Lock Box and Key Rules & Regulations

Eligibility for coverage under NAR’s blanket errors and omissions insurance program is contingent on compliance with the following security measures whether the system is operated by the association, its MLS, or on behalf of an association by a recognized lock box vendor. Any key, programmer, or other device (hereinafter referred to as key) by which a lock box can be opened shall be non-duplicative. By non-duplicative it is not meant that the key is necessarily covered by a current patent but that it cannot be readily copied in the manner that other types of keys ordinarily are.

Keys must be obtained from the original manufacturer, from a recognized vendor of lock box systems or from any other legitimate source. Prior to utilizing previously used keys, lids, or boxes, information shall be obtained from the original manufacturer to determine whether the key’s pattern, code, or configuration is already in use by other associations, multiple listing services, or other users in the vicinity. Surrounding associations and multiple listing services shall also be contacted to determine whether the key’s pattern, code, or configuration is currently in use.

This lock box system is an activity of the Southeast Missouri REALTORS®, REALTOR® members, affiliated assistants of REALTOR® members, and affiliate members of associations who are actively engaged in a recognized field of real estate practice or in related fields shall be eligible to hold a key subject to application with the association and key holder lease agreement with Supra (UTCFS). Leasing an electronic key is optional.

Keys may not be used by anyone other than the key holder except as follows: Designated REALTORS/Principal owners of firms, in good standing, may temporarily loan keys to other registered key holders in their firm in the situation that a key becomes inoperable. The key holder must report the temporarily sharing of keys to the board office within 48 hours of use. Agents within the same firm can use their key to open listings within the same firm for agents without key services.

Southeast Missouri REALTORS® may refuse to sell or lease lock box keys, may terminate existing key lease agreements, and may refuse to activate or reactivate any key held by an individual convicted of a felony or misdemeanor if the crime, in the determination of the association, relates to the real estate business or puts clients, customers, or other real estate professionals at risk.

Southeast Missouri REALTORS® may suspend the right of lock box key holders to use lock box keys following their arrest and prior to their conviction for any felony or misdemeanor which, in the determination of the association, relates to the real estate business or which puts clients, customers, or other real estate professionals at risk. Factors that can be considered in making such determinations include, but are not limited to: the nature and seriousness of the crime, the relationship of the crime to the purposes for limiting lock box access, the extent to which access (or continued access) might afford opportunities to engage in similar criminal activity, the extent and nature of past criminal activity time since criminal activity was engaged in evidence of rehabilitation while incarcerated or following release and evidence of present fitness.

Key holders must call for an appointment before using keys, unless showing status in the multiple listing service indicates showings are allowed without appointment. It is the responsibility of the showing agent to ensure the house is in the same condition as when they arrived, or as requested by the seller. Unauthorized distribution of house key is prohibited. Supra (UTCFS) Key holder lease agreement contains a liquidated damages provision to offset some or all of the costs in reestablishing the security of the system if it is determined that the security has been compromised through the negligence or fault of the key holder. Southeast Missouri REALTORS® shall maintain current records as to all keys issued and in inventory. There shall be an audit, at least annually, of all keys, whether issued or in inventory. This requirement may be satisfied by a physical inventory or, alternatively, by receipt of a statement signed by the key holder, or, in the case of an affiliate member, by a principal, partner, or corporate officer of the key holder’s firm, attesting that the key is currently in possession of the key holder. If, at the time of inventory, a key is unaccounted for, or if a key holder refuses or is unable to demonstrate that the key is within their physical control, then the key will be considered unaccounted for and is responsible for payment of fees or fines associated with Supra (UTCFS) key holder agreement.

All Supra iBox BT LE Bluetooth key boxes are the property of Southeast Missouri REALTORS®. Each agent will be issued key boxes equal to their yearly average of residential listing inventory. Additional boxes can be issued upon request. Unassigned boxes should be returned when an agent has an oversupply of unused boxes. When board inventory supply diminishes, board office reserves the right to request the immediate return of unassigned boxes. Supra iBox BT LE Bluetooth key boxes should not be sub-leased between registered users except those instances that are authorized by the board of directors.

Southeast Missouri REALTORS® shall maintain current records of Supra iBox BT LE Bluetooth key boxes issued and in inventory. There shall be an audit in October of all key boxes, whether issued or in inventory. Key box users will be required to register all issued

July 2017
Lock boxes may not be placed on a property without written authority from the seller. This authority may be established in the listing contract or in a separate document created specifically for the purpose. Inclusion in MLS compilations cannot be required as a condition of placing lock boxes on listed property. The registered key box user must notify the property owner immediately of a lost, stolen, or otherwise unaccountable property key. It’s recommended a police report be filed in the event the lockbox or property key was stolen but is limited to the discretion of the property owner. All property keys lost or misplaced from a key box must be reported to the board office within 24 hours of discovery. If it cannot be determined otherwise, the last key holder of entry will be assumed liable for the lost key and is immediately responsible for reimbursing the listing agent for all usual and customary expenses incurred for the rekeying of the home or replacement of the lost property key. In the instance a lockbox battery fails while the box is secured to a sellers property, the board will incur the expense to hire the board approved lock smith to remove the box. The listing agent is responsible for arranging an appointment time to meet the locksmith at the property, and the agent is responsible for returning the inoperable box to the board office. If the box is found to be in working condition, the agent will reimburse the board the cost of the locksmith. Southeast Missouri REALTORS® shall charge key holders with the joint obligation of immediately reporting lost, stolen, or otherwise unaccountable keys for the association. Upon receipt of notice, the association shall take any steps deemed necessary to re-secure the system. Notwithstanding the foregoing, associations may sell electronic lock box programmers or keypads to MLS participants and others eligible to hold lock box keys pursuant to these requirements provided that such devices may be deactivated, if necessary, within a reasonable period not to exceed thirty (30) days and that the participant has authorized the sale in writing. In the event electronic lock box programmers or keypads are sold or leased, a designated REALTOR® principal or an office’s broker of record may purchase or lease additional programmers or keypads to be issued on a temporary basis to other key holders in the same office in the event their programmer or keypad becomes non-functional outside normal business hours or under circumstances where a replacement programmer or keypad is not reasonably available from the issuing association. When a programmer or keypad is issued on a temporary basis, it shall be the responsibility of the REALTOR® principal or the broker of record to advise the association in writing that the programmer or keypad has been issued, to whom, and the date and time of issuance within forty-eight (48) hours. It shall also be the responsibility of the REALTOR® principal or the broker of record to advise the association in writing within forty-eight (48) hours after possession of the previously issued programmer or keypad has been reassumed. Southeast Missouri REALTORS® do not sell electronic lock box programmers or keypads. Associations may, as a matter of local option, require placement of an approved lock box on listed properties if any device giving access to real estate professionals and/or service providers is authorized by the seller and occupant and is placed on the property. The purpose of this requirement, if adopted by an association, is to ensure cooperating MLS participants and subscribers have timely access to listed properties. Requiring that a lock box or other access device be “MLS-approved” does not limit the devices that satisfy the requirement to lock boxes leased or sold by an association or MLS. The MLS may require that the devices be submitted in advance for approval, and the access device may be any lock box or other access device that provides reasonable, timely access to listed property. The association also may revoke the approval and/or subject the participant to discipline if the device is used in a manner that fails to continue to satisfy this requirement. REALTORS® are required to lease a key and to use the Supra iBox BT LE Bluetooth boxes on listings in our board territory, unless otherwise dictated by seller. Any funds accepted by a member association or association MLS as deposits for lock box keys shall be retained by the association or its MLS in a separate account so that the funds will be available to be refunded to depositors upon return of the lock box key to the association or its MLS. The funds deposited are to be retained for this purpose only and are not to be utilized in any other manner. The separate fund may be an interest bearing account with the interest retainable by the association or association MLS unless as a requirement of law, or at the discretion of the association or association MLS, such interest shall be paid to the depositors. Southeast Missouri REALTORS® do not require a deposit. Southeast Missouri REALTORS® adopt written, reasonable, and appropriate rules and procedures for administration of lock box systems which may include appropriate fines, not to exceed $15,000. Any issuing fees, recurring fees, or other administrative costs shall be established at the discretion of the association and set forth in these rules and procedures. All key holders agree, as a condition of the key lease agreement, to be bound by the rules and procedures governing the operation of the lock box system.

1. Authorized key holder that allows unauthorized user access will be fined $500 & 15 day suspension from key lease. Second occurrences will be $1000 & 30 day suspension from key lease, and third occurrence will cause permanent expulsion of key lease.
2. A registered key box holder will be charged $5.00 per day for untimely removal of key boxes.
3. Registered key box user will be charged $99 per box for a lost key box, $15 for lost key container. Fee for key boxes destroyed by natural disaster will be determined by board of directors.
4. Upon investigation, key users will be fined an amount to be determined by the board of directors for repetitive, irresponsible
showing practices.

5. Key lease fees will be determined annually by the Board of Directors.