



eXp Realty

Policy and Procedures

These Iowa Policies and Procedures ("IA P&Ps") of eXp Realty constitute an integral and material part of the eXp Realty U.S. Policies and Procedures ("eXp P&Ps"); this reference incorporates them into the eXp P&Ps, verbatim and at length. They constitute a part of the eXp Realty Independent Contractor Agreement ("ICA"). Unless otherwise defined, capitalized terms used herein shall have meanings ascribed to them in the eXp P&Ps and ICA.

Table Of Contents

IOWA LEADERSHIP TEAM

ADVERTISING

Definition

Advertising Requirements

Advertising Prohibitions

Names in Advertising

Email Signatures

MLS Clear Cooperation Policy

MLS's WHO HAVE OPTED OUT OF THE NAR SETTLEMENT

eXp ACCESS POLICY

TEAMS

Branding of Teams with Trade Names & Fictitious Names

Team Advertising

Team Commission Payments

Agency Disclosure/Dual Agency

BRANCH OFFICES

Branch Office vs. Non-Designated Office Space

Non-Designated Office Space, a.k.a (A Back Office)

AGENT FIDUCIARY DUTIES

Appointed Agency

Consensual Dual Agency

ABSTRACT OF TITLE

COMMISSION & CLOSING PROCEDURES

Documentation furnished to Closing Agent

Commissions to Agents

MAIL AT BRANCH OFFICES

MARKETING AND CONSULTING FEES

TRUST ACCOUNT/EARNEST MONEY

LIMITED AUTHORIZATION TO SIGN

ERRORS & OMISSION INSURANCE

FILE COMPLIANCE

LOCKBOXES

PERSONAL or FAMILIAL TRANSACTIONS

AGENT SAFETY

WIRE FRAUD

EMERGENCY PREPAREDNESS

DO NOT CALL

ADDITIONAL RESOURCES

NOTIFICATION OF POLICY AND PROCEDURE MANUAL REVISION

GENERAL IOWA POLICIES

All Agents doing business in Iowa (IA) with eXp Realty LLC. ("eXp Realty"), are expected to abide by both the eXp Realty U.S. Policies and Procedures ("eXp P&Ps"), located at www.exprealty.com/policies and these eXp Realty LLC. Policies and Procedures ("IA P&Ps"): To the extent that these IA P&Ps conflict with the eXp P&Ps due to specific Iowa laws or regulations, these IA P&Ps will govern. If there are any questions about these IA P&Ps or the eXp P&Ps, contact the State Broker or Managing Broker(s).

IOWA LEADERSHIP TEAM

[John Stark, Designated Managing Broker \(DMB\)](#)

[Tracy Cherney, Managing](#)

[Bhttps://exprealty.workplace.com/profile.php?id=61557057308725&sk=timelineroker](https://exprealty.workplace.com/profile.php?id=61557057308725&sk=timelineroker) (MB)

[Craig Temple, Quad Cities Area Managing Broker \(MB\)](#)

[Michelle Ternes, Contract Compliance Analyst \(CCA/MB\)](#)

[Z Espejo, Administrative Support Analyst \(ASA\)](#)

[Firm's License Number is: F05969000](#)

Physical Firm Address is 5550 Wild Rose Lane #400, West Des Moines, IA 50266

Broker Email: ia.broker@exprealty.net

Signature Email: ia.sign@exprealty.net

Broker Hotline: 833-835-5566

[IA Agent Website](#)

ADVERTISING

Definition

The term "Advertising" refers to Solicitation or promotional materials intended to engage Consumers, which includes, but is not limited to, promotional and advertising flyers, postal mail, leaflets, and any marketing or promotional materials designed to solicit the creation of a professional relationship between the licensee and a consumer, or which is intended to incentivize, induce or entice a consumer to contact the licensee about any service for which a license is required, publications, radio and television broadcasts, all electronic media including email messages, text messages, social media websites and the Internet, business stationery, business cards, signs, and billboards.

Advertising Requirements

Per 10.1(3), the Agent shall conduct all advertising under the DMB's supervision.

All advertising (see definition) must contain the following:

1. Clearly and conspicuously identify and display the name of the brokerage, "eXp Realty," in addition to any authorized logo, the brokerage's name must be shown as prominently and conspicuously as that of any personal logo/DBA or team name used.
2. All advertising must identify the Agents as "Agent," "Broker-Associate," or "REALTOR®" to identify the advertiser as a real estate Agent.
3. If an Agent's/team-related logo is included, the Brokered by eXp Realty logo must also appear prominently and be of similar size.
4. Websites must include the Agent name, eXp Realty, city, and state on each page. It must be evident in the header on the page that eXp Realty is the brokerage for the individual Agent or the team.

All advertising must be submitted to the Broker at IA.broker@exprealty.net for approval before ordering and use.

Once the Broker has approved the template, it can be reused and updated.

The eXp logo must be clear and prominent in communication, promotion, and signage. The Company logo must be equal to or larger than the Agent's name, team branding, etc. The eXp logo must be at the top of the Agent website (above the fold), and the "one-click rule" applies to all social media purposes.

[eXp Realty Brand Guidelines](#)

Advertising Prohibitions

Agents may not advertise in a manner indicating that the property is being made available by a private party. No real estate advertisement shall show only a post office box number, telephone number, or street address. Every Agent shall use the regular business name and affirmatively and unmistakably indicate that the party is a real estate licensee.

Real estate advertising shall not be misleading, deceptive, or intentionally misrepresent any property, terms, or values.

Agents are prohibited from advertising solely under their name. It is company policy to run all transactions through eXp Realty.

Agents are prohibited from explicitly adding the terms Company, Corporation, Corp. Inc., LLC, L.P., LLP, Real Estate, Brokerage, Real Estate Brokerage, Realty, Agency, Associates, Brokers, Property, or Properties. Also, Agents may not use the terms "Real Estate Advisor" or "Real Estate Consultant" unless they have the qualifications, training, and insurance coverage to justify that title to the general public. Generally, Agents operate exclusively as real estate Agents representing buyers, sellers, landlords, and tenants and defer to other law, insurance, tax professionals, and financial advisors; therefore, the term consultant or advisor could be misleading.

Names in Advertising

The Iowa Real Estate Commission does not allow nicknames, primarily versions that are not similar to the legal name. Agents must use their legal name, which matches their real estate license.

For example, you may get away with using "Mike" instead of "Michael." However, "Dick" instead of "Richard" would not be acceptable. Therefore, For example, Agents may only advertise their names and affiliations in one of three ways:

- 1.) John Stark brokered by eXp Realty
- 2.) John Stark with eXp Realty
- 3.) John Stark, eXp Realty

Agents may add the term Real Estate Agent or REALTOR® after their name as long as it follows the [trademark rules](#) of the National Association of REALTORS®.

10.1(5) & 10.1(7) An Agent advertising or marketing on an Internet site owned by or controlled by the Agent must include the following data on each page of the website on which the Agent's advertisement or information appears:

- a. The Agent's name matches their real estate license;
- b. The name of the firm with which the Agent is affiliated as it is registered with the commission (abbreviations are not permitted);
- c. The city and state in which the Agent's office; and
- d. The state in which the Agent holds a real estate broker or salesperson license. Using the closest branch office to the Agent's location is usually acceptable. Use "Branch Office" or "Firm Office" to clarify. Our Firm Office is in West Des Moines, IA 50266.

Example: Holly Brink, eXp Realty, Spencer, IA 51301, Licensed in the States of Iowa & Arizona

Email Signatures

Email signatures require the following Notice of Wire Fraud Advisory & Confidentiality Notice. Important Notice: Never trust wiring instructions sent via email. Always independently confirm wiring instructions in person or via telephone to a trusted and verified phone number—only wire money after double-checking that the wiring instructions are correct.

Confidentiality Notice: This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information protected by law. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender by replying to the email and destroying all the original message copies.

MLS Clear Cooperation Policy

The National Association of REALTORS® has adopted the [MLS Clear Cooperation Policy](#) that requires all listings to be submitted to the MLS within one business day after marketing a property to the public. Public marketing includes flyers in windows, yard signs, digital marketing

on public-facing websites, brokerage website displays, email blasts, multi-brokerage listing sharing networks, and applications available to the general public. Public marketing does not include an office-exclusive listing where the listing is directly promoted between the brokers and licensees affiliated with the listing brokerage and one-to-one promotion between these licensees and their clients.

Under these circumstances, keeping the Property off the MLS means that no public marketing will occur, and the scope of marketing will consist only of direct one-on-one promotion between the brokers and licensees affiliated with the listing brokerage and their respective clients. Agents should ensure that in any public marketing commerce, the seller understands and agrees that the listing will be submitted to the MLS within one business day.

MLS's WHO HAVE OPTED OUT OF THE NAR SETTLEMENT

This policy outlines the guidelines for recognizing Multiple Listing Services (MLSs) who have **opted out** of the National Association of Realtors (NAR) settlement and subsequent practice changes removing offers of compensation from any MLS beginning August 17, 2024.

eXp Realty agents are REALTOR® members covered under the NAR settlement and are required to follow the updated rules regarding no offers of compensation being offered in the MLS.

While eXp Realty recognizes some MLS's have chosen not to "opt in" to the NAR settlement agreement, as a company we must default to the more restrictive rule as part of the settlement agreement.

No compensation may be conveyed via the Multiple Listing Service.

If a seller directs an eXp Realty agent in writing that they are willing to consider an offer of Buyer Broker Compensation by means of a concessions to a buyer, that may be promoted in such a manner as to comply with the MLS Rules as adopted, eXp Realty will not share listing side commission, so any offer of compensation would be paid by Seller to Buyer Broker directly.

eXp in no way desires to circumvent MLS rules or boundaries; therefore, we require all eXp agents to abide by the rules of the MLS(s) in which they are a member, so long as they do not conflict with this policy.

Any members of My State MLS must Opt out of offering cooperating compensation

MLS(s) that have opted out of the NAR Settlement Agreement:

No Iowa MLSs have opted out of the NAR Settlement

For additional questions, please contact your local State Broker.

eXp ACCESS POLICY

The purpose of eXp Access is to:

- Provide an unique offering for sellers who, due to varying circumstances, do not want their listing marketed in a public manner.
- Provide greater transparency to eXp agents and clients by eliminating geographic boundaries that limit us from viewing all eXp listings nationally/internationally.

The eXp Access platform makes two sets of data available to all eXp agents and their clients:

- *eXp Office Exclusives (OEs)*: These are listings that eXp agents have entered directly into the Zenlist software platform
- *eXp Public Listings*: These are eXp listings that originate from the listing agent's local MLS.

eXp in no way desires to circumvent existing MLS rules or boundaries; therefore, we require all eXp agents, when utilizing eXp Access, to abide by the rules of the MLS(s) in which they are a member.

Only listings with a valid Listing agreement may be entered as an eXp Office Exclusive (OE).

eXp OEs will have an expiration and should be renewed in the platform as the seller directs.

Listings from the multiple listing will automatically pull in to eXp Public Listings and the original OE input will need to be deleted by the agent so there is no duplication. Agents will be responsible for maintaining and updating the status, price and comments of any listing entered in eXp Access within 24 hours of the update.

Advertising

- OE listings may **not** be advertised publicly in any medium so as to adhere to local MLS rules.
- **Only Buyers that have signed a Buyer-Broker Representation Agreement with eXp Realty can be allowed access to view eXp Access listings.**

- Listing a property as an eXp OE is not considered public marketing under the NAR Clear Cooperation Policy. If your MLS does not follow NAR's [Clear Cooperation](#) policy, or has other rules, you must abide by the rules of your MLS.
- MLS Exemption Form - You must follow your MLS's rules: *If your MLS requires an exemption form to withhold entering your listing, even if it's not being marketed publicly, you **must** have a seller exemption form signed.*

Multiple listing services that should be considered and local rules followed are [linked here](#).

TEAMS

Branding of Teams with Trade Names & Fictitious Names

The DMB/MB will assist an Agent with using a team brand or name used for advertising purposes by registering the fictitious name under the Company's name with the Secretary of State of Iowa on behalf of the Agent Team Leader listed above. The Company will also submit a Trade Name Application to the Iowa Real Estate Commission, as required by Iowa Real Estate rules, regulations, and code, on behalf of the Agent Team Leader. The Trade Name License will have the same expiration date as the firm license. The team leader will be responsible for upfront payment or immediate reimbursement to eXp Realty. There is an application process for this request. The Iowa Real Estate Commission does not officially recognize "Teams." If the State of Iowa issues laws or rules at any point, the cost of rebranding as an Agent or a Team is the Agent's sole responsibility.

A "Branch Office" operating as a formal or informal team must adhere to all the policies of eXp. The Branch Manager may or may not be designated as a "Branch Manager" by the Iowa Real Estate Commission. The DMB/MB may be the registered Branch Manager. The Branch Manager must have a broker's license. If the Team Leader is the Branch Manager, that team leader is supervised by the DMB and must adhere to all eXp policies. The Branch Manager oversees the location's operations; however, the DBM is still recognized as the supervising broker with the state real estate commission. The team may create its own culture in alignment with the values of eXp.

Team Advertising

When advertising a Team or Team Name, it is required to display the Brokerage Name prominently and not suggest the team is an independent real estate brokerage. Teams must prominently display the brokerage name or current logo equal to or larger than any individual Agent or team name on all signage and branding. Agents and Teams may use the "eXp Realty" logo or the "Brokered by eXp Realty" company logo to supplement their team logo. Team or Office Names should always include the word "Team" or "Group" as part of the Team, Group, or Office Name.

Team Commission Payments

eXp may pay the Agent Team Leader via a corporation compliant with Iowa Code Section 543.34-2. eXp must pay the other licensed team Agents who are parties to the transaction directly through a split or referral fee.

Agency Disclosure/Dual Agency

eXp practices appointed agency. However, with teams, becoming an undisclosed dual Agent is easy. Teams may operate as a dual agency to prevent an undisclosed dual agent. Thus, teams will always list the team leader as an appointed Agent. Therefore, if one team member lists a home and another represents the buyer, the relationship is considered a "dual agency relationship." The team leader must be on the appointed agency documentation, lead-based paint disclosure, and all contracts. Confidentiality remains the utmost priority, so teams must ensure that not all team members are privy to confidential information.

543B.59 Appointed Agents within a firm. Therefore, it is a good business practice to disclose to any client that any team leader, licensed assistant, branch manager, or team member may access their confidential information. Agents must take ordinary and necessary care to protect personal information disclosed by the client to the appointed Agent (s) by keeping client notes and paperwork confidential and utilizing DigiSign and SkySlope exclusively as the forms' manager and transaction databases. Agents will not share accounts due to agency and confidentiality.

BRANCH OFFICES

Branch Office vs. Non-Designated Office Space

Branch Office Team / Trade Name will typically fit under the self-organized team criteria. Most commonly, brokerages that transfer to the Company want to keep some of their past branding efforts while providing Agents more independence to operate freely under the Company. Public-facing "Branch Offices" are not guaranteed as eXp Realty is a virtual brokerage and prefers to work without brick-and-mortar buildings. The preference would be that an Agent rent a space from a pre-approved Regus Office whenever possible.

Should a Branch Office be needed, the Agent must complete the [Branch Office application](#) and receive approval before conducting business in that office. It is also the preference of eXp Realty that Branch Managers have a Broker Associate's license.

Non-Designated Office Space, a.k.a (A Back Office)

Alternatively, like working from a home office, a back-office/non-designated office is where Agents may make calls, write contracts, and work. Agents do not meet clients or members of the public in this office setting.

If the Agent has chosen to work out of a back office/non-designated office, the Agent may work, make calls, return emails, and write contracts. Agents may only meet with clients or public members at a different location. There should be no signage publicly advertised at this location. Agents may not advertise or use the address on their real estate purchase contracts, listings, or referral agreements in a back office. Agents must use the eXp official address or the nearest branch office. The Agent shall not represent the back office location as a branch office of the Company. There is a back-office eXp Realty agreement required.

AGENT FIDUCIARY DUTIES

Agents shall use the state-wide listing contract agreement. Whenever possible, Agents shall use the state-wide purchase and sales contract agreements.

The appointed agency relationship shall be disclosed and discussed as soon as possible and before a substantial conversation about real estate or any showings of homes. Agents are responsible for giving copies of all forms signed by the client to the client at signing or within 48 hours of execution.

Company policy allows branch managers, team leaders, certified mentors, and licensed administrative assistants to be treated like the designated broker to determine dual agency under Iowa Admin Code 193E 12.6-12.7.

Appointed Agency

The state of Iowa also recognizes the Appointed Agency to the seller/landlord for each listing held by the Broker as an acceptable form of agency. Only the primary listing Agent and acknowledged additional Agents have an agency relationship with the seller/landlord of a listing held by the brokerage. eXp offers Appointed Agency as an allowed agency relationship under Iowa Admin Code 193E 12.6-12.7. eXp Realty refers to Appointed Agent procedures and disclosure for legal clarification.

Specifically, Iowa Code 193E 12.7.C. states: If a designated broker elects to use the appointed Agent within a firm authority outlined in Iowa Code section 543B.59, and when the affiliated licensee appointed also acts in a supervisory capacity under the designated Broker, such as branch managers, sales managers and the like, these appointed licensees may be treated in the same manner as the designated Broker for purposes of determining dual agency under Iowa Code section 543B.59, subsection 2, only if the designated Broker authorizes and provides for such supervisory positions in the written company policy.

Therefore, eXp in Iowa does appoint branch managers, team leaders, licensed assistants, and certified mentors to act in a supervisory capacity under the DMB to be treated in the same manner as the DMB to determine dual agency under the code.

Consensual Dual Agency

Consensual dual agency is not practiced at eXp.

ABSTRACT OF TITLE

An "abstract" is short for "abstract of the title." This legal document is vital in real estate transactions in Iowa. Legal documents such as court orders and marriage/death certificates are included for public records associated with a particular property. Agents shouldn't take possession or transport abstract documents; instead, they should arrange professional courier services when taking on a listing.

COMMISSION & CLOSING PROCEDURES

The Agent is responsible for ensuring eXp Realty receives the hard copy check. eXp reserves the right to recoup the cost on any commission advance the Company pays before receiving the payment. In addition, any costs associated with collecting and mailing checks to the correct location after being received by an incorrect place may be passed on to the Agent, including the cost of postage and administrative charges charged by Regus, etc.

The Agent should upload a copy of the check and settlement statements to SkySlope and mail the check to

USPS
eXp Realty, LLC,
PO BOX 850813.
Minneapolis, MN 55485-0813

Overnight/FedEx
Lockbox Services 850813
EXP Realty LLC
1801 Parkview Drive, 1st Floor
Shoreview, MN 5512

** If the commission check to the agent will be over \$15,000, the closing company should mail the check directly to eXp Realty and supply the agent with a copy of the check, a fully executed settlement statement, and a tracking number for the check. eXp Realty reserves the right to wait until the check is received by eXp Realty to process this transaction and pay the agent.

Documentation furnished to Closing Agent

eXp will issue a Closing Disbursement Authorization Form (CDA) to the presumed closing company and eXp Realty Agent seven (7) days before the closing of a contract. The settlement team may modify the document multiple times before the close date. This CDA Form will include

the gross amount of commission, the amount to pay to eXp Realty, and payment and mailing instructions. The eXp Agent must receive a copy of the signed settlement form and a copy of the commission check made payable to "eXp Realty" to be paid promptly before the closing company physically receives the check.

eXp will instruct the closing company via the CDA how to pay eXp when eXp represents the seller and or the buyer. It is the Agent's responsibility to make sure that Disbursement Authorization Instructions are followed and that the hard-copy check is U.S. Postal-mailed to eXp Realty, LLC PO BOX 850813, Minneapolis, MN 55485-0813.

Commissions to Agents

eXp Realty will pay an Agent commission to a corporation or LLC if the Agent wholly owns that corporation or LLC. Additionally, the corporation or LLC cannot engage in other activities that require a real estate license.

An Agent that elects to receive compensation through a corporation or LLC must demonstrate the legal entity meets all state requirements. Should an Agent's corporation or LLC fail to meet the State of Iowa Code requirements, then eXp shall remit compensation to the Agent as a person. (543 .34-2)

MAIL AT BRANCH OFFICES

Agents must ensure that the National Association of REALTORS®, The Iowa Association of REALTORS®, and local boards/MLSs send U.S. postal mail to their home residences. Any U.S. postal mail received for Agents at any branch office is forwarded weekly to the Managing Broker's PO BOX (PO BOX 425, Spencer, IA 51301). The mail is opened and sorted, and advertisements and junk mail will be discarded. Personal mail will be scanned and sent to the Agent. Usually, Agents are given 24 hours to claim any gifts sent to a branch office; otherwise, we allow the branch staff to enjoy the offerings.

MARKETING AND CONSULTING FEES

Agents may charge a consulting fee for various services. Those fees will be payable to eXp and paid to the Agent based on the Agent's current split.

TRUST ACCOUNT/EARNEST MONEY

While eXp does operate a trust account, eXp discourages Agents from collecting and depositing funds in the trust account. The expectation is to use the title company or closing attorney to hold such monies.

LIMITED AUTHORIZATION TO SIGN

Agents are permitted with limited authorization to enter into written agreements on behalf of the Broker for various listing-related matters. This permission includes the Exclusive Right to Sell, Lease, and Rent contracts and cancellations, withdrawals, and price reductions - excluding commission modifications. Regarding referral agreements or other contractual commitments not listed above, however, Agents do not have this same authority from eXp or the DMB.

ERRORS & OMISSION INSURANCE

While eXp Realty has E&O insurance, Agents are strongly encouraged to purchase an additional personal policy of E&O insurance as a secondary policy. See IREC Administrative Code 193[E] Chapter 19

FILE COMPLIANCE

Each Agent is responsible for preparing an accurate and factual listing agreement. Only information that is known to be true should be included in the listing agreement. Even though the MLS listing discloses that the data is deemed reliable but not guaranteed, the Agent is not absolved of inaccuracies or fraud. Be factual. Limit opinions. When a new listing is acquired, the listing Agent is responsible for proofreading the listing information to ensure it is correct. It is the Agent's responsibility to thoroughly explain all contracts and documents to the client before having the client sign. We are not attorneys or tax professionals and cannot provide that advice. If legal or tax questions arise, recommend that the client contact the appropriate professional for assistance.

The Agent must create the SkySlope file and all documents uploaded within two (2) business days after all required parties have signed, even if the Agent only submits a single form. Be sure to upload before a large batch of documents; this can cause delays in having files reviewed and approved for commission payment at the close of escrow. If a file is not created in Skyslope within two business days, we need documentation of a reason in the file in case of an audit. [A form letter has been created for your convenience.](#)

eXp Policy is to comply with Iowa Real Estate Rules regarding real estate listings and transaction files. The State of Iowa has the authority to audit eXp files for compliance. Agents must upload rejected or defunct offers and contracts to iowaOffice@SkySlope.com. eXp Realty must retain notes, communication records, and other relevant documentation for five years. This is a holding account, and you will not receive a confirmation email or any communication in return.

One Closing- One Check - One SkySlope File - One contract that lists all properties will still require separate property disclosures and lead-based paint disclosures, if applicable.

If any of the above is impossible, then the Agent will need individual SkySlope files for each property. If applicable, separate the contracts per property, property disclosures, and lead-based paint. If there are multiple files, the Agent will upload the settlement statement and commission

check into each file and reference the other files, then bring this unique transaction to the attention of the compliance team at ia.compliance@exprealty.net.

LOCKBOXES

Agents are encouraged to buy their lockboxes. Suppose an Agent is a member of an MLS that leases lockboxes, and the Agent decides to take advantage of that service. In that case, the Agent must follow the process set forth by eXp:

Once a listing is sold, the lockbox is due back to the MLS/Board Office within seven (7) days, or a fine will be imposed.

Agents must follow the Lockbox Procedures when checking out and returning the lock box to the office:

- 1.) Agents may sign out boxes up to three (3) days before a listing goes ACTIVE in the MLS.
- 2.) Boxes MUST be returned or assigned to another listing up to seven (7) days after closing.
- 3.) You will be charged the replacement cost if a lockbox is lost or missing.
- 4.) The Agent must always enter the lockbox number into the SkySlope Listing Checklist and the Iowa Lockbox Tracking Sheet.
- 5.) If applicable, Agents must assign/remove the lockbox to their listing in the MLS and Showing Time.
- 6.) Agents must self-audit the [Iowa Lockbox Tracking Sheet](#) regularly and within 48 hours of the DMB/MB's request.

The Agent is financially responsible for these lockboxes. Agents must return all lockboxes to the board within 72 hours of off-boarding from eXp Realty and provide a confirmation receipt that this has been done. The Agent will be financially responsible for any lockboxes not returned in working order.

PERSONAL or FAMILIAL TRANSACTIONS

The "[IAR Personal Relationship Disclosure](#)" form is required. Additionally, whenever this form is appropriate, Dual Agency is not allowed.

Immediate family is a legal spouse, child, parent, grandparent, grandchild, and siblings.

If an Agent has immediate family in a transaction, regardless of who the Agent represents, the family relationship must be disclosed, at the very least, in the purchase contract. If an Agent is related to the buyer and represents the buyer, that same Agent cannot represent the seller. If an Agent is related to the seller, that same Agent cannot represent the buyer.

For example, "Tom Jones (Agent for the seller) is the son of Martha Jones (Agent for the buyer)." or "Tom Jones (Agent for the seller) is related to Martha Jones (Agent for the buyer)." The assumption is that the Agent would only know of this relationship once an offer is written and accepted, so the contract is the only logical place for this disclosure.

The State of Iowa requires additional disclosures when a referral fee is to be paid to an Agent outside Iowa. This does not apply to the office or team agreements. However, it would apply to other companies such as Zillow, OpCity, OJO, and Agents' referrals, even if they are also Agents with eXp Realty. It is a good business practice to disclose referral fees in writing regardless of who the referring Agent is. The client can sign the referral agreement, OR you can fill out the separate [IAR Referral Disclosure](#).

[Referral Disclosure: 543B.60A.pdf](#)

[Legal Breakdown Disclosure Series: Referral Fee Disclosure](#)

AGENT SAFETY

Agent safety is a priority. Agents can find resources, tips, and best practices on the National Association of REALTORS® website.

WIRE FRAUD

Each year, tens of thousands of dollars are lost due to wire fraud. eXp requires clients to sign eXp's Wire Fraud Advisory at the first possible meeting. Agents can find the form in Skyslope Forms or Working Documents: Working Documents > Office Docs > Iowa Listing Agreements. Please note that eXp does not require the customer on the co-op side of the transaction to sign this document. While this disclosure document is part of the customer file, the document is not part of the Purchase & Sale Agreement. Once the eXp client signs the document, the Agent will upload it to the customer file. [Link to eXp Realty Wire Fraud Disclosure here](#).

EMERGENCY PREPAREDNESS

Natural disasters, acts of terrorism, health crises, and other events can happen anytime and without warning. Each situation is different in scope and has varying degrees of impact and exposure at the local, regional, and national levels. The Company is responsible for and maintains all files and has a backup system. Agents should back up all their files and have secondary system access for files such as an external hard drive or thumb drive. In an evacuation, the Company will communicate with Agents on safety procedures. Before a situation arises, the Company will provide communications on navigating a crisis and who to contact for information and support. For more information on the I.A. Emergency Preparedness, go to their website.

DO NOT CALL

The [eXp Realty TCPA Resource Guide](#), which is valuable for agents to familiarize themselves with to ensure they comply with and abide by federal laws and the Telephone Consumer Protection Act (TCPA) regulations.

Before making solicitation calls, the licensee or telemarketer must be familiar with the current laws.

*The **Telephone Consumer Protection Act (TCPA)**, regulates telemarketing calls, automatic telephone dialing systems, and artificial or prerecorded voice messages. The law also requires those who make telephone solicitations to have procedures for maintaining company-specific **do-not-call** lists. Licensees must maintain their own electronic or written list and make it available to eXp Commercial upon request. Within two business days of the request from a consumer, the licensee will place that consumer and phone number to the licensee's **do not call list**.*

*In 2012, **TCPA** updated rules require telemarketers:*

(1) to obtain prior express written consent from consumers before robocalling them

(2) to no longer allow telemarketers to use an "established business relationship" to avoid getting consent from consumers when calling their home phones

(3) to require telemarketers to provide an automated, interactive "opt-out" mechanism during each robocall so consumers can immediately tell the telemarketer to stop calling.

*For more details about the Commission's telemarketing rules, including the **do-not-call** provisions, click on the link on this page for the July 3, 2003 [Order](https://www.fcc.gov/sites/default/files/tcpa-rules.pdf) <https://www.fcc.gov/sites/default/files/tcpa-rules.pdf>. For details about registering with or accessing the **do-not-call registry**, visit the [National Do-Not-Call Registry page](#). Additional reference materials available on the web include a [summary of TCPA rules \(PDF\)](#) and the Commission's [Telemarketing Rules \(CFR Title 47, Part 64, subpart L: "Restrictions on Telemarketing, Telephone Solicitation, and Facsimile Advertising"\)](#).*

TSR: The Telemarketing Sales Rule requires telemarketers to make specific disclosures of material information; prohibits misrepresentations; sets limits on the times telemarketers may call consumers; prohibits calls to a consumer who has asked not to be called again; and sets payment restrictions for the sale of certain goods and services.

<https://www.ecfr.gov/current/title-16/chapter-I/subchapter-C/part-310?toc=1>

The **TSR** has a “safe harbor” for unintentional calls or mistakes. If a licensee or telemarketer can show that, as part of its routine business practice, it meets all the requirements below of the “safe harbor,” the person/firm will not be subject to civil penalties or sanctions for mistakenly calling a consumer who has either asked for no more calls (and who should have been placed on the licensee’s **do not call list**), or for calling a person who is on the **national do not call registry**. eXp and the licensee/telemarketer share the responsibility to meet the “safe harbor” requirements. eXp, the licensee or telemarketer must demonstrate that:

- it has written procedures to comply with the do not call requirements
- it trains its personnel in those procedures
- it monitors and enforces compliance with these procedures
- it maintains a company-specific list of telephone numbers that it may not call
- it accesses the national registry no more than 31 days before calling any consumer, and maintains records documenting this process
- any call made in violation of the do not call rules was the result of an error

If you or the telemarketer you hired have violated any of the above laws, report this event to your broker immediately in writing.

Before making solicitation calls, the licensee or telemarketer must be familiar with the current laws. All Agents are encouraged to utilize **eXp Realty’s DialSafe tool** to ensure all consumer phone numbers are verified to not be on the Do Not Call List prior to commencing any contact, thereby ensuring compliance with the Do Not Call regulations.

In addition to the federal telephonic solicitation laws, {ST} also has statutes regarding laws to protect the public. Agents are required to be familiar with these laws and adhere to them in the course of their real estate business.

<https://www.legis.iowa.gov/docs/code//714D.pdf>

ADDITIONAL RESOURCES

[Code of Ethics](#)

[Fair Haven Fair Housing Simulation](#)

[GRI \(Graduate REALTOR® Institute\) Designation](#)

[Iowa Administrative Code 193](#)

[Iowa Association of REALTORS®](#)

[Iowa Association of REALTORS® Local Board Information](#)

[Iowa Association of REALTORS® Professional Conduct Manual](#)

[Iowa Broker's License](#)
[Iowa Professional Licensing Bureau](#)
[Iowa Real Estate Commission](#)
[National Associations Professionalism in Real Estate Practice](#)
[NARs Commitment to Excellence C2EX Program](#)
[RISCEO Insurance](#)
[The National Association of REALTORS®](#)

NOTIFICATION OF POLICY AND PROCEDURE MANUAL REVISION

eXp Realty reserves the right to revise this CT P&P at its sole discretion. Agents are encouraged to review this document regularly to review any revisions.

[END OF DOCUMENT]