

# **SUSSEX COUNTY ASSOCIATION OF REALTORS® SENTRILOCK LOCK BOX RULES AND REGULATIONS**

## **Section I Authorized Users**

- (A) Any individual who holds REALTOR® membership in a local Board/Association of REALTORS®, whether located in Delaware or any other state or territory, and every non principal broker, sales licensee, unlicensed personal assistant or licensed or certified appraiser who is affiliated with such REALTOR®, shall be eligible to subscribe to and use the lockbox services of SCAOR subject to their execution of a SentiLock Smart Card Authorized User Agreement or a Reciprocal Access Agreement (whichever is applicable) with SCAOR and their agreement to abide by the Rules and Regulations of SCAOR and to pay all required fees, fines and recurring costs in connection with their subscription to the lockbox services of SCAOR.
- (B) Affiliate Members of a local Board/Association of REALTORS®, whether located in Delaware or any other state or territory, shall be eligible to subscribe to and use the lockbox services of SCAOR, provided: 1.) the Affiliate member is principally engaged in professional home and/or environmental inspections; the appraising of real property; and/or termite service 2.) a duly authorized principal or officer of the firm for which Affiliate member performs such services; executes the appropriate SCAOR SentiLock Smart Card Authorized User Agreement; 3.) the Affiliate member agrees to abide by the Rules and Regulations of SCAOR and to pay all required fees, fines and recurring costs in connection with Affiliate's subscription to the lockbox services of SCAOR; and 4.) The Affiliate member agrees that Affiliate shall not access or use any affixed lockbox or gain entry to any property upon which a lockbox is affixed without first contacting the listing agent of the property for the purpose of arranging an appointment to enter the property and Affiliate member shall enter the property only with the consent of the listing agent and the owner and only at the scheduled date and time as directed by the listing agent and the owner.
- (C) Unlicensed personal assistants shall be eligible to subscribe to or use the lockbox services of SCAOR, on the same terms and conditions as non-principal brokers and sales licensees provided: 1) the unlicensed personal assistant is under the direct supervision of a designated REALTOR®, or the licensed designee of the designated REALTOR®, each of whom is a subscriber and authorized user of the lockbox services; 2) a duly authorized principal or officer of the firm for which the unlicensed personal assistant performs services; executes the appropriate SCAOR SentiLock Smart Card Authorized User Agreement; 3) the unlicensed personal assistant agrees to abide by the Rules and Regulations of SCAOR and to pay all required fees, fines and recurring costs in connection with the unlicensed personal assistant's subscription to the lockbox services of SCAOR; and 4) the unlicensed personal assistant agrees that the unlicensed personal assistant shall not access or use any affixed lockbox or gain entry to any property upon which a lockbox is affixed without first contacting the listing agent of the property for the purpose of arranging an appointment to enter the property and the unlicensed personal assistant shall enter the property only with the consent of the listing agent and the owner and only at the scheduled date and time as directed by the listing agent and the owner. An unlicensed personal assistant, in accordance with guidelines as adopted by the Delaware Real Estate Commission, may not show property unless accompanied by a licensed real estate salesperson, real estate associate broker or real estate broker.
- (D) Non-member licensed contractors or inspectors shall only be eligible for limited use of the lockbox services of SCAOR provided; 1) the non-member licensed contractor or inspector is under the direct supervision of a designated REALTOR®/Participant, or the licensed designee of the designated REALTOR®/Participant, at least one of whom is a subscriber and authorized user of the lockbox services; 2) the licensed designated REALTOR®/Participant, or the licensed designee of the designated REALTOR®/Participant has obtained the written consent of the property owner to authorize the use of a lockbox programmed for contractor codes which clearly states the owner understands that authorizing contractor codes allows unlimited (24 hour) access to the property by the non-member licensed contractor(s) or inspector(s).
- (E) Any individual required or permitted by law, or by the established policies of the National Association of REALTORS®, as amended from time to time, to access and use the services of SCAOR without holding REALTOR® membership in a local Board/Association, including members in good standing of the Sussex County Association of REALTORS®, shall be eligible to subscribe to and use the services of SCAOR without the requirement of holding REALTOR® membership in a local Board/Association of REALTORS®.

## **Section II**

The following Rules and Regulations shall apply to all subscribers and users of the SCAOR Lock Box services. Subscribers and authorized users of the lockbox services shall:

1. Access property solely in connection with his/her legally permitted, normal and customary activities while acting as a real estate licensee, unlicensed personal assistant or licensed appraiser.
2. Use the SentiLock Smart Card only for the purpose of gaining authorized entry into real property upon which SentiLock Key Box System has been installed.
3. Enter into real property from which a SentiLock Key Box System has been installed only with the prior knowledge and/or expressed consent of the listing agent.
4. Notify SCAOR, in writing within forty-eight (48) hours, of any change in his/her current company/office affiliation.
5. Adhere strictly to the terms and conditions of the SCAOR SentiLock Smart Card Authorized User Agreement.
6. Pay all fees, charges, fines and recurring user fees as established from time to time by SCAOR when due.
7. Keep the SentiLock Smart Card in Smart Card holder's possession or in a safe place always and be accountable for the SentiLock Smart Card at all times.
8. Not allow his/her personal identification number (PIN) to be attached to the SentiLock Smart Card.
9. Not disclose his/her personal identification number (PIN) to any person.
10. Not loan the SentiLock Smart Card to any person, for any purpose whatsoever, or to permit the SentiLock Smart Card to be used for any purpose by any other person.
11. Not assign, transfer or pledge the SentiLock Smart Card or the license and use of the SentiLock Smart Card.
12. Not change or alter the Entry Codes through any other electronic lockbox system provider. All changes to Entry Codes shall be made solely and exclusively by and through SCAOR.
13. Immediately notify SCAOR by telephone or in writing within forty-eight (48) hours, of the loss or theft of a SentiLock Smart Card and the circumstances surrounding such loss or theft.

14. Strictly adhere to the rules and regulations as may be adopted by SCAOR from time to time with respect to the SentiLock Smart Card or any other aspect of the system.
15. Promptly submit the SentiLock Smart Card to SCAOR for audit and/or inspection at a reasonable time at the SCAOR office upon request by SCAOR for such audit or inspection.
16. Not permit anyone other than the SentiLock Smart Card Holder himself/herself to use the SentiLock Smart Card or his/her PIN for any reason.
17. Attend an instructional meeting on the operation and use of the SentiLock Smart Card as required by SCAOR from time to time.
18. Pay all fees, fines and charges in connection with the use of the SentiLock Smart Card and the SentiLock Key Box System, and to obtain the periodic revalidation Entry Code for his/her own SentiLock Smart Card.
19. Comply with National Association of REALTORS® requirements (as from time to time amended) for the access and use of a SentiLock Key Box System, including notification of each listing office or listing agent of the SentiLock Smart Card holder's intention to enter the property through the use of the SentiLock Key Box System. This notification is to be prior to the actual entry unless the listing indicates the cooperating agent may access the property without prior notice to the listing agent or the listing office. The Board of Directors of SCAOR shall have the right, in its sole and absolute discretion, to deactivate or refuse to sell, lease or activate any SentiLock Smart Card to any applicant or subscriber who has been or subsequently is arrested or convicted of a felony or misdemeanor crime (other than traffic misdemeanor offenses) in accordance with the Lock Box System Security Requirements (Policy Statement 7.31) of the NAR Handbook on Multiple Listing Policy, as amended from time to time.
20. Obtain the written authorization from the Owner(s) of the property prior to the installation or use of the SentiLock Key Box System on any property.
21. Notify SCAOR, in writing, promptly upon the arrest or conviction of subscriber or authorized user for any felony or misdemeanor crime (other than traffic misdemeanor offenses) and state the circumstances and details relating to such arrest or conviction.
22. Maintain the sole and exclusive possession of the key to the property at all times and not give the key to a third person without the prior knowledge and expressed written consent of the listing agent.

**Section III  
Fines and Penalties**

An authorized subscriber or user of the SentiLock Key Box System of SCAOR who violates any Rules and Regulations of SCAOR as set forth above, except for the payment of fees, shall be subject to the imposition of a fine or penalty for each violation in such amount not to exceed \$15,000 as established by the Board of Directors of SCAOR from time to time, in accordance with the attached schedule of fines and penalties.

An authorized subscriber or user of the SentiLock Key Box System of SCAOR who is found to have violated the rules and regulations as herein set forth on more than two occasions during a calendar year, shall be subject to the automatic revocation of their rights and privileges to access and use the services of SCAOR.

An authorized subscriber or user of the SentiLock Key Box System of SCAOR shall pay a 10% late charge on all fees, charges, fines, recurring user fees and penalties which remain unpaid for ten (10) calendar days from the date of invoice or imposition of such fine or penalty. Service will be terminated without notice for fees, charges, fines, recurring user fees and penalties which remain unpaid for fifteen (15) calendar days from the date of invoice or imposition of such fine or penalty.

**SCHEDULE OF FINES AND PENALTIES**

In accordance with the Rules and Regulations of the Sussex County Association of REALTORS®, fines and penalties have been established to safeguard the integrity of the SCAOR SentiLock Key Box System.

First Offense *	\$1000.00 (unless otherwise reduced by the BOD through an appeal)
Second Offense*	\$5000.00 (unless otherwise reduced by the BOD through an appeal)
Third Offense	\$15000.00 (unless otherwise reduced by the BOD through an appeal)
Fourth Offense	Termination of Service
Appeal filing fee	\$250.00

\*Fines for Brokers, Office Managers and Team Leaders shall be doubled, but not to exceed the amount allowed by NAR policy.

Unless otherwise stated, a 10% late fee shall be charged on all fees, charges, fines, recurring user fees, and penalties which remain unpaid for ten (10) calendar days from the date of invoice or imposition of such fine or penalty. Service will be terminated without notice for fees, charges, fines, recurring user fees, and penalties which remain unpaid for fifteen (15) calendar days from the date of invoice or imposition of such fine or penalty.

Disclaimer: The Board of Directors of the Sussex County Association of REALTORS® reserves the right in its sole discretion to amend the Schedule of Fees, Charges, Fines, and Penalties from time to time without prior written notice to any authorized subscriber or user.

SentiLock Smart Card User's Signature (Acknowledging Receipt)

Date