



**SELLER INSTRUCTION TO EXCLUDE LISTING
FROM THE MULTIPLE LISTING SERVICE
AND DAYS ON MARKET**

(C.A.R. Form SELM, Revised 12/19)

This is an addendum ("Addendum") to the Listing Agreement or Other _____ ("Agreement") dated 03/05/2020 on property known as 137 ROCKY POINT ROAD, LAKE ARROWHEAD, 92352 ("Property"), in which BILL POWERS FAMILY TRUST is referred to as Seller and Coldwell Banker Sky Ridge Rlty is referred to as Broker.

1. **MULTIPLE LISTING SERVICE:** Broker is a participant/subscriber to the RIM/CRMLS Multiple Listing Service (MLS). The MLS is a database of properties for sale that is available and disseminated to and accessible by all other real estate agents who are participants or subscribers to the MLS or a reciprocal MLS. Property information submitted to the MLS describes the price, terms and conditions under which the Seller's Property is offered for sale.
2. **MANDATORY SUBMISSION TO MLS:** The MLS generally requires brokers participating in the service to submit all exclusive right to sell and exclusive agency listings for residential real property or vacant lots to the MLS within **2** (or _____) Days of obtaining all necessary signatures of the seller(s) on the listing agreement unless Broker submits to the MLS an instruction signed by Seller (such as this form or a local equivalent form) excluding the listing from the MLS.
3. **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, or a reciprocal MLS, 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.
4. **CLOSED/PRIVATE LISTING CLUBS OR GROUPS:** The MLS provides broad exposure for a listed property. Closed or private listing clubs or groups are not the same as the MLS: They are accessible to a much more limited number of licensees and provide 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 agent taking the seller's listing.
5. **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 the public to search for property listings; and (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.
6. **IMPACT/REDUCTION OF EXPOSURE:** Any reduction in exposure of the Property may lower the number of offers made and negatively impact the sales price.
7. **(DOM) DAYS ON MARKET or DAYS ON MLS:**
 - A. The number of days an unsold property remains either on market or on MLS, may affect the perception of how desirable the property is to real estate agents and buyers.
 - B. Many MLS's use the term DOM to mean Days on Market, while others use the acronym to mean Days on MLS. As a general rule, if DOM means Days on Market, the first Day on Market will be the beginning date of the Listing Agreement, which is either the beginning date identified on the Agreement, or the date of the last signature required to make the Agreement valid, whichever is later. DOM may alternatively begin later than the effective date of the Listing Agreement as long as NO MARKETING of the Property occurs prior to that date. Marketing is any communication made to the public containing any information, details, price or terms of any potential sale of the Property, or any communication made to the public with regard to the Brokerage firm or Agent's representation of the Seller. Marketing includes, but is not limited to: Placing a sign on the Property, Internet Website posts, Social Media posts, Flyers or Advertising, and Open Houses. Where DOM means Days on MLS, it's possible that marketing time prior to submission to the MLS might not be measured on the MLS. Calculating DOM will differ depending on the MLS.
 - C. **On Market Date.** Many MLSs treat the date the Listing is submitted to the MLS or, the date marketing begins, whichever is earlier, as the "on market date" for the purpose of calculating the DOM.
 - D. You should talk to your real estate broker or agent about the meaning of DOM and On Market Date and how they might affect the sale of your Property.




8. **SELLER OPT-OUT:** Seller certifies that Seller understands the implications of not submitting Property to the MLS and instructs Broker as follows (Check one):
- A. Market Property immediately but **DO NOT** submit Listing to the MLS for a period of ____ calendar days from the commencement of the listing or until _____ (date).
 - B. Market Property immediately but **DO NOT** submit Listing to the MLS during the entire listing period provided for in the Agreement.
 - C. **DO NOT** Market the Property immediately. Begin marketing the Property on TBD (date). Submit Listing to the MLS on TBD (date).

9. **MLS CLEAR COOPERATION POLICY:**

- A. **The MLS to which Broker belongs has adopted a rule that requires all listings be submitted to the MLS within one business day after marketing a property to the public.** Public marketing includes flyers displayed in windows, yard signs, digital marketing on public facing websites, brokerage website displays, email blasts, multi-brokerage listing sharing networks, and applications available to the general public. Public marketing does not include an office exclusive listing where there is direct promotion of the listing between the brokers and licensees affiliated with the listing brokerage, and one-to-one promotion between these licensees and their clients.
- B. Under these circumstances, keeping the Property off the MLS means that (i) no public marketing will occur and (ii) the scope of marketing that will occur will consist only of direct one-on-one promotion between the brokers and licensees affiliated with the listing brokerage and their respective clients. By checking paragraph 9 and signing below, (i) Seller understands the implication of not submitting Property to the MLS is that any marketing of the property will be limited to the exposure offered by office exclusives and (ii) Seller nonetheless instructs Broker to exclude the listing from the MLS for the period of time specified in paragraph 8. Should any public marketing commence, seller understands and agrees that the listing will be submitted to the MLS within one business day.
- C. **If this paragraph 9 is checked, it supersedes any contrary information specified in paragraphs 2 or 7 or any contrary instruction specified in paragraph 8.**

10. In all cases specified in 8 or 9 above, the Property may be submitted to MLS sooner than specified if authorized in writing by Seller.

By signing below, Seller acknowledges that Seller has read, understands, accepts and has received a copy of this Addendum.

Seller BILL POWERS FAMILY TRUST  BILL POWERS FAMILY TRUST Date 03/09/2020 03:04 PM GMT

Address _____ City _____ State _____ Zip _____

Telephone _____ Fax _____ E-mail mrbillp@cox.net

Seller _____ Date _____

Address _____ City _____ State _____ Zip _____

Telephone _____ Fax _____ E-mail _____


Real Estate Broker (Firm) Coldwell Banker Sky Ridge Rlty DRE Lic. # 00992110

By (Broker or Office Manager) Steve Deefe DRE Lic. # 00992110 Date 3/9/2020

Address 27214 Highway 189 City Lake Arrowhead State CA Zip 92352

Telephone (909)336-7928 Fax (909)336-2400 E-mail _____

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