

DEPARTMENT OF REGULATORY AGENCIES
DIVISION OF REAL ESTATE
REAL ESTATE BROKERS
4 CCR 725-1
EMERGENCY RULE
August 2, 2011

F-7 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 proposed 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. F-7 Commission Approved Forms

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 Commission finds that immediate adoption of this rule is imperatively necessary for the preservation of public health, safety or welfare and that compliance with the rulemaking requirements of section 24-4-103, C.R.S., applicable to non-emergency rules, would be contrary to the public interest. Without the immediate adoption of this emergency rule, the public's interest is not served. Wherefore, the Commission, pursuant to section 24-4-103(6), C.R.S. has an obvious and stated need to adopt this rule.

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

Section 3. Applicability

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

Section 4. F-7 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. Commission-approved forms are posted on the Division of Real Estate's website. Effective June 2009, the Commission will no

longer post forms in the Code of Colorado Regulations. The Commission hereby withdraws all forms from the Code of Colorado Regulations. 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.

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
Exclusive Right to Buy
Exclusive Right-to-Lease Listing Contract
Exclusive Tenant Contract

Sales Contracts

Contract to Buy and Sell Real Estate-Residential
Contract to Buy and Sell Real Estate (Income-Residential)
Contract to Buy and Sell Real Estate-Commercial
Contract to Buy and Sell Real Estate-Land
Contract to Buy and Sell Real Estate (Colorado Foreclosure Protection Act)

Addenda to Contracts

Licensee Buy-Out Addendum to Contract to Buy & Sell Real Estate (see footnote #2)
Residential Addendum
Source of Water Addendum to Contract to Buy and Sell Real Estate
Exchange Addendum to Contract to Buy and Sell Real Estate
Brokerage Duties Addendum to Property Management Agreement
[Short Sale Addendum](#)
[Short Sale Addendum to Contract to Buy and Sell Real Estate \(New\)](#)
[Short Sale Addendum to Listing Contract \(New\)](#)

Exclusive Brokerage Listing Addendum to Exclusive Right-to-Sell Listing Contract
Open Listing Addendum to Exclusive Right-to-Sell Listing Contract

Disclosure Documents

Lead-Based Paint Disclosures (Sales)
Lead-Based Paint Disclosures (Rentals)
Brokerage Disclosure to Buyer - Tenant (see footnote #3)
Brokerage Disclosure To Tenant (see footnote #3)
Brokerage Duties Disclosure to Seller
(REO & Non-CREC Approved Listing Agreements)
Brokerage Disclosure to Seller (Sale by Owner) (see footnote #3)
Dual Status Disclosure (Real Estate Broker & Mortgage Broker)
Definitions of Working Relationships (see footnote #3)
Seller's Property Disclosure (All Types of Properties)
Seller's Property Disclosure (Residential)
Change of Status
[Estoppel Statement \(New\)](#)
Square Footage Disclosure

Notice Documents

Inspection ~~Objection~~ Notice
Inspection Resolution

| **Notice to Terminate**

Notice of Cancellation (Colorado Foreclosure Protection Act)
Seller Authorization
Seller Warning (Colorado Foreclosure Protection Act)
Homeowner Warning Notice

| **Counterproposal**

| **Counterproposal**

| **Agreements to Amend/Extent Contract**

| **Agreement to Amend/Extend Contract**
Agreement to Amend/Extend Contract with Broker

| **Closings**

Closing Instructions
Earnest Money Receipt
Closing Statement (see footnote #1)
Post Closing Occupancy Agreement (New)

| **Deeds of Trust**

Deed of Trust (Due on Transfer-Strict)
Deed of Trust (Due on Transfer-Creditworthy)
Deed of Trust (Assumable- Not Due on Transfer)

| **Promissory Notes**

Earnest Money Promissory Note
Promissory Note for Deed of Trust (UCCC-No Default Rate)
Promissory Note for Deed of Trust

| **Optional Forms (Not Mandatory)**

| **Estoppel Statement**

Worksheet for Real Estate Settlement
Real Property Transfer Declaration
Earnest Money Release
Common Interest Community Checklist for Brokerage Firm
Listing Firm's Well Checklist
Colorado Statutory Power of Attorney for Property
Lead-Based Paint Obligations of Seller
Lead-Based Paint Obligations of Landlord
Well Permit Guide
Registration of existing well
Change of ownership/address - Correction of well location
Division of Water Resources Fee Schedule
Section 8.4 CBS Substitute Language Special Taxing Districts

| **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."