



Staying in Compliance with MLS Rules: The 10 Most Common Violations

Compliance with the MLS Rules will help provide accurate, timely, and objective property information for all participants. The following are some of the most commonly violated rules, as well as the rules that result in the highest fines. If you have questions, contact the NorthstarMLS Rules Department at 651-251-3210 or print a copy of the rules at www.northstarmls.com.

- 1. Accurate data:** All information must be accurate and complete. Incorrect information may include designating a nonconforming bedroom as a regular bedroom, or an incorrect MLS area or PID number.
- 2. Enter a listing or submit a Certification to Withhold within 2 business days:** You rely on timely access to listings to serve your buyers, and your sellers rely on you to make their property available as quickly as possible. Listings must be entered on the MLS within 2 business days. If your customer wants to withhold from the MLS, you must submit a Certification to Withhold Form to RMLS within 2 business days of the contract effective date.
- 3. Promotional information in Public Remarks, Open House Remarks, Supplements, Driving Directions or Virtual Tours:** The MLS is a factual database of property information. It should not be used for marketing or promoting an agent, listing office or third party services.

In any public field, it is important to only describe the physical traits of the property or incentives from the seller to the buyer specifically related to the property. For example, you may **not** include:

- Agent names or contact information or third party promotions;
- Any URL other than a virtual tour. A virtual tour must only describe the property for sale and its vicinity. No other contact or promotional information is allowed, including links to other Web sites. Virtual Tours are the only web link allowed.
- You may list the name of the builder or brand names (for example “Anderson Windows”) to the extent that they describe the property. Do not add any promotional messages.
- Incentives from the seller are acceptable but must be specifically related to the property.
Acceptable: Seller will pay \$3,000 closing costs. Seller will pay Association fees for one year.
Unacceptable: Free Plasma TV for buyer. Free trip to Mexico to buyer. \$500 Gift Card.

Keeping the MLS free of promotion allows you to share property information (that you pay to access) with your customers without encouraging them to contact other agents or to leave you for one of your competitors.

- 4. Upload a photo within 2 business days:** A property photo must be loaded within 2 business days. The photo has the following requirements
 - No broker/agent/builder signs or promotional materials allowed.

- b. No text (regardless of message) allowed on any photograph.
 - c. Do not copy photos from the listing of another Participant. Use your own photos.
 - d. The photo may not be digitally altered so that it no longer accurately reflects the property.
5. **Move Listings to Temporarily Not Available for Show (TNAS) Status when unavailable for showing for 24 hours or longer:** When the property is available again, it must then be changed back to Active within 24 hours. While in TNAS, no showings may occur. .
6. **Enter a status change on a listing within 2 business days of the change:** If there is any change in the property status (cancellation, pending sale, closed sale, change in price, TNAS, contingent offer accepted), the change must be made within 2 business days.
7. **Make the correction within 48 hours after a Violation Notice is sent:** The fine will increase if the correction is not made within 48 hours (including weekends and excluding state or federal holidays). This rule does not impact most agents, but is in place to discourage flagrant disregard for the RMLS Rules.
8. **Do not share NorthstarMLS access:** Only authorized agents, appraisers and office staff may access the system. Do not share your access information under any circumstances with anyone, including colleagues, customers, non-member agents, assistants, friends or family. Be on guard for moving companies and other third parties that may attempt to strike a deal with you to share your access (if so, please inform RMLS).
9. **Entering a listing into the MLS only when you have a signed listing contract:** The listing broker must have the seller's written authorization to list the property. Do not list the property in anticipation of the signature—you must have the signature in hand. If the property is listed with another office, the first listing must be canceled or expired on MLS before the new listing may be entered.
10. **Unauthorized use of MLS data:** In addition to data accuracy and timeliness, RMLS protects the data from unauthorized use. Sections 10 and 11 of the rules specify authorized uses of MLS information.

Examples of **acceptable** use:

- a. Reports for prospective buyers
- b. CMAs & comparables prepared for a particular property and a particular person.
- c. Use of compilations for demonstration of market share is authorized in section 11.4.
- d. Marketing materials using any data you choose for listings in which you are the listing agent. The selling agent may also use the data for this purpose, but only after the sale has closed.
- e. Marketing materials with aggregate statistics drawn footnoted with RMLS credit and dates used.

Examples of **unacceptable** use:

- a. Use of compilations to compare the performance of **individual agents** (in a presentation to a potential seller). Because of how some teams and brokers report activity, statistics on individuals may be inaccurate and misleading.
- b. Providing a list of properties to a non-MLS member (such as a list of properties with "pending" status provided to a friend or relative with a moving company to help him get new business).
- c. Sending **unsolicited** data about any property not in Sold status for which you are not the Listing Agent or on any property in Sold status that do not comply with the Sold Listing Data policy

Other rules to be aware of:

- Access a property only with proper authorization. Do not disseminate your property access information.
- The use of the term MLS or Multiple Listing Service is restricted in firm names, web addresses and web domain names.
- Enter a listing only once. No two active listings should have the same Parcel ID number.