

Article 09.03: Required Consumer Disclosure

Last Updated: September 27, 2026

Disclosure of Compensation: MLS Participants and Subscribers must:

1. Disclose to prospective property owner(s) and buyer(s) that broker compensation is not set by law and is fully negotiable. This must be included in conspicuous language as part of any listing agreement, buyer written agreement, and pre-closing disclosure documents (if any).
2. Conspicuously disclose in writing to property owner(s), and obtain the seller's authority, for any payments or offer of payment that the listing Participant or seller will make to another broker, agent, or other representative (e.g. real estate attorney) acting for buyer(s). This disclosure must include the amount or rate of any such payment and be made in writing in advance of any payment or agreement to pay. (Adopted 8/24)