
MLSs can adopt the specific policy language under Listing Procedures. Below are the changes to the NAR model MLS Rules. These changes will be reflected in the Model MLS Governing Documents found in the 2020 Handbook on Multiple Listing Policy (updated version expected January 2020):

Section 1.01 – Clear Cooperation

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. (Adopted 11/19)

Note: Exclusive listing information for required property types must be filed and distributed to other MLS Participants for cooperation under the Clear Cooperation Policy. This applies to listings filed under Section 1 and listings exempt from distribution under Section 1.3 of the NAR model MLS rules if it is being publicly marketed, and any other situation where the listing broker is publicly marketing an exclusive listing that is required to be filed with the service and is not currently available to other MLS Participants.

Section 1.3 Exempt Listings

If the seller refuses to permit the listing to be disseminated by the service, the participant may then take the listing (office exclusive) and such listing shall be filed with the service but not disseminated to the participants. Filing of the listing should be accompanied by certification signed by the seller that he does not desire the listing to be disseminated by the service.

Note 1: Section 1.3 is not required if the service does not require all (indicate type[s] of listing[s] accepted by the service) listings to be submitted by a participant to the service.

Note 2: MLS Participants must distribute exempt listings within (1) one business day once the listing is publicly marketed. See Section 1.01, Clear Cooperation.

Greater La Crosse MLS Corporation

NAR Policy 8.0

Clear Cooperation

Three ways to submit listings to MLS

- Submit listing within one business day of marketing a property to the public. 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. If no marketing, then you would have 72 hours to submit.
- Submit listing in “Delayed Listing Status” if Seller wishes to keep listing out of MLS for a specific amount of time. Upload waiver, listing contract, and enter in “delayed listing status” within one business day from marketing the property to the public. Agent must follow criteria of submitting listing to delayed status. No showings even by listing company until listing goes live. Agent can market but can’t show.
- Office Exclusive: If seller refuses to permit the listing to be disseminated by the service, the Participant may take the listing (office exclusive). This listing can be marketed in house only. No outside marketing can be done. Also, the listing and waiver signed by Seller indicating that he/she does not desire the listing to be disseminated by the service, must be submitted to MLS Office within one business day. MLS will keep on file. If marketing is done, it must be submitted to the MLS within 1 business day!

Delayed Listing Program

- Contract signed
- Seller must indicate no showings with a specific date on contract if they choose delayed showing on their property.
- Listing must be entered in the delayed status within 1 business day of marketing to the public or 72 hours if no marketing was done. They must upload the exclusion form with the contract.
- The program will ask for a date that the seller authorized to begin showings.
- During this time in delayed status, no showings even by listing company are allowed during the period that listing is in this status. Agent can market but not show.
- The max it can be in delayed status is 21 days.
- Date of showings to begin cannot be changed.
- Members can search delayed listing status.
- Once date for showings arrive, the program will automatically release listing to active status. Once active, listing must be available to be shown.
- Delayed status listings will not be included on public websites or any Metro MLS feeds.
- Once listing goes to active status, it can never go back to delayed.

Fines Delayed Listings Violations

- Fine if date to start showings not included in contract - \$100
- Fine for contract not uploaded – As is now/\$50 first day/\$25 each additional day not uploaded.
- Fine for no exclusion form signed and uploaded- \$250
- Fine for being caught showing listings if in delayed status - \$500
- Fine for entering listing in active status and not delayed status if no showings allowed - \$250
- Fine for date indicated to become active is entered in system incorrectly - \$50

Fine NAR Policy 8.0 Violations

- Fine if marketing of a property to the public is done and not submitted within one business day -\$100 first day/\$50 each additional day of violation
- Fine if “Office Exclusive” is marketed outside of listing office - \$250
- Fine if Office Exclusive does not submit waiver and listing contract to MLS to be put on file within 1 business day of marketing a property to the public or 72 hours if no advertising is done -\$100

Notes:

- If a subscriber files a complaint, proof must accompany complaint
- The agent is responsible for any public marketing that the seller may do
- If Participant files an appeal of a sanction assessed, it must be in writing and will be addressed at the next scheduled MLS Board of Directors.