MOREMLS
4000 Rt. 66, One Hovchild Plaza, Suite 210, Tinton Falls, NJ 07753
Phone: 732-918-1340
www.monmouthoceanrealtors.com
info@monmouthoceanrealtors.com

IMPORTANT ADVISORY

Each office is entitled to ONE unlicensed **processor at no cost to the office. Each additional processor/**assistant will be charged an annual fee of 50% of the *current MLS Fee, for access to the MLS system. (After the first processor code, the fee for ***this*** billing cycle will be $100 per code.) You will need to supply an application for each existing processor/assistant, in order for that processor code to continue to have access to the MLS system, as well as an application for any new processors/assistants to gain access to the system. This is also applicable to an agent (or teams) with a personal unlicensed assistant. Included here is an application. Please file one for each processor & unlicensed assistant.

Also included for your convenience, is a list from the New Jersey Real Estate Commission, on what is permissible and prohibited actions of an unlicensed support staff or assistant.

**Fee subject to change whenever participation fees change.*

***Processors have the same access to MLS information as the Broker/Manger they are associated with.*
Personal Assistants only have access to the MLS information of the specific licensee they are associated with.

**** Processors and Personal Assistants require Broker/Designated Realtor signature on application*

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PROCESSOR / ASSISTANT CODE REQUEST

I hereby apply for a code to access the Multiple Listing Service of the Monmouth Ocean Regional REALTORS® as a processor/assistant, and agree to abide by the MOREMLS Rules and Regulations.

I hereby irrevocably waive any and all claims against the Association, its Officers, Directors or Members for any act in connection with the business of the Multiple Listing Service of the Association and particularly as to its or their acts in electing or failure to elect, advancing, suspending, expelling or otherwise disciplining me as an unlicensed user of the Multiple Listing Service.

Company Name: _____

Company Office ID: _____

Company Address: _____

_____

Office Phone#_____Fax# _____

NAME of Processor/Assistant:_____

SIGNATURE of Processor/Assistant:_____

Email Address of Processor/Assistant:

Current Processor/Assistant code:_____(if applicable)

☐ **Check here if this is a name change only**.

For Office Processor Assignment - Processors have the same access to MLS information as the Broker/Manager the code is associated with.

*Broker/Manager_____Brokers **MLS** ID# _____

*Signature of Broker _____

For Personal Assistant Assignment - Personal Assistants only have access to the MLS Info of the specific licensee they are associated with.

*Name of Agent_____Agent's **MLS** ID# _____

*Signature of Broker _____

Payment Information: (Required if there is more than one processor, and for ALL non-licensed assistants.)

AMEX/VISA/MC Card#_____Exp Date _____

Or CHECK#_____Amount _____

PERMISSIBLE AND PROHIBITED ACTIONS OF UNLICENSED ASSISTANTS AND SUPPORT STAFF

Unlicensed assistants and support staff are valuable employees in a real estate office. However, given the licensure requirements imposed by law, N.J.S.A. 45:15-1 and 15-3, there are parameters to the activities in which unlicensed persons may lawfully engage. The REC has reviewed an earlier publication of the "Dos and Don'ts" of unlicensed assistants and support staff and believes these guidelines bear repeating to enable licensees and unlicensed individuals to avoid potential violations. **Please note that the following lists do not define every permitted or prohibited activity but are intended to offer reasonable guidelines for licensees to follow:**

An unlicensed assistant or secretary CAN:

***Answer phones and forward calls.**

***Process and submit listings and changes to a MLS system.**

***Follow-up on loan applications after contracts have been fully executed.**

***Set up file procedures, track and secure documents, etc.**

***Have keys made for company listings at the direction of a licensee.**

***Write ads for approval of a licensee, place ads as directed.**

***Keep records of, and deposit payments of earnest money, security deposits and rent.**

***Type contract forms for approval of a licensee.**

***Monitor files and report findings to a licensee.**

***Compute commission checks.**

***Place signs on properties.**

***Order items or inspections as directed by a licensee.**

***Prepare flyers and promotional material for approval by a licensee.**

***Act as a courier for delivering documents or picking up keys etc. (Licensee is responsible for delivery of contracts or closing materials).**

***Schedule appointments with the seller or seller's agent in order for a licensee to show listed property.**

An Unlicensed assistant or secretary CANNOT:

***Make cold calls by telephone or in person to potential listers, purchasers, tenants, or landlords.**

***In the absence of a licensee, host open houses, booths at home shows, malls or fairs, or distribute promotional literature at such locations.**

***Prepare promotional material or ads without the review and approval of a licensee.**

***Show property.**

***Answer any questions on listings, title, financing or closings from either the public or other licensees.**

***Discuss or explain a contract, listing, lease agreement or other real estate document with anyone outside the firm.**

***Work as a licensee/secretary in one firm and do real estate related activities with that firm, while licensed with another firm.**

***Negotiate or agree to any commission, commission split, management fee or referral fee on behalf of a licensee.**

***In addition, the compensation of a personal assistant or secretary should not be based on the success of their activity, i.e. a percentage of commission, but should be directly related to the duties the non-licensee is performing. If a licensee is using another licensee to act as their personal assistant/secretary, both should be aware that they are employees or independent contractors of their broker and compensation must be paid by the broker.**

***All licensees are cautioned to research and adhere to Federal and State Income Tax and Employment requirements.**

***Make telephone calls for the purpose of collecting or attempting to collect late rent payments.**

Finally, **inspections**: Because it is highly likely that during the course of an inspection questions will be raised by the prospective purchaser and/or the owner of the property which only a licensee would be qualified to answer, it has been determined that an unlicensed individual should not be present during such inspections in the absence of a licensee. However, if for **security/safety** reasons a licensed individual requests their assistant accompany them to an inspection, there would clearly be no impropriety.

It remains the position of the Commission that unlicensed individuals should not answer any questions on listings, even if the questions only inquire about objective information contained in preprinted material about the property. It is helpful to recall that unlicensed persons may not host open houses in the absence of a licensee.