



Missouri REALTORS® Brokers,

In this month's *Broker Connection*, you'll find legal resources related to a Missouri REALTORS® mid-year forms and revisions update, a Legal Line FAQ, a guide to written buyer agreements, legislative news, and tools to help you protect yourself and your clients against real estate fraud.

We encourage you to visit broker.realtor for a variety of resources. Also, stay tuned to the [Brokers Community](#) on THE LANDING for additional resources and information and to connect with brokers across Missouri. Our dedicated Missouri REALTORS® [staff](#) and [Leadership Team](#) are here to support you every step of the way.

Sincerely,

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LEGAL UPDATE

Extended Hours | Legal Line

Missouri REALTORS® [Legal Line](#) is temporarily extending its hours beginning Monday, August 19, in preparation for changes outlined in NAR's settlement agreement, taking effect Saturday, August 17.

EXTENDED HOURS (Beginning August 19):

Monday – Friday: 8:00 a.m. – Noon and 1:00 p.m. – 5:00 p.m.

Mid-Year Forms and Revisions Update

A recording of Missouri REALTORS® recent webinar focused on mid-year form revisions, which went into effect on July 29, 2024, is now available. This informative session covers crucial updates to listing agreements and buyer's agency agreements. It also includes an in-

depth discussion of the residential sale contract in addition to NEW form MSC-4025R "Compensation Agreement Rider," and existing form MSC-4020, "Cooperation Agreement between Brokers."

To access the recording, please click the provided link: [Mid-Year Forms Revisions Recording](#)

Missouri REALTORS® website has also been updated to include a new [Standard Forms and Revisions Mid-Year Update](#) page. Visit the [Standard Forms page](#) for a complete list of all Missouri REALTORS® forms, including a "clean" & "redlined" copy of each new and revised form.

Direct licensing is also available for Missouri REALTORS® forms for brokers to use in their in-house management systems. We have created an [introductory video](#) (or refresher) highlighting a few of the services we provide.

For questions related to Missouri REALTORS® Standard Forms, contact [Legal Line](#) at (573) 447-5278.

Please continue to check [facts.realtor](#) for frequent updates to key practice changes required by the settlement, including updated FAQs.

Forms Instruction Manual Update

Reintroduced by the Missouri REALTORS® Risk Management team earlier this year, each section of the Missouri REALTORS® Forms Instruction Manual includes line-by-line instructions on how to complete certain MR forms, including the NEW "Compensation Agreement Rider" (MSC-4025R). The manual is [provided in an electronic format](#) and can be downloaded and used electronically or printed.

Use of Standard Forms by REALTORS®

As a reminder, 2020 CSR 2250-8.140(1), the rule that codifies the ruling in the 1952 MO Supreme Court case *Hulse v. Criger*, provides as follows in connection with the use of "standard forms" in Missouri by real estate licensees:

"When acting as a broker in a transaction, a broker may use current standardized forms including, but not limited to, contracts, agency disclosures, property management agreements, listing agreements, warranty deeds, quit claim deeds, trust deeds, notes, security instruments and leases, prepared or approved by the broker's counsel or by the counsel for a trade association of which the broker is a member or associate member, or by a Missouri state or local bar association and may complete them by filling in blank spaces to show the parties, property description and terms necessary to close the transaction the broker has procured" (emphasis added).

Therefore, unless the form is prepared or approved by counsel for the licensee's brokerage, trade association (i.e. Missouri REALTORS®), or a local or state bar association in

MO; the licensee should not use the form. Doing so may subject the licensee to a claim for the unauthorized practice of law (and potentially license law issues). **If a licensee does find a form online or through another source that it wants to use, (s)he should have that form reviewed by competent legal counsel to ensure it complies with all applicable laws (including state license law).**

LEGAL LINE FAQ

Question:

Do Brokers using Missouri REALTORS® forms need to amend/change their listing/buyer's agency agreements already in place to comply with the practice changes going into effect on August 17, 2024, as part of the NAR settlement?

Answer:

As a general matter, Brokers who used Missouri REALTORS® standard form brokerage services agreements without modification should not need to enter into new agreements or amend current agreements under the NAR proposed settlement. However, Brokers should be aware that custom language/modifications added by the parties may necessitate either an amendment or a new agreement. For example, if a listing agreement requires that cooperative compensation information be put on the MLS or a buyer's agency agreement states that the broker will be compensated "per the MLS", those terms could be at odds with the practice changes in the proposed settlement and would likely need to be addressed. Therefore, from a risk management perspective, Brokers would be well advised to review current brokerage agreements with clients in order to ensure that the forms do not contain any language prohibited by the terms of the impending settlement.

Further information regarding upcoming practice changes is available at facts.realtor. Frequently asked questions, specifically, #32 and #36, address the issue of validity of current agreements after August 17, 2024.

Understanding New Rules on Offers of Compensation

Beginning August 17, 2024, offers of cooperative compensation will not be allowed in an MLS listing. Find out how new rules affect offers of compensation and how offers may be communicated while being prepared for the practice changes.

Watch "[Window to the Law](#)" to learn more.

A Guide to Written Buyer Agreements and New FAQs

As part of NAR's commitment to help REALTORS® navigate the changes required by the recent settlement agreement, NAR has created a new resource for one of the key practice changes required by the settlement and updated the FAQ on facts.realtor with helpful, new information:

Guide on Written Buyer Agreements:

Beginning August 17, 2024, a buyer representative “working with” a buyer will be required to enter into a written agreement with the buyer prior to touring a home, including both in-person and live virtual tours. This resource provides information about what provisions must be included in the written agreement pursuant to the NAR settlement. This guide is available on NAR’s centralized website ([here](#)).

FAQ Updates:

NAR has added new material and made updates to the FAQ on [facts.realtor](#). This information provides further clarity on issues including steering (questions 46-49) and written listing agreements (questions 50-53). The format of the FAQ has also been updated to better display the timing of the latest updates.

ADVOCACY UPDATE

Missouri Interstate Improvements

There is great news for travelers regarding public safety and Missouri’s economy. Major long-term investments have been approved by the Legislature and Governor Mike Parson to upgrade and rebuild Interstates 70 and 44 across Missouri. The Fiscal 2025 state budget, [recently signed](#) by Governor Parson, includes \$577.5 million to [advance I-44 upgrades](#) and expansion from the Oklahoma line to St. Louis. This follows the approval of last year’s historic levels of funding for I-70 rebuilding and improvements.

“It’s a culmination of the bold infrastructure initiatives we’ve prioritized since Day One,” stated Governor Parson as he kicked off the [I-70 project](#) with a groundbreaking ceremony for the first segment of adding a third lane in each direction between Columbia and Kingdom City. The I-70 project provides \$2.8 billion in general revenues through 2030 dedicating to adding a lane in each direction, stretching nearly 200 miles between Wentzville and Blue Springs.

Do You Own A Multi-Unit Housing Property?

The Missouri Department of Health and Senior Services' (DHSS) Tobacco Prevention and Control Program is conducting a statewide smoke-free housing survey for owners and/or managers of multi-unit housing properties in Missouri.

This survey will help DHSS understand current smoke-free housing policies in Missouri and property owners' perspectives on those policies.

BEGIN SURVEY

Post Primary Election Update 2024

A historic primary election recently concluded after a year and a half of nonstop jockeying by hundreds of candidates – and many millions of dollars spent. The REALTOR® Political Action Committee (RPAC) supported candidates across various races, up and down the ballot, from governor to county assessor.

[View our latest blog](#) to see how RPAC investments contributed to numerous, significant victories, including what this means for the future of our industry.

BROKERAGE MANAGEMENT

Broker Power Hour

In honor of NAR's REALTOR® Safety Month, NAR will host a presentation on Wednesday, September 4 at 12:00 p.m. CST on the 'Insight Hub Broker Dashboard' and 'Real Estate Fraud: How Brokers Can Protect Themselves and Their Clients.'

This webinar will cover topics related to fraud schemes, how AI is used to manipulate your buyers' consumer expectations of their REALTORS®, red flags every agent should watch for, resources to prevent fraudulent sellers and wires, and steps to take immediately when you suspect fraud.

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