



2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

## Policies & Procedures

[Board of Directors](#)

[Committees](#)

[Financial](#)

[MLS](#)

[Commercial Information Exchange \(TALrex.com\)](#)

Board of Directors

### **Conflict of Interest Policy**

This Conflict of Interest Policy of Capital Area Technology & REALTORS® Services, Inc: (1) defines conflicts of interest; (2) identifies classes of individuals within the Organization covered by this policy; (3) facilitates disclosure of information that may help identify conflicts of interest; and (4) specifies procedures to be followed in managing conflicts of interest.

1. Definition of conflicts of interest. A conflict of interest arises when a person in a position of authority over the Organization may benefit financially from a decision he or she could make in that capacity, including indirect benefits such as to family members or businesses with which the person is closely associated. This policy is focused upon material financial interest of, or benefit to, such persons.

2. Individuals covered. Persons covered by this policy are the Organization’s officers, directors, and chief employed executive and other key employees.

3. Facilitation of disclosure. Persons covered by this policy will annually disclose or update to the Chairman of the Board of Directors their interests that could give rise to conflicts of interest, such as a list of family members, substantial business or investment holdings, and other transactions or affiliations with businesses and other organizations or those of family members.

4. Procedures to manage conflicts. For each interest disclosed to the Chairman of the Board of Directors, the Chairman will determine whether to: (a) take no action; (b) assure full disclosure to the Board of Directors and other individuals covered by this policy; (c) ask the person to recuse from participation in related discussions or decisions within the Organization; or (d) ask the person to resign from his or her position in the Organization or, if the person refuses to resign, become subject to possible removal in accordance with the Organization’s removal procedures. The Organization’s Secretary/Treasurer will monitor proposed or ongoing transactions for conflicts of interest and disclose them to the Chairman of the Board of Directors in order to deal with potential or actual conflicts, whether discovered before or after the transaction has occurred.

**Procedure:** All members of the board of directors will sign a form indicating their agreement to adhere to the Conflict of Interest policy. (Adopted 10/6/2009)

47 **Attendance Policy:** Members of the CATRS board of directors are required to attend all  
48 properly noticed meetings unless otherwise excused in advance by the chairman of the  
49 board.

50  
51 **Procedure:** Members of the board of directors that will be absent from a meeting will  
52 contact the chairman of the board as soon as they know their conflict will cause an absence.  
53 The chairman of the board will determine if the reason for the absence is sufficient to be  
54 “excused.” The chairman, at their sole discretion, may request a vote by the board of  
55 directors to “excuse” an absence. If it is the chairman that will be absent, they will notify  
56 the elected vice chairman. (Adopted 10/6/2009)

57  
58 [Committees \(top of the page\)](#)

59 **Attendance at Meetings:** Members of committees are expected to attend all properly  
60 noticed meetings; failure to do so may result in removal from committee.

61  
62 **Procedure:** After a committee member has missed two properly noticed meetings; their  
63 name will be forwarded to the Chairman of the board. The Chairman, or their designee,  
64 will contact the member and determine whether they should be allowed to continue on the  
65 committee for the completion of their term. If it is determined that the member will not  
66 complete their term, their entire service for that term will be considered not to have been  
67 served. (Adopted 10/2010)

68  
69 **MLS Committee Policy:** The purpose of the MLS Committee is to oversee the operation of  
70 the MLS and implement the MLS Rules & Regulations under the guidance and direction of  
71 the Board of Directors and according to the provisions of the NAR Multiple Listing Rules  
72 and Regulations. Including:

- 73 **1.** Periodically review the Multiple Listing Rules and Regulations for accuracy and  
74 compliance with any laws, rules or guidelines from agencies having authority over Capital  
75 Area Technology & REALTORS® Services or the Tallahassee Board of REALTORS®.
- 76 **2.** Recommend changes to the Multiple Listing Rules and Regulations for approval by the  
77 Board of Directors.
- 78 **3.** Monitor the participation of members and make recommendations to the Board of  
79 Directors regarding enforcement of Rules and Regulations.
- 80 **4.** Periodically review the adequacy of the MLS Computer system and recommend program  
81 revisions to the Board of Directors.
- 82 **5.** Work with the computer system vendor to insure vendor performance according to the  
83 contract.
- 84 **6.** Establish a computer vendor review and selection process to accomplish any necessary  
85 contract review or vendor changes at the end of a current contract in an efficient and  
86 timely manner.
- 87 **7.** Notice all rule changes and proposed rule changes, with a copy of the changed form, to  
88 all Participants via electronic media or mailing and to the subscribers of the service  
89 through the Board Briefs.
- 90 **8.** The Board of Directors must approve all changes or additions to the MLS Forms or data  
91 fields.

92 **9.** Coordinate with the Professional Development Committee of the Tallahassee Board of  
93 REALTORS® to educate members on any changes to the MLS database and forms, as  
94 needed.

95  
96 **Make-up of MLS Committee**

97 The committee's chairman will be appointed by the chairman of the CATRS board of  
98 directors. The committee will consist of 9 members appointed to staggered three-year  
99 terms. The chairman of the CATRS board of directors, after consulting with the Manager of  
100 Association Technology and the CEO, will appoint three new members each year.  
101 Vacancies will be appointed by the chairman of the board at the time of the vacancy. At  
102 least five of the members must be participants in the CATRS MLS. Should a Participant  
103 change status to a Subscriber, they may complete their term. Not more than two members  
104 may be from the same office. Should a member change firms, thereby creating more than  
105 two from a given office, that member may complete their term.

106  
107 **Prerequisites for MLS Committee Service**

108 To ensure that committee members are well-versed in the operation, use, and rules of the  
109 MLS, committee members are required to have attended the six MLS-related classes within  
110 six-months of being appointed to the committee.

111  
112 The classes are:

- 113                   MLS & Your Liability
- 114                   Paragon Overview
- 115                   Client Connect
- 116                   Listings
- 117                   Search & Mapping
- 118                   CMA
- 119                   Applications Class (HomeSnap and Showingtime)

120  
121 **Procedure:** Hold regular meeting of the committee to comply with the policies. Actively  
122 solicit Participant and Subscriber feedback through firms to evaluate the effectiveness of  
123 the MLS and other services.

124  
125 [Financial\(top of the page\)](#)

126  
127 **Application Fees:** Application fees for MLS-Only Participants and Subscribers are set by  
128 the CATRS board of directors and are subject to change.

129  
130 **Annual Fees:** Annual fees for MLS-Only Participants and subscribers are set by the CATRS  
131 board of directors and are subject to change. Annual fees shall be prorated quarterly.

132  
133 **All fees paid are non-refundable.**

134  
135 **Late charges and penalties for all invoices except MLS fees, will apply according to**  
136 **the following schedule:**

137

# Days Past Due	Consequences and Fee Schedule
30	A 5% late charge.
60	An additional 10% late charge.
91	Membership is terminated and a \$50 termination fee will be added to the account. All TBR and MLS services will be discontinued.

138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154

**MLS Billing Policy:** Invoice and collect MLS service fees from Participants based on the number of subscribers in each of their offices.

**Procedures:** On the 28th of each month (or the nearest work day to the 28th) MLS Invoices will be created for the subsequent month. Invoices for Multiple Listing Services are due on the 1<sup>st</sup> of the month for which service is granted. Each MLS Participant (Designated REALTOR®) will be billed at the fee rate times the number of participants and subscribers in the office. For example: if the fee rate is \$35 and there are nine agents and the broker in Office A, the broker (MLS Participant) will be billed \$35 X 10 or \$350. Agents must be terminated through DBPR and reported to CATRS to avoid being invoiced for their MLS access. Credits are not granted for agents after invoices are created.

MLS fees are due on the 1<sup>st</sup> of the month for which service is granted, late charges and penalties will apply according to the following schedule:

# Days Past Due	Consequences and Fee Schedule
30	A 5% late charge.
60	A total of a 15% late charge and the company will be suspended from the service. Upon payment of all current and past fees and a \$50 reactivation fee, service will be activated.

155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168

**MLS Fees Mid Billing Cycle**

Invoicing MLS monthly fees when a Participant or Subscribers reinstates their MLS subscription.

1. Reinstatements or reactivations. Brokers would be billed the current month's MLS fee, for each agent that reactivates their MLS subscription by the 7<sup>th</sup> of the month. Further, all past due fees must be paid.
2. Joining for the first time. These offices wouldn't be billed for subscribers until the next scheduled billing cycle, see MLS Billing Policies earlier in this manual.
3. Rejoining after being gone for a year or more (equivalent to a new member). These offices wouldn't be billed for subscribers until the next scheduled billing cycle, see MLS Billing Policies earlier in this manual.

169 **Returned Checks Policy**

170 A service fee, to be determined from time to time by the board of directors, shall be  
171 assessed for a returned check. The account is considered **unpaid** and subject to the above  
172 fee schedule, including the returned check service fee.

173  
174 Please note: in order for a Participant not to be charged for an agent by TBR, CATRS must  
175 have made the agent inactive by the 20<sup>th</sup> day of the preceding month for which service is  
176 billed. CATRS requires Participants to terminate agents from the DBPR online system,  
177 [www.myfloridalicense.com](http://www.myfloridalicense.com). Only when DBPR confirms an agent is no longer with a firm  
178 will the Participants bill be adjusted. (Adopted 11/12/02)

179  
180 **Check Signing Policy**

181 **Policy:** CATRS shall maintain various deposit accounts as deemed necessary, individual  
182 withdrawal requests (checks) shall require two (2) Signatories. One of the signatures must  
183 either be the Chairman, Vice Chairman or Treasurer of the board of directors. The second  
184 signature can be any other member of the CATRS board of directors.

185  
186 CATRS may also have corporate charge accounts as deemed necessary with the Treasurer  
187 or his assignee as signatories.

188  
189 **Procedure:** Prior to each calendar year, the Treasurer will ensure that all financial  
190 institutions have updated signatories for accounts. (Adopted 4/2010)

191  
192 **MLS Fines**

193 Fines for violations of Multiple Listing Service rules may be levied as outlined and from  
194 time to time amended in the Capital Area Technology & REALTOR® Services, MLS Rules  
195 and Regulations.

196  
197 Brokers will be required to continue to pay for MLS for agents who have outstanding fines,  
198 regardless of the agent's ability to access the Multiple Listing System

199  
200 If the broker is suspended from the MLS for a violation of the MLS rules, and the broker  
201 does not complete the requirements for reactivation of services within 15 days, then the  
202 office will be suspended until the broker meets the reactivation requirements.

203  
204 **Investments Policy**

205 **Policy:** The Board of Directors authorizes funds to be invested in a brokerage account of its  
206 choosing. The goal is to increase earnings over traditional deposit accounts, while  
207 minimizing the downside risks.

208  
209 A minimum of \$250,000 cash on hand in Bank Deposit accounts must be maintained to  
210 assure that the corporation can meet monthly expenses. Investments will be a mix of  
211 conservative instruments in order to minimize risk that are recommended by the  
212 Investment Broker, and reviewed by the Board of Directors.

213 **Procedure:** The start the investments, CATRS will transfer \$15,000 per month to fund the  
214 account. The investments and amount in the account will be reviewed at each Board

215 meeting.  
216 *Approved 10/21/2021*

217  
218 [MLS \(top of the page\)](#)

219  
220 **Non-Member Participation**

221  
222 Non-members of the Tallahassee Board of REALTORS® may be Participants or subscribers  
223 in the CATRS MLS. The following are the definitions of non-member categories:

224  
225 Non-member Participants – Florida real estate brokers who hold REALTOR® membership  
226 in another local board/association or are direct State REALTOR® association members. Or  
227 Florida real estate brokers who are not REALTORS®.

228  
229 Non-member Subscribers – A Florida real estate licensee whose real estate license is placed  
230 with a non-member Participant, as defined above.

231  
232 **Assistants to Participants and Subscribers**

233  
234 Policy:  
235 Assistants to Participants and subscribers may be subscribers or non-subscribers to the  
236 CATRS MLS.

237  
238 Assistants that are already subscribers  
239 Subscribers will be able to assume the identity of another subscriber or Participant with  
240 the Participant's authorization. A form will be available from CATRS that requires the  
241 Participant's signature and it will be kept on file with CATRS.

242  
243 Assistants that are not qualified to be subscribers  
244 Assistants to Participants and subscribers that are not current subscribers to the CATRS  
245 MLS will be able to assume the identity of a subscriber or Participant with the Participant's  
246 authorization. A form will be available from CATRS that requires the Participant's  
247 signature and it will be kept on file with CATRS. These assistants will be issued a unique  
248 user login and will only have access to their subscriber or Participant's information. CATRS  
249 will charge a monthly fee for these additional credentials.

250  
251 Note: In order to qualify for assistant-only credentials, an individual must not otherwise be  
252 qualified as a subscriber to the CATRS MLS and must not have a Current/Active real estate  
253 license, as defined by the State of Florida Department of Business and Professional  
254 Services.

255  
256 Procedures:  
257 1. CATRS/TBR staff will intake the request forms.  
258 2. Non-subscribers will be checked against State of Florida license records to ensure  
259 that the user does not otherwise qualify for subscription or Participation in the  
260 CATRS MLS.

- 261 3. A record in the membership data base will be created for non-subscribers.  
262 4. CATRS staff will edit the user id in Paragon to allow the user to assume the  
263 subscriber or Participant's credentials.  
264 5. The forms will be scanned and linked to both the Designated REALTORS®'  
265 (Participant) membership record and the membership record of the user assuming  
266 the identity.  
267 6. Account will be tested to ensure requested access is available.  
268  
269

### 270 **Fine Forgiveness Policy**

271  
272 Agents fined for a violation of the MLS Rules & Regulations can have their fine refunded  
273 under the following conditions:

#### 274 **Procedure**

- 275 • In order to be made active in the MLS, the agent first must pay the fine and fix  
276 the error.
- 277 • Upon paying the fine and making the correction, the agent may request a refund  
278 by replying to the emailed fine notice and requesting to be in the Fine  
279 Forgiveness Program.
- 280 • The agent must complete the "MLS and Your Liability" and "MLS: Listings"  
281 classes offered by the Tallahassee Board of REALTORS®.
- 282 • Both of the above-mentioned classes must be completed within four months of  
283 the fine.
- 284 • Space in the classes is not guaranteed, and it is up to the individual agent to  
285 register in advance and pay the appropriate registration fees, if any.
- 286 • Agents are responsible for reporting to the MLS Committee when they have  
287 completed the courses.
- 288 • Failure to attend a class for which the agent is registered, thereby taking space  
289 from other potential registrants, will result in a forfeiture of this Fine Forgiveness  
290 Policy, and the agent will not be eligible for a refund.
- 291 • Agents are only eligible for one fine forgiveness per year.  
292

### 293 **Listing Transfers-Participant to Participant**

294  
295 The Board/MLS staff can only transfer Active and Pending listings from one Participant to  
296 another Participant and only with the expressed written consent of the current listing  
297 broker. October 28, 2011  
298

### 299 **Procedures for Challenging a Participants' Right to Submit and Maintain a Listing in** 300 **the MLS**

301  
302 Only listings allowed by the CATRS MLS Rules and Regulations are allowed in the MLS. The  
303 following procedures apply if a Participant is challenged on the right to submit a listing in  
304 the CATRS MLS:

- 305 1. The disputing party will send a written request to the Chairman of the MLS Committee  
306 claiming that a Participant's listing does not meet the requirements for entry in the MLS.  
307 2. The listing Participant (respondent) will be informed of the allegation.  
308 3. The respondent may send supporting documentation in defense of their claim to maintain  
309 the listing in the MLS. The respondent has 10 days to submit their documentation.  
310 4. Once received, the full MLS Committee or a subset of not less than 5 members  
311 (appointed by the Chairman) will review the documentation to determine if the listing  
312 meets the criteria set forth in MLS Rules to place the listing within the system.  
313 5. Neither party is allowed at the hearing, unless the panel requests so, at which point, both  
314 parties will be asked to attend.  
315 6. Any committee or panel members of either party's firm will recuse themselves from the  
316 proceedings.  
317 7. Consideration by the committee is only in reference to the MLS Rules and Regulations  
318 and does not determine if a listing agreement is legally valid or not.  
319 8. The committee can only come to one of two conclusions:  
320 A. Based on the documentation provided, the current listing is sufficient under the  
321 MLS Rules to be placed in the MLS.  
322 B. Based on the documentation provided, the current listing is not sufficient under  
323 the MLS Rules to be placed in the MLS.  
324 9. The conclusion of the committee or panel is final and there is no appeal.  
325 10. Participants that fail to comply with the committee's findings are subject to disciplinary  
326 action as outlined in the MLS Rules and Regulations.

327 **Procedures for processing an alleged violation of the Multiple Listing Service rules**  
328

329 Complainant files with the Tallahassee Board of REALTORS® on the approved complaint  
330 form alleging which section(s) of the rules have been violated.  
331

332 Complainant is e-mailed a confirmation that their complaint was received.

333 Respondent is e-mailed a copy of the complaint  
334

335 The complaint is administratively heard by the MLS Committee at their next available  
336 meeting, scheduling the hearing is at the discretion of the MLS Committee Chairman. The  
337 MLS committee is in Executive Session and neither party is allowed to attend or submit any  
338 additional information.  
339

340 Each party is notified of the determination by the MLS committee. If the conclusion of the MLS  
341 committee is that no violation has occurred, the decision is final and there is no opportunity for  
342 appeal. If a violation is determined, the committee may direct the imposition of a sanction. The  
343 recipient of such a sanction, however, may then request a hearing before the Professional  
344 Standards Committee within twenty (20) days following receipt of the Multiple Listing Service  
345 Committee's decision.  
346



347 **MLS Education requirement**

348 Pursuant to CATRS MLS Rules and Regulations, Section 17, new MLS Participants and  
349 subscribers are required to complete a training program on the MLS Rules and Regulations.

350  
351 The training class is offered at the Tallahassee Board of REALTORS® at a price determined by  
352 the Professional Development Committee of TBR. Further, a self-study option for the MLS  
353 Orientation is available at a price set by the board of directors and is subject to change.

354  
355 **MLS Classes - Cancellation.**  
356 MLS Classes are offered at no charge to MLS Participants and Subscribers. The current classes  
357 offered are:

- 358 • Overview Features & Functionality
- 359 • Search & Mapping
- 360 • Creating & Modifying a CMA
- 361 • Creating & Modifying Listings
- 362 • Collab Center: Managing Prospect Search Criteria

363  
364 Classes may be added, subtracted, or modified from time to time at the discretion of the CTO,  
365 with input from the MLS Committee.

366  
367 Attendees are encouraged to register in advance for MLS classes to ensure adequate space is  
368 available, and for advance notification in the event of schedule changes or cancellation, etc.  
369 There is no fee to attend MLS classes. However, if a registrant cannot attend a class, they must  
370 cancel their registration at least 24 hours in advance of the scheduled start time of the class, or  
371 they will be considered a “no-show” and will be assessed a \$20 fee per class; collection will be  
372 as outlined in the Financial section of the manual.

373  
374 **Procedure:** Notification of the policy shall accompany all MLS Class advertising, including, but  
375 not limited to eBoard Briefs; calendar posts; Tallahassee Board of REALTORS® and CATRS  
376 website; registration reminder notices.

377  
378 **MLS Listing Agreement Audit Policy-*effective August 1, 2020***

379 **Procedure:** CATRS MLS listings are randomly audited for compliance with the Rules and  
380 Regulations of the CATRS MLS. Participants who have listings that have been selected for  
381 audit will receive an email request to submit a copy of the listing agreement or other  
382 documentation. The requested agreement must be emailed or delivered to CATRS MLS staff  
383 within two (2) days of the date of the request. Each submitted listing agreement is  
384 reviewed for accuracy and compliance with CATRS MLS Rules and Regulations.

- 385
- 386 1. Only paperwork for audited listings shall be submitted to CATRS MLS.
- 387 2. The CATRS MLS staff will use a random number generator program to determine the
- 388 listings to be audited. The following categories of listings will each be audited: new,
- 389 coming soon, price changes, and status changes. In addition to the random selection,

- 390 the MLS may choose other listings to ensure compliance with MLS Rules and  
391 Regulations.
- 392 3. Listing agreements and any change forms are the accepted forms of documentation to  
393 be provided to CATRS MLS staff for audited listings.
  - 394 4. Notification on audited listings will be made by email to the listing agent and the listing  
395 office's designated broker.
  - 396 5. Brokers and listing agents will be notified if there are issues identified with audited  
397 listings.
  - 398 6. Listing agreements and any change forms must be submitted to CATRS MLS staff within  
399 two (2) days (excluding weekends and holidays).
  - 400 7. Failure to provide requested listing agreement(s) within the two (2) days allotted will  
401 result in a fine, as outlined in the CATRS MLS Fine Policy. *July 2020*

402  
403 Commercial Information Exchange (TALrex.com) ([top of the page](#))

404  
405 Capital Area Technology & REALTORS® Services, Inc. (CATRS) operates a Commercial  
406 Information Exchange named Tallahassee Area Commercial Real Estate Exchange (TALrex).  
407 TALrex is offered as a separate service to members and nonmembers.

408  
409 **Procedures:** Tallahassee Board of REALTORS® members and nonmembers with active real  
410 estate or Certified Appraiser licenses are eligible to subscribe to TALrex. Brokers of record or  
411 Certified Appraisers may be Participants in the system, and broker associates or salespersons  
412 may subscribers to the system. A subscriber may only subscribe to TALrex if their broker  
413 participates.

414  
415 Participants and subscribers must sign an agreement that they will comply with the rules of the  
416 service and timely pay the required fees.

417  
418 **Fees:** The CATRS Board of Directors sets the fees. Fees are invoiced for six-month periods.  
419 March 1 through August 31 and September 1 through February 28 (or 29). Fees are dues for the  
420 entire billing period and are not refundable.

421  
422 Bills are created around the first day of the month before the period (February 1, and August 1).  
423 All invoices are due on the first day of the billing period (March 1, and September 1). Invoices  
424 still outstanding on the fifth day of the billing cycle will result in late notices being sent to the  
425 subscribers and their brokers. Participants and subscribers still late on the tenth day of the billing  
426 cycle will be suspended from the system until paid. If the Participant is suspended, all their  
427 subscribers will also be suspended until Participant is paid in full.

428  
429 Participants and subscribers that join during a billing period will pay a monthly prorated share for  
430 the remainder of the period. Fees will be collected for the remainder of the billing cycle,

431 including months where the participant or subscriber joins by the 10<sup>th</sup> of the month.  
432 For example: 1) Bob joins July 10<sup>th</sup>, he owes July, and August at the current monthly prorated  
433 fee, he will be billed for the September through February period in August. Sarah joins  
434 December 11<sup>th</sup>, she owes January, and February at the current monthly prorated fee, she will be  
435 billed for March through August period in February.

436

437 Revised 10/2011, 7/2011, 7/2012, 4/2013, 9/2013, 7/2015, 4/2017, 8/2017, 9/2018,  
438 10/2019, 7/2020, 10/2020, 10/2021

439

440