

# December 2017 Forms Release

## Quick Summary

This chart is a quick summary of the new and revised standard forms scheduled for release **the week of December 11<sup>th</sup>, 2017**. For further information, please refer to the C.A.R. web page at: <https://www.car.org/en/zipform/standard-forms/summary-forms-releases-chart/December-2017-Forms-Release>. Please note that this list is subject to change.

Form Code	Form Name	Replaces	Brief description of form/how the form was revised	OK to use prior revision
*AEA	Amendment of Existing Agreement Terms	NEW	This new form will be used by one party to an existing contract to propose changes. Like an offer or counter offer, the proposal only remains open for a set period of time. If the other party agrees it should be signed and accepted. If not, the terms of the existing contract remain unchanged.	N/A
*PIA	Property Images Agreement	NEW	New form that documents a licensee's right to use, for marketing purposes, photos, videos or other images, of property taken by a third party. Identifies compensation and whether the broker obtains an assignment from the photographer or an exclusive license. This form does not necessarily give a licensee the right to use the images if moving from one office to another.	N/A
*TEAM	Team Agreement	NEW	New form that documents the relationship between a team leader and a team member. Form is designed for use only between real estate licensees. Non-licensed team members or those with other associations with a team leader should be addressed through a different form such as the Personal Assistant Contract. This form has preprinted compensation language letting the parties choose between percentage or flat fee rates or they can opt for a formula created to fit their own situation. Makes clear that all licensed activity flows through the broker. Most importantly, the form addresses what happens to "clients" and compensation if the agreement between team leader and team member is dissolved. The form covers commencement of the relationship through its termination.	N/A

*BRE	Buyer Representation Agreement – Exclusive	4/13	Added language clarifying that agency compliance applies to more than just 1-4 residential units. Conformed to changes to RLA in June by removing optional arbitration clause and referring to separate agreement for that purpose.	Yes
*BRNE	Buyer Representation Agreement – Non-Exclusive	4/13	Added language clarifying that agency compliance applies to more than just 1-4 residential units. Conformed to changes to RLA in June by removing optional arbitration clause and referring to separate agreement for that purpose.	Yes
*BUO	Back-Up Offer Addendum	11/14	Added second part to form that seller can use to notify back-up buyer if primary contract has been cancelled and buyer is being moved into primary position.	Yes
*COP	Contingency for Sale of Buyer's Property	6/16	Added language to paragraph 1A requiring buyer to give notice of close of buyer's property to seller. Added 1B to clarify that buyer cannot unilaterally remove the contingency to avoid all the other obligations in COP. Examples include seller right to insist on proof of funds and removal of loan contingency, or seller's right to cancel if buyer notifies seller that back-up contract has been cancelled.	Yes
*HOA2	Charges for Required Homeowner Association Documents	11/14	Beginning January 1, 2018, the HOA billing form (HOA2) must include a statement informing a seller that he or she may give the buyer at no cost, copies of required HOA documents that are in seller's possession, and that the seller may request the needed documents but is not required to purchase ALL of the documents listed on the HOA2.	No, beginning January 1, 2018

*MHPA	Manufactured Home Purchase Agreement and Joint Escrow Instructions	11/14	Paragraph 1F adds language to more accurately reflect the tax situation if mobile home is not real property. Paragraph 7C(3) added in Allocation of Cost paragraph so the parties can designate who is to pay for HCD registration and title fees. Paragraph 12 was modified to make clear that buyer has an obligation to submit a completed park application and other requested information to prevent delays in processing the Park review.	Yes
*NBP	Notice to Buyer to Perform	11/14	Added language to prevent the argument that the NBP can only be used for contingencies or covenants but not both at the same time.	Yes
*PSD	Parking and Storage Disclosure	11/12	Added optional language avoids confusion over the form if the primary agreement does not permit parking or storage. Extra paragraph added for additional disclosures.	Yes
*RFR	Receipt for Reports	11/14	Added language above the buyer's signature advising buyer that receiving reports prepared by others for others does not necessarily give the buyer any legal recourse for errors committed by the preparer of the report.	Yes
*SIP	Seller License to Remain in Possession Addendum	12/16	Language added informing seller that money paid for possession after close of escrow will not be returned even if seller moves out early. Seller also advised to obtain insurance to protect personal property.	No
*SPRP	Seller's Purchase of Replacement Property	6/16	New optional paragraph 1B gives seller the option of notifying the buyer that seller's property is already in escrow on replacement property. If 1B is checked, then seller would want to check 1C making the primary contract contingent upon seller's ability to close on replacement property.	Yes

*SWPI	Septic Inspection, Well Inspection, Property Monument and Allocation of Cost Addendum	4/12	Added language makes clear that those performing services are qualified professionals. Paragraph 1D defines the time by which certain agreements need to be made by linking them to specific contingency. Paragraph 2 identifies a website where the parties can find additional information.	Yes
*WFA	Wire Fraud and Electronic Funds Transfer Advisory	6/16	Language added to make clear the warning applies not just to wire fraud but also other types of electronic transfers, including electronic payments of rent. Signature lines changed so form can be used for lease as well as sale transactions.	Yes
**NHD	Natural Hazard Disclosure	10/04	This form will be discontinued in both paper and in zipForm@Plus. NHD form that is in third party reports satisfies legal requirements, so this form is duplicative in most cases.	N/A
**SPT	Notice of Your "Supplemental" Property Tax Bill	10/05	This form will be discontinued in both paper and in zipForm@Plus. Required language appears in SBSA and the SBSA is referenced in the Prorations and Property Tax paragraph of the RPA, making this form generally unnecessary.	N/A
**MS	Mortgage Loan Disclosure Statement (Borrower)	08/08	This form will be discontinued in both paper and in zipForm@Plus. An equivalent form is available on the BRE website (dre.ca.gov) that can be used instead of this rarely used C.A.R. form.	N/A

\* These forms will **only be available either via zipForm@Plus or from the following Associations**: Beverly Hills/Greater Los Angeles AOR, Newport Beach AOR, North San Diego County AOR and Sacramento AOR.

\*\* These forms will be **discontinued** in both paper and in zipForm@Plus during the December release.

C.A.R. no longer monitors the legal validity of any prior form version and the C.A.R. User Protection Agreement only applies to the most current version of a form.

See <https://www.car.org/zipform/standard-forms/user-protection-agreement> for full text of the User Protection Agreement.