



Lockbox Rules & Regulations FAQs

1. Why are rules and sanctions being implemented?

The National Association of Realtors® requires local associations which operate a lockbox system to meet specific security requirements to ensure the integrity and security of the system for the benefit of clients, customers and real estate professionals and for the association to be eligible for coverage under NAR's blanket errors and omissions insurance program. Prior to implementation of the new Lockbox Rules, violations had to be processed as an ethics complaint, and many members would not file a complaint because of the two to three months it would take for the process. A Task Force of agents and brokers was appointed. They reviewed rules from several Realtor® Associations in Florida and crafted the new rules using the best practices of those. The administrative process outlined in the new rules is a simple, more streamlined process. Enforcement of the Rules will help improve the security of the system for all users, clients, and customers.

2. Am I allowed to share my key with my spouse, assistant, or team member?

No, Section 4B of the Lockbox Rules prohibits sharing, loaning or giving the ActiveKey or eKey to any other person. When a device is used to open the lockbox key container, it records that activity and security of the system is compromised if the individual using the device is not the registered user. Therefore, such a violation carries a stiff fine and sanction, including loss of service.

3. Are there exceptions to the rule?

There is ONE very limited exception. The Realtor® principal or broker of record of a firm or office may lease an additional ActiveKey (not for their own use) which may be issued by the Realtor® principal or broker, on a temporary basis to an authorized Keyholder in the same office if that agent's KEY becomes non-functional outside normal RASM business hours or under circumstances where a replacement KEY is not reasonably available from RASM. There are strict notification requirements spelled out in Section 4 of the Rules, with which the Realtor® principal or broker must comply. This "office key" is not a general key which may be shared by agents in the office. It is to be issued only as a temporary replacement if an agent's key is not working.

4. What if my key malfunctions and a replacement is not easily available from RASM?

In the case that your key malfunctions or unexpectedly stops working and you are unable to resolve the issue at the RASM offices, you have a few options. If your broker or office manager has an office key, they can issue it to you temporarily. There are strict notification requirements spelled out in Section 4 of the Rules, with which the Realtor® principal or broker must comply to do this. Alternatively, you could ask the listing agent if they or the owner could let you into the house you are showing. Or, perhaps another agent could accompany you to the home and open the lockbox for you. Do not ask another agent if you can use their Key, because that puts them in the position of violating the Rules and subject to sanctions and fines.

5. I have been sharing a key with someone, how do I get my own key?

Visit either the north or south office any weekday between 8:30 a.m. and 4:00 p.m. to obtain service. ActiveKeys are leased, and payment is required at time of issuance, pro-rated to the billing cycle each June, when annual renewal is required. If you choose eKey service on your smartphone, you should download the app before arriving at RASM to expedite the process. Fee for the service on your phone is billed monthly to your credit card and you don't have to carry around another device.

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6. Another agent and I are working together with buyers. How do I avoid a violation if the appointment is scheduled in the other agent's name, but I end up being the one that shows the property?

If calling to schedule the appointment, both names should be given, explaining that one of them will show it to the buyers. If using showing software, if two names can't be entered, add in a comment field, if available. If not, another solution might be to schedule two showings at the same time or close to it, if the software permits.

7. What do I do if I become aware of a violation?

On a Lockbox Violation Complaint Form, list the specific provisions of Section 4 of the Lockbox Rules you allege were violated. Attach a written statement and any evidence, such as a lockbox report, showing notification, etc., and submit to the Professional Standards Administrator at the south office.

8. Are there fines or other sanctions?

Yes, fines and sanctions are listed on a schedule. But they were put in place to emphasize the importance of compliance, not to generate revenue. The hope is that violations will be reduced or eliminated by educating users, encouraging compliance. Fines range from \$100 to \$1,000 per violation, and escalate for repeated offenses. Sanctions include temporary deactivation of lockbox service (KEY) for period of thirty days to six months, or permanent termination of service after a third repeat offense.

9. What if I am charged with a violation, but I dispute the allegation?

A person charged with an alleged violation will have ten days from transmittal of the notice in which to either comply with the fine(s) and/or sanction(s) cited, or to request a hearing before a hearing panel of the Professional Standards Committee. If a hearing is requested, procedures in the NAR Code of Ethics and Arbitration Manual will be followed.

10. I see that giving the property key(s) that were in the lockbox to anyone is a violation. Are there any exceptions?

Probably not, but that would be up to a hearing panel to decide. If you are showing property, and another agent is approaching as you leave, you should replace property keys in the lockbox so their entry is recorded. Otherwise, their entry into the property won't be recorded – this is for your own protection. It is never permissible to give the property key(s) from a lockbox to a buyer (just prior to closing), a photographer, inspector, workman, or anyone else. If an owner wants the property key(s) removed from a lockbox, they should contact the listing agent.



Visit www.myrasm.com/lockbox for the full set of rules.