

Summary of NAR Settlement Agreement

Highlights from **NAR Settlement**

1. All NAR Realtor members except BHHS/HomeServices Affiliates are covered (agents). Note that Anywhere, RE/MAX and KW already settled.
2. Approximately 90 brokers that are above \$2B in sales volume are *not* covered by the NAR Settlement. Their Realtors ARE covered.
3. NAR Settlement includes rules changes that go into effect July 2024.
4. Includes 3 main seller lawsuits and all copycats (does not include the buyer lawsuits).
5. Settlement must be approved by the court.



Compensation Rule Changes

1. **No requirement** to be a member in an association or MLS to receive compensation.
2. **No offer of buyer broker compensation** allowed in Realtor MLS.
3. **No requirement of unilateral offer of compensation** to a buyer broker.
4. Can't create a **non-MLS mechanism** (portal, social group, etc.) for the purpose of listing brokers making compensation offers to buyer brokers.
5. Buyer broker compensation **can** be listed on brokerage or agent website for broker's listings only.



Contract and Disclosure Rule Changes

1. May not state services as “free” unless there is no compensation from any source.
2. Must disclose that fees and commissions are not set by law and are fully negotiable.
3. Buyer broker must have the buyer sign an agreement and negotiate fees **prior** to showing a property from MLS.
4. The **amount of compensation cannot be open-ended** (must be a specific percent or amount).



Seller Concessions Rules

1. Sellers may offer concessions via MLS for buyer closing costs but CANNOT be a specific reference to buyer agent compensation (offer a % or specific number)
2. Seller concessions must be asked for in the contract (note on COE and State laws)
3. Concessions are subject to open negotiations in the purchase contract
4. Buyer agent may not be paid more than pre-negotiated amount on the Buyer Broker Agreement



T3 Sixty Offerings For Brokers

Buyer Brokerage Assessment

In-depth evaluation and recommendations for your buyer brokerage materials, practices and presentation.

Adapting to Shifting Compensation for Buyer Agency Presentation

A custom virtual or in-person presentation specific to your brokerage and state's agency laws and rules.

For inquiries and scheduling, please email connect@t3sixty.com.

