

Burgan Real Estate Merry and Bright \$1,000 Sweepstakes Official Rules

Unless otherwise specifically stated in writing, Burgan Real Estate, its affiliates, parents, subsidiaries, successors, or assigns, and all of their respective shareholders, directors, officers, members, managers, partners, employees, representatives and agents (collectively, "Sponsor") will conduct all of Sponsor's contests and sweepstakes including in person contests/sweepstakes, online and text-based contests/sweepstakes, and contests/sweepstakes conducted through Sponsor's social media accounts (e.g., Facebook, Twitter, Pinterest, etc.), as described in the following rules.

- 1. No purchase is necessary. Purchasing goods/services from sponsor will not increase the chances of winning. Void where prohibited. All federal, state, and local regulations apply.**
- 2. Eligibility.** Unless otherwise specified, all contests and sweepstakes are open only to legal U.S. residents age eighteen (18) years or older at the time of entry with a valid Social Security number and who reside within thirty (30) miles of the Burgan Real Estate's office at 5335 Market Street in Boardman, Ohio, operating the sweepstakes. Void where prohibited by law. False and/or deceptive entries or acts shall render entrant's ineligible. Unless otherwise specified, employees of Sponsor, promotional sponsors, prize providers, advertising agencies, and the immediate family members and household members of all such employees are not eligible to participate. The term "immediate family members" includes spouses, parents and stepparents, siblings and step-siblings, and children and stepchildren. The term "household members" refers to people who share the same residence at least three (3) months out of the year.
- 3. How to Enter.** To enter, participants can 1) visit BetterWithBurgan.com/bright and complete the online entry form including an image of the outside of their home decorated for the holidays or 2) mail a 3" x 5" card containing name, address, city, state, zip, daytime phone number, e-mail address and date of birth to Burgan Real Estate Attn: Merry & Bright \$1,000 Sweepstakes, 5335 Market St, Boardman, OH 44512. Entries must be received before 11:59pm ET on Sunday, December 20, 2020 to be eligible. Use of any automated system to participate is prohibited and will result in disqualification. Sponsor shall not be responsible for lost, late, incomplete, invalid, unintelligible, inappropriate or misdirected entries, all of which will be disqualified. All entries become the sole and exclusive property of Sponsor and will not be returned. Limit one entry per person. If multiple entries are made, the first entry received and recorded will be the one assigned to that individual.
- 4. Winner Selection and Verification.** One (1) winner will be randomly chosen from all eligible entries on Monday, December 21, 2020. Sponsor's decision as to the administration and operation of contests/sweepstakes and the selection of potential winners is final and binding in all matters related to the contest/sweepstakes. The winning entrant will be contacted by telephone or e-mail using the contact information provided with his/her entry and may be required to execute and return an Eligibility Affidavit/Release of Liability/Publicity Release ("Affidavit") and completed IRS W-9 form within fourteen (14) days of issuance of the notice, if applicable. A winner who returns the required documentation within the required time period will be deemed to have accepted the prize and thereafter will not be permitted to rescind their acceptance of the prize and/or return the prize. If a potential winner cannot be contacted, fails to sign and return the required documentation within the specified time period (if applicable), or if the prize or prize notification is returned as undeliverable, the potential winner forfeits prize. In the event that the potential winner of a contest or sweepstakes prize is disqualified for any reason, Sponsor may award the applicable prize to an alternate winner from among all remaining eligible entries.
- 5. Prizes.** Winner will receive \$1,000 cash. Odds of winning a sweepstakes depends on the number of entries received. Sponsor reserves the right, unless prohibited by law, to substitute any listed prize for one of equal or greater value. No substitution by the winner for their prize may be allowed. Prize is not transferable.
- 6. Entry Conditions and Release.** By entering a sweepstakes, each participant agrees to: (a) comply with and be bound by these Official Rules, the Official Rules (if any) of the specific sweepstakes, and the decisions of Sponsor; (b) release and hold harmless Sponsor and any organizations responsible for sponsoring, fulfilling, administering, advertising or promoting the sweepstakes, and each of their respective past and present officers, directors, employees, agents and representatives (collectively, the "Released Parties") from and against any and all claims, expenses, and liability arising out of or relating to a participant's entry, creation of an entry or submission of an entry, participation in a sweepstakes, acceptance or use or misuse of prize and/or the broadcast, exploitation or use of entry; and (c) indemnify, defend and hold harmless the

Released Parties from and against any and all claims, expenses, and liabilities (including reasonable attorneys' fees) arising out of or relating to an entrant's participation in the sweepstakes and/or entrant's acceptance, use, non-use or misuse of the prize.

7. **Publicity.** Except where prohibited, participation in a sweepstakes constitutes winner's consent to Sponsor's use of winner's name, likeness, photograph, voice, opinions and/or hometown for promotional purposes in any media without further payment or consideration.
8. **Taxes.** All State, Local, Federal and or other taxes, duties, tariffs, title fees, licensing fees, or other fees for prizes awarded in any sweepstakes become the sole responsibility of the winner. All those who win a prize or prizes valued \$600 or more in any given year (or other amount designated by the IRS) will be issued an IRS Form 1099 to report their winnings.
9. **General Conditions.** Sponsor reserves the right to cancel, suspend and/or modify any contest/sweepstakes, or any part of it, if any fraud, technical failures or any other factor impairs the integrity or proper functioning of the sweepstakes, as determined by Sponsor in its sole discretion. Sponsor reserves the right in its sole discretion to disqualify any individual it finds to be tampering with the entry process or the operation of the contest/sweepstakes or to be acting in violation of these Official Rules or any other promotion or in an unsportsmanlike or disruptive manner. Any attempt by any person to deliberately undermine the legitimate operation of a sweepstakes may be a violation of criminal and civil law, and Sponsor reserves the right to seek damages from any such person to the fullest extent permitted by law. Sponsor's failure to enforce any term of these Official Rules shall not constitute a waiver of that provision.
10. **Revision of Rules.** Sponsor reserves the right to change or modify the sweepstakes rules, prizes, and mechanics without prior notice.
11. **Limitations of Liability.** The Released Parties are not responsible for: (1) any incorrect or inaccurate information, whether caused by entrants, printing errors or by any of the equipment or programming associated with or utilized in the sweepstakes; (2) technical failures of any kind; (3) unauthorized human intervention in any part of the entry process or the sweepstakes; (4) technical or human error; or (5) any injury or damage to persons or property which may be caused, in whole or in part, from entrant's participation in the sweepstakes or receipt or use, non-use or misuse of any prize.
12. **Disputes.** Entrant agrees that: (i) any and all disputes, claims and causes of action arising out of or connected with a contest/sweepstakes, or any prizes awarded shall be resolved individually, without resort to any form of class action; (ii) any and all disputes, claims and causes of action arising out of or connected with a sweepstakes, or any prizes awarded, shall be resolved exclusively by the appropriate state court located in Mahoning County, Ohio; and (iii) any and all claims, judgments and awards shall be limited to actual out-of-pocket costs incurred, including costs associated with entering a sweepstakes, but in no event attorneys' fees. All issues and questions concerning the construction, validity, interpretation and enforceability of these Official Rules, or the rights and obligations of entrant and Sponsor in connection with the contest/sweepstakes, shall be governed by, and construed in accordance with, the laws of the state of Ohio.
13. **Entrant's Personal Information.** Information collected from entrants may, subject to Sponsor's [Privacy Policy](#), be used for future advertisements and/or sold to third parties for marketing purposes.

For a winner's list or a copy of these Official Rules please submit a written request with a self-addressed, stamped envelope to Sponsor's principal place of business: Burgan Real Estate Attn: Merry & Bright \$1,000 Sweepstakes, 5335 Market St, Boardman, OH 44512