

A hand holding a blue and silver pen over an open notebook. The background is a light, neutral color with a subtle gradient. A solid blue square is in the top-left corner.

CRMLS RULE CHANGES

JANUARY 1, 2023

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Citation Policy Changes:

New violation for Rule 11.5(d)- A new violation for Rule 11.5(d) will be added to the Citation Policy. This item addresses inadvertent “double watermark” cases. Specifically, when a listing agent/broker is using photos in a listing that belong to another agent/broker, and sufficient written permission has been obtained from the previous listing agent/broker prior to use, BUT the agent/broker mistakenly uses a watermarked photo instead of obtaining the originals or non-MLS copies of the photos resulting in a double watermark on the listing photos, such a violation will be subject to a warning and, if a citation does issue, a reduced fine amount of \$100.

Removal of violations for Rules 4.1-4.4- Violation line item for Rules 4.1-4.4 (Non-completion of Required MLS Orientation Program Within Set Time) will be removed from the Citation Policy.

Rules and Regulations Changes:

Addition of new:

Rule 14.6- Abusive Conduct- Participants or Subscribers shall not engage in abusive conduct towards MLS or Association staff at any time in any interaction by any method of communication. Abusive conduct includes, but is not limited to, issuing threats or intimidation, using profanity or insulting language, harassment, bullying, coercion, shouting or otherwise behaving in a manner that creates apprehension in the recipient of the conduct.

Note that this new rule will not appear on the Citation Policy as an enforcement item.

Revisions to:

Rule 7.18.3- Auction Listings- One additional subsection will be added to this rule as follows:

Auction Listings. Only auction listings which comply with these MLS Rules and Regulations, including, but not limited to Sections 7.12 and 7.13, may be submitted to the Service. Auction listings entered into the MLS system shall have listing contracts as required under these Rules, be clearly labeled as auction listings, and provide all the terms and conditions of the auction. Reserve auctions are not permitted on the MLS. Auction listings shall further specify the following:

- a) The list price, which shall be seller’s minimum acceptable bid price;
- b) The date, time and place of the auction;
- c) All required procedures for Buyer’s Broker to register their representation of a potential bidder;
- d) The amount of the buyer’s premium, if any;
- e) The time or manner in which potential bidders may inspect the listed property;
- f) Whether or not the seller will accept a purchase offer prior to the scheduled auction;
- g) Any other material rules or procedures for the auction; and

h) Upon acceptance of any bid that concludes the auction such that no additional bids are accepted, the listing status shall be changed to Pending.

Subsections (b) through (h) above shall not appear in a listing's Public Remarks.

Rule 12.5- Misuse of Public Remarks- This rule will be revised to read as follows:

Misuse of Public Remarks. Information in the public remarks shall only relate to the description, features and condition of the property and related amenities. The following types of information may not be included in the public remarks:

- Contact information of any kind;
- Branded (as defined in Rule 11.5(e)) content;
- Links to external websites of any kind, including but not limited to, agent or broker sites, video tours, virtual showing or open house tools, vendor sites, or offer submission/application/auction platforms;
- Showing instructions or open house information;
- Information regarding lockboxes, alarms, gate or other security codes, or occupancy status of the property (a statement that the property shall be delivered vacant is not a violation of this section).
- Information deemed to create an unsafe or unsecure circumstance related to the listed property, property occupants, real estate practitioners, or the public;
- Information directed toward agents or brokers, including but not limited to, references to compensation or bonuses;
- Solicitations or invitations for the public to contact the listing agent or broker or any third parties affiliated with the listing agent or broker, and;
- Content that violates Fair Housing law or that is deemed discriminatory, illegal, defamatory, offensive, or otherwise inappropriate. CRMLS reserves the right to remove and issue citations for any inappropriate content.

By submitting remarks to the MLS, Participant and/or Subscriber represents and warrants he or she has the authority to grant, and hereby grants the MLS and the other Participants and Subscribers the right to reproduce and display the remarks in accordance with these rules. Copying of remarks by a subsequent listing agent for use in his or her own listing requires prior written authorization from the originating listing agent or other appropriate party with the legal right to reproduce and display such remarks.