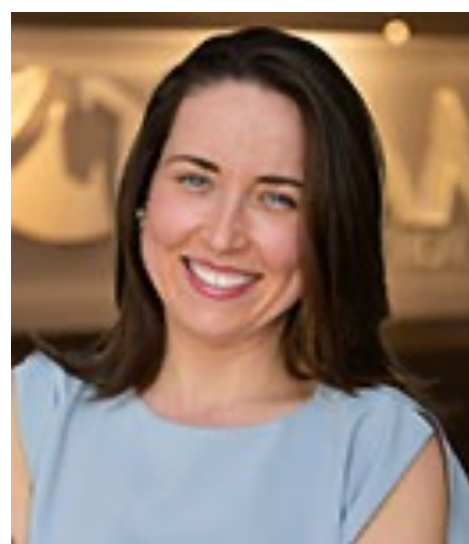


## Legal & Policy Insights:

### Impact of NAR's Antitrust Settlement on CRE & More



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Seminole Hard Rock Hotel & Casino

# DISCLAIMER:

This legal panel is only meant to provide education and information on relevant legal topics facing the industry and is not a substitute for legal advice or representation.

# ANTITRUST POLICY

The MIAMI Association of REALTORS® adheres to a strict policy of compliance with both federal and state antitrust laws. As such, any discussions or activities with potential anti-trust implications, including but not limited to commission price fixing, market allocation, customer allocation, bid rigging, or boycotts, are strictly prohibited. MIAMI REALTORS® strongly endorses a competitive marketplace, ensuring that competitors have the freedom to engage in business without artificial restrictions on competition.



# Impact of NAR's Proposed Antitrust Settlement on CRE

## #1

What impact does the proposed NAR settlement have on commercial transactions?

## #2

Are commercial REALTOR® members included in the release of liability?

# Impact of NAR's Proposed Antitrust Settlement on CRE

## #3

Will the MLS rule changes be applicable to commercial listings?

## #4

Is a buyer broker agreement required to show a commercial property?



# Impact of NAR's Proposed Antitrust Settlement on CRE

## #5

Can REALTOR® members  
share their compensation in  
commercial deals?

## #6

Can a landlord representative  
compensate a tenant's  
representative for a lease?

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# COMMERCIAL REAL ESTATE LIEN ACT

**Commercial Real Estate Sales Commission Lien Act**

§475.700 - 457.719 Fla. Stats. (2023)

**Commercial Real Estate Leasing Commission Lien Act**

§475.800 - 457.813 Fla. Stats. (2023)

**Link to the Florida Statutes**







## **FORM DISCLOSURE LANGUAGE FOR THE COMMERCIAL REAL ESTATE SALES COMMISSION LIEN ACT (F.S. 475.703(5))**

"The Florida Commercial Real Estate Sales Commission Lien Act provides that when a broker has earned a commission by performing licensed services under a brokerage agreement with you, the broker may claim a lien against your net sales proceeds for the broker's commission. The broker's lien rights under the act cannot be waived before the commission is earned."

(For the Commercial Real Estate Leasing Commission Lien Act, the disclosure is the same as the Sales Leasing except lien is to the property itself rather than sales proceeds. See F.S. 475.805(2) for form of the Notice)





## IMPORTANT NOTES FOR THE DISCLOSURE:

- Cannot be waived before the commission is earned.
- Cannot be waived by any person other than the broker, regardless of whether that person may execute and bind the broker to a brokerage agreement (even if the property owner or their counsel use a strikethrough on the language).
- **IMPORTANT SIDENOTE:** Make sure you are signing your agreements with a principal of your client and not a broker or other unauthorized agent.



# Business Rent Tax Relief

**GOAL**

\$4,071,519,600  
June 1st, 2024



**Drops from 4.5% to 2%**

when the Florida Unemployment Compensation  
Trust Fund reaches its pre-pandemic level of \$4B.

Effective June 1st, 2024



Accelerated reduction  
in Florida's business  
rent tax from 4.5% to  
**2% on June 1**

Saves commercial  
tenants approximately  
**\$1 billion** annually



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**MAY 3, 2024**

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# Business Rent Tax

**County Discretionary Sales  
apply to Business Rent Tax,  
in addition to the state tax rate:**

**Miami-Dade 1%**

**Broward 1%**

**Palm Beach 1%**



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# QUESTIONS?

## LEGAL UPDATES

[miamirealtors.com/FACTS](https://miamirealtors.com/FACTS)

[miamirealtors.com/legalupdates](https://miamirealtors.com/legalupdates)

## SAY HELLO

[legal@miamire.com](mailto:legal@miamire.com)

