

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

**EMERGENCY RULE**

***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 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. 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 to comply with state law and for the preservation of public health, safety or welfare and that compliance with the rulemaking requirements of § 24-4-103, C.R.S., applicable to non-emergency rules, would be contrary to the public interest.

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

Without the immediate adoption of this emergency rule, the public's interest is not served. Wherefore, the Commission, pursuant to § 24-4-103(6), C.R.S. has an obvious and stated need to adopt this rule.

**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. [Specimen forms are also available for review and inspection in the Commission Real Estate Manual and in the office of the Division of Real Estate.](#) 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.

[It is not acceptable for a broker to hire legal counsel to draft an alternative form when a Commission-approved form is already available and is appropriate to use in a transaction. However, legal counsel for the buyer or seller may draft documents that would otherwise replace the Commission-approved forms. Brokers that do not use the Commission-approved forms as required may be subject to discipline of their professional license.](#)

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

#### *Sales Contracts*

Contract to Buy and Sell Real Estate ([All Properties](#))  
[Contract to Buy and Sell Real Estate \(Colorado Foreclosure Protection Act\)](#)

#### *Addenda to Contracts*

Licensee Buy-Out Addendum to Contract to Buy and Sell Real Estate (see footnote # 2)

Source of Water Addendum to Contract to Buy and Sell Real Estate  
Exchange Addendum to Contract to Buy and Sell Real Estate  
Lead-Based Paint Disclosures (Sales)  
Lead-Based Paint Disclosures (Rentals)  
Brokerage Duties Addendum to Property Management Agreement  
Short Sale Addendum  
Exclusive Brokerage Listing Addendum to Exclusive Right-to-Sell Listing Contract  
Open Listing Addendum to Exclusive Right-to-Sell Listing Contract

#### *Disclosure Documents*

Brokerage Disclosure to Buyer-Tenant (see footnote # 3)  
Brokerage Disclosure To Tenant (see footnote # 3)  
Brokerage Disclosure to Seller (REO and Non-CREC Approved Listings)  
Broker Disclosure to Seller (Sale by Owner) (see footnote # 3)  
Definitions of Working Relationships (see footnote # 3)  
Seller's Property Disclosure (All Types of Properties)  
Seller's Property Disclosure (Residential)  
Change of Status  
Square Footage Disclosure

Dual Status Disclosure

*Notice Documents*

Inspection Notice  
[Inspection Notice \(Colorado Foreclosure Protection Act\)](#)  
Notice to Terminate  
[Notice of Cancellation \(Colorado Foreclosure Protection Act\)](#)  
Seller Authorization  
[Seller Warning \(Colorado Foreclosure Protection Act\)](#)

*Counterproposal*

Counterproposal  
[Counterproposal \(Colorado Foreclosure Protection Act\)](#)

*Agreement to Amend/Extend Contract*

Agreement to Amend / Extend Contract  
[Agreement to Amend / Extend Contract \(Colorado Foreclosure Protection Act\)](#)  
Agreement to Amend / Extend Contract with Broker

*Closings*

Closing Instructions  
Earnest Money Receipt  
Closing Statement (see footnote # 1)

*Deeds of Trust*

Deed of Trust (Due on Transfer-Strict)  
Deed of Trust (Due on Transfer-Credit worthy)  
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)

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 Form  
Lead Based Paint Obligations of Seller  
Lead Based Paint Obligations of Landlord

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.