

**DEPARTMENT OF REGULATORY AGENCIES
DIVISION OF REAL ESTATE
REAL ESTATE BROKERS AND SALESPERSONS
4 CCR 725-1**

EMERGENCY RULE

COMMISSION APPROVED FORMS

Pursuant to and in compliance with Title 12, Article 61 and Title 24, Article 4, C.R.S. as amended, notice of emergency rulemaking is hereby given, including notice to the Attorney General of the State of Colorado and to all persons who have requested to be advised of the intention of the Colorado Real Estate Commission (the "Commission") to promulgate rules, or to amend, repeal or repeal and re-enact the present rules of the Commission.

- Section 1. Authority
- Section 2. Scope and Purpose
- Section 3. Applicability
- Section 4. Rule F-7 – Use of Commission Approved Forms
- Section 5. Effective Date

Section 1. Authority

The statutory basis for the adoption of these rules regarding real estate brokers and salespersons is Parts 1 and 8 of Title 12, Article 61 C.R.S. The specific rulemaking provisions contained therein are sections 12-61-114.5 and 12-61-803(4), C.R.S.

Section 2. Scope and Purpose

The purpose of this rule is to amend rule F-7 regarding the mandatory use of standard and approved forms, to amend existing mandatory forms and adopt new mandatory forms.

Section 3. Applicability

The provisions of this section shall be applicable to real estate brokers.

Section 4. Rule F – Use of Commission Approved Forms

F-7 Commission Approved Forms

Real estate brokers are required to use Commission-approved forms as appropriate to a transaction or circumstance to which a relevant form is applicable. In instances when the Commission has not developed an approved form within the purview of this rule, and other forms are used, they are not governed by Rule F. Other forms used by a broker shall not be prepared by a broker, unless otherwise permitted by law.

Forms with a May, 2009 adoption date may be used as of May 1, 2009 and are mandatory July 1, 2009.

The following are the forms promulgated by the real estate commission and are within the purview of Rule F:

Listing Contracts

~~Exclusive Right-to-Sell Listing Contract (All Types of Properties) LC50-405-06 09~~
~~Exclusive Right-to-Buy Contract (All Types of Properties) BC60-045-05 09~~
~~Exclusive Brokerage Listing Contract (All Types of Properties) LC53-10-06~~
~~Open Listing Contract (All Types of Properties) LC54-10-06~~
~~Exclusive Right-to-Lease Listing Contract (All Types of Property) LC57-405-0609~~
~~Exclusive Tenant Contract (All Types of Premises) ETC59-405-05 09~~

Sales Contracts

~~Contract to Buy and Sell Real Estate (All Properties) CBS1-445-0809~~
~~Contract to Buy and Sell Real Estate (All Properties) (For Property in Foreclosure) CBSF1-11-08~~

Addenda to Contracts

~~Licensee Buy-Out Addendum to Contract to Buy and Sell Real Estate (see footnote # 2) LB36-9-08~~
~~Source of Water Addendum to Contract to Buy and Sell Real Estate SWA35-8-07~~
~~Exchange Addendum to Contract to Buy and Sell Real Estate EX32-05-04~~
~~Lead-Based Paint Disclosures (Sales) LP45-05-04~~
~~Lead-Based Paint Disclosures (Rentals) LP46-05-04~~
~~Brokerage Duties Addendum to Property Management Agreement BDA55-045-05-09~~
~~Foreclosure Property Addendum FPAF-33-9-08~~
~~Short Sale Addendum SSA38-9-08~~
~~Exclusive Brokerage Listing Addendum to Exclusive Right-to-Sell Listing Contract EBA53-5-09~~
~~Open Listing Addendum to Exclusive Right-to-Sell Listing Contract OLA54-5-09~~

Disclosure Documents

~~Brokerage Disclosure to Buyer-Tenant (see footnote # 3) BD24-95-0809~~
~~Brokerage Disclosure To Tenant (see footnote # 3) BDT 20-95-0809.~~
~~Brokerage Disclosure to Seller (REO and Non-CREC Approved Listings) BDD56-95-08 09~~
~~Broker Disclosure to Seller (Sale by Owner) (see footnote # 3) SD16-95-08-09~~
~~Definitions of Working Relationships (see footnote # 3) DD25-95-08-09~~
~~Seller's Property Disclosure (All Types of Properties) SPD19-9-08~~
~~Seller's Property Disclosure (Residential) SPD29-95-08-09~~
~~Change of Status CS23-10-06~~
~~Square Footage Disclosure SF94-05-04~~
~~Dual Status Disclosure DSD 17-1-09~~

Notice Documents

~~Inspection Notice NTC43-8-07~~
~~Notice of Cancellation NCF34-9-08~~
~~Notice to Terminate NTT44-95-0809~~
~~Seller Authorization SA20-25-0809~~

Counterproposal

| Counterproposal CP40-~~95-08-09~~

Agreement to Amend/Extend Contract

| Agreement to Amend / Extend Contract AE41-~~95-08-09~~

Agreement to Amend / Extend Contract with Broker AE42-05-04

Closings

Closing Instructions CL8-9-08

Earnest Money Receipt EM9-8-07

Closing Statement (see footnote # 1) SS60-9-08

Deeds of Trust

Deed of Trust (Due on Transfer-Strict) TD72-9-08

Deed of Trust (Due on Transfer-Credit worthy) TD73-9-08

Deed of Trust (Assumable-Not Due-on Transfer) TD74-9-08

Promissory Notes

Earnest Money Promissory Note EMP80-05-04

Promissory Note for Deed of Trust (UCCC-No Default Rate) NTD82-10-06

Promissory Note for Deed of Trust NTD81-10-06

Optional Forms (Not Mandatory)

Worksheet for Real Estate Settlement SS61-9-08

Real Property Transfer Declaration TD-1000

Earnest Money Release EMR83-05-04

Common Interest Community Checklist for Brokerage Firm CICC-05-04

Listing Firm's Well Checklist

Colorado Statutory Power of Attorney for Property Form

Lead Based Paint Obligations of Seller LP47-05-04

Lead Based Paint Obligations of Landlord LP48-05-04

| [Section 8.4 CBS Substitute Language Special Taxing Districts S.B.87-5-09](#)

Footnotes:

(1) In lieu of using this form, Brokers may, use a closing statement or statement of settlement that is in full compliance with Rule E-5.

(2) This form is to be used when a broker enters into a contract to purchase a property either: (a) concurrent with the listing of such property; or (b) as an inducement or to facilitate the property owner's purchase of another property; or (c) continues to market that property on behalf of the owner under an existing listing contract.

(3) It shall be permissible to use the language in a format approved by the Commission, or in a format applicable to the broker's written office policy. The broker may, in addition to the required brokerage disclosure form, use the document, Definitions of Working Relationships.

Section 5. Effective Date

This emergency rule is effective May 1, 2009.