

**SELLER'S INSTRUCTION TO EXCLUDE LISTING FROM THE MLS (Multiple Listing Service)**

Please [click here](#) to submit Listing Waiver form.

FAX (925) 730-4065 or email [mlsservices@bayeast.org](mailto:mlsservices@bayeast.org)

This waiver is being submitted for Property located at: \_\_\_\_\_

and listed with (Firm Name) \_\_\_\_\_

Listing Agreement Date: \_\_\_\_\_ Listing Expiration date: \_\_\_\_\_

1. **EXPOSURE TO BUYERS THROUGH MLS.** Listing property with an MLS exposes a seller's property to all real estate agents and brokers who are participants or subscribers to the MLS, all real estate agents and brokers receiving access to the MLS by way of an MLS reciprocal agreement, and potential buyer clients of those agents and brokers. The MLS may further transmit the MLS database to Internet sites that post property listings online, including national compilations of properties for sale (such as Realtor.com) and possibly even international compilations of properties for sale (such as worldproperties.com).

2. **CLOSED/PRIVATE LISTING SUBGROUPS OF CLUBS:** The MLS provides broad exposure for listed property. Closed or private listing clubs or subgroups are not the same as the MLS: They are accessible to a more limited number of licensees and generally offer less exposure for listed property. Whether listing property through a closed, private network – and excluding it from the MLS – is advantageous or disadvantageous to a seller, and why, should be discussed with the seller's listing agent. Listing a property on a closed or private listing

3. **IMPACT OF EXCLUSION OF PROPERTY FROM MLS:** If Property is excluded from the MLS, Seller understands and acknowledges that: (a) real estate agents and brokers from other real estate offices who have access to that MLS, and their buyer clients, may not be aware that Seller's Property is offered for sale; (b) information about Seller's Property will not be transmitted to various real estate Internet sites used by public to search for property listing; (c) real estate agents, brokers and members of the public may be unaware of the terms and conditions under which Seller is marketing the Property; and (d) the reduction in exposure of the Property may lower the number of offers made which may adversely impact the sales price.

4. **CLEAR COOPERATION:** Section 7.5.1 of the MLS states if you market a property you must submit the listing to the MLS for cooperation with other MLS participants within one (1) business day. Closed or private listing clubs or subgroups are considered marketing and you must comply with Section 7.5.1. By entering the listing in the MLS under the Coming Soon Status, you have met the requirements of the Clear Cooperation rule. See MLS Rules Section 7.5.1 for what constitutes Public Marketing.

5. **SELLER OPT-OUT:** Seller certifies that Seller understands the implications of not submitting Property to the MLS and instructs Broker as following (Check one):

- A. ☐ Do not submit Property to the MLS Until \_\_\_\_\_ (**DATE MUST BE ENTERED**). **The property cannot be marketed to the public until property is listed on the MLS (see #4 above).**
- B. ☐ Do not submit Property to the MLS during the entire listing period. **The property cannot be marketed to the public until property is listed on the MLS (see #4 above).**

**By signing below, Seller acknowledges that Seller has read, understands, accepts and has received a copy of this waiver form**

Owner/Seller Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Owner/Seller Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Listing Agent: \_\_\_\_\_ Member # \_\_\_\_\_  
Print Name Signature

Listing Agent Phone #: \_\_\_\_\_

Listing Broker \_\_\_\_\_ Member # \_\_\_\_\_  
Print Name Signature

No substitute waiver form may be submitted other than C.A.R. "SELM" (Seller Instruction to exclude listing from the MLS) Form