



NEW MEXICO ASSOCIATION OF REALTORS® — 2025
ADDENDUM NO. _____
LISTING AGREEMENT - MLS MARKETING
MODIFICATION ADDENDUM



- This Addendum to be used under the following circumstances:
 - The Property listing will not be entered into the MLS ("Office Exclusive"); or
 - The Property listing will be entered into the MLS, but some aspects of marketing will be limited for some period of time ("Delayed Marketing Status" or "Coming Soon Status").
- Important Terms: Also see NMAR Form 1820 – Information Sheet – Multiple Listing Service
 - IDX Feed: the transfer of MLS listing data from the MLS to the public facing websites of all brokerages/brokers who subscribe to that specific MLS.
 - Syndication: the transfer of MLS listing data from the MLS to public facing websites, such as Realtor.com., Zillow.com, and Trulia.com.
- In addition to this Addendum, the MLS may require that Seller complete additional documentation.
- Unless otherwise noted below, Seller may modify this Addendum at any time by giving written notice to Listing Brokerage.

This Addendum is a part of the Listing Agreement ("Agreement") dated _____, 20____ between _____ ("Seller") and _____ ("Listing Brokerage") relating to the following Property:

Address (Street, City, State, Zip Code) _____

Legal Description

or see metes & bounds description attached as Exhibit _____, County(ies), New Mexico.

1. ☐ **OFFICE EXCLUSIVE.** Seller directs the Listing Brokerage NOT to enter the listing into the MLS. (Only Check if applicable) ☐ Listing Brokerage's consent to modify this provision is required.
 - A. While an Office Exclusive Status, the following applies.
 - i With the exception of one-to-one, broker-to-broker communication, the listing will only be available to brokers within the Listing Brokerage and may NOT be shared with brokers outside the Listing Brokerage. One-to-one communication means private, direct conversations between a single broker from the Listing Brokerage and a single broker from another brokerage.
 - ii The Listing Brokerage may ONLY show the Property to buyers who are working with the Listing Brokerage.
 - iii Public marketing is NOT permitted. Public marketing includes, but is not limited to, yard signs, social media posts, email blasts, inclusion on the Listing Brokerage's website, digital advertisements, flyers, multi-brokerage communications, and dissemination to public facing websites through IDX feeds and syndication. If any form of public marketing occurs while the listing is in Office Exclusive Status, the listing must be entered into the MLS within one (1) business day of such public marketing.
 - iv If the Property is sold while in an Office Exclusive status, then Broker ☐ may ☐ may not enter the terms of the sale into the MLS after Closing, including the purchase price.
 - B. Time Period. Subject to Para. 1(A)(iii) above, the listing shall remain in Office Exclusive status:
 - ☐ Indefinitely. The listing shall NOT be entered into the MLS during the Term of the Listing Agreement.
 - ☐ Until this Date: _____. Broker shall begin marketing the Property in the MLS within 48 hours of this Date.
 - ☐ Until this Event: _____. Broker shall begin marketing the Property in the MLS within 48 hours of this Event.

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2. ☒ **DELAYED MARKETING.** Seller instructs the Listing Brokerage to enter the listing into the MLS under a Delayed Marketing Status. (Only Check if applicable) ☐ Listing Brokerage's consent to modify this provision is required.
- A. While in Delayed Marketing Status, the following applies:
- i The listing will be visible in the MLS to all MLS Participants and Subscribers of the MLS.
 - ii ONLY the Listing Brokerage may market the Property. Otherwise, there are no restrictions on marketing.
 - iii The Listing Brokerage may show the Property and other participants/subscribers of the MLS may submit offers.
 - iv The listing will NOT be disseminated to public facing websites through IDX feeds and/or syndication.

WARNING TO SELLER: Some public-facing websites, such as Zillow.com and Trulia.com require listings entered in the MLS to be syndicated (published on their websites) within one business day of publicly marketing the properties. These websites will exclude from publication on their websites any listing that is originally entered into the MLS under a Delayed Marketing status, even if the listing is later changed to allow syndication. This exclusion will last for the life of the listing agreement between the seller and the listing brokerage that entered the listing in Delayed Marketing status.

- B. Time Period. Seller directs Listing Brokerage to keep the listing in Delayed Marketing status for:

☐ _____ days ☐ Duration of Listing Term
☐ _____ months ☐ Other

Notwithstanding this paragraph, the maximum period of time in which the listing may remain in the Delayed Marketing status is subject to the rules of the MLS.

3. ☐ **COMING SOON.** Not all MLSs offer a "Coming Soon" status. Where applicable, Seller directs the Listing Brokerage to enter the listing into the MLS under a Coming Soon Status.

(Only Check if applicable) ☐ Listing Brokerage's consent to modify this provision is required.

- A. While in Coming Soon Status, the following applies:

- i. The listing will be visible to MLS Participants and Subscribers.
- ii. The listing will be disseminated to MLS participants/subscribers public-facing websites through IDX feeds and in some cases to third-party, public-facing websites through syndication. Listings will be labeled as "Coming Soon."
- iii. The Listing Brokerage may actively promote the Property, but all public marketing must clearly identify the Property as "Coming Soon."
- iv. The Listing Brokerage may NOT show the Property to any buyers or brokers or hold an Open House.

- B. Time Period. Seller directs Listing Brokerage to leave the listing in the Coming Soon Status for _____ days.

Notwithstanding this paragraph, the maximum period of time in which the listing may remain in the Coming Soon Status is subject to the rules of the MLS.

SELLER'S ACKNOWLEDGEMENT. When entered into the MLS, the Property listing is available for viewing by all brokers who participate in the MLS. The MLS is the one of the first places a broker, as an MLS participant/subscriber, visits when he/she has a customer who is looking to buy property. In addition, through IDX feeds and syndication, the Property may be marketed on hundreds of additional public-facing websites, for maximum exposure of the Property listing. By signing this Addendum, Seller acknowledges all the marketing benefits available and does hereby waive the applicable benefits as indicated by Seller's selection in this Addendum for the period of time as set forth herein. Seller understands and agrees this form may be provided to the MLS, upon request.

SELLER(S)

Seller Signature _____

Printed Name _____

Date _____ Time _____

Seller Signature _____

Printed Name _____

Date _____ Time _____

LISTING BROKER

Broker Signature _____

Printed Name _____

Date _____ Time _____