

Under the ARMLS Rules and Regulations, Administrative Personnel credentials are available as follows:

7.4 LICENSED OR UNLICENSED SUPPORT PERSONNEL. Administrative, personal assistants, or secretarial personnel, whether or not they hold a real estate license, shall be allowed access to the system to the extent necessary for them to perform their duties with and for the Participant and the Participant's Subscribers. The Participant shall make application for and pay the appropriate annual fee(s) for administrative access in the manner and amounts established by the BOD.

- 7.4.1 Participants shall be allowed up to three administrative personnel Access Credentials per office code (at no charge). The exact number shall be a quantity equal to the number of Subscribers in the Participant's office/branch divided by 30 and including fractions. Each office/branch shall be entitled to at least one administrative access regardless of office size.
- 7.4.2 Offices may purchase additional administrative credentials, over and above those allocated in 7.4.1, for the fee specified by the BOD in the current fee schedule. The Participant shall be responsible for paying all fees associated with licensed or unlicensed support personnel's credentials.
- 7.4.3 Subscriber(s) who employ licensed or unlicensed support personnel may apply for an individual administrative credential under the Participant's allocation formula in 7.4.1, only with the written permission of the Participant.
- 7.4.4 Any person with an administrative credential may not under any circumstances be designated as a listing or selling agent on a property.
- 7.4.5 Any change in the assignment of the administrative credentials, or any change in the license status of an administrative person, **MUST** be reported within Ten (10) Days to ARMLS by the Participant.

FEE STRUCTURE AND POLICY FOR ADMINISTRATIVE PERSONNEL:

By recommendation of the Finance Committee and action of the ARMLS Board of Directors at their meeting of March 30, 2009, the following policies are adopted as interpretations of the rules of Section 7.4

1. Administrative Personnel Fees shall be set at an amount equal to 50% of the then current ARMLS Subscriber Fee.
2. Fees shall be payable in advance through the end of the current billing cycle (year) and shall be prorated by the half-month for portions of any remaining term in the billing cycle (treated same as agent subscriber fee proration).
3. Participant may designate person responsible for billing for administrative personnel.

- a. Participant may assume responsibility for all company administrative personnel and be billed for same.
 - b. Participant may designate a Team Leader as the designated responsible party for such fees for personnel assigned to that Team Leader's team.
 - c. Participant may direct that administrative personnel pay their own subscription fees individually.
4. Where brokerages aggregate administrative duties for multiple offices in a central location or administrative office, ARMLS may adjust the formula by which free administrative credentials are allocated to accommodate such models. For example, a firm with 10 branches and 1,000 agents could receive as many as 30 free administrative logins (three for each of the ten offices, each with an average of 100 agents) to accommodate their model.
5. Virtual administrative personnel shall be treated the same as physical administrative personnel for the purpose of this policy. Administrative personnel need not be located in the office or in the administrative center, but the same formula would apply as if they were physically located in the office.
6. Virtual administrative personnel and/or licensees may be employed by more than one firm. Such personnel shall be treated as if each instance of employment (each firm) were a separate person and would require a separate login credential for each firm. Administrative access levels may be set individually for each firm at the direction of the Participant. (This would allow Firm A to use the virtual assistant on a companywide level, Firm B on a Team level, and Firm C on an individual level. This would also allow a licensee to be a salesperson with Firm D and a licensed administrative assistant with Firm E, provided any required disclosures were made and consent of the Participants received.)
7. For changes in administrative personnel, ARMLS will issue a new ID/Password to the replacement person and deactivate the ID/Password of the person who is being replaced. Any fees paid for the latter (person being replaced) will be credited to the former (replacement) for the balance of the current billing period.
8. For the initial implementation of this policy all administrative personnel authorized by ARMLS and active in the MLS system as of September 15, 2009 shall retain their existing ID/Password assignments and none of the existing personnel shall be subject to the fees established by this policy. As personnel change, the formula for calculating authorized free administrative credentials shall be applied and if the firm requests new credentials that exceed the allocation then these shall be subject to the administrative credential charge.

ADMINISTRATIVE PERSONNEL OR TEAM MEMBER?

The implementation of this policy necessitates an examination of the difference between an Administrative Person and a Team Member. Many brokers have teams within their firm that function as a single selling unit for the purposes of taking and managing listings or sales. Often the members of the team are licensed agents with full authority to perform all the functions permitted by their licensure.

Many do perform functions such as preparing market estimates of value, showing houses, making appointments, arranging home inspections, etc. Some team members may not be licensed and do not perform such tasks. Likewise, some licensed team members do not perform such tasks on a regular basis, but have a license so that should they be called upon to do so in an emergency, they can operate without fear of engaging in unlicensed activity.

Depending on the level of activity performed by each person, these personnel could fall into one, and only one, of five categories. Descriptions which follow each should help in deciding what type of subscription to ARMLS each of these people requires.

1. **Licensed Subscriber.** This is a licensed practicing agent, team leader, the person under whose name all the listings are entered into the system. This type of individual would require a full regular ARMLS subscription.
2. **Licensed Team Member.** This is a licensed practicing agent, member of a team, who performs or may perform some or all the functions of the Licensed Subscriber on a regular basis, but whose name does not appear individually on a listing. This type of individual would require a full regular ARMLS subscription.
3. **Licensed Administrative Personnel.** This is a licensed agent, supporting a team, who does not normally perform any of the functions of a Licensed Subscriber that require licensure. Activities can include preparation of marketing materials (CMA), fielding inquiries over the phone for showing appointments or information about the listing. But this person does not show houses, host or assist in hosting open houses, does NOT possess, control or use a lockbox key to enter, view or show any property that is listed on the System, does not make listing presentations to potential Sellers, accompany buyers on tour or any other activities that would normally be handled by a Licensed Team Member or Subscriber. The key determinant for this classification is the “normal” job functions of the individual. On rare occasions (less than one time per month for the purpose of this policy), this person may step into the role of Team Member or Subscriber and fill that role but it should not be a routine part of this person’s job description. Provided all these requirements are met, this type of individual would qualify for an Administrative Personnel ARMLS Subscription.
4. **Unlicensed Administrative Personnel.** This is an unlicensed individual, supporting a team, who does not at any time perform any of the functions of a Licensed Subscriber that would require licensure, as defined by the Arizona Department of Real Estate in their Substantive Policy Statement No. 2005-04, including the requirement that the unlicensed assistant is not paid on

any basis that relies on the ultimate sale of a property. The full text of the policy statement and details as to activities that are allowed or not allowed may be found on the ADRE web site at http://www.azre.gov/LAW_BOOK/Documents/SPS_Documents/SPS_2005.04_Unlicensed_Assistants.pdf. Provided all these requirements are met, this type of individual would qualify for an Administrative Personnel ARMLS Subscription.

The application for Administrative Support Personnel access contains the same affirmation of non-practice as is contained in the Application for Waiver. If a Waived Licensee or Administrative Employee fails to continue to meet the four requirements of non-practice, then that person would be required to become a full ARMLS Subscriber.

5. **Waived Licensee** (agent or assistant). This is a licensed individual who does not engage in activities that would require subscription to ARMLS. To meet the requirements of a waiver, the individual and the licensing Participant must attest to the following four points:
 - a. Individual is NOT the listing agent for any active listing included in the ARMLS computer system (“the System”).
 - b. Individual does NOT possess, control, or use a lockbox key to enter, view, or show any property that is listed on the System.
 - c. Individual does NOT directly or indirectly access or use in any manner whatsoever the listing information stored in the System. Such access and use includes, but is not limited to, direct access to or use of the System and the use of any other devices or software, that permit access to and use of any listing information from the System.
 - d. Individual does NOT directly or indirectly use in any manner whatsoever information from the System to list properties for sale or lease, to identify or locate properties for any potential buyers or lessees and does not participate in holding open houses for any properties listed in the System.

To be granted a waiver, the individual must complete an Application for Waiver form available on the ARMLS.com website at <http://www.armls.com/docs/forms/application-for-waiver-of-mls-subscriber-fee.pdf>.

This policy will be enforced by ARMLS according to the guidelines outlined above and contained in the current Subscriber Agreement. Appeals to ARMLS rulings are allowed through the appeal process outlined in the ARMLS Penalty Policy.

All applications for Administrative Personnel credentials (licensed or unlicensed) are to be made directly to ARMLS.

An Application for Administrative Personnel Subscription is available at:
<http://www.armls.com/docs/forms/application-for-administrative-support-personnel.pdf>

A copy of this policy is available at: <http://www.armls.com/docs/forms/administrative-policy-quick-guide.pdf>

If you have questions about this policy, please contact the ARMLS Billing Department at Billing@ARMLS.com or call our main offices at 480-921-7777.