

Summary of revisions made to the MLS Rules and Regulations

(Approved by the Board of Managers 2/20/2024)

What's "New":

- New status for adding into MLS sales of properties sold outside MLS – Comp Data Entry Only (Section 2) *Coming March 25, 2024*
- Detailed process for Compliance of Rules and Rules Enforcement enforced (Sections 7 and 9)
- New rule requiring timely access to non-MLS approved lockboxes as a Category 3 violation. (Section 15)
- New procedures for accessing to Supra® lockboxes by ancillary service providers (home inspectors and service providers) and non-members (Section 15.2 and 15.5) *Coming 2nd Quarter, 2024*
- New Citation Schedule (replacing the Violation and Fine Structure) (Section 20)
- New minimum fine of \$500 for alleged violations Category 3 violations

Note: Most of the revisions were already established in policy but have now been included in the Rules and Regulations.)

Section II. Selling Procedures

Added a new status: **Residential Comp Data Entry Only**. Allows for the entry into MLS of sales of property outside the MLS where either the seller or buyer was represented by a Participant with written consent from both buyers and sellers.

Section IV.

Section 4.6 **Misuse of Public Remarks and Media**. Public remarks and media must solely describe the property's features and condition. Contact details, showing instructions, occupancy information, messages to agents or brokers, compensation, and bonuses are prohibited. All content must be directly relevant to marketing the listing.

Section VII. Compliance with Rules

Section 7 **Authority to Impose Discipline**. Establishes that fact the MLS Participant is always the party and subject to sanctions, including sanctions for actions of their agents who may be subscribers or non-licensed assistants. References in the rules to disciplining subscribers were removed.

Section 7.1 **Compliance with Rules**

Changed name of Violation and Fine Structure to Citation Schedule.

Added the rule that Participants can receive no more than three (3) administrative sanctions in a calendar year before they are required to attend a hearing, except that the MLS may allow more administrative sanctions for violations of listing information.

Section IX. Enforcement of Rules or Disputes

Added the procedures for handling reports of rules violations from the initial report, through the administrative, hearing and appeal processes.

Section 9.1 Violations of Rules and Regulations

Added a description of the three Categories of rules violations with alleged Category 1 and 2 violations handled by staff and alleged Category 3 violations handled by the Compliance Committee.

Added the notation that the procedures used for hearings are those established in the Code of Ethics and Arbitration manual adapted for MLS purposes.

Added the make-up of the Compliance Committee; how panels of the Committee are appointed to serve on administrative review panels or hearing panels; and the process for the Board of Manager to handle appeals.

Added the process followed if the Participant fails to pay a fine following a hearing and/or appeal.

Section XV. Lock/Key Box Rules

Clarified existing rules pertaining to the MLS approved lock/key box system naming the SUPRA® iBox BT LE lockbox as the MLS approved box.

Clarified the existing rule that a seller can authorize use of a lock/keybox other than a SUPRA lockbox so long as timely access is provided to access the property. Timely access has been defined as achievable within 24 hours of a request for access. A new Category 3 violation was added for failure to provide timely access.

Added the authority for MLS to refuse to sell or lease a lockbox key or terminate an existing Key Lease Agreements held by an individual who has been convicted of a crime within the past seven (7) years.

Section 15.2 Usage Rules Related to Keys and Lock/Key Boxes

Added to the rules the existing policies pertaining to the improper removal of keys from key/lock boxes.

Added authority to establish procedures for providing keys to individuals who provide ancillary services (including, but not limited to home inspectors, stagers, photographers, contractors, etc.). Includes clarification that an ancillary service provider who is also an MLS subscriber is prohibited from using their Supra eKey® to gain access to any Supra® lockbox to access the property for the ancillary service. (See 15.5 for key access by Ancillary Service Providers)

Added authority to issue Supra eKey® single-access credentials that afford authorized access to SUPRA® lockboxes.

Section 15.5 Ancillary Service Provider Access

New section describing the criteria and process for non-member access to Supra® lockboxes through a limited access license with the MLS and through Supra's Managed Access system.

Section XVIII. Internet Data Exchange (IDX)

Notes concerning thumbnail and minimal displays of IDX data and broker attribution were updated to be in compliance with NAR's model rules.

Section XX. Citation Schedule for MLS Rules

Previously called Violation and Fine Structure. The Citation Schedule was revised listing the violations by MLS Rule numbers. A new category 3 violation was added for failure to provide timely access to a non-MLS lockbox.

Added a minimum fine of \$500 for Category 3 violations which can be in addition to one or more of the other authorized disciplines as determined by the Compliance Committee.