

8.0

NAR CLEAR COOPERATION POLICY

“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.”

HOW NAR MLS POLICY IS MADE:

[NAR Emerging Trends & Technology Committee](#) -> [NAR MLS Issues and Policies Committee](#) -> [NAR Board of Directors](#)

WHY the POLICY?

For years The National Association of REALTORS® (NAR) has been tracking the erosion of cooperation among MLS Participants/Subscribers. This erosion seems to be provoked by actions that benefit the REALTOR® over their Seller's needs and is a blatant violation of the REALTOR's® ethical and MLS cooperation obligations.



This policy is intended to reintroduce the important role Cooperation plays in ensuring and facilitating the competitive nature of organized real estate. This vital process of competition has been shown to be exceedingly pro-consumer. The policy comes at a time when some have been and are currently innovating the death of the organized real estate marketplace. This policy has been endorsed by NAR legal counsel and passed with overwhelming majorities in the policymaking process.



Fair Housing: By not disseminating listings through the broad exposure of the MLS, some are choosing to exclude in favor of “Exclusive” networks or focused advertising. This leads to a concern that many protected classes of buyers are not allowed equal opportunity at homes that other buyers are afforded. For more on this, check out social media using: #PutItOnTheMLS

IMPLEMENTATION

- NAR has mandated that MLSs implement this policy no later than go into effect on May 1, 2020.
- Metro MLS will implement 8.0 Clear Cooperation Policy on March 1, 2020 with enforcement beginning on March 15, 2020.



Does this policy change the mandatory submission date for all listings entered into the MLS?

NO.
Members of Metro MLS still have 48 hours to enter new listings in the Flex MLS system.

Does this policy prevent an agent from taking a listing that is Excluded from the MLS?

NO.
If a seller expresses concern over protecting their privacy, and does not want their property to be distributed by the MLS, an agent may exclude that listing from the MLS as long as the proper MLS Exclusion form is submitted to Metro MLS. While the property is excluded, it cannot be publicly marketed.

What you need to know if you Exclude a property:

While a property is excluded, it cannot be publicly marketed, however, it can be shown. If you and/or your Seller wish to start marketing the excluded property that is allowed – as long as the property is submitted into Metro MLS within one business day of marketing. It is important to note that if you decide to start marketing an excluded listing, and subsequently input that property into Metro MLS, that the listing will show the Days on Market (DOM) that the property has been under contract for.

Will the Delayed Status be impacted by this policy change?

Yes. Beginning March 1, 2020, the maximum number of days a property is allowed in Delayed Status will increase from fifteen days (15) to twenty-one days (21). Metro MLS strongly suggests you utilize this status if the Seller requires more time to prepare that property for the active market. You may market the property while it's delayed; however, you cannot show it under any circumstances. Also, the property will not accumulate Days on Market while it's in the Delayed status.

IT IS IMPORTANT TO HAVE A CLEAR UNDERSTANDING OF THIS POLICY. IF A METRO MLS PARTICIPANT (BROKER/MANAGER) OR SUBSCRIBER (AGENT) VIOLATES THE CLEAR COOPERATION POLICY, THEY WILL BE SUBJECT TO THE FOLLOWING FINE STRUCTURE/CORRECTIVE ACTION:

If a property is publicly marketed and NOT included in MLS within one business day Agent will receive

First Incident:	\$1,000/day fine.
Second Incident:	\$2,000/day fine
Third Incident:	\$5,000/day fine
Fourth Incident:	Previous fine, plus suspension of MLS Services for Agent for no less than 30 days.

Continued abuse could lead to suspension of MLS Services to MLS Participant (Broker) and office. Broker reserves the right to release violating Agent from office to avoid this level of corrective action.

**This policy applies to listings that are considered required MLS submission property types. These required property types are Single-Family, Condos, Two-Family, Multi-Family, and Vacant Land.*