



APPLICATION FORM FOR WAIVER OF ONEKEY™ MLS SUBSCRIBER FEES FOR AFFILIATED LICENSED REALTORS® OR APPRAISERS

The individual(s) named in Exhibit A ("Waiver Applicant(s)") will be exempt from payment of the OneKey™ MLS Subscriber fee so long as such Waiver Applicant(s) satisfies **ALL** of the following requirements:

1. Waiver Applicant is NOT a listing agent or co-listing agent for any active listing included in the OneKey™ MLS System (OneKey™ MLS System definition will be the same as stated in the Participant and Subscriber Agreements);
2. Waiver Applicant does NOT directly or indirectly access or use in any manner whatsoever the listing information stored in the OneKey™ MLS System. Such access and use include, but is not limited to, direct access to or use of the OneKey™ MLS System and the use of the other devices or services provided by OneKey™ MLS or its affiliated or licensed vendors or suppliers that permit access to and use of any listing information from the OneKey™ MLS System;
3. Waiver Applicant does NOT use, directly or indirectly, in any manner whatsoever information from the OneKey™ MLS System to list properties for sale or lease, to identify or locate properties for sale or lease, to identify or locate properties for any potential buyers or lessees, and does not participate in listing or sales activity requiring licensure for any properties listed in the OneKey™ MLS System, including but not limited to arranging appointments or showings, or appearing at open houses;
4. Waiver Applicant is NOT a member of a team where any other team member has access to the OneKey™ MLS System;
5. Waiver Applicant subscribes to another Multiple Listing Service (other than OneKey™ MLS) pursuant to his/her Participant's participation in that other MLS;
6. Participant and Waiver Applicant(s) must provide documentation verifying the Participant's and Waiver Applicant(s)' subscription to an alternate MLS; and
7. Participant and Waiver Applicant(s) must renew this Waiver Application annually.

CERTIFICATION BY WAIVER APPLICANT(S)'S OneKey™ MLS PARTICIPANT

I certify that the Waiver Applicant(s) named herein on Exhibit A (incorporated herein by reference) is/are affiliated with me and meet **ALL** of the above requirements, and therefore is/are eligible for a waiver of each Waiver Applicant(s)'s OneKey™ MLS Subscriber fee. I understand that I will need to supply an additional signed Exhibit A for any future Waiver Applicants and any future Exhibit A will become part of this Agreement. Further, I agree to notify OneKey™ MLS immediately if any Waiver Applicant remains affiliated with me but has become ineligible for a waiver of the fee. Simultaneously with such notice to OneKey™ MLS, I will inform the agent that said agent must subscribe to OneKey™ MLS immediately.



One Maple Avenue, White Plains, NY 10605

914-681-0833 | OneKeyMLS@HGAR.com

www.onekeymlsny.com



I understand that any violations of the conditions of this waiver will result in automatic revocation of this waiver for the violating Waiver Applicant. I understand and agree that if a Waiver Applicant listed on Exhibit A violates this Waiver Application, a non-compliance fee of \$2,500.00 will be levied against the violating Waiver Applicant **and** a non-compliance fee of \$2,500.00 will be levied against the OneKey™ MLS Participant. I agree to pay any non-compliance fee levied against me **and** I agree to pay any non-compliance fee levied against a violating Waiver Applicant who fails to pay such fee and remains affiliated with my brokerage. I understand that if a violating Waiver Applicant is no longer affiliated with my brokerage, I am not responsible to pay the fee issued to the violating Waiver Applicant, although I remain responsible for the non-compliance fee issued to me.

I acknowledge that non-payment of the non-compliance fee(s) by the due date as indicted on the invoice from OneKey™ MLS will result in the OneKey™ MLS access for me and all Subscribers associated with me to be suspended until such time as all fees have been satisfied.

Signature of OneKey™ MLS Participant

Print Name of Participant

Date

Print Company Name

Email to: Membership@HGAR.com

Fax to: 914-681-6044

Mail to: OneKey™ MLS, One Maple Avenue, White Plains, NY 10605

Note: A waiver becomes effective immediately upon receipt and processing by OneKey™ MLS of a properly completed application form provided the applicant satisfies all requirements listed above. Approved waivers shall remain in effect until the applicant becomes an active subscriber, changes brokerages, or subsequently fails to satisfy any of the waiver requirements. Applicant will be notified by OneKey™ MLS if this application is not approved.



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EXHIBIT A

The Participant hereby acknowledges that a copy of this Waiver Application Form has been provided to each Waiver Applicant named below and that each Waiver Applicant has been advised that any change in his/her waiver eligibility must be communicated immediately to his/her Participant.

The Participant acknowledges and affirms that each Waiver Applicant listed below (i) satisfies **ALL** the requirements set forth in the Waiver Application Form attached hereto, (ii) is eligible for a waiver of the OneKey™ MLS Subscriber fee, (iii) agrees to notify the Participant with whom he/she is affiliated immediately if he/she becomes ineligible for a waiver of the fee, (iv) agrees to immediately subscribe to OneKey™ MLS if he/she become ineligible for a fee waiver and remains affiliated with the Participant who signed this Waiver Agreement, and (v) agrees to pay a non-compliance fee of \$2,500.00 if he/she violates this Waiver Agreement.

This form must be filled out fully and signed by the Participant. OneKey™ MLS will email the Participant with “Approved” or “Denied” confirmation.

[illegible]

Signature of Participant

Print Name of Participant

Date

Print Company Name