

## MEMORANDUM

TO: MLS Participants and Subscribers

FROM: CATRS Board of Directors

DATE: January 30, 2020

RE: MLS 8.0 Clear Cooperation Compliance Policy & Procedure

Effective Implementation of this Policy is March 30, 2020.

MLS Statement 8.0 in the NAR Handbook on Multiple Listing Policy was approved by the National Association of REALTORS® Board of Directors on November 11, 2019. Multiple listing services must adopt the following policy no later than May 1, 2020:

*Within one (1) business day of marketing a property to the public, the listing broker must submit the listing to the MLS for cooperation with other MLS participants. Public marketing includes, but is not limited to, flyers displayed in windows, yard signs, digital marketing on public facing websites, brokerage website displays (including IDX and VOW), digital communications marketing (email blasts), multi-brokerage listing sharing networks, and applications available to the general public.*

Potential violations will be submitted, with supporting documentation for the property in question, to the MLS in writing via email to [clearcooperation@tbrnet.org](mailto:clearcooperation@tbrnet.org).

On behalf of the MLS Committee and CATRS Board of Directors, a previously designated member of the MLS Committee will contact the Listing Agent via phone to discuss the potential violation and steps the agent will need to take to comply with the policy. MLS staff will follow up this phone call with an email to the Listing Agent and Broker of Record with a description of the violation. The agent and broker will be given until 4 p.m. the following business day to enter the listing into the MLS or to provide satisfactory written documentation demonstrating that they are in compliance with the MLS Clear Cooperation Policy 8.0.

If the listing has not been entered into the MLS and neither the Listing Agent or Broker of Record has provided satisfactory written documentation to the MLS showing that they are in compliance, a fine for noncompliance will be levied on the agent's account as follows, within a 12-month period: first offense, \$100; second offense, \$200; third and subsequent offenses, \$500 plus a 5-day suspension from the MLS. In addition, agents are subject to the repeat warnings fine: on the third warning within 12 months, regardless of whether the

agent was fined for the previous warnings, the agent now will be fined \$500 and suspended for 5 days from the MLS.

The morning of the next business day after the fine is levied, a previously designated member of the MLS Committee will call the Broker of Record to inform them that the Listing Agent was fined for non-compliance, and that if the property is not entered into the MLS or satisfactory written documentation is not provided by 4 p.m. that day, the Broker of Record will be fined \$1,000. The Broker of Record will also be subject to the Repeat Offender Fine Policy as follows, within a 12-month period: first offense, \$1,000; second offense, \$2,000; third and subsequent offenses, \$5,000 plus a 5-day suspension from MLS. MLS staff will follow up this phone call with an email outlining the violation for non-compliance and penalty outlined above.

The Listing Agent or Broker of Record has the option within the Paragon MLS to list the property as Coming Soon that will be visible only to Participants and Subscribers of the CATRS MLS. This status is not included in any external data feeds to third-party websites, social networks or other "Public" platforms.

Coming Soon listings can remain in this status for up to 30 days and will not accrue Days on Market during this time. The listing will automatically expire after 30 days of initial entry into the MLS. The Listing Agent will have the option to inform other Participants and Subscribers as to whether the listing is available for showings.

Once the property is ready to be listed for Public view, the listing can be maintained to the "New" status and will then be available in all external data feeds to third-party websites, social media sites, and applications. Conversely, Coming Soon listings can also be maintained to Withdrawn.

The CATRS MLS will institute a series of courtesy notices to alert agents of the coming expiration of a Coming Soon listing. Notices will be sent out 7 days, 3 days, and 1 day prior to the listing expiring. Listings Agents will be encouraged to maintain the listing to the appropriate status of New or Withdrawn. If no other action occurs, the listing will automatically expire on day 31.