



DANFORTH
Redefining Full Service

**Policy and Procedure Manual
2016**

POLICY AND PROCEDURE MANUAL: You are required to be current with CBD's Policy and Procedure Manual at all times. The current version is available on the Wheel of Resources under the link: [All Things CBD](#).

SALES ASSOCIATE AND BROKER: The definition of the terms "sales associate" or "broker" for use within this document shall mean a licensed:

1. Broker
2. Managing Broker or
3. Assistant within CBD's organization

OFFICE OPENING/CLOSING PROCEDURE: Each Broker will have access to all CBD offices through the use of the key pad located on an exterior door. Use the last 6 digits of your SS# to gain access. Turn off all lights when leaving the office.

SECURITY SYSTEM: Set the alarm on the security system before leaving. All 3 offices have the same alarm code. If you do not know the code, call a manager before attempting to enter any of our offices. If you set off the alarm, immediately contact an office manager. Failure to contact either an office manager or Broadview Security within 2 minutes of setting off the alarm will result in a \$100.00 fine. If you have any questions on the operation of the system or security codes, contact any of our staff members for assistance.

COPY MACHINE: Your code to the copy machines is the last 6 digits of your Social Security number. 200 free black & white copies per month are included. Any additional black & white copies will be charged at \$.10 per copy. All color copies are charged at \$.35 per copy.

STATIONERY STORE: Coldwell Banker stationery, envelopes, CMA covers, etc., may be purchased through the Receptionist. An extensive selection of all Coldwell Banker materials is available through Xpressdocs which is located in CB Exchange under Sales Associates Quick Links.

TELEPHONES: Office phones are for staff or emergency situations. Please use your cell phone whenever possible.

ALL INCOMING TELEPHONE CALLS WILL BE HANDLED IN THE FOLLOWING MANNER:

SIGN CALLS/AD CALLS - All calls will go to the listing broker. Caller does not have to ask for the Broker by name. Receptionist will transfer calls to the broker's mobile phone. It is important that you answer any call forwarded by the office. It is not possible for the office to capture the caller's number on transferred calls. Answering is your only way to insure contact.

RELOCATION REFERRALS - Management reserves the right to determine who will receive relocation referrals. All web based leads are directed to an eligible Broker by the ZAP system. All leads given out by management or through ZAP (not on your own listings) have a 30% referral fee due to CBD, if accepted.

WILL CALL: Ask Receptionist for procedures and location.

POSTAGE: All items sent via US mail will be at Broker expense.

VACATIONS & MEDICAL LEAVE: It is the Broker's responsibility to arrange coverage for their business when leaving town, or otherwise unavailable. Broker must notify Management in writing and provide name and telephone numbers of the Broker covering the business. An email with the information should be sent to support@cbdanforth.com.

COMMUNICATION: Broker's must give their e-mail address to the office and notify the office of any changes. **E-mail is the primary means of communication between Management & Brokers.** Ask Management for information regarding the free email address available through Coldwell Banker.

FAXES & CONFIDENTIALITY: All incoming faxes are converted to a PDF and sent to the email address on record with the company. All Fax transmissions are confidential and must only be viewed by the named recipient.

COMPANY FAX LINE: Any faxes received during business hours, seven days a week, shall be forwarded to agents via the e-mail address cbdafax@comcast.net or frontdesk@cbdanforth.com. To prevent these address from being considered spam or junk mail, please make sure that you enter them into your contacts or safe list. These addresses are monitored 7 days a week between the hours of 9 AM and 5 PM.

HOME OFFICE FAX: Make sure that your home fax machine has the correct fax number and date displayed on all outgoing and incoming faxes. It is helpful when sending a multi-page fax to number each page. When faxing documents to other Brokers, do the following:

1. All offers and subsequent notices must be faxed to the licensee's office or to the agent's home office provided that you have called to verify that agent is home to receive the document.
2. After faxing an offer, call the Listing Office/Broker to verify that the fax was received.

EMAIL TRANSMISSION OF NWMLS DOCUMENTS: NWMLS permits the email transmission of documents. The approved company email address required is notices-contracts@cbdanforth.com. When sending documents via email you must always send to both the Broker and the Broker's Office. Failure to send to both is deemed **NON-delivery** of the document.

WHEEL OF RESOURCES: This is a webpage which provides easy access to both local and corporate information. Quick links to Wolf Connect, NWMLS and CB Exchange are found as well as other resources which are found at the bottom of the page. To save this as a browser favorite, go to: <http://wheel.cbdanforth.com>. An important link on the wheel is called All Things CBD. This document will provide quick tips on using the tools available to you. <http://www.cbdanforth.com/docs/All Things CBD.pdf>.



MEETINGS (AS NEEDED): There will be meetings to keep the Brokers informed on changes that occur. We also send out emails in regards to legal and NWMLS updates. You MUST read all emails from the office.

PROFESSIONAL ATTIRE: Management & Sales Broker's personal image is a reflection on the professional reputation of this office. You get only one chance to make a "great" first impression. The public perceives a person dressing casually in the business world as having a "casual attitude" toward business.

TALKING TO THE MEDIA: No Broker shall talk to the media without the express written permission of a CBD Manager.

WORK ORDERS: Do not order work to be done on any property in the name of Coldwell Banker Danforth. Your Seller or Buyer should always be named as the responsible person to pay the bill, not Coldwell Banker Danforth. Should a Broker use Coldwell Banker's name to place a work order, then that Broker will be expected to pay the bill.

COMPANY COMPUTERS/INTERNET ACCESS: Company-owned and maintained computers and Internet service providers obtained and paid for by office are to be used for company-related real estate business purposes only. Internet access via company computers for personal use is not permitted. If you wish to use your laptop while in our offices, please consult our "The CBDA Wireless Laptop Instruction Manual" in each office for gaining access to the wireless system.

PROPERTY MANAGEMENT: If you want to do any Property Management, you must attend the Property Management Certification Class, and agree to abide by the "Property Management Policy and Procedure Manual" before conducting any Property Management related business. A copy of this manual is available in [All Things CBD](#).

SHORT SALE NEGOTIATORS

Any individual who is directly or indirectly negotiating with a lender is required to hold an active real estate license or be appropriately licensed by the Department of Financial Institutions.

Brokers with CBDA will not use any unlicensed negotiators. It is appropriate to ask to see the license of any Short Sale Negotiator.

REAL ESTATE LICENSE RENEWAL: It is the Brokers responsibility to complete all required clock hours (including CORE) and renew their license on or before their birthday. Renewal can be accomplished on the DOL website or mailing the renewal application to the state.

Renewing Online: Upon completing the online form, print out a copy and fax or email to support@cbdanforth.com.

Renewing by Mail: Make a copy of the completed form. Fax or email to the office prior to dropping the renewal application in the mail.

If the office has not received this information by your license expiration date, we will be forced to return your license to the state. You will not be removed from our billing list unless you notify us in writing that it is your intent not to renew your license. You will still be obligated for your monthly fees up to the date that you notify us that you are no longer intending to be a CBD Sales Associate. Upon completion of your clock hours and license renewal, we will assist you in reactivation with our office.

BROKER ACTING AS LOAN OFFICER: Generally, under RCW 19.146.0201 (the Mortgage Brokerage Act), it is a violation for a person to act as a mortgage broker in any transaction in which they are acting as a real estate broker. However, it is not a violation if the person complies with the following:

1. Prior to providing mortgage brokerage services to the borrower, the person provides to the borrower the following written disclosure: THIS IS TO GIVE YOU NOTICE THAT I OR ONE OF MY ASSOCIATES HAVE/HAS ACTED AS A REAL ESTATE BROKER OR SALESPERSON REPRESENTING THE BUYER/SELLER IN THE SALE OF THIS PROPERTY TO YOU. I AM ALSO A LICENSED MORTGAGE BROKER, AND WOULD LIKE TO PROVIDE MORTGAGE BROKERAGE SERVICES TO YOU IN CONNECTION WITH YOUR LOAN TO PURCHASE THE PROPERTY. YOUR ARE NOT REQUIRED TO USE ME AS A MORTGAGE BROKER IN CONNECTION WITH THIS TRANSACTION. YOU ARE FREE TO COMPARISON SHOP WITH OTHER MORTGAGE BROKERS AND LENDERS, AND TO SELECT ANY MORTGAGE BROKER OR LENDER OF YOUR CHOOSING.
2. The person must maintain his mortgage brokerage business activities separate and apart from his real estate brokerage activities.
3. You are not allowed to participate in FHA loans and be a licensed real estate broker.

The buyer is not required to disclose the relationship to the seller. However, most Brokers consider such a disclosure an aspect of professionalism indicating good faith. Any Broker working with Coldwell Banker Danforth, who is also acting as a loan officer shall comply with the requirements as outlined above. In order to act as a loan officer, the CBD Broker must sign an Addendum to their Independent Contractor Agreement.

Broker shall turn into the Transaction Center with the P&S, a copy of the buyer signed receipt of the above written disclosure statement on any transaction where they are serving as Real Estate Salesperson and Loan Officer.

ADVERTISING

As of July 1, 2010, you may advertise a title, group, team, or brand name without getting an assumed name license if the advertisement always displays the real estate firm's licensed or assumed name in a **clear and conspicuous manner**.

- The advertising must use color, contrast, size, or audibility to ensure the firm's name is readily noticeable and understood.
- The recipient of any advertising must be able to clearly distinguish the licensed firm name from the name of the unlicensed group, team, or brand advertised.
- Advertising for an unlicensed title, group, team or brand name **can't** include wording that:
 - Suggests a legal entity separate from the real estate firm, such as "Inc.," "LLC," or "Corp."
 - Is commonly understood to reference an entire firm or office, such as "realty," "realtors," "firm," or "real estate."
- All affiliated licensees who want to use an unlicensed title or brand must get advance written approval from their real estate firm's designated broker. This written permission should be available to our auditors and investigators upon request.

ADVERTISING OR MARKETING FEES

If you collect advance fees for advertising, or any other purpose, the listing contract should state the purpose of the fee; indicate if the fee is part of the commission upon closing, and state if any unused funds are refundable if there isn't a sale. The funds must be turned in to your designated broker or their delegated managing broker to be deposited in the firm's trust account, and held in trust for the purpose indicated in the brokerage service contract.

REO BROKER PRICE OPINIONS: A broker's price opinion, often referred to as a comparative market analysis (CMA), is any oral or written report of property value. [RCW 18.140.010\(4\)](#) requires individuals producing brokers price opinions to be licensed under [RCW 18.85](#). DOL has determined that an individual must be **actively licensed** in order to issue a broker's price opinion. Please be advised that it is considered a violation of [RCW 18.85.230\(19\)](#) for a licensee to receive a commission, compensation, or any form of valuable consideration from anyone except the licensed real estate broker with whom he or she is licensed.

INTERNET WEBSITES & PRINT ADVERTISING:

Management must approve all advertising prior to submitting to the newspapers or other forms of media (electronic or print). Agency law states, "That the broker, Coldwell Banker Danforth is responsible for Sales Associates Actions." This includes all verbiage in advertising. We do not want to place an ad that violates Washington State Law.

ASSUMED NAMES:

Designated broker must submit a name reservation request to DOL so they can determine if the name you want is available. If DOL approves the requested name, the designated broker will send DOL an assumed name application and fee payment. When received, DOL will send the firm a license with the new assumed name. This license expires on the same date as the license for your firm.

PERSONAL WEBSITES: NWMLS allows the broker to choose the IDX download provider of their choice. We have the following web providers set up for your convenience, with varying costs and support/tools. Feel free to use Graphical Data or any other provider of your choice.

Graphical Data Chris 425-835-3214 www.graphicaldata.com

Broker must supply the office with the URL for their personal website. E-mail this information with your photograph to Support@CBDanforth.com.


REQUIRED INFORMATION ON ALL WEBSITES: Any Website is considered online advertising. This means that the content is subject to many regulations, and should be carefully considered before being made public.

You are solely responsible for the information and other content that you make available **anywhere** on the Web. Craig's List and other sites not associated with NWMLS or Coldwell Banker Danforth may be used for advertising provided that the seller has given written permission to post on these sites. Make sure you comply with the following:

- 1) Your site must use **Coldwell Banker Danforth** Marks and slogans correctly and consistently at all times.
- 2) Make sure you have permission to reproduce and display content, as well as artwork and graphics, in accordance with applicable Trademark, copyright patent and other laws
- 3) Follow all regulations governing the accuracy and presentation of advertising and the promotion of your business on the Web

Mandatory Disclaimers: Office, company, team and individual Websites must contain disclaimers on every page. Disclaimers can be placed in the footer so that it appears at the bottom of every page. Make sure the following is included on each page.

Affiliate Disclaimer: © 2014 Coldwell Banker Real Estate LLC. All Rights Reserved. **Coldwell Banker®**, the **Coldwell Banker** logo, **Coldwell Banker Previews International®** and the Coldwell Banker Previews International logo are registered service marks owned by Coldwell Banker Real Estate LLC. Coldwell Banker Real Estate LLC fully supports the

principles of the Fair Housing Act and the Equal Opportunity Act. Each Office is Independently Owned and Operated. Equal Housing Opportunity . Equal Housing Opportunity.

When using a logo for advertising, you must use our Company Logo Specifications

Make sure that you are using the correct Coldwell Banker® brand identity. These are the basic components that make up this identity:

- The Coldwell Banker Mark
- Affiliate DBA
- Minimum Required Disclaimer (page 6)



** The Coldwell Banker® Identity Standards manual can be found at <https://solo.realogyfg.com/SSO/CB/Account/LogOn/CBExchange>

Coldwell Banker Danforth Logo and Each Office Independently Owned Logo is available on CBD Intranet in the Documents section under the file entitled Logos.

Equal Housing Opportunity Slogan, Logo and Statement Specifications


All advertising for the sale, rental or financing of residential real estate should contain the equal housing slogan, logo or statement. These indicate to the public that the property is available to everyone regardless of race, color, religion, sex, familial status, handicap or national origin.

SLOGAN

"Equal Housing Opportunity" The slogan is used in ads under four column inches. The slogan may never be abbreviated to "EHO." Ads fewer than four column inches are not required to use the slogan if they are grouped with other ads under a Publisher's Notice.

LOGO

- 1) The logo consists of the symbol and the slogan. The symbol may not be used alone.
- 2) The logo is used in ads of four column inches or more. The logo should be clearly visible and legible. When other logos are used in display ads, the federal regulations suggest that the equal housing opportunity logo be of a size at least equal to the largest of the other logos.
- 3) The federal regulations suggest the following guidelines for including the logo in ads of four column inches or more:

Size of Ad	Size of Logo 
1/2 page or larger	2 inches by 2 inches
1/8 page to 1/2 page	1 inch by 1 inch
4 column inches to 1/8 page	1/2 inch by 1/2 inch

**The above Federal Law also applies to web sites.
Please make sure that you abide by this law.**

SOCIAL MEDIA: Brokers need to be current with changes in DOL Guidelines for Internet Advertising and Social Media. The Guidelines were adopted in 2013 and must be followed when posting any information online. See the Current DOL Guidelines:

<http://www.dol.wa.gov/business/realestate/docs/SocialMediaGuidelines.pdf>

QUESTIONS FOR MANAGEMENT: We want your questions!!! Always call your branch manager or the corporate office with any questions regarding any facet of your real estate business. You can also email your questions to BrokerQuestion@CBDanforth.com. These emails will go to all of our Broker Management Team. This address is monitored 7 days a week between the hours of 9 AM and 5 PM.

LEGAL: You must notify Management immediately when you think that one of your transactions may have a legal dispute. Your E & O coverage may not apply if you do not record the complaint at the onset. Do not try to fix the problem prior to discussing the issue with Management.

E & O INSURANCE LEGAL FEES: Should there be a legal dispute on one of your transactions, you will be required to deposit the \$5000 deductible upon request from the E & O Insurance legal firm. A \$10,000 deductible to be paid by the broker applies to any transaction where the owner of the property is also the listing or selling broker on the property. If the broker leaves the company, then the E&O deductible of \$10,000 will apply to any claims that arise after the broker has left CBDA.

AGENCY DISCLOSURE PAMPHLET: At initial contact, Brokers shall provide all clients/customers a copy of “The Law on Real Estate Agency” pamphlet and obtain a receipt thereof at the earliest opportunity. Agency disclosure should always be made at the time of initial client-broker contact. Written agency disclosure shall be obtained with every written agreement executed between a buyer and a seller or seller’s broker. Broker should either keep an email receipt or get written confirmation that delivery took place. You must keep this in your file.

CBDA’s DANFORTH IN THE COMMUNITY:

We encourage you to partner with our office in serving the community. You have the voluntary option to give \$5.00 per transaction or per month to this fund. Our office matches the monthly combined total of \$5.00 per transaction or per month contributed. Opportunities to give of your time and talents are also available. Contact management if you want to hear more about this program or to find out what has been donated to in years past.

HOME WARRANTY PROGRAMS:

Coldwell Banker Danforth highly encourages the use of Home Warranty Programs on all properties.

The policy of this office regarding the home warranty insurance program is as follows:

1. You must offer a warranty program regardless of who pays for it.
2. It is the Broker’s business decision on whether they want to pay for this service for their clients. You must be consistent should you decide to buy this for your clients. (Example, if you buy for one, you must do it for all or be able to justify it should you have a complaint). If you are purchasing a warranty, please note it in the contract on page 2 of Form 22D.

ORIENTATION: Each Broker is required to attend an Orientation class within 3 weeks of joining our company. Ask a manager for the Orientation schedule. Newly licensed Brokers will complete the NWMLS Orientation and Matrix classes prior to attending the CBD Orientation.

NEWLY LICENSED BROKER: According to WAC 308-124C-145, a newly licensed Broker must be supervised by a Managing Broker for a period of two years. CBD has a program in place to facilitate this requirement. The newly licensed Broker agrees to complete all the required education and sign a Mentoring Agreement with a CBD delegated Managing Broker. If a brokerage service contract is written by a broker or managing broker who became licensed for the first time after June 30, 2010, the CBD's designated broker or delegated managing broker must review it **within 5 business days** of mutual acceptance.

ACCESS TO WOLF CONNECT: Within a couple days of joining the company, you will receive an e-mail from lwolf.com. This email will provide the opportunity to set your password and grant you access to the system. This is our intranet and contains our virtual Transaction Center.

LISTING COMMISSIONS:

1. There will be **no** limited service listings allowed at our office. We are a full service brokerage and will treat all clients to excellent service.
2. All Selling Office Commissions (SOC) will be offered at market commission rate.
3. 6% is considered a market commission, although we allow our brokers to negotiate the listing side of the commission as needed.
4. No listing shall be taken at zero% commission to Listing or Selling Office. Minimum fees associated with this type of transaction are \$75.00 for E&O Coverage, \$195.00 Processing Fee, plus 6% franchise fee (based on the market rate commission listed as SOC on the contract) and the State B&O Tax.

LISTINGS & PURCHASE & SALES AGREEMENT: It is the policy of this office and Washington State law that the Listing Agreement and Purchase & Sales Agreement must be submitted to the Transaction Center within two (2) business days after signatures are received on Listing Agreements and mutual acceptance on Purchase & Sale Agreements. On Purchase & Sale Agreements, mutual acceptance is defined as when buyer and seller have signed the initial contract. It is not upon removal of contingencies. This policy also applies to short sale transactions. Do not hold your transaction until the bank has approved it. You already have mutual acceptance when the seller and buyer signed the contract. Our office is required to have all signed documents available to Washington State Auditors upon request.

There will be a fine of \$10 per day charged on the Listing Agreements and Purchase & Sale Agreements that are not received by the office as stated above.

Broker is to submit each listing and sale to the Transaction Center through Wolf Connect. Staff will review the file within 5 business days and email the review notes to the Broker. Review Notes will also be available for the Broker to see within each individual file in Wolf Connect. To see the notes in Wolf Connect, click on the orange file and then choose Status Change. The notes are visible under the status change button.

Changes on listings are the responsibility of each Broker. Make the change in the computer or fax the request to NWMLS for input. Send a copy to the Transaction Center within 24 hours after receiving final signatures.

Prior to making changes in the computer, the Seller must sign all status changes (Form 19). Broker is to submit a copy of the signed Form 19 into Wolf Connect. It is imperative that you do this on all changes.

Examples of changes that you must do are:

- Price
- Pending or Other Status
- Contingent
- Terms

- Expiration date
- Sold
- Cancellation or TOMK of listings require the Form 19 be sent into the office for signature before NWMLS can make the change

It is the Brokers responsibility to make sure their listings are current and are accurate on **all** websites including www.coldwellbanker.com.

LISTING FILE INFORMATION: Each Broker shall input their listings into NWMLS, upload a minimum of 6 photos (minimum required for listing the property on www.coldwellbanker.com), and attach the required documents to the listing.

QUESTIONS FOR TRANSACTION CENTER STAFF: Send any questions regarding your paperwork or review notes to the following email: cbdacontracts@comcast.net or cbdacontracts@gmail.com.

PROCESSING A NEW LISTING:

1. Input the listing into NWMLS or email the forms to listinginput@nwmls.com for them to process.
2. The complete listing packet must be uploaded to the Transaction Center within 2 business days of final signatures. Once the listing is live on NWMLS, Wolf Connect will update and the listing file will be available for adding your documents. To meet this deadline, please upload your documents to the Wolf Connect clipboard within 2 business days of seller signatures. The documents can be moved into the appropriate listing from the clipboard.
3. Order a sign for the property.
4. Review all websites for accuracy including NWMLS and ColdwellBanker.com.

NWMLS RULES REQUIRE ALL LISTINGS BE TURNED IN NO LATER THAN 5 PM ON THE NEXT BUSINESS DAY AFTER BEING SIGNED.

UNPUBLISHED LISTINGS: Prior to the publication date identified on NWMLS Form 1A, Broker shall not promote or advertise the Property in any manner whatsoever, including, but not limited to yard or other signs, flyers, websites, emails, texts, mailers, magazines, newspapers, open houses, previews, showings or tours. The purpose of the delayed publication is to allow the seller to prepare the house and for the agent to prepare all marketing materials. Distribution of materials is prohibited prior to the publication of the listing on NWMLS. The listing agreement and corresponding paperwork must be uploaded to the Wolf Connect clipboard within 2 business days of seller signature. Once the listing is live on NWMS, the documents can be moved into the appropriate file for review.

NO SIGN SHOULD BE PLACED ON A PROPERTY UNLESS A COPY OF THE LISTING IS IN THE OFFICE.

PROCESSING A SALE – Listing Sold or Buyer Controlled Sale (Purchase Agreement Written):

WHEN TURNING IN A NEW SALE, THE BROKER WILL: Log into Wolf Connect. Click on Add Transaction and fill out the Transaction Guide. The complete Purchase and Sale Agreement with supporting addenda must be uploaded to the Wolf Connect Clipboard within 2 business days of mutual acceptance.

1. Upload the following to Wolf Connect Clipboard:
 - Purchase and Sale Agreement--**LEGIBLE COPIES**
 - All addenda and counteroffers

- Earnest Money check or promissory note ** See Coldwell Banker Danforth policy under “Earnest Money Deposit Requirements”
 - Copy of the listing printout (This verifies the SOC commission.)
 - Copy of the Receipt for Deposit of Earnest Money (**Required on all files regardless of where deposited**)
2. Place a sold sign on the property.
 3. Broker is responsible for forwarding Purchase & Sales Agreement and any additional documents to cooperating Broker, Lender and Escrow.
 4. Review Commission Disbursement (CD) sent to escrow before closing to avoid any discrepancies. Contact the Transaction Center via email with any corrections. Allow time prior to closing for corrections.
 5. Commission check will be held until all related paperwork, addenda have been submitted to Manager.

COMMISSION DISBURSEMENT FORM: The Transaction Center generates a Commission Disbursement. This form is emailed to both escrow and the Broker at the same time. To facilitate this process, the broker must provide the email address of the closing agent. This information must be completed on the Transaction Guide in Wolf Connect for the corresponding transaction. Any requests received by the Broker for correction or requests from escrow for verification should be sent to cbdacontracts@gmail.com.

BROKER FOLLOW-UP: Each Broker is expected to have at least one weekly contact with each of their Buyers & Sellers. Consistent and thorough follow-up is the surest way to avoid problems and complaints. Sellers expect us to market their property and they need to be informed on everything that you are doing. Listings are lost because Sellers no longer believe we are genuinely concerned about their needs and believe that we have lost interest in marketing their property. Buyers expect to know what the process is and to be up to date on the progress of their purchase at all times.

COMMISSION CHECKS: All commissions are processed at the corporate office in Federal Way. Commission checks delivered to any other location will result in a delay in payment to the broker. The Transaction Center sends out a Commission Disbursement on all files with the correct address for delivery of the check. When the Broker completes interoffice referral forms; please indicate the Federal Way address for commission processing.

PAYDAY PROCESS: Commission checks are deposited at the end of the day on which they are received. The next day, an email is sent to the Broker to notify them that the check will be processed by bookkeeping. If all paperwork is in the office file, then payday will be after 3PM. Bookkeeping will notify Broker when check is available for pickup in Federal Way. Brokers using the direct deposit program will be notified by email that the process has been completed. Bookkeeping will email the Transaction Schedule (paystub) to the Broker upon completing the direct deposit process. Brokers receiving checks will find the Transaction Schedule in the pay envelope. Brokers should save the individual Transaction Schedules for tax purposes. Brokers missing paperwork will receive their commission upon providing the missing documents.

COMMISSION REDUCTIONS: It is CBD’s policy that you will always offer a full market SOC on every listing. If you choose to reduce your listing or buyer’s side commission, you must do so in writing within either the listing agreement or buyer’s agreement. If you do not handle your commission reductions through these agreements, you will be charged the 6% royalty fee by CB corporate as they choose not to participate in your client gifts that are non-contractual.

PURCHASING OR SELLING YOUR OWN PROPERTY: If you are purchasing property for your personal account or selling your own property, Washington State Law states that you must submit a copy to the office for review whether you submit the listing to NWMLS or not

and **state within the contract that: Seller or Buyer understands that (Insert Name) is a licensed Real Estate Salesperson and is acting as a Principal in this Agreement for his/her own account.**

Broker as Seller: Indicate on listing agreement that the commission is Zero to the listing office and 2.5 or 3%, etc. to the selling office. The Transaction Center will calculate your costs and submit the CD to escrow. Minimum fees associated with this type of transaction are \$100.00 for E&O Coverage, \$195.00 Processing Fee, Home Warranty Coverage (depends on the Vendor's charge) State B & O tax plus 6% franchise fee (based on the market rate commission listed as SOC on the contract).

Broker as Buyer: You can use **YOUR** portion of the commission to reduce the purchase price, pay closing costs, or take as a normal commission income. If you use Commission to reduce the purchase price, than include into the P&S "No Commission to be paid to Coldwell Banker Danforth". The Transaction Center will create a CD to send to escrow indicating that there is no commission due from the seller but to collect the fees from the buyer due at closing. Minimum fees associated with this type of transaction are \$100.00 for E&O Coverage, \$195.00 Processing Fee, Home Warranty Coverage (depends on the Vendor's charge), State B & O plus 6% franchise fee (based on the market rate commission listed as SOC on the contract).

E & O FOR SELLING & BUYING PERSONAL PROPERTY:

The following 4 items must be part of any purchase agreement that involves a property in which you have 10% or more ownership.

1. A seller disclosure form was signed by the seller and acknowledged by the buyer prior to closing.
2. A home warranty policy was purchased prior to closing.
3. A home inspection was completed and a copy was provided to the buyer prior to closing.
4. NWMLS approved standard sales contract was utilized.

Remember: If there is an E&O claim on any of these personal property listings or sales, then the E&O Deductible is \$10,000 and is due and payable by the Broker upon request of the E&O carrier.

A FINAL NOTE:

ON A WEEKLY BASIS, CONTACT ALL PARTIES INCLUDING THE COOPERATING BROKER, LENDER AND ESCROW AGENT. CONSISTENT, REGULAR FOLLOW-UP IS ESSENTIAL. YOU WILL AVOID MANY PROBLEMS AND PROBABLY SAVE TRANSACTIONS THAT MIGHT OTHERWISE FAIL, IF YOU KEEP IN CONTACT WITH ALL PARTIES ON A WEEKLY BASIS AND LISTEN CAREFULLY TO WHAT THEY HAVE TO SAY. BUYERS AND SELLERS GET NERVOUS WHEN THEY THINK THEY ARE BEING IGNORED.

EARNEST MONEY DEPOSIT REQUIREMENT

WAC 308-124E-100

All brokers and managing brokers will physically deliver all funds, moneys, negotiable instruments or items of value to the appropriate managing broker, branch manager or their designated broker within the shorter of the following:

(1) Two business days of the client's/customer's signature (business days are not Saturday, Sunday or other legal holidays as defined in RCW [1.16.050](#)); or

(2) Sooner if the terms of the client/customer contract necessitate quicker delivery than two business days.

Earnest Money Policy: Broker will collect earnest money check or promissory note from Buyer(s) at the time of writing Purchase & Sales Agreement. Earnest Money check must be dated the same date as Purchase & Sales Agreement.

Transactions using CBD trust account: Broker will complete the Earnest Money Intake Form and deliver to Managing Broker along with page 1 of the P&S and the Earnest Money check by 3 PM the next banking day after mutual acceptance of the contract. Checks can be delivered to any of our branch offices for deposit. Bookkeeping will create an Earnest Money Receipt for Deposit and will email the Receipt to the Broker. Bookkeeping also uploads the Receipt for Deposit into Wolf Connect.

Transactions using outside Escrow trust account: Broker will deliver to escrow the P&S and Earnest money check by the next banking day after mutual acceptance of the contract (or whatever date is agreed to in the contract). Broker will get a dated receipt from escrow and upload it with a copy of the check, transaction guide and P&S to Wolf Connect within 2 business days of mutual acceptance.

Transactions using Delayed Deposit of Earnest Money: If Purchase and Sale Agreement states that the check is to be held for a specified length of time, Broker must add a statement for a “**no later date**” to the contract. Broker must complete the Earnest Money Intake Form and deliver it and a copy of Page 1 of the Purchase Agreement with the check to any of the branch offices. Check will be held until further written instructions have been delivered by the responsible Broker. **You must notify us in writing when you want the funds to be deposited.**

No mutual Acceptance within 2 Business Days: If earnest money has been collected and mutual acceptance has not occurred within 2 business days; the check must be delivered to the office to be held until mutual acceptance or Broker notification that the sale did not occur. Broker must complete the Earnest Money Intake Form and deliver it and a copy of Page 1 of the Purchase Agreement with the check to one of the branch offices. Check will be held until further instructions have been delivered by the responsible Broker. **You must notify us in writing when you want the funds to be deposited.**

Delivery of Earnest Money checks in violation of WAC 308—124E-100 will result in a penalty of \$50 for each business day that it is late. If Purchase & Sales Agreement fails to close the \$50 per day penalty will be due upon rescission of contract.

HOME INSPECTOR REFERRAL POLICY:

On January 31, 2009, a new rule related to home inspector referrals became effective, as set out in WAC 308-124C-050, which requires that each licensed designated broker will establish a written office policy that includes a procedure for referring home inspectors to buyers or sellers.

Coldwell Banker Danforth has adopted the following policy:

1. The party requesting the referral shall be solely responsible for interviewing and selecting the home inspector, and shall be advised to independently review the qualifications and experience of the inspector. A buyer or seller shall never be required to use an inspector referred by the licensee.
2. Coldwell Banker Danforth does not endorse any inspectors, and expressly disclaims any responsibility for the work of the inspector, and does not warrant or guarantee their findings, or lack thereof.
3. Whenever a licensee refers a home inspector to a buyer or seller, at least three (3) names should be provided to the party requesting the referral.
4. Any time a referral to a home inspector is made, the Home Inspector Referral Disclosure form must be completed, and a copy provided to the requesting party and the office file. Any previous use of the inspector, as well as any independent business or personal relationship with the inspector, shall be disclosed on this form. Coldwell Banker Danforth strongly discourages any licensee referral to an inspector with whom the licensee has a familial or business relationship.

5. No licensee may receive any compensation from any inspector, directly or indirectly, based upon a referral.

Should the licensee have any questions or uncertainty, they should consult their broker prior to the referral.

BROKER RECRUITING: You will be compensated \$25 per Broker that you have referred to our office and the referred Broker has stated you are the Broker who referred them to our office. You will only be given this reduction on months that the referred Broker is on our 100% home office program and are current on their bill.

MORTGAGE FRAUD & BUYER CONCESSIONS POLICY:

Section 9 of House Bill 2770 states that it is unlawful for any person, in connection with obtaining a residential mortgage loan to directly or indirectly: (1) defraud or materially mislead any lender or borrower; (2) knowingly make any misstatement, misrepresentation, or omission during the mortgage lending process knowing that it may be relied upon by a mortgage lender or borrower; or (3) use or facilitate the use of any misstatement, misrepresentation, or omission during the mortgage lending process with the intent that it be relied upon by a mortgage lender or borrower.

Section 10 of House Bill 2770 provides that any person who knowingly violates section 9 or who knowingly aids and abets in the violation of section 9 is guilty of a class B felony.

Coldwell Banker Danforth policy is to disclose all information regarding the property or borrower to the lender. This means that any realtor concessions for the buyer must be in the Purchase and Sale Agreement. Lenders must also receive copies of NWMLS Form 35R and any other related (work order) addendums. This includes the list of repairs that the seller has elected not to complete but in lieu of the repairs will give a credit or reduced sales price.

REALTORS CODE OF ETHICS: CBD is a member of several local Realtor Boards and all Brokers' associated with the company must join. All Brokers' must know and abide by the Realtor's Code of Ethics and continue to be recertified every 4 years with a class covering the Code of Ethics. Classes are available for free with no clock hours <http://www.realtor.org/code-of-ethics/code-of-ethics-training-home> or can be taken for clock hours through many different Washington DOL approved schools.

FAIR HOUSING ACT:

Each Broker should at all times know and abide by the Fair Housing Act. The Fair Housing Act prohibits discrimination in housing because of:

- 1) Race or color
- 2) National origin
- 3) Religion
- 4) Sex
- 5) Familial status (including children under the age of 18 living with parents or legal custodians; pregnant women and people securing custody of children under 18)
- 6) Handicap

SEXUAL HARASSMENT POLICY:

Sexual harassment of any kind is inappropriate, offensive and illegal and will not be tolerated. Sexual harassment is a form of discriminatory behavior. No employee shall be subject to unwelcome verbal or physical advances or any other on-the-job conduct that could be interpreted as harassment.

Legal Definition: Sexual harassment is a form of sex discrimination and is an “unlawful employment practice” under Title VII of the 1964 Civil Rights Act. Unwelcome sexual advances, request for sexual favors and other verbal or physical conduct constitute sexual harassment when:

- They are part of a manager’s decision to hire or fire
- They are used to make other employment decisions such as pay, promotion or job assignment.
- They interfere with the licensee’s or employees work performance.
- They create an intimidating, hostile, or offensive work environment.

Behavior That Can Constitute Sexual Harassment: Sexual harassment is defined as deliberate or repeated behavior of a sexual nature that is unwelcome. It can include verbal behavior such as unwanted sexual comments, suggestions, jokes, or pressure for sexual favors; nonverbal behavior such as suggestive looks or leering; and physical behavior such as pats or squeezes, or repeatedly brushing against someone’s body.

Procedure: The Designated Broker is responsible for managing all complaints of sexual harassment and for insuring that all complaints are investigated fully and fairly, regardless of the manner in which they are made or the individuals involved.

Should an instance of inappropriate behavior occur, it is the licensee or employee’s responsibility to bring it to the attention of management. This includes licensees and employees who think they are the recipients of sexual harassment and also those who believe that they have witnessed another licensee or employee’s harassment.

If a licensee or employee believes her or she is being sexually harassed, action should be taken immediately by:

- Identifying the offensive behavior to the harasser and requesting it stop.
- Discussing the issue with the Manager Licensees involved in the accusation, complaints should be taken directly to the Designated Broker.

UNLICENSED REAL ESTATE ASSISTANTS: Unlicensed assistants who work under the direct instruction and supervision of a licensed **broker or managing broker** according to Washington Real Estate DOL may perform the following tasks and duties:

This information is direct from the DOL website.

Unlicensed Real Estate Assistant tasks and duties:	MAY NOT	MAY
Show properties, answer questions, or interpret information about the property, price, or condition.	X	
Interpret information about listings, titles, financing, contracts, closing, or other information relating to a transaction.	X	
Fill in legal forms or negotiate price or terms.	X	

Unlicensed Real Estate Assistant tasks and duties:	MAY NOT	MAY
Hold or disburse trust funds.	X	
Perform any act with the intent to circumvent, or which results in the circumvention of, real estate licensing laws.	X	
Provide information about the characteristics of a real estate listing or the terms of a transaction, as written and approved by a real estate licensee.		X
Pick up or deliver documents and keys (basically act as a courier).		X
Follow up on loan commitments and pick up or deliver loan documents after a contract has been negotiated.		X
Write and place advertising.		X
Gather market analysis information.		X
Perform normal clerical duties such as typing, scheduling appointments, etc.		X
Transport people to properties and surrounding areas of interest. While performing this duty, they may only provide answers that are on preprinted material prepared by a real estate licensee.		X
Obtain any public information from government offices, utility companies, title companies, etc.		X
Make keys, install boxes, and place signs on the property.		X
Greet people at an open house, distribute preprinted media material, and help provide security.		X
Submit forms and changes to a multiple listing association.		X
Check on the progress of loans, credit reports, etc.		X
Receive rent payments and compute commission checks.		X
Record and deposit earnest money and security deposits.		X
Order or perform repair or maintenance.		X
Conduct telemarketing or phone canvassing to schedule appointments to seek clients, provided: a. Compensation isn't conditioned upon receipt of compensation by the licensee or firm and b. They don't provide any other brokerage services.		X