



# Top MLS Rules to Remember

## PHYSICAL PROPERTY DESCRIPTION – PUBLIC

**\$100 Fine**

The "Property Description - Public" field is intended for property description only. Agents may not enter remarks related to the transaction such as available financing, cash back at closing, bonuses, upgrade incentives, upgrade allowances, etc. Agents may not enter contact information such as names, phone numbers, email addresses, website addresses, service provider information, the words FSBO or For Sale by Owner. Agents may not enter any other confidential information such as showing instructions or security codes. Please use the "Agent Remarks" field for the above referenced types of information.

## INSUFFICIENT NUMBER OF PHOTOS

**\$100 Fine**

Single-family, Townhouse/Condo, Multi-family, High Rise Condo and Residential Leases are required to maintain at least six unique images of each property listed in MLS. Lots and Acreage listings are required to maintain at least one photo of each listing. The required photo(s) must be added to the listing within 10 days of the list date unless written documentation, a "No Photo Submission Form" (HAR Form 324) requesting a photo not be submitted, is signed by the Seller and submitted to MLS via fax at 713-335-4222 or by email at MLSQA@har.com. Also, the "No Photo Form" can be used for NEW construction properties. It allows the listing agent to supply three photos, instead of a minimum of six photos. Entering one or two photos on listings that are not Lots or Acreage is expressly prohibited and subject to a fine of \$100. In addition to the requirements listed above, all property classes must include at least one photo of the actual property as is.

## INVALID PHOTOGRAPH AND PHOTOGRAPH DESCRIPTIONS

**\$250 | \$500 Fine**

Photos previously submitted by a Participant may not be used by other Participants on subsequent listings without written authorization from the copyright owner and may be subject to automatic fines. Photos and photo descriptions shall not contain financing terms or legible contact information such as names, phone numbers, email addresses or website addresses, including the use of embedded, overlaid, or digitally stamped information. Agents may not enter remarks related to the transaction such as available financing, cash back at closing, bonuses, upgrade incentives, upgrade allowances, etc. Only images of the listed property or its grounds are permitted. Although agents may submit floor plans, elevations and artist renderings, at least one photo must be of the actual property, whether the property is a vacant lot or partially built.

## LISTING AGREEMENT REQUIRED FOR ALL MLS LISTINGS

**\$1,000 Fine**

Before a listing can be entered in MLS, the listing Participant must have a listing agreement signed by the seller giving the listing Participant authorization to submit the listing to MLS. It is inappropriate to enter a FSBO listing where the listing Participant has not entered into an agency agreement with the seller. It is also against MLS rules to enter a listing that has been sold outside the MLS where the listing Participant did not have a signed listing agreement with the seller prior to closing.

## LISTING IN WRONG PROPERTY CLASS

**\$250 Fine**

Agents must enter each listing in the appropriately designated property class as defined below. Agents may not list in two property classes or an incorrect property class to gain additional exposure. Agents may not list personal property such as mobile homes in mobile home parks or manufactured homes that do not include the sale of the land under the home, these items are considered personal property. The MLS is intended for residential and transitional properties and are defined by the following classes:

- (a) **Class 1** - Single-Family detached residence on property. (Manufactured homes must include the sale of the land in order to be listed as a Single-Family detached residence. New Construction listings must have a building permit or approved building plan issued on the property before it can be listed as Single-Family detached.)
- (b) **Class 2** - Townhouse-Condominium. (Properties that are attached to another dwelling should be classified as Townhouse-Condominium.)
- (c) **Class 3** - Residential Lots. (Residential Lot listings should be vacant sites without an existing dwelling. Exceptions may include sites having an existing obsolete dwelling that makes no additional contribution to the total market value of the property and likely will be demolished by a buyer.)

(d) **Class 4** - Multi-Family properties of not more than 12 units. (Apartment complexes with more than 12 units are prohibited. Multi-Family listings must include the sale of the land and must be conveyed through a single deed in order to be listed as Multi-Family.)

(e) **Class 5** - Homes and Acreage residential in nature.

(f) **Class 6** - High Rise Condominiums. (Condominiums located in a building with four or more stories.)

(g) **Class 7** - Residential Leases.

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(g) **Class 7** - Residential leases.

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## **LISTING ENTERED IN MORE THAN ONE PROPERTY CLASS**

**\$100 Fine**

Properties are prohibited from being entered into MLS by more than one agent or in more than one property class at the same time, with the exception of properties that are both for sale and also for lease. This means a property CANNOT be listed as both Single Family and Lots; it must be listed as one or the other. If a property listing with your address and tax account number is currently listed in MLS in a "Withdrawn" status (W), it is considered to still have a valid listing agreement and is temporarily off the market. The existing listing agent must first "Terminate" (T) the listing or the listing must "Expire" (X) before the new listing can be added.

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## **AGENT REMARKS- PRIVATE**

**\$100 Fine**

The "Agent Remarks- Private" field is intended only for other MLS subscribers and is used to convey additional information related to the property listing. Agents may enter remarks related to the transaction of the listed property such as available financing, cash back at closing, upgrade incentives, upgrade allowances, etc. Agents may enter contact information such as names, phone numbers, email addresses, website addresses and showing instructions. Agents may not enter comments related to commission, bonuses or offers of cooperating compensation shall not be entered. Agents may not require use of a particular service provider or financial institution as a condition of sale. Agents may not enter any specific Title Company information into the MLS.

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## **INCORRECT TAX ID**

**\$100 Fine**

It is important to use the property Tax ID that is indicated on the Realist Tax property profile report. To ensure accurate tax information is entered, you should auto-populate the tax information at the time a new listing is entered into the MLS system. For best results, just enter the "Street Name" without words like Road, Ave., Blvd., etc., before clicking "Search." Once "Search" is selected, results should appear; click "Fill" next to the correct Tax ID. Auto-populating will automatically enter the property's Tax ID, legal description, subdivision, building and lot square footages into the new listing form. If the property is a new parcel and does not have a Tax ID assigned yet, you should enter NA for the Tax ID.

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## **INACCURATE ADDRESS (Street, City, Zip, or County)**

**\$100 Fine**

Make sure to use the address and city as defined by the US Postal Service. The following link will give you the USPS "Acceptable" city name by entering the listed property's zip code: <http://www.usps.com/zip4/citytown.htm>. Street directions (N, S, E, and W) should be entered in the "Street Direction" field, not the "Street Name" field. Items such as BTSA and \$\$ are prohibited in the address field. It is not necessary to enter street suffixes such as St., Rd., or Dr. unless it differentiates one street from another. Do not abbreviate the street name, if the street name exceeds the space provided just complete as much as possible.

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## **INACCURATE ADDRESS (Subdivision)**

**\$100 Fine**

Enter the subdivision as defined in the Realist Tax property profile or in the county tax rolls. Using an incorrect or nearby subdivision to increase exposure of the listed property is prohibited.

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## **INVALID PUBLIC DISPLAY PDF**

**\$100 Fine**

PDF's designated as "Public" shall not include any contact information such as names, phone numbers, email addresses, website addresses, agent photographs, logos or promotion for a closing service provider or any other peripheral service, with the exception of the listing firm's name. The focus of the PDF shall be of the subject property. Any links embed-

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ded in the PDF must link only to web pages related to the listed property and shall not contain any contact information mentioned above. Public PDF files shall not contain seller's disclosure documents, contracts or any other personal or confidential information. Agents may include floor plans, amenities of listed property and further property description details. Agents may not enter remarks related to the transaction such as available financing, cash back at closing, bonuses, upgrade incentives, upgrade allowances, etc.

## INACCURATE SCHOOL DISTRICT

**\$100 Fine**

Enter the school district as defined by school district boundaries for the subject property. Using an incorrect or nearby school district in order to increase exposure of the listed property is prohibited.

## SHOWING WITHOUT AN APPOINTMENT

**\$250 | \$1,000 Fine**

Appointments for showings and negotiations shall be conducted through the listing Participant except where the listing Participant gives the cooperating broker specific authority to contact the owner directly for showing. For everyone's security, never enter a home without an appointment unless indicated on the listing detail report. It's an extreme and difficult situation for homeowners who are surprised by strangers entering their home unexpectedly. **Note:** For violating MLS Rule 2 there is no (5) day period to correct the violation and a charge will automatically be assessed upon violation.

## DRIVING DIRECTIONS

**\$100 Fine**

"Directions" must contain driving directions that can be used to locate the property. If directions are to a model home or sales office, the listing agent must specify this information in the directions field. "See Agent" and "See Key Map" are not valid directions. Contact information such as names, phone numbers, email addresses, website addresses, service provider information, and the words FSBO or For Sale by Owner are not allowed. Agents may not enter remarks related to the transaction such as available financing, cash back at closing, bonuses, upgrade incentives, upgrade allowances, etc. If possible, start the directions from a major highway.

## INVALID OPEN HOUSE

**\$100 Fine**

Open houses submitted to multiple must designate a specific time and date the property will be available for viewing. "Broker" open houses must allow cooperating agents to preview the inside of the property; and if designated a "Public" open house must allow public access. Properties that do not allow access to the inside of the property shall not be submitted to multiple as an open house. Open houses designated as a "Public" open house shall not include in the comments section any contact information such as names, phone numbers, email addresses, website addresses, or promotion for a closing service provider or any other peripheral service.

## VIRTUAL TOUR CONTAINS CONTACT INFORMATION

**\$100 Fine**

Virtual tours or any accompanied audio descriptions shall not include any contact information such as names, phone numbers, email addresses, website addresses, agent photographs, logos or promotion for a closing service provider or any other peripheral service, with the exception of the listing firm's name. The primary focus of the tour shall be of the subject property. Links to galleries or other websites are prohibited.

## ESTIMATED CLOSED DATE IS IN THE PAST (Pending Fine Violation)

**\$100 Fine**

Once a contract is signed, the listing should be placed in one of the following pending statuses (PS, OP, or P); even if both parties agree to allow the seller to continue showing the property. Properties that have a signed contract but have contingencies or are available to show and accept back-up offers should be placed in "PS" (Pending Continuing to Show) status. Make sure to enter an "Estimated Closed Date." As the "Estimated Closed Date" approaches and it appears the sale is not going to close before the initial "Estimated Closed Date", the listing agent must adjust the "Estimated Closed Date" to the new expected closing date.

## INACCURATE ROOM DIMENSIONS

**\$100 Fine**

Agents should provide room dimensions, as accurately as possible, in the specified room dimension field. Entering inaccurate room dimensions such as 1x1 or 0x0, etc. is not allowed. The bedroom dimensions are required fields, even though they are not marked in blue on the edit form. Bedroom dimensions are dependent on the number of bedrooms entered. For example, a two-bedroom house would require dimensions for two bedrooms.

## **FAILURE TO REPORT SOLD OR PENDING STATUS**

**\$100 Fine**

Once a contract is signed, the listing should be placed in one of the following pending statuses (PS, OP, or P) within three days of the signed contract, even if there is a contingency or both parties agree to allow the seller to continue showing the property. Properties that have a signed contract but have a contingency or are available to show and take back-up offers should be placed in "PS" (Pending Continuing to Show) status.

All sales closed must be entered within three days of the actual closing/funding date. There are no exceptions to this rule, even if a buyer brings a contract with a provision indicating their desire to withhold the closing information. If the MLS is used to market the property, the sale must be reported.

**Note:** For violating MLS Rule 2.5 there is no (5) day period to correct the violation and a charge will automatically be assessed upon violation.

## **IMPROPER WITHDRAWAL OF LISTING**

**\$250 Fine**

A listing cannot be withdrawn, terminated or reported as expired to avoid reporting the sales price and closing information. All sales closed must be entered within 3 days of the actual closing/funding date. There are no exceptions to this rule, even if a buyer brings a contract with a provision indicating their desire to withhold the closing information. If the MLS is used to market the property, the sale must be reported.

## **WRONG SELLING AGENT**

**\$200 Fine**

When a listing is changed to a pending status or sold status, the listing agent must accurately identify the agent that brings the buyer as the "Selling Agent". If the "Selling Agent" that brings the buyer is not a MLS subscriber, you should enter "Nonmls" as the "Selling Agent." For the listing agent incorrectly entering him or herself as the "Selling Agent" a \$200 fine shall automatically be assessed.

## **FALSE OR MISLEADING INFO**

**\$100 Fine**

Submission of false or misleading information to MLS is a violation. Agents may not enter commercial property that cannot be used as a residence. Manufactured homes that do not include the sale of the land under the home are prohibited. This violation type is also used for all other false or inaccurate information that is entered in MLS and not covered by other MLS rules.

## **FAILURE TO FILE WITHIN THREE DAYS**

**\$100 Fine**

All listings must be entered into MLS within three days of a signed listing agreement that indicates the seller wishes to utilize MLS. A signed listing agreement is required for each listing entered in MLS. All changes in listing price or status must be approved in writing by the seller. The list date entered should be the "Commencement Date" of the listing agreement.

## **PRIVATE ID SHARING**

**\$500 | \$1,000 Fine**

Please keep your "Private ID" confidential. It is not to be shared with other agents, technology vendors or customers and clients. Each private ID shall not be loaned, shared, disclosed, or allowed to come into the possession of any other person, except for the broker Participant, manager and/or administrator in that person's real estate company.

## **SUPRA KEY SHARING VIOLATION**

**\$500 | \$1,000 Fine**

Each Supra Key and PIN Code shall not be loaned, shared, or allowed to come into the possession of anyone other than the assigned key holder. A Supra key holder who violates this rule shall be subject to fines and punishment as follows: first offense - \$500; second offense - \$1,000; and third offense - revocation of Supra Key.