

9.3A SETTLEMENT AMENDMENT TO LISTING AGREEMENT



1 **1. Parties to this Agreement.**

2 Seller: _____

3 Seller: _____

4 Seller: _____

5 Seller: _____

Broker: _____

Principal Broker _____

Firm _____

6 **2. Purpose.** As a result of the proposed Settlement Agreement entered on March 15, 2024, between the National Association of
7 REALTORS® and plaintiffs in lawsuits in Missouri and Illinois, certain practice changes will be implemented by Multiple Listing Services
8 and MLS users, effective August 2024. The exclusive agency relationship agreement between Seller and Agent ("Listing Agreement")
9 pre-dates the effective MLS rule changes, thereby requiring modification to set the Listing Agreement into compliance. Upon Mutual
10 Acceptance of this Amendment by Seller and Agent, the terms of this Amendment are made a part of the Listing Agreement. If terms
11 or provisions of this Amendment conflict with terms or provisions in the Listing Agreement, the terms and provisions of this
12 Amendment will control. All provisions of the Listing Agreement not modified by this Amendment will remain unchanged.

13 **3. Modifications to Listing Agreement.** The Parties agree that the following changes to the Listing Agreement will take effect on the
14 earlier of the date that the MLS on which the Property is listed updates its rules to comply with the NAR settlement, or _____
15 (insert date).

16 (i) Broker shall not disclose or make offers of compensation to buyer brokers or other buyer representatives (directly or through
17 buyers) on the MLS. Broker shall not disclose total compensation or listing broker compensation on the MLS.

18 (ii) All references to offers of cooperation to buyer brokers or other buyer representatives on the MLS shall be removed.

19 (iii) Broker shall be able to provide offers of compensation to buyer brokers or other buyer representatives, but shall only do so
20 off of the multiple listing service. Broker shall effectuate any Broker offer of compensation to buyer broker or other buyer
21 representatives through a separate agreement between Firm and the buyer representative's firm.

22 (iv) Prior to providing any payment and prior to any agreement to pay another broker acting for the buyer, Broker shall
23 conspicuously disclose the amount or rate of such payment in writing to Seller and shall obtain Seller's approval for such
24 payment or offer of payment.

25 (v) Seller and Broker agree and acknowledge that Broker commission is not set by law and remains fully negotiable.

26 **4. Signatures. The Parties agree to make the above amendments to the Listing Agreement.**

27 Seller: _____ Dated: _____

28 Seller: _____ Dated: _____

29 Seller: _____ Dated: _____

30 Seller: _____ Dated: _____

31 Agent: _____ Dated: _____