

## GUIDELINES FOR COMPLETING CONFIRMATION OF **COMPENSATION**, AGENCY, **RELATIONSHIP, AND APPOINTMENT & COMPENSATION**-FORM (Form No. 220)

**NOTE:** When working with a For Sale By Owner you should use Form 150

You should **not** attach form # 220 (the “Form”) to an Offer to Purchase and Contract or make reference to it therein.

Article 3 of the *Code of Ethics and Standards of Practice* requires cooperating brokers to ascertain terms of compensation, if any, *before* beginning efforts to accept an offer of cooperation from a listing agent. The Form may be used to satisfy this ethical requirement.

The Form is **not** mandatory. It is designed for use by buyer agents or subagents under the following circumstances:

- You are not a subscriber/user of the MLS where the property is listed; or
- You are seeking compensation other than that being offered in the MLS; or
- The MLS compensation is not made to you as a buyer agent or subagent (as the case may be); or
- When the subject property is listed but the Seller has not authorized placement in an MLS; or
- To confirm your status as a buyer’s agent in writing. (The license law and the *Code of Ethics* mandate written confirmation of such status no later than the delivery of an offer to purchase to the seller or seller’s agent. Note: you may also accomplish this by checking the appropriate box on the Offer to Purchase and Contract form); or
- To document disclosure of and consent to any other fees that you may receive in connection with the sale of the subject property. (The *Code of Ethics* prohibits a REALTOR® from accepting compensation from more than one party in a transaction without disclosure to all parties and the informed consent of the REALTOR®’s client.)

If the subject property is listed in a multiple listing service, the terms of compensation are established via a blanket offer of compensation by the listing agent to all Participants in the MLS.

**Acknowledgement.** It is not required that the Form be signed by the buyer and the seller. However, in order to document disclosure to and consent from the parties of the fee arrangements in a transaction, an *optional* “Acknowledgement” section appears at the bottom of the Form.

