ZipForms and in the Standard Forms library at the msrealtors.org. They are:

Form F4, Paragraph 4

Existing lines 21-26 were replaced to allow licensees more flexibility in how they can receive compensation.

Replace existing Lines 21-26 with the following: *(a) Owner agrees to pay Broker, irrespective of agency relationship(s), [CHOOSE ALL THAT APPLY]: a commission of _____% of the selling price; a flat commission of \$_____ if the property is sold during the term herein set forth; If the property is sold, transferred, conveyed, leased or rented without the written consent of Broker or made unmarketable by Owner's voluntary act during the term hereof or any extension hereof, Owner agrees to pay Broker a commission of \$_____ (ALL items marked constitute aggregate commission to be designated "broker's commission" in closing statement)*

And strike Line 43 and the Yes/No check boxes, since it is no longer legal to accept a fee for selling a home warranty.

Form F8, Lines 19-21

Removes "administrative fee" per RESPA requirement

Replace existing Lines 19-21 with: **COMPENSATION:** Buyer agrees to pay Broker, irrespective of agency relationship(s), [CHOOSE ALL THAT APPLY]: a commission of _____% of the selling price; a flat commission of \$_____ if the property is purchased during the term herein set forth;

Form F8, Lines 28-30

Since it is not proper for the buyer's agent to negotiate with the seller, that provision was removed and the language was changed.

Strike existing lines. Replace with: Agent agrees to accept the fee agreed to in Lines 19-21 from the co-op offered by the Seller through the Listing broker. If the Seller's co-op fee to the Buyer's agent is less than the fee in Lines 19-21, Buyer agrees to pay the difference.

Form F28, Line 16

Replace the word "against" with "between" because of a judge's ruling in a Mississippi court case.

Form F31, Line 2

Change the dollar amount from "\$2500" to "3500" to comply with Mississippi Justice Court limitations.

Please use only the latest version of Standard Forms because the changes were made to make your job easier and reduce your liability. The form date is found on the bottom right-hand side of each form. These changed forms are: *Rev. Date 12/2011*