



Kinetic Business Solutions, LLC

CUSTOMER GUIDELINES & PROCEDURES

Last modified: April 15, 2022



Kinetic Business Solutions, LLC
75A Lake Road, #182
Congers, NY 10920
United States

Customer Engagement Policies & Guidelines

KBS REALTY

A Division of Kinetic Business Solutions, LLC

GUIDELINE NOTICE

Last modified: April 15, 2022

Introduction

KBS Realty, a division of *Kinetic Business Solutions or KBS, LLC*, is a real estate business located in Congers, New York. We provide strategic real estate services (the “**Services**”) to our clients in the residential and commercial real estate sectors.

To help our current & future customers understand the rights and responsibilities of all parties when seeking to engage KBS Realty, we have provided this list of policies and procedures to act a template to guide you through the process of working with us.

This policy also describes our best practices for communicating & disclosing relevant Federal, State and local laws that impact a success working relation between KBS Realty and you the customer as well as office procedures that must be adhered to for the fair and equal treatment of all customers.

These policies and procedures applies to all customers engaging with or seeking information from KBS Realty regardless of the source:

- From our Data Providers.
- At www.kbsrealtyco.com (the “**Website**”).
- From referrals from other brokers, agents or lead generation entities
- In email, text, and other electronic messages between you and KBS Realty.

Please read these guidelines carefully to understand our policies and practices and your rights regarding you, your information and how we will serve you.

If you have any questions or concerns about this policy, or our practices, please contact us at info@kbsrealtyco.com or by mail to:

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I. The Law: Federal & State Guidelines

1. Federal & State Guidelines & Resources

Fair Housing & Anti-Discrimination

Federal, State and local Fair Housing and Anti-discrimination Laws provide comprehensive protections from discrimination in housing. It is unlawful for any property owner, landlord, property manager or other person who sells, rents or leases housing, to discriminate based on certain protected characteristics, which include, but are not limited to race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, age, disability, marital status, lawful source of income or familial status. Real estate professionals must also comply with all Fair Housing and Anti-discrimination Laws.

Real estate brokers and real estate salespersons, and their employees and agents violate the Law if they:

- Discriminate or participate in discrimination by a client based on any protected characteristic when negotiating a sale, rental or lease, including representing that a property is not available when it is available.
- Negotiate discriminatory terms of sale, rental or lease, such as stating a different price because of race, national origin or other protected characteristic.
- Discriminate by “*steering*” which occurs when a real estate professional guides prospective buyers or renters towards or away from certain neighborhoods, locations or buildings, based on any protected characteristic.
- Discriminate by “*blockbusting*” which occurs when a real estate professional represents that a change has occurred or may occur in future in the composition of a block, neighborhood or area, with respect to any protected characteristics, and that the change will lead to undesirable consequences for that area, such as lower property values, increase in crime, or decline in the quality of schools.
- Discriminate by pressuring a client or employee to violate the Law.
- Express any discrimination because of any protected characteristic by any statement, publication, advertisement, application, inquiry or any Fair Housing Law record.

Real Estate Licensing & Training

All KBS Realty Salespersons are required to have passed the State approved 75 Hour Salesperson course and the NYS Real Estate Salesperson examination prior to being sponsored by KBS Realty to serve clients.

In order to remain active and in good standing, all agents are required to complete at least 22.5 hours of continuing education in a two-year cycle with special focus being on Fair Housing, Ethic, Cultural Competencies & Bias training.

Ethics & Professional Standards

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All REALTORS® hold themselves to the highest standards of professional conduct to serve the interests of their clients and customers. The National Association of REALTORS® (NAR) and the local boards provide resources for their members on how to conduct themselves professionally and show respect for property, the public, and peers.

In addition, our KBS Realty requires that all Realtors conduct themselves according to a strict Code of Ethics. This Code of Ethics includes pledges to:

- Protect and promote your client's interests, but be honest with all parties
- Avoid exaggeration, misrepresentation, and concealment of pertinent facts. Do not reveal facts that are confidential under the scope of your agency relationship.
- Cooperate with other real estate professionals to advance client's best interests.
- When buying or selling, make your position in the transaction or interest known.
- Disclose present or contemplated interest in any property to all parties.
- Avoid side deals without client's informed consent.
- Accept compensation from only one party, except with full disclosure and informed consent.
- Keep the funds of clients and customers in escrow.
- Assure, whenever possible, that transactional details are in writing.
- Provide equal service to all clients and customers.
- Be knowledgeable and competent in the fields of practice in which you ordinarily engage. Obtain assistance or disclose lack of experience if necessary.
- Present a true picture in your advertising and other public representations.
- Do not engage in the unauthorized practice of law.
- Respect the exclusive representation or exclusive brokerage relationship agreements that other Realtors® have with their clients.

For more information, please visit the [NAR website](#) to learn about [professional standards](#) and the [Code of Ethics and Standards of Practice](#) of the National Association of REALTORS®.

NYS Tenant Laws

- a. [Tenant Rights](#)
- b. [Modifications / Alterations For tenants with Disabilities](#)

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II. **KBS Realty Office Policies & Guidelines**

1. **Privacy Policy**

We receive several types of information about consumers, including:

- a. Information You Provide to Us
- b. Information We Collect Through Automatic Data Collection Technologies

To review the full content of our Privacy Policy, please visit:

<https://www.kbsrealtyco.com/document-library/privacy-policy.html> or please contact us at info@kbsrealtyco.com.

2. **KBS Realty Engagements & Showing Guidelines**

KBS Realty is committed to providing the highest level of service and treating every person with the respect afforded them through the law and values that reflect the highest level of ethics and professional standards. In an effort to manage consistency of service and adherence to all federal, state and local guidelines, we are providing the steps our agents will follow when engaging with a customer/client.

Showings of all real estate, whether listed in the Multiple Listing System or not are subject to guidelines and procedures that insure the equal treatment and health and safety of all parties. KBS Realty is providing some general guidelines and information that will assist you in knowing how real estate showings are done and what requirements are expected.

There is never a requirement for proof of citizenship or physical ID required prior to a showing, however each client requesting to view a listed property must provide affirmations and acknowledgment of rules, laws and procedures by executing the necessary disclosures and/or affidavits (electronically or in person) at the point of first substantive contact or at the first meeting.

The details

a. **Defining First Substantive Contact**

All realtors are required to *provide and obtain signatures* from potential customers or clients on required disclosures pertaining to the services, rights and responsibilities of all parties involved in a real estate transaction at/during the First Substantive Contact.

First Substantive Contact is defined as an event triggering an agency relationship and therefore the need for fuller disclosure of responsibilities or the parties involved (e.g., prior to entering into a listing agreement, prior to showing a property, at an open house when a buyer displays serious interest, etc.).

b. **Disclosures**

A listing agent shall provide required disclosure forms prior to entering into a listing agreement with a customer and shall obtain a signed acknowledgment.

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Agency:

- [Agency disclosures](#), (Buyer, Sellers)
- [Agency disclosures](#), (Landlords, Tenants)

Other Mandatory Disclosures:

- [NYS Anti-Discrimination Law](#)
- [Property Condition Disclosure Acknowledgement](#)

If a seller, buyer, landlord or tenant refuses to sign an acknowledgment of receipt pursuant to NYS disclosure requirements, the KBS Realty agent shall have the option to refuse service and/or set forth under oath or affirmation a written declaration of the facts of the refusal and shall maintain a copy of the declaration for not less than three years.

c. Representation Agreement

Clients of KBS Realty seeking service will be provided an appropriate representation agreement that will be executed by the customer and the Broker. The representation agreement will list in plain language the rights & responsibilities of all parties and list the compensation associated with the services listed.

d. Health & Safety

Public health and safety of Buyers & Sellers is always at the forefront of our minds. If the advent of COVID 19 and other seasons viruses that can create health problems, KBS Realty provides mandatory and discretionary guidelines for proper access to listed properties. When required by federal state and local regulations as well as when prudence is applicable, KBS Realty real estate salespersons and brokers will ask a prospective buyer to adhere to some simple protective measures to keep all parties safe.

Provide you agent with a COVID Health Questionnaire and COVID disclosure ahead of your showing so that any unnecessary exposure can be avoided.

1. When requested, wear protective covers for face, hands & feet.
2. Limit the amount of people inside while doing a showing to two adult decision-makers and no children where feasible.
3. Practice social distancing and limit physical contact with house surfaces.
 - a. Only touch surfaces if necessary (like a handrail).
4. Refrain from utilizing household bathrooms facilities during the showing.
5. Remove and dispose of used protective gear outside of the home after leaving a property.
6. If visiting during and Open House, adhere to on duty agent's request to wait and/or limit the amount of time for view when others are waiting.

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CONTACT INFORMATION

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To find out more about Federal, State & Local laws visit:

- Fair Housing: <https://dhr.ny.gov/sites/default/files/pdf/nysdhr-fair-housing-guide-2021.pdf>
- NYS Anti-Discrimination: <https://dos.ny.gov/system/files/documents/2021/03/2156.pdf>
- Bias Training: <https://legislation.nysenate.gov/pdf/bills/2021/s538b>
- Cultural Competency: <https://legislation.nysenate.gov/pdf/bills/2021/S7770>
- Ethics & Professionalism: <https://www.nar.realtor/ethics-and-professionalism>
- Code of Ethics: <https://www.nar.realtor/about-nar/governing-documents/code-of-ethics/2022-code-of-ethics-standards-of-practice>