

Additional Forms + Explanations

Based on feedback from Illinois REALTORS® Members, we have created some simple, yet important forms for your consideration as we transition into brokerage with the NAR Settlement Practice Changes.

BUYER'S SIDE CHANGES

Notes regarding the Disclosure Statement and Affirmation documents

- ▶ **Compensation Disclosure Statement to Buyer** – This document will amend existing buyer brokerage agreements with the conspicuous statement that the compensation is fully negotiable and not set by law as required by the practice changes.
 - ▷ If the brokerage agreement does not refer to the MLS in a cooperating or compensation section, no further amendment should be needed.
 - ▷ If the brokerage agreement does refer to the MLS in a cooperating or compensation section, the brokerage agreement should be amended to remove those references, or a new agreement should be executed.
 - ▷ If a purchase contract is pending prior to August 17, 2024, you should be able to close the transaction with no further action. Consult your attorney for specific advice.
- ▶ **Affirmation to Seller's Broker** – This document assures the listing broker who asks that there is a written buyer brokerage agreement in place.

SELLER'S SIDE CHANGES

Notes regarding the Disclosure Statement

- ▶ **Compensation Disclosure Statement to Seller** – This document will amend existing listing side brokerage agreements with the conspicuous statement that the compensation is fully negotiable and not set by law as required by the practice changes.
 - ▷ If the brokerage agreement does not refer to the MLS in a cooperating or compensation section, no further amendment should be needed.
 - ▷ If the brokerage agreement does refer to the MLS in a cooperating or compensation section, the brokerage agreement should be amended to remove those references, or a new agreement should be executed.
 - ▷ If a purchase contract is pending prior to August 17, 2024, you should be able to close the transaction with no further action. Consult your attorney for specific advice.

For ongoing information and guidance visit:

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the **WAY FORWARD**

