

The National Association of REALTORS has required all Multiple Listing Services to adopt and implement the Clear Cooperation Policy. This policy will be effective starting May 1, 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.

This means that if a property is listed in Auglaize, Clark, Champaign, Logan, Mercer, Miami or Shelby County; the listing must be entered into the WRIST MLS within one business day of any public marketing (Commercial and mobile homes without land not included).

FAQs:

Can a seller or the listing broker “opt out” of the policy’s obligations? No. Any listing that is “publicly marketed” must be filed with the service and provided to other MLS Participants for cooperation within (1) one business day.

What is the meaning of “business day?” Business days exclude Saturdays, Sundays and holidays. The NAR MLS Advisory Board specifically revised the policy’s timeframe due to concerns with enforcement to provide greater flexibility for days when submitting the listing to the service could be a challenge. For consistency among all REALTOR® Association MLSs, the approved timeframe is 1 business day.; “holidays” include all recognized federal and state holidays.

Why was this policy approved? Brokers and MLSs from across the country asked NAR to consider policy that will reinforce the consumer benefits of cooperation. The

MLS creates an efficient marketplace and reinforces the pro-competitive, pro-consumer benefits that REALTORS® have long sought to support. After months of discussion and consideration within NAR's MLS Technology and Emerging Issues Advisory Board, this proposal was brought forth for the industry to discuss and consider, then approved by NAR's Board of Directors.

Does Policy Statement 8.0 prohibit office exclusives? No. "Office exclusive" listings are an important option for sellers concerned about privacy and wide exposure of their property being for sale. In an office exclusive listing, direct promotion of the listing between the brokers and licensees affiliated with the listing brokerage, and one-to-one promotion between these licensees and their clients, is not considered public advertising. Common examples include divorce situations and celebrity clients. It allows the listing broker to market a property among the brokers and licensees affiliated with the listing brokerage. If office exclusive listings are displayed or advertised to the general public, however, those listings must also be submitted to the MLS for cooperation.

Does Policy Statement 8.0 require listings to be submitted to the MLS if they are advertised to a select group of brokers outside the listing broker's office? Yes. "Private listing networks" that include more brokers or licensees than those affiliated with the listing brokerage constitute public advertising or display pursuant to Policy Statement 8.0. Listings shared in multi-brokerage networks by participants must be submitted to the MLS for cooperation.

Does Policy Statement 8.0 require a broker to turn in every listing to the MLS within 24 hours of signing the listing? No. MLSs have different local rules as to listing turn-in times (WRIST is 72 hours). If a listing is taken and is not yet ready to be marketed/shown, longer timelines for turn in may apply in local markets. If a listing is marketed to the public, however, Policy Statement 8.0's 24 hour turn-in timeline goes into effect.

What is the fine structure for non-compliance? First offense, warning. Second offense, \$500. Third and subsequent offenses \$1500.