Dear (MLS Participant's Name):

As you may know, in November, 2008 the National Association of REALTORS® (NAR) and the US Department of Justice (DOJ) finalized a settlement regarding the NAR policy that governs the display of MLS listings on brokers' virtual office websites (VOWs). A provision of this settlement modifies the definition of MLS Participation and impacts your membership in the ___(name of MLS)___.

The previous definition of MLS Participation required that an individual or firm be ***capable*** of offering and accepting compensation to and from other Participants. Under the revised definition, the ***capacity*** to offer and accept compensation is not sufficient. Rather, the individual or firm ***must*** offer or accept cooperation and compensation. The revised definition requires the individual or firm to "actively endeavor to list and sell real estate on an ongoing basis" in order to qualify for MLS Participation.

As mandated by NAR, the _____ Board of Directors adopted the revised definition and amended the Bylaws.

It appears you/your firm may not meet the revised definition of the MLS Participation because it does not actively endeavor to list and/or sell real estate on an ongoing basis, and as a result, is/are no longer eligible for membership in the ___(MLS)___. If you disagree you may submit for our review information that demonstrates your ongoing efforts to list or sell properties through the MLS. You/Your firm's membership will be terminated on _____ , however, unless you do ONE of the following:

- Provide documentation confirming that you have participated in a real estate transaction involving a property listed in the ___(MLS)___ between January 1, 2008 and today's date.
- Confirm in writing that your firm actively endeavors to acquire listings of properties for sale to be submitted to the MLS and/or represent buyers seeking properties for sale in the MLS – utilizing the ___(MLS)___ – on a **continual** and **on-going** basis, and provide a description of your activities in that regard.
- Confirm in writing that your firm engages in appraisal activities **exclusively and that there are no real estate brokers or sales licensees licensed with your or your firm**. Please include your appraisal license number and the state in which you are licensed.

If you acknowledge that you no longer engage in activities that allow you to be a participant in the MLS you may request in writing that your ___(MLS)___membership be discontinued immediately.

Please forward all responses to my attention. If you do not respond, your ___(MLS)___ membership will automatically be terminated on ___(date)___.

If you have any questions or concerns about this change or your options, please do not hesitate to contact me at ___(phone)___ or email me at ___(email)___. Thank you for your prompt attention to this important matter.