



REAL ESTATE

SINCE 1985



**RELATIONSHIPS
POLICY MANUAL**

800-887-6929

I. Nature of Company Services

- A.** Independent Real Estate (IRE) is a real estate brokerage engaged in the sale, management and rental of real estate. If your state allows, agents may create their own business name such as BETTER DAYS REAL ESTATE, or JIM JONES COMPANY, and work under that name or you can license under INDEPENDENT. Either way you get dependable, low cost brokerage services and technical support.

II. Commission Schedule:

- A.** The commission rate charged buyers or sellers is up to the agent. The amount of commission charged is entirely in the hands of the agent.
- B.** Brokers earn commissions both for listings and sales that close based on the following schedule:
 - 1.** The commission split with Independent on sales and leases is 10% to Broker, 90% to Agent. Commissions on sales are scaled subject to the minimums listed below.
 - 2.** Minimum Broker commission for sales under \$10,000 is \$100 to Broker from both Listing and Selling side, balance to Independent Agent.
 - 3.** Minimum Broker commission for sales under \$50,000 is \$250 to Broker from both Listing and Selling side, balance to Independent Agent.
 - 4.** Minimum Broker commission for sales over \$50,000 is \$500 to Broker from both Listing and Selling side, balance to Independent Agent.
 - 5.** Brokers earn 10% of referral fees with a minimum of \$500, balance to Independent Agent.
 - 6.** Transactions in which the agent is the buyer or the seller are treated like any other transaction reflecting the agency relationship involved. If you do not represent the Buyer or the Seller then Independent Real Estate is not involved. You as the buyer or seller must remember however to declare your status as a licensee in the contract. NOTE: Independent Real Estate forms may not be used for transactions in which Independent Real Estate is not involved as the listing or the selling agency.
 - 7.** There are agency dues of \$200 per year. Agents pay agency dues at the time of their home state license renewal period to cover the entire period. Current licensees transferring to Independent are prorated in the agents second license cycle. A one time fee of \$600 is paid for the creation of new brokerage name which the agent owns.

III. Referrals between Companies

- A.** IRE will generally compensate a referring broker 20% of the gross commission due IRE.
- B.** IRE generally expects a similar referral fee from those brokers that receive an IRE referral, but the ultimate decision of whether or not and to what extent to share is in the hands of the agent.

IV. Agent Requirements:

- A.** All agents are required to read and acknowledge this “POLICY MANUAL” prior to association with IRE.
- B.** All agents are obligated to reveal any information prior to association which might be interpreted as being detrimental to the company or which might effect the agent’s ability to maintain a real estate license in any state.
- C.** All agents are required to maintain current real estate licenses and to be familiar with and to comply with all state laws and Real Estate Commission Rules and Regulations pertaining to real estate licensee activities. Any violation of state laws or Real Estate Commission Rules and Regulations will render the agent solely responsible for his acts and may result in termination of relationship with IRE.
- D.** All agents are required to be familiar with and follow the Real Estate Commission Rules and Regulation in order to be in compliance with IRE policies and procedures. All agents are required to follow HUD Fair Housing Rules. You are encouraged to contact the office with any questions you may have.
- E.** For the protection of your client, yourself and the agency it is required that agents use company supplied forms. These are easy to understand binding agreements developed with the aid of legal counsel. Use of other forms must be pre-approved. Any form can be custom tailored to your needs. NOTE: Independent Real Estate forms may not be used for transactions in which Independent Real Estate is not involved as the listing or the selling agency.
- F.** Agents are not employees for Federal tax purposes.

V. Termination Policies and Procedures:

- A.** Upon termination of association, the agent shall return to the company and the sales manager all property he has been given or assigned by the company, including policy manuals, training manuals, keys to the offices and files, signs and supplies.
- B.** Upon termination, any interest an agent might have in unsold listing at the time of termination shall remain vested in that agent.
- C.** Agent shall retain any commissions, which accrued prior to notice of termination.
- D.** The company shall not be liable to the agent for a commission until the sale is consummated and all documents are in the file.
- E.** No licensee will be transferred to another broker or released to the agent until all procedures of termination are completed and the agent has returned all items listed in the above section.

VI. Legal Action for Fees:

- A.** The right to determine whether any litigation or disputes shall be prosecuted, defended, or settled, or whether legal expenses shall be incurred in connection with the payment or collection of any amount connected with a real estate transaction shall be the sole prerogative of IRE. The agent must abide by the decision of the company as determined by the sales manager.
- B.** Any attorney's fees, court costs, or other related costs incurred to collect a commission shall first be deducted from the gross commission ultimately paid to IRE before distributing to participating parties sums representing their respective interest in the commissions.
- C.** It is the basic philosophy of IRE that legal action is the most undesirable way to obtain a solution to a dispute. For that reason, IRE will usually attempt to avoid legal fights by resolving the disagreement through private negotiation. All such matters should be referred to the sales manager so he can assist in reaching settlement.

VII. Company servicing polices for agents:

- A.** Agents must forward to the office copies of all documents related to every listing or transaction. The agent should keep a duplicate file. Use of the Transaction Checklist greatly simplifies life and is strongly recommended.
- B.** Buyers and Sellers should be kept informed about pertinent details affecting their transactions.
- C.** It is the responsibility of the agent to initiate and to track the closing process. You owe it to your buyers and sellers to make certain that the closing agent is meeting closing requirements.
- D.** When buyers and sellers are called to sign any final documents, it is a good practice that the agent be present to help resolve any last minute problems.

VIII. Brokerage Relationships and Professional Affiliations

- A.** Independent Real Estate DOES offer Seller, Buyer, Landlord and Tenant representation. Independent Real Estate DOES offer Transaction Brokerage where legal. Independent Real Estate DOES NOT offer Designated or Dual Brokerage.
- B.** Independent Real Estate is not affiliated with the National Association of Realtors. However we do encourage cooperation between licensees for the benefit of our clients. NAR rules require that 'if one agent joins, all must join' and because we operate in many local board jurisdictions it is not possible for our agents to join NAR. However, MLS systems are now open for individual agents to join as desired. All fees and dues are the responsibility of the agent.

IX. To Acquire a License see the Real Estate Commission for your home state or contact the office.

X. To Transfer Your Active License:

- A. Request a transfer form from our office or the Real Estate Commission. Forward it to the Independent office along with a check for the Real Estate Commissions transfer fee made payable to the Real Estate Commission and a check for your Independent dues.

XI. To Reactivate Your INACTIVE License:

- A. Fill out the Application for Reinstatement supplied by the Independent office and send it to us along with a check for the Real Estate Commissions fee made payable to the Real Estate Commission. NOTE: Your education requirements must be current prior to reactivating.

Company contact information:

Call 800-887-6929 anytime

Direct Line 785-887-6966

Fax 785-887-6967

Email: info@independentrealestate.net

Web Page: www.independentrealestate.net

Corporate office mailing address:

Independent Real Estate

ATTN: Bill Fair

478 N. 1950 Rd.

Lecompton, KS 66050



**REAL ESTATE
INCORPORATED**

I have read and agree to follow the Policies and Procedures of Independent Real Estate. Any violation of state laws or Real Estate Commission Rules and Regulations will render the agent solely responsible for his/her acts.

I understand that association with Independent Real Estate is a Contractor relationship as understood by Federal tax guidelines, that I am not an employee and that there is no workman's compensation.

Signed

Date

Print Name

SS#

Home/Work Phone Number

Cell Phone Number

email

Address

Please sign and return with your agency fee to:

Independent Real Estate
478 N. 1950 Rd.
Lecompton, KS. 66050