

# Instruction and rule for filing an exemption

"Section 2.3 EXEMPTED LISTINGS. Listing exemptions in the MLS should be a rare occurrence in which a seller is specifically requesting an exemption for extenuating circumstances. If an exemption is requested, the seller must provide a written request in the form of a signed, notarized letter documenting these circumstances and an exemption form signed and notarized by the seller and listing broker. If a seller requests an exemption, the exempted property address may not be re-entered at a later date with the same seller under the same listing brokerage, unless approved by the MLS Committee. Exemptions may not be used for the express purpose of maintaining a listing as a "coming soon" or a "pocket listing". The fee for filing a listing exemption shall be \$250.

If listing is not ready to be shown (repairs, updating, staging, etc.), you will need to add to the remarks section that listing should not be shown until completion of repairs.

If a listing is "pre-marketed" ("coming soon", "pocket listing") and SELLS before it goes into MLS, it cannot go into MLS as "entered for comp purposes".

*Listings that are offered to the market by sellers but offer compensation to a buyer's agent may be entered into MLS under the following circumstance:*

- The Non-MLS field is checked*
- "Agreement to Show Unlisted Property" must be on file with the agent's brokerage and may be requested at the by HAAR staff to validate the closing details of the Non-MLS listing*
- Compensation must have been paid to an agent in the transaction*
- Remarks may not say "for comp purposes only"*
- All Non-MLS listings will be defaulted by the HAAR staff to Non-Member listing agent*
- MLS rules and fines for listings do apply to Non-MLS listings*

**Seller Advisory and Authorization to Exclude Listings  
From Multiple Listing Service**

Property Address (Please Print): \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

1. The Hattiesburg Area Association of REALTORS®, Inc. (HAAR), maintains a Multiple Listing Service (MLS) for the benefit of its participants and subscribers who agree to abide by the MLS Rules and Regulations. Listing information submitted to the HAAR MLS describes the property, price and other terms and conditions under which a seller's property is offered for sale, including but not limited to the listing broker's offer of compensation to other brokers. These listings are available to all MLS Participants and subscribers and their potential buyers through its subscription website, as well as to the general public through its public website and (if permitted by the Seller) third party real estate websites that receive MLS data from the HAAR MLS.
2. Authorization is required to exclude property from HAAR MLS, and MLS Rules require all real estate agents and brokers who are participants in the MLS, submit all their exclusive right to sell and exclusive agency listings on all property in HAAR's jurisdiction (Forrest, Lamar, Covington, Marion, Perry and Stone Counties) within 48 hours (exclusive of weekends and legal holidays) after obtaining all necessary signatures of the seller(s) for such listing. However, a seller may refuse to permit the listing to be disseminated by HAAR MLS, in which case the listing broker must submit to HAAR within 48 hours, this certification, signed by the seller and the broker, and a copy of the listing agreement (Exclusive Right to Sell or Exclusive Agency). This form supersedes any listing agreement on the submission of property into MLS.
3. Notice and Acknowledgement: If exempted the property may not be re-entered at a later date with the same seller or brokerage unless approved by the MLS committee. Page 48, MLS Rules and Regs..
  - a. Seller's property will not be included in the MLS database and therefore will not be made available to other real estate brokers and agents or the public. Public marketing includes, but is not limited to, flyers displayed in windows, yard signs, digital marketing on public facing websites, brokerage website displays (including IDX and VOW), digital communications marketing (email blasts), multi-brokerage listing sharing networks, and applications available to the general public. \_\_\_\_\_
  - b. HAAR will not make available information on seller's property to other real estate websites used by the general public to search for properties for sale. \_\_\_\_\_
  - c. Real estate agents, brokers and members of the public consequently may be unaware of the availability of seller's property or the terms and conditions under which seller is marketing the property. \_\_\_\_\_

Seller certifies that seller understands the consequences of excluding his/her property from HAAR MLS. By signing below, Seller acknowledges that Seller has read, understands, accepts and has received a copy of this authorization.

Broker/agent agrees to pay exemption fee as provided in MLS Rules and Regulations.

Seller Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Seller Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Broker Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Agent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Office: \_\_\_\_\_

**AUTHORIZATION WILL NOT BE ACCEPTED WITHOUT BROKER SIGNATURE**

Return form to: [hattiesburgrealtors@haar-ms.org](mailto:hattiesburgrealtors@haar-ms.org) or fax to: 601-582-0089  
Mailing Address: 411 Classic Drive, Hattiesburg, MS 39402