

FORMS UPDATE 8/29/2024

This form approved by the North Dakota Association of REALTORS®, which disclaims any liability out of use or misuse of this form. This form is only for use by licensed REALTORS® in the State of North Dakota.

The following information is being provided to update all NDAR members regarding recent updates to our forms. Attached, you will find watermarked copies of the forms with changes highlighted in yellow. Newly created forms are not highlighted but will be explained below.

PURCHASE AGREEMENT

- This section has been changed to reflect compensation requests from the Seller(s) to the Buyer's Broker that are IN ADDITION TO any Broker cooperative compensation.
 - If cooperative compensation is being offered and the Buyer/Buyer's Agent accept the amount, as offered, leave this section blank.
 - If cooperative compensation is being offered and the Buyer/Buyer's Agent is requesting an amount greater than the offered compensation, enter the additional requested amount here.
 - If there is no cooperative compensation and you are requesting compensation directly from the Seller, enter the requested amount here.

EXCLUSIVE RIGHT TO REPRESENT BUYER AGREEMENT

- Line 8: Added the statement that a written agreement is required prior to showing.

BUYER(S) CUSTOMER SHOWING AGREEMENT

- Line 6: Added the statement that a written agreement is required prior to showing.
- Line 44 – 57: Seller's language was removed due to the NAR Settlement. It now reflects strictly what the Buyer is willing to agree to for compensation. It also reflects the SHALL or SHALL NOT be reduced by what the Seller is willing to offer.

COOPERATIVE COMPENSATION AGREEMENT

- This document is used if there is cooperative compensation being offered Broker-to-Broker. The cooperative compensation will be listed and both agents will sign off on this agreement.
- This document is to be used in conjunction with the changed language in the Purchase Agreement.

AGENCY RELATIONSHIP DISCLOSURE

- Line 4 – 9: Language was added to note that this is only a disclosure and not an agreement to tour homes. You will need the appropriate form to create the desired relationship in a transaction.
- The NAR Settlement language was added to state all commissions are negotiable.
- This form is not an agreement for representation. Rather, it is a disclosure explaining the different types of agency possible in a real estate transaction.

ADDENDUMS/AMENDMENTS

- SELLER(S) CUSTOMER SHOWING AGREEMENT ADDENDUM/AMENDMENT
- EXCLUSIVE RIGHT TO SELL LISTING AGREEMENT ADDENDUM/AMENDMENT
- EXCLUSIVE RIGHT TO REPRESENT BUYER AGREEMENT ADDENDUM/AMENDMENT
- BUYER(S) CUSTOMER SHOWING AGREEMENT ADDENDUM/AMENDMENT
- These forms have been created so changes can be made, to the referenced form, using the proper addendum/amendment.

If you have questions, please contact your Broker(s) to help you navigate these changes. If you are a Broker with questions, please contact NDAR Legal counsel for more assistance.

There is also a video located on the NDAR YouTube channel that will help you understand the forms and the updates.