



# April 2009 Form Release

## Quick Summary

This chart is a quick summary of the new and revised standard forms scheduled for release **the week of April 27, 2009**. For further information, please refer to the C.A.R. web page at <http://www.car.org/legal/standard-forms/>.

Form Code	Form Name	Replaces	Brief description of how the form was revised	OK to use prior version?
BOS	Bill of Sale	New Commercial Form	Documents the transfer of personal property accompanying the sale of real estate or a business. Addresses value, an inventory list, and whether any warranty applies. May be accompanied by a notary acknowledgment.	N/A
NA	Notary Acknowledgement (attached to BOS; not sold separately)	New Commercial Form	This form can be used to verify the signature of the selling party. Provides greater comfort level even though the transfer is not required to be recorded	N/A
CML-CNDA	Confidentiality and Non-Disclosure Agreements	New Commercial Form	This form allows buyer or seller or both, to give information to the other with a contractual assurance that the information will be kept confidential. The confidentiality provisions only apply to designated information and extend to agents of the parties. Provisions deal with legal exceptions and compelled disclosure.	N/A
CML-EIA	Environmental Issues Addendum	New Commercial Form	This form addresses how environmental inspections will be conducted, minimum insurance requirements, confidentiality, liens, indemnification and return of property to its pre-inspection condition.	N/A
CML-LEC	Landlord's Environmental Consent (attached to EIA; not sold separately)	New Commercial Form	Landlord permission form when environmental inspections are included property is leased or rented.	N/A
CML-REL	Release Agreement	New Commercial Form	Formal release and waiver of liability agreement to be used in association with requests for repair of defects or price credits or with the cancellation of an entire agreement. Can be a buyer release, seller release or mutual release.	N/A
CPM	Contract Paragraph Matrix	New Commercial Form	This chart identifies where certain contingency and covenant paragraphs can be located in any of the CAR purchase agreements.	N/A
*DRE-AFL	Advance Fee Agreement for Loan Modification Services	New DRE Form	Advance fee agreements must be pre-approved by DRE. This form uses recommended language from DRE sample.	N/A
*DRE-AFI	Advance Fee Agreement Instructions	New DRE Form	Instruction sheet for how to complete and submit form to DRE.	N/A
*DRE-AFVA	Verified Accounting for Advance Fees	New DRE Form	DRE has special accounting rules for advance fees. This form uses recommended language from DRE sample.	N/A
CFK	Cash For Keys	New Form	Agreement between owner of property following foreclosure sale and occupant (existing tenant or former owner). Used to try to get occupant to move out without the need to pursue a legal eviction.	N/A

Form Code	Form Name	Replaces	Brief description of how the form was revised	OK to use prior version?
QS	Qualified Substitute Declaration of Possession of Transferor's Affidavit of Nonforeign Status	New Form	Optional form used by escrow or title to demonstrate to buyer that no withholding is required on sale because seller is not a foreign person.	N/A
LBSB	Loan Broker-Sales Broker Disclosure	New Form	New law (B&P 10177.6) requires a broker to disclose within 24 hours if the broker is acting in the capacity of both a loan broker and a sales broker on the same transaction. Existing law (DRE Reg 2904) already requires such a broker to reveal the amount source and form of compensation before close of escrow.	N/A
NPB	Notice of Prospective Buyers/Transferees	New Form	Documents rights in a safety clause in listing agreement. Broker gives this form to seller to protect broker commission rights if named buyer purchases property.	N/A
NIP	Notice of Identified Properties	New Form	Documents rights in a safety clause in a buyer representation agreement. Broker gives this form to buyer to protect broker commission rights if buyer purchases named property.	N/A
CND	Confidentiality and Non-Disclosure Agreement	New Form	Simple form to document that price or terms of offer or names of principal is confidential.	N/A
LMLA	Loan Modification Listing Agreement	New Form	This form can be used when a borrower hires a real estate broker to negotiate a loan modification with the borrower's existing lender. It does NOT provide for advance fees. Fees may only be collected after the broker performs specified services divided into two categories: (1) Document collection and presentation to lender, and (2) Completion of loan modification agreement.	N/A
CA	Commission Agreement	CA 10/00	Language was added to clarify that compensation applies not just to sales but leases and options as well.	Yes
CBC	Cooperating Broker Compensation Agreement and Escrow Instructions	CBC 4/08	Adds language requiring listing broker management approval if the MLS offer of compensation is being modified or compensation is being offered to non-MLS members	Yes
CR	Contingency Removal	CR 10/03	Refers to matrix for paragraph references for non-RPA CAR purchases agreements.	Yes
ICA	Independent Contractor Agreement	ICA 4/07	Clarify language referring to salesperson's obligation to notify broker in the event of litigation against the salesperson	Yes
PMA	Property Management Agreement	PMA 4/03	Paragraph 5B added to address new spa/pool law DRE License number added to sig block	Yes
NBP	Notice to Buyer to Perform	NBP 10/02	Refers to matrix for paragraph references for non-RPA CAR purchases agreements.	Yes
NSP	Notice to Seller to Perform	NSP 10/02	Refers to matrix for paragraph references for non-RPA CAR purchases agreements.	Yes
RIPA	Residential Income Property Purchase Agreement and Joint Escrow Instructions	RIPA 1/06	Add check boxes to Paragraph 36 for SBSA and SPQ New Paragraph 5C(4) addresses new spa/pool law	Yes

Form Code	Form Name	Replaces	Brief description of how the form was revised	OK to use prior version?
**RLA	Residential Listing Agreement	RLA 4/07	Updated to comply with NAR/Department of Justice VOW agreement informing seller of right to opt-out of certain internet listings	Yes
RR	Request for Repairs	11/07	Gives options for seller to both make repairs and provide dollar credit to buyer.	Yes
**SEL	Seller Instruction to Exclude Listing from the MLS	4/07	Updated to comply with NAR/Department of Justice VOW agreement by adding optional seller opt-outs	Yes for MLS Exclusion. No for internet options.
SSA	Short Sale Addendum	11/07	Clarification that lender approval does not require borrower to remain liable for loan. Gives Buyer the right to cancel if not provided lender written consent. Clarifies that loan preapproval not delayed even if other time periods are.	Yes

\*Released in March 2009 in conjunction with the DRE Loan Modification forms release.

\*\*Released in February 2009 as part of an NAR-D.O.J. agreement

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

# November 2009 Form Release

## Quick Summary

This chart is a quick summary of the new and revised standard forms scheduled for release **the week of November 16, 2009**. For further information, please refer to the C.A.R. web page at <http://www.car.org/legal/standard-forms/>.

Form Code	Form Name	Replaces	Brief description of how the form was revised	OK to use prior revision
*PMAD	Property Management Addendum	NEW	Authorizes property manager to withhold funds from trust account and forward to Franchise Tax Board when required under State law for out-of-state owners	N/A
AD	Disclosure Regarding Real Estate Agency Relationships	4/06	Explanation box modified to address alternate method of compliance for buyer's agent to give only one AD form for signature of both buyer and seller.	Yes
BES	Buyer's Intent to Exchange Supplement	10/01	Language added to clarify that Buyer deposit is to be returned if the transaction is cancelled pursuant as specified.	Yes
LRA	Application to Rent/Screening Fee	4/03	Add license # block for Broker Signature	Yes
*SES	Seller's Intent to Exchange Supplement	10/01	Language added to clarify that Buyer deposit is to be returned if the transaction is cancelled pursuant as specified.	Yes
REO	REO Advisory	11/09	Adds language informing buyer of right to choose title and escrow if buyer is paying for those services.	Yes (not recommended)
REOL	REO Advisory (Listing)	11/09	Adds language informing REO seller that State law gives buyer the right to choose title and escrow if buyer pays for those services.	Yes (not recommended)
SPQ	Seller Property Questionnaire	11/07	Statutory and contractually required/related questions relocated to the first page.	Yes
SSD	Supplemental Statutory and Contractual Disclosures	11/08	Added question regarding awareness of methamphetamine contamination.	Yes
WHSD	Water Heater and Smoke Detector Statement of Compliance	11/07	Added language to remind seller of a Housing and Community Development requirement if property is a manufactured or mobile home.	Yes

\*These forms will only be available via zipForm® and will be discontinued in paper format due to low demand.

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See <http://www.car.org/legal/standard-forms/user-protection-agreement/?redirectFrom=login> for full text of the User Protection Agreement.