

Georgia

Independent Contractor Agreement / Policies & Procedures for Sales Associates

INDEPENDENT CONTRACTOR:

- A. Contractor / Tax Filing Requirements: Associate is an independent contractor and is not Broker's employee. Broker will not withhold any amounts for taxes from the fees paid to associate under this agreement. Broker will not pay any amounts for unemployment compensation or workers compensation for Associate. Associate is responsible for maintaining the necessary personal financial records for purposes of reporting income for state and federal tax requirements. Contractor agrees and understands that, because contractor is an independent contractor and not an employee of broker, broker will not withhold any Federal or State income tax, Social Security (FICA) or unemployment (FUTA) taxes from contractors commission paid. Contractor is personally responsible paying any and all federal and state income, Social Security and other taxes, and for maintaining all expense records required by law, and represents to Broker that all such amounts will be withheld and paid. Contractor will receive from Broker a form 1099 that will also be reported to the IRS. Such form 1099 will not reflect all contractor income, but rather 1.) Those payments directly made from Broker and/or 2.) 1099's received by the Broker from any entity reporting Broker as recipient and/or 3.) Any income deemed necessary to comply with federal law. Contractor shall indemnify and hold Broker harmless from any liability or costs thereof. Contractor further understands and acknowledges that Broker provides no workers compensation Coverage. Contractor hereby specifically waives such coverage and represents to Broker that he/she understands that, if Contractor desires such coverage, Contractor must personally obtain such coverage.
- B. Term: This Agreement commences on _____ (commencement date) and continues until such time as either party terminates this agreement in accordance with paragraph F. If associate has an inactive or expired real estate license status this agreement will not commence until an active license status has become effective. This agreement will terminate immediately if associates license becomes inactive or expired.
- C. Files & Documents: In any transaction related to Broker's real estate business in which Associate is involved, Associate must provide, within 72 hours, fax or e-mail copies of all contracts, agreements, disclosures, correspondence, data, and other information related to the transaction. These copies will be maintained at Brokers office. All required Closing documents are required prior to Broker issuing "Commission Disbursement Authorization" [CDA]. Broker will provide a "Required Document - Checklist" to be used with every closing file. Upon receipt of closing file, Broker will provide Associate with a copy of the CDA sent to the Closing Attorney.
- D. License and Membership Fees: Each party is responsible to pay all their respective license and membership fees. Associate must immediately reimburse Broker any fee, expense, or penalty that Broker incurs as a result of the parties association or Associates failure to maintain Associates license or realtor membership status.
- E. Associates License and Membership Status: Associate is a licensed real estate ____ Salesman, or ____ Broker in the state of _____, Associate's license must be active and in good standing at all times while this agreement is in effect or this agreement will terminate immediately.

- F. Termination: Either party may terminate this agreement, with or without cause with written notice. This agreement will terminate immediately if Associate allows his/her license to expire or become inactive.
- G. Associate will retain all listings, clients and prospects.
- H. Management of Real Estate Property: New Century Real Estate Group does not hold itself out as a real estate management company and therefore does not allow agents to manage any property for money, fees, deposits, or rents. Property Management is strictly forbidden.

COMMISSION PLAN

Choose A Plan

_____ **Annual Plan:** \$175.00 annually, due upon signing and each anniversary date thereafter, \$249.00 per transaction per residential sale, \$99.00 per residential lease, \$99.00 on referrals. Please provide checking or credit card information below for annual payment. There will be a 25.00 NSF fee for any NSF items, and license will be terminated until fees are paid.

Checking Account Routing Number _____

Checking Account Number _____

OR

Credit Card Number _____

Expiration Date _____ Zip code of billing address _____

Authorized Signature for annual renewal on anniversary date _____

_____ **Branch Office Plan Monthly:** \$99.00 per month for the Branch Office due by EFT on the first of each month, \$249.00 per sale, \$99.00 per lease, \$99.00 on referral fees. There will be a 25.00 NSF fee for any NSF items, and license will be terminated until fees are paid.

Branch Office Trade Name _____

Checking Account Routing Number _____

Checking Account Number _____

Authorized Signature for monthly draft _____

FMLS/GMLS: MEMBERSHIP IS REQUIRED FOR GAMLS, FMLS IS NOT

FMLS membership is not mandatory, FMLS fees will be deducted at closing; agent is responsible for his/her fees.

GMLS membership is mandatory and fees are 20.00 per month and will be deducted from agent's checking account on the 15th of each month, please provide checking info below. There will be a 25.00 NSF fee for any NSF items, and license will be terminated until fees are paid.

Checking Account Routing Number _____

Checking Account Number _____

Authorized Signature for monthly draft _____

This is intended to be a legally binding agreement.

Associates Printed Name _____

Associates Signature _____ Date _____

Address _____ City, State, Zip _____

Real Estate License Number & Expiration Date _____

Home Phone _____ Cell _____

Business Phone _____ Website _____

Fax _____ Email _____

SSN/TIN _____

Brokers Printed Name: James C Valentino II
Georgia Broker License 317886

Address: 11222 Richmond Ave., Suite 235 City, State, Zip: Houston, Texas 77082

Office Phone: Toll Free: 866-205-4992 Fax: 866-532-6073

Email: ncrgroupinfo@gmail.com

Broker Signature: _____ Date: _____

INSTRUCTIONS ON SENDING CLOSING FILE TO OFFICE:

Files & Documents: In any transaction related to Broker's real estate business in which Associate is involved, Associate must provide, within 72 hours, fax or e-mail copies of all contracts, agreements, disclosures, correspondence, data, and other information related to the transaction. These copies will be maintained at Brokers office. All required Closing documents are required prior to Broker issuing "Commission Disbursement Authorization" [CDA].

When you fax the closing file to the office (866-532-6073) please include the completed CDA, HUD statement, and closing check list. The amount that NCRG authorizes is total commission being paid to NCRG, and any bonuses.

If NCRG is holding the earnest money please list the amount being held on the CDA.

If this is an FMLS listing calculate the FMLS fee and list it on the CDA. This will be deducted from your commission and paid directly to FMLS at closing. Complete the FMLS form # 118 and fax with CDA.

When emailing the closing file please send to: ncrclosingdocuments@gmail.com

Jimmy Valentino is responsible for closing files and CDA's. You can contact him at 866-205-4992, or ValentinoJim@gmail.com

PROCEDURE FOR EARNEST MONEY DEPOSITS:

NCRG will not hold earnest money. Only in situations where NCRG is representing the buyer and seller will NCRG be the holder of the earnest money, or if required. If NCRG is to hold earnest money, the earnest money check is to be mailed to 11222 Richmond Ave., Ste. # 235, Houston TX, 77082, the same day the Purchase Agreement is executed. Include page one of the purchase agreement with the check. A copy of the check and the entire purchase agreement are to be faxed the same day to 866-532-6073.

Master File "REQUIRED" Closing Check List

(Copies of all forms checked are required as part of your closing file and prior to issuance of CDA)

Property Address _____

Agent _____ **Date** _____

- _____ Fully Executed Contract with acceptance date and ALL signatures by ALL parties m
(Including all addendums and special stipulations)
- _____ Agency Disclosure
- _____ Financing contingency
- _____ FHA, VA, or CONV Financing Exhibit
- _____ Lead-Based Paint Exhibit
- _____ Exclusive Buyer Brokerage Agreement (Signed by Agent and Buyer)
- _____ Listing agreement and any addendums or stipulations
- _____ Sellers Property Disclosure Statement signed and dated by BOTH the Buyer and Seller
- _____ MLS Printout
- _____ Inspection Report
- _____ Copy of earnest money check
- _____ Copy of Option check
- _____ Confirmation of Earnest Money Form with Earnest Money Funds attached if NCRG is the holder
- _____ FINAL HUD STATEMENT
- _____ Buyers final walkthrough
- _____ T & R Form if applicable

Lease Agreements

- _____ Lease Listing agreement
- _____ Lease Contract
- _____ Agreement between Brokers form
- _____ Copy of deposit and rent checks

New Century Real Estate Group
11222 Richmond Ave., # 235, Houston, TX 77082
Phone: 866-205-4992

Commission Disbursement Authorization

Closing Attorney: _____

Phone: _____ Fax: _____

Closer: _____ File #: _____

Closers Email Address (REQUIRED) _____

Property Located at: _____

Seller: _____ Buyer: _____

Listing Firm: _____ Agent Name: _____

Selling Firm: _____ Agent Name: _____

Closing Date: _____ SALES PRICE \$ _____

Is the earnest money being held by New Century Realty? _____ if yes, amount \$ _____

Is this an FMLS listing? _____ (FMLS Fee = Sales Price X .0012) \$ _____

**ADD THIS AMOUNT TO TRANSACTION FEE BEING PAID TO NEW CENTURY REALTY
(Complete FMLS Form # 118 and send with CDA) MLS Number: _____**

INSTRUCTIONS TO CLOSING ATTORNEY

NCRG authorizes the commission of \$ _____ to be paid in the following manner and delivered as indicated below:

(\$ 249.00 TRANSACTION FEE PLUS FMLS FEE IF THIS IS AN FMLS LISTING OR SALE)

\$ _____ To: **New Century Real Estate Group** (Deliver/Overnight check and final HUD, and a copy of this CDA) to:

**New Century Real Estate Group,
ATTN: JAMES VALENTINO
9703 INDIGO BAY CT
KATY, TX. 77494**

(Please do not give this check to the agent, thank you)

_____ \$ Pay Directly To: (Agent) _____

_____ \$ Pay Directly To: (Agent or Client) _____

Broker Signature, James C Valentino II, Broker ID 317886

Date



#118
Notice of Closing Form

--	--	--	--	--	--	--

FMLS #

Property Address

--	--	--	--	--	--

Listing Office Broker Code

Listing Agent Name

--	--	--	--	--	--

Selling Office Broker Code

Selling Agent Name

Pending Date (Contract Acceptance Date)

Closing Date

\$ Sold Price

Closing Costs (Costs Paid by Seller)

<input type="checkbox"/> FHA	<input type="checkbox"/> ASSUM	<input type="checkbox"/> CASH
<input type="checkbox"/> FmHA	<input type="checkbox"/> CONV-INS	<input type="checkbox"/> OWNER
<input type="checkbox"/> VA	<input type="checkbox"/> CONV-UNINS	<input type="checkbox"/> OTHER

Submitting Broker Code: NCP01

Fee Included: \$ _____
(If check includes multiple transactions use Payment Identifier - Form #119)

Contact Name: JAMES VALENTINO

Instructions for Listing or Selling Company

Mail within 72 hours of closing, ALL of the following documents:

- Notice of Closing Form #118
- Settlement Statement (HUD1-both pages)
- Check for FMLS Fee

>>> ATTENTION <<<

Only FMLS Staff can change a listing status to Sold upon receipt of ALL these documents.



MEMBER CHANGE FORM

Please fax back to (770) 938-5660

Broker Information:

COMPANY NAME: NEW CENTURY REAL ESTATE GROUP

COMPANY ADDRESS: 11222 Richmond Ave # 235
Street Address

HOUSTON TX 77082
City State Zip Code

COMPANY PHONE #: 866-205-4992 BROKER CODE: NCEP01

1. Please mark requested roster change below:

2. Select Member Type:

ADD*

AGENT

REMOVE

SECRETARY

UPDATE INFORMATION

APPRAISER

Agent Information:

NAME: _____

LICENSE NUMBER: _____

HOME ADDRESS: _____
Street Address

City State Zip Code

CONTACT NUMBER 1: _____ CONTACT NUMBER 2: _____

EMAIL ADDRESS: _____

***If agent is being added to your company:**

- Should agent's GAMLs services such as BellSouth Internet, Wireless, and Virtual Office be added also?
 YES NO

Broker's Signature _____