

ANTITRUST AUDIT



ANTITRUST POLICY

- Draft and implement an antitrust policy
- Distribute to office, teams, agents
- Train on it
- Include in customer onboarding materials
- Template at miamirealtors.com/antitrust

DOCUMENT RETENTION POLICY

- Draft a document retention policy (MIAMI REALTORS® does not have forms for this)
- Distribute to office, teams, agents
- Train on it
- Monitor compliance

CONTRACTS

- Review all contracts for the brokerage with legal counsel (all business decisions must be made unilaterally and independently)
- Includes: listing agreements; buyer broker agreements; any contracts regarding compensation
- Consider: arbitration clauses; compensation structures; reminders that compensation is always negotiable

OPT-IN, OFFICE MATERIALS

- Review training materials, scripts, policies, manuals, independent contractor agreements, etc. with legal counsel to ensure compliance with antitrust policy and laws
- Review social media regularly to ensure agents and firms are not violating antitrust laws
- If settlement agreement is approved, review opt into releases, if eligible

EDUCATION

- Accredited Buyer's Representative (ABR)
- FLORIDA REALTORS®' course on working using buyer broker agreements
- Check miamirealtors.com/antitrust for legal updates, webinars, and resources
- Check <https://facts.realtor> for FAQs and updates (members only)

LAWYER UP

- Draft and/or review policies
- Train offices and teams
- Customize contracts
- Ensure compliance with settlement agreement, if approved and eligible
- Ensure all business decisions are made unilaterally and independently

DISCLAIMERS:

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