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# **Key Services, Inc. Rules & Regulations**

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**KEY SERVICES, INC.**  
**KEY SERVICES RULES AND REGULATIONS**

The following Rules and Regulations (the "Rules") shall apply to members of all Associations/Boards of REALTORS® who participate (the "Participants") in the Key Services System of the MetroTex Association of REALTORS®, Inc. ("MetroTex"), and shall also apply to members of all Association/Boards who do not participate in the Key Service System of MetroTex, but utilize the Key Service System of MetroTex (the "Non-Participants").

The following Rules for the use of the Key Service System have been established by MetroTex and shall remain in full force and effect until changed or modified by the Board of Directors of MetroTex Key Services, Inc.

1. Use of KeyBoxes on Property. Associates are not required to place KeyBoxes on listed property. Associates are encouraged to use the KeyBox on all listed property. However, if an Associate or the owner elects and signs a consent form required by MetroTex, the Associate may use a combination lockbox on the property and shall so note in the MLS.
2. More than One KeyBox on Property. Associates may place two or more KeyBoxes on the same property. Associates may place both a recording KeyBox and a combination (non-recording) lockbox on the same property. However, these practices are not encouraged by MetroTex.
3. Updating of Keys. Associates must update their Keys at least once a week or as established by MetroTex in writing from time to time.
4. Conditions of Key Use. An Associate may not use his or her Key to access a KeyBox without first calling the listing office (or, if applicable, calling the appropriate showing system utilized by the listing office) to ascertain the availability of the property, make an appointment with the owner, and obtain and follow any other instructions from the listing office or appropriate showing system. If the property is vacant and the listing Associate has indicated in the MLS that the property is vacant and has authorized "GO" in the MLS, then the Associate may proceed to the property without an appointment and use the Key to obtain entrance through the KeyBox. Upon receipt of a complaint against a member alleging violation of the rule requiring an Associate to make an appointment and to follow showing instructions to show property through the listing office or appropriate showing system, MetroTex staff will notify that member in writing that the member may be required to appear at a hearing before the MLS Committee of MetroTex. Upon request of the MLS Committee, the current complaint(s) and any prior complaint(s) against the member may be presented for consideration and action.
5. Key and KeyBox Changes. Changes requested by an Associate of a Participant or Non-Participant for programming of his or her Key or his or her KeyBox may be made by the staff of any Participant. The staff members at the Board/Association so authorized to make such changes are further authorized to:

- a. Reprogram an Associate's personal identification number ("PIN").
  - b. Reprogram the shackle code on a KeyBox based on a written request of the owner of the KeyBox, unless the owner of the KeyBox personally appears to request such change.
  - c. Reprogram an Associate's KeyBox for hours other than the predetermined timed access currently in the KeyBox. The predetermined timed access is 7:00 a.m. to 9:00 p.m., Central Standard Time, or 8:00 a.m. to 10:00 p.m., central daylight time. Each Associate may, at his or her discretion, turn on or turn off the predetermined timed access on each KeyBox using his or her Key. When the timed access is turned off, the KeyBox may be entered twenty-four (24) hours each day.
6. Transfer of KeyBoxes. Associates may transfer KeyBoxes from a Broker's name to an Associate's name, from an Associate's to a Broker's name, or from Associate to Associate. The established value of each KeyBox at the present time is \$60.00 for returns. Associates who transfer KeyBoxes are required to notify MetroTex of the KeyBox serial number and the name of the person or company now responsible for that KeyBox and deliver a fully completed KeyBox Transfer Report form to MetroTex. Failure to report the transfer of a KeyBox may result in a fine for both parties involved in the transfer. MetroTex may, from time to time in its sole discretion, repurchase KeyBoxes from Associates, but is not required to do so.
7. Surrender of Key. An Associate must surrender his or her Key within five (5) days upon the following events:
- a) Termination of either Broker/Principal Affiliate or Keyholder as an active REALTOR or Affiliate member in good Standing –OR–
  - (b) Termination of Keyholder's affiliation with Broker/Principal Affiliate for any reason.
- Any refund of the deposit shall be determined as set forth in the Key Lease Agreement.
8. Replacement of XpressKeys. Except for malfunctioning XpressKeys, if an Associate requests a replacement XpressKey, the Associate will be required to pay an additional fee not to exceed \$249.00 to receive a replacement Key. Associates may only hold one active Key at any one time. Lost or stolen Keys must be rendered inactive before a replacement Key can be issued, and the deposit shall be forfeited for each lost or stolen Key.
9. Loan of Key. Associates shall not loan, give, or allow the use of his/her Key by other persons or Associates at any time with the exception of a temporary loan to an Associate of the same brokerage firm made necessary by key failure. An Associate may only loan or borrow a Key from/to a participant or subscriber affiliated with the same Designated Broker. The act of loaning or giving Key access to an unlicensed individual for any reason is strictly prohibited.
10. Violation of Rules. If after a hearing before the MLS Committee, the Committee finds that a Key has been loaned or borrowed in violation of the rule, the following minimum fines may

be assessed against each Associate who loaned and/or borrowed the Key as determined by the Committee:

- First offense - \$500 fine
- Second offense - \$1,000 fine
- Third offense - Possible suspension or revocation of Key privileges with no refund of security deposit.

11. Key Lease Agreement. Associates must execute a Key Lease Agreement prior to being issued a Key. The lease agreement must be completed and signed by the Designated REALTOR®, Principal Affiliate or other authorized signatory. A letter of good standing from the local Association/Board of which the Associate is a primary member is necessary before issuing a Key. MetroTex will enforce all of the terms and provisions contained in said lease agreement. If an Associate ceases to have a current or valid Lease Agreement, the Associate shall still be bound by all these rules and regulations so long as such Associate is in possession of a Key or KeyBox. Violation or breach of the terms and conditions of the lease agreement shall be deemed violations of these rules and regulations.
12. Abandonment of KeyBox. Upon receipt of a complaint regarding the abandonment of a KeyBox at a property, MetroTex will verbally notify the KeyBox holder that a complaint has been filed. The KeyBox holder shall have 48 hours from the notification to remove the KeyBox from the property. If the KeyBox is not removed within such 48 hour period, the shackle code of that KeyBox shall be released to the Associate who filed the complaint (or the Associate representing the person(s) who filed the complaint), and that KeyBox shall be transferred into such Associate's name upon the completion and receipt by MetroTex from such Associate of an appropriate transfer form.
13. Fee Difference. The fees as set from time to time by MetroTex for the Keys may be higher for Non-Participating Members than for Participating Members.
14. Assignment of Codes. PIN codes will not be issued to any Associate except in person. For security purposes, no PIN codes will be issued by telephone, electronic mail, or facsimile. Associates may obtain shackle codes and CBS codes directly from the Supra online system. Shackle codes and CBS codes will be issued by telephone only after a return call is made to the Associate for verification purposes. Associates shall never carry their PIN codes together with a Key.
15. Keys Non-Transferrable. Keys are not transferrable. Associates who no longer need or desire a Key must return their Key to MetroTex to receive a refund of their deposit.
16. Refunds. The refund of a Key or KeyBox deposit, if any, will be sent to the name of the person or company leasing the Key or KeyBox, unless satisfactory written documentation is provided by the lessee of the Key or KeyBox to the contrary.

## RULES FOR KEY SERVICES FOR AFFILIATES

17. Affiliate Key System. A person who wishes to participate in the Affiliate Key System of MetroTex must be a Principal Affiliate or an Additional/ Associate Affiliate member in good standing of a Participating or Non-Participating Association (the “Affiliate”). If the person qualifies as a REALTOR® member of any one of the Participating or Non-Participating Associations, he or she must apply to that Board/Association as a REALTOR® member and not as an Affiliate member in order to obtain a Key. All rules and regulations contained herein shall apply to Affiliates, except the following shall supersede any conflicting rules and regulations:

- a. Each Principal Affiliate member and Additional/Associate Affiliate member may lease only one Key. Any security deposit will be refunded to the Principal Affiliate or Additional Affiliate member at any time upon the return of the Key or, provided he or she returns the Key at the time his/her membership terminates and provided that there are no other outstanding fees or dues owed by the Affiliate member to that Board/Association and provided that there was no physical damage to the Key.
- b. The Affiliate Key may not be loaned to another member of the same firm or to any other person with the exception of loans made necessary by failure of the Key. In the event of a failure of the Key, the Affiliate may only loan or borrow a Key from/to another member associated with the same Principal Affiliate.
- c. Violation of Rules: If after a hearing before the MLS Committee, the Committee finds that a Key has been loaned/borrowed in violation of the rule, the following minimum fines may be assessed against each Key holder who loaned and/or borrowed the Key as determined by the Committee:

First offense -	\$\$500 fine
Second offense-	\$ \$1,000 fine
Third offense -	Revocation of Board/Association membership and recall of the Key with no refund of security deposit.

- d. All Principal Affiliates, Additional/Associate Affiliates must come to the Board/Association of which they are primary members or MetroTex to receive training prior to being issued the Key.

- e. All Principal Affiliates, Additional/Associate Affiliate are also required to comply with all other applicable Electronic KeyBox Rules which are then in effect. (See above Electronic KeyBox Rules).
- f. Principal Affiliates and/ or Additional/Associate Affiliates may not purchase KeyBoxes.
- g. Principal Affiliates and/or Additional Associate Affiliates may be issued only Affiliate Keys that require a call before showing ("CBS") code in order to be used on property. The CBS code is a seven digit code that is known only by the owner of the KeyBox and is required to be programmed into an Affiliate Key in order to open a KeyBox.

Licensed Texas Inspectors: Principal Affiliates and Additional Affiliate Members with a Texas Inspector License (Inspector) may be issued a full access Key, which does NOT require a call before showing (CBS) code once the Inspector has signed the “Application for Keycard Access for Affiliate Members with a Texas Inspector License” agreement. If the Inspector does not meet the requirements of this agreement, then no Key will be issued.