



**SEDONA VERDE VALLEY
ASSOCIATION OF
REALTORS®, INC.**

MULTIPLE LISTING SERVICE OPERATING POLICIES

**REVISED AND AMENDED EFFECTIVE
SEPTEMBER 19, 2018**

**MLS OPERATING POLICIES ARE PUT IN PLACE TO CLARIFY BYLAWS
AND RULES & REGULATIONS. THEY MAY, FROM TIME TO TIME, BE
AMENDED BY PROPER ACTION OF THE BOARD OF DIRECTORS**

**SEDONA VERDE VALLEY ASSOCIATION OF REALTORS®
MLS OPERATING POLICIES
RECOMMENDED BY THE MLS COMMITTEE
AND
APPROVED BY THE BOARD OF DIRECTORS**

100.00 MLS Meetings

- .10 Members from each area (Cottonwood, Cornville, Camp Verde, Lake Montezuma and Sedona) may conduct regularly scheduled MLS Tour Meetings of the MLS users from the area.
- .20 Representative members from specific areas shall determine which company or individual will conduct the meetings.
- .30 SVVAR Members, Affiliate Members and their guests are cordially invited to attend any of the meetings. A repeat of the same guest is permitted once every three months at each meeting.
- .40 There shall be no rule preventing a licensed or un-licensed REALTOR® Assistant from attending such meetings, participating in such meetings or attending the tour that is part of any such meeting.
- .50 The agenda for the MLS Tour Meetings shall be established by the Members from each area. The agenda may be as formal or as casual as the members desire.
- .60 The agenda at all of the area meetings shall provide for any Officer, Director, or Committee Chairman to address the meeting relative to SVVAR business.
- .70 The "Home Tour" portion of the meeting shall be conducted in a manner acceptable to the majority of the Members from the concerned area.
- .80 The "Home Tour" procedure shall be reduced to writing by a representative Task Force from each area and a copy of same provided to the Association office for the purpose of incorporation into the MLS Meetings and Tours page on www.svvar.com and to be readily available to interested members.
- .85 The Sedona Verde Valley Association of REALTORS® MLS and home tour schedules will be based on geographical boundaries as follows: Tuesdays – Areas 10 – 17; Wednesdays – Areas 20 – 33; and Thursdays – Areas 40 – 46. (Added by the BOD 03/31/2004)
- .90 Liquor is not part of Association Business. The Association hereby adopts a strict policy against serving any form of alcoholic beverage at open houses that are part of the "Home Tours" in the SVVAR MLS areas. Homes on tour that contain references to the serving of alcoholic beverages will be summarily eliminated from the tour. (Added by BOD 10/22/97).

200.00 Distribution Of Flyers, Advertising and Promotional Materials (At MLS Tour Meetings)

- .05 Flyers and advertisements are not allowed to be placed on the individual tables during the MLS Tour Meetings. One central location will be available for REALTOR® and Affiliate Members to place flyers and advertisements. Each member is responsible for picking up all their flyers that remain after the meeting.
- .10 Flyers for the advertisement and sale of properties are allowed only if the real estate is included in the MLS system.
- .20 Flyers advertising MLS properties must contain the MLS number and property address.
- .30 Pictures used on flyers must actually depict the structure and/or real estate or must contain a statement in at least 12-point type "The picture shown is for demonstration purposes only and is not an actual picture of the listing."

300.00 Properties on Tour

- .10 Each area MLS meeting group shall determine if properties other than residential (vacant land, commercial, etc.) will be allowed on tour. If allowed, the criteria shall be included in the MLS meeting agenda and on the MLS Meetings and Tours page on www.svvar.com.
- .20 If other than residential properties are permitted on tour, the tour input information must include the property type in the remarks section of the tour information.

400.00 Non-Members

- .10 Legitimate non-profit organizations may address the meeting during the "community service" segment of the meeting agenda. No more than 3 minutes will be allowed to any one speaker or group of speakers representing the same organization.
- .20 Regardless of the organization, direct solicitation of funds or membership recruitment is not allowed at the MLS meeting.

500.00 MLS Listing Information

- .10 All listings entered into the MLS system must be entered into the proper Area and Subdivision. Listing in more than one Area is not permitted. (See Enforcement Section 800.00).
- .20 A property may be entered into up to two (2) property types or sub-types, if appropriate. Each such listing shall indicate in Agent Remarks that the property is also listed in the MLS and reference the additional MLS number. Whenever the property goes off market, the listing member is responsible to see that the property listing that represents the off-market status is properly categorized in the MLS database and that the other listing for that property is Cancelled from the database. This is to prevent having the same property showing "Sold" or some other off market status in two places in the MLS database. (adopted 10/02/07)

- .25 Properties which can be split may be entered multiple times to reflect the split. Each entry must reflect the other MLS numbers for the splits, as well as the parcel in its entirety. Each such listing shall indicate in the Agent Remarks that the property is also listed in the MLS and reference the additional MLS number(s). Whenever the property goes off market, the listing member is responsible to see that the property listing that represents the off-market status is properly categorized in the MLS database and that the other listing(s) for that property are canceled from the database. This is to prevent having the same property showing "Closed" or some other off market status in two places in the MLS database. (Amended 02/2012)
- .30 Addresses of all residential properties entered into the MLS system must include the actual street address, vacant subdivision lots must include the lot number and the name of the road, street or highway upon which the property abuts, and metes and bounds entries must include the name of the road, street or highway on which the property abuts.
- .32 The Executive Vice President shall have the authority to remove from the MLS system, any listing that is not available to all participants for cooperation and compensation. At the time that a property is entered into the MLS it must not be under an accepted contract (Pending) such as, but not limited to "Sold before print" entries. Once the listing has closed, previously Pending listings determined to have been entered into the MLS after a contract has been accepted, will be deleted by the Executive Vice President three days after first contacting the office/licensee verbally, via email or by written notice.
- .35 The MLS has the right to accept or reject specific information on a listing. Security/alarm/gate/lockbox/keybox or any form of access codes shall not be included on a listing, on listing tours, or any other part of the listing. (Adopted 06/15/2017) House is "vacant" or any other descriptive words which may pose a security issue to the property shall not be included in the "Remarks" section (or any other portion other than the "To Show" and "Occupancy" checkbox fields) of a listing. (Adopted 08/20/2010)
- .40 Deleted by Board of Directors 09/22/99.
- .50 Status changes must be entered into the system within 24 hours of such change (Article 1.4 of the MLS Rules and Regulations). Such changes to include Active Contingent-Remove, Pending - Take Backup, Pending, Closed, Expired, Temporarily Off Market, Cancelled and return to Active.
- .60 When making such status changes, the complete information must be entered into the system including price, date of change, date of sale, listing office, listing agent, selling office, selling agent, terms, etc.
- .70 The Executive Vice President shall have the authority to make corrections as listed in Section 500.50 and 500.60 after first contacting the office/licensee verbally, via email or by written notice. If the change is not made within three business days, the office/licensee will be contacted again, after which time the Executive Vice President shall make the correction.
- .80 No member shall include any language in a listing that has been or can be deemed discriminatory relative to "protected classes" under the fair housing laws. The Executive Vice President, at his/her

discretion, is authorized to immediately remove such language from the data base. The Executive Vice President shall then notify the listing agent of such removal. (Approved by the Board of Directors 03/27/96)

- .90 A listing may only be entered into the MLS system by one MLS Participant/Broker. MLS Subscribers affiliated with that Broker may co-list a property. Listing may be co-listed only with SVVAR MLS Participant(s)/Broker(s). (Amended 10/02/07)
- .95 Confidential information within the MLS is considered to be any fields, property types, statuses or any other MLS property data, or any MLS participant data that is not included in the data provided by the MLS Hyperlink for IDX Framed Solution. (Approved by the Board of Directors 06/24/09).
- .96 Required documents include the upload of the following AAR Forms:
- a. Disclosure of Information on Lead-Based Paint and Lead-Based Paint Hazards (Rentals) *
 - b. Disclosure of Information on Lead-Based Paint and Lead-Based Paint Hazards (Sales) *
* required for all homes built before 1978.
 - c. H.O.A. Condominium / Planned Community Addendum – required when anything but “None” is selected in the HOA field in the listing. (Approved by the BOD 09/19/2018)
- .97 Closed “For Sale By Owner” (FSBO) are now able to be entered to the MLS provided all of the following are completed:
- a. The property was a For Sale By Owner (not an SVVAR Member) and a SVVAR Member provided the buyer.
 - b. The listing has closed and been recorded at the county making it now Public Record.
 - c. The listing closed after June 1, 2018.
 - d. The member enters the listing as any other listing with themselves as the listing and selling agent, entering complete information about the property as if it were their listing, including at least 1 photo.
 - e. Agent and Marketing remarks must say, “FSBO – for statistical purposes only”
 - f. Immediately upon saving the listing, changing the status to “Pending,” saving the listing and then immediately changing the status to “Closed” providing accurate and complete closed data.
 - g. Immediately sending an email to info@svvar.com so that staff can change the listing agent to “Unrepresented Seller.” (Approved by the BOD 09/19/2018)
- .98 “Coming Soon” is for listings that have signed listing contracts but the seller is not ready to show the property. An “Exclusion from Multiple Listing Service” form must be completed and sent to the SVVAR office within 72 hours of the listing contract being signed.
(Approved by the BOD 09/19/2018)
- .99 Listings that sold before they were entered into the MLS are allowed provided:
- a. the Listing Date on the contract is within 72 hours of entering it into the MLS, **OR**
 - b. An “Exclusion from Multiple Listing Service” form has been completed and sent to the SVVAR office within 72 hours of the signed contract.
(Approved by the BOD 09/19/2018)

600.00 Quarterly Service Fees

- .10 There shall be no proration of MLS Quarterly Service fees. (Amended by the Board of Directors 03/27/96)

700.00 Use of MLS Data

- .10 MLS data may be used in company and personal advertising and promotion as long as:
 - 1. The proper MLS disclaimer is published as part of the advertising or promotion.
 - 2. The data is used as it comes from the MLS system without manipulation or alteration.
- .20 The MLS does not permit the placement of the listing agent name, broker/company, phone number, email address, web address and other information that is not descriptive in nature and relevant to an accurate portrayal of the property being marketed, to be placed in the "Remarks" section (or any other portion) of a listing. The same is applicable to the "Property Photograph" and "Virtual Tours". Any violation of this policy shall be considered a violation of the MLS Rules. (Added by the Board of Directors 01/22/03)

800.00 Enforcement of Violations

- .10 The Executive Vice President shall have the authority to remove from the MLS system, any listing improperly entered under the wrong Area, Subdivision or Property Type. Such removal shall not take place until the violating office/licensee has been contacted verbally, via email or by written notice. If the change is not made within three days, the office/licensee will be contacted again, after which time the Executive Vice President shall make the correction or deletion. This notice shall commence on the date of the notice and shall count all days including weekends and holidays. This policy shall be effective on the date approved by the Board of Directors and there shall be no "grandfathering" of listings in the system.
- .20 Listings removed from the system for violations may be properly re-entered. (Second sentence deleted by the Board of Directors 09/22/99).
- .30 Members shall be responsible for errors in entering listings. (Second sentence deleted by the Board of Directors 09/22/99).
- .40 Only the Association staff shall be authorized to enforce Section 800.00 to 800.40 of these policies.

900.00 Enforcement / Fines / Penalties For MLS Violations

The Broker/Manager of each office shall supply to the Association office within 24 hours, copies of any listing agreement, contract or document requested by Staff in order to verify dates and status as described under this section. For purposes of this Section, holidays, Saturdays and Sundays shall not be used in computing days of delinquencies. Notices required under this Section shall be given first to the Designated Broker / Manager. If Broker/Manager is not available, notice shall

be given to the Listing Agent. If neither Broker/Manager nor Listing Agent is available, notice shall be given to the Company's staff, i.e. secretary, receptionist, etc.

900.10 Entering New Listings Into The System

- A. Required within 72 hours after all signatures of seller(s) have been obtained.
- B. For each listing reported to the Association that has not been entered into the system within the 72 hour requirement, a fine of \$50 shall be assessed against the Designated Broker of the listing company. For each additional 7 day period (or part thereof) beyond the original required 72 hour period an additional fine of \$100 shall be assessed. Failure to pay fines in accordance with Section 900.80 shall be cause to refer the matter to the MLS Committee for disciplinary action. For purposes of assessing fines under this paragraph, the latest signature date of seller(s) shall be used as the initial assessment date.

900.20 Incomplete or Omitted Listing Information

After a 24 hour verbal, email or written notice has been issued by Association Staff stipulating incomplete or omitted information that is "REQUIRED" by any listing form, a fine of \$5 per item for each item not corrected shall be assessed against the Designated Broker of the listing company.

900.30 Entering Status Changes Into The System

- A. Required within 24 hours of any status change. (Includes all status changes, i.e. Active-Contingent Remove, Pending-Taking Backup, Pending, Sold, Temporarily Off-Market, Back On Market, Cancelled, removal of or resolved contingencies, etc.).
- B. A fine of \$50 shall be assessed against the Designated Broker for any listing status change not entered into the system within the required 24 hour period. After a 24 hour verbal, email or written notice has been issued by the Association Staff, an additional \$100 fine shall be assessed against the Designated Broker for failure to correct the discrepancy. Failure to make the correction or to pay the fine as stated in Section 900.80 hereof shall be cause to refer the matter to the MLS Committee for disciplinary action.
- C. After a 24-hour verbal, email or written notice has been issued by Association Staff, a fine of \$10 shall be assessed against the Designated Broker of the listing company for each incomplete or omitted item of information entered in a status change (such information to include selling price, selling office, selling agent, etc.).

900.40 Photos In The System

Unless an exclusion is requested in writing by the owner(s) of a property, a minimum of one (1) photograph, floor plan, artist's rendering, survey map, etc. shall be submitted for each residential, vacant land, commercial, or timeshare/fractional ownership listing entered into the system. Failure to submit such photograph, floor plan or artist's rendering within 5 days of entering the listing shall

cause the Designated Broker to be assessed a fine of \$50. Failure to pay such fine in accordance with Section 900.80 shall be cause to refer the matter to the MLS Committee for disciplinary action. (Amended 02/22/2012)

900.41 Unauthorized Copying of Media or Data

Media, photos and/or data may not be copied from another's listing without written consent from the listing Broker. Unauthorized copying of media or data, including photos, Marketing Remarks, videos or any other portion of another's listing data is strictly prohibited and may include the following fines:

- First offense: Member will be given verbal, email or written notice that fines will be charged for future violations.
- Second offense: \$200.00
- Third offense: \$500.00
- Fourth offense: \$1000.00

900.43 Removal of Listing Content

Accurate listing content, including photos, media and data, that is valuable for appraisals and comparables, that has been entered into the MLS, may not be removed from any listing before or after closing for any reason such as, but not limited to, a protection against unauthorized copying or as requested by the seller or owner, unless authorized by the Executive Vice President. See MLS Rules and Regulations, *Ownership of MLS Compilation and Copyrights, Section 11*. A violation may include the following fines:

- First offense: Member will be given verbal, email or written notice that fines will be charged for future violations.
- Second offense: \$200.00
- Third offense: \$500.00
- Fourth offense: \$1000.00

900.45 Virtual Media & Links

The only place in our MLS system where members may place links to virtual tours or other imbedded links to automatically loading and/or dynamic graphics is in the virtual tour portion of the MLS system. All other fields will be text fields to preserve the integrity and responsiveness of the system for all members, and imbedded links will not be allowed. (adopted 10/02/07)

900.50 Enforcement

Enforcement of these provisions shall be commenced by a member notifying the Association office or by Association Staff. Staff shall not be obligated to examine or track listings and status changes for the purpose of implementation of this section.

900.60 Waiver of Fines / Penalties

The Executive Vice President may waive any of the fines and penalties stipulated herein provided that sufficient cause is provided to show that there were extenuating circumstances.

900.70 Appeal of Fines / Penalties

Any fine or penalty assessed may be appealed by written request directed to the MLS Chairman through the Executive Vice President. Such appeal shall be heard by the MLS Committee at its next scheduled meeting.

900.80 Due Date of Fines / Penalties

Fines and penalties assessed under this Section shall be due and payable within 5 business days after billing. Unless the Designated Broker chooses to appeal, the MLS services for the Designated Broker's entire company shall be suspended if fines and penalties are not paid within 10 days from the billing notice. In the event of an appeal denial by the MLS Committee, suspension shall become effective if fines and penalties are not paid within five days of the hearing date.

MLSPOLICIES - Revised 09/19/2018