

EXCLUDED LISTINGS PROCEDURES

STEPS TO FOLLOW FOR METRO MLS

You must submit two documents via email or fax to Metro MLS within 48 hours from the Term of the Contract date, excluding federal holidays.

The two documents are:

The listing contract.

Request to be Excluded from Metro MLS form. Find this form by visiting MetroMLS.com (MLS>MLS Forms & Profile Sheets>Exclusion Form). Please cite the exclusion reason.

Excluded listings will cost the participant \$50. If the listing is later approved for publication after the property is sold and all required sale details are submitted, the participant will get a \$20 credit.

The only permissible intended purpose of a seller excluding a property from the MLS is to allow privacy and provide additional confidentiality. Offices will be billed at the current rate for any excluded listings violations. Note: TrustFunds is not available with excluded listings.

MLS must be notified via email/phone of any changes to the status of an excluded property. Examples include transaction closed or property being listed as part of the MLS compilation.

WHEN AN EXCLUDED LISTING SELLS DURING EXCLUSION

Metro MLS must be notified via email or phone within 24 hours of closing.

Metro MLS will reply with the following message: "We have removed this property from the Excluded Status. **You have the option of entering this property into MLS for comp purposes only.** Notify MLS of the MLS # of the comp listing and we will credit \$20 of the Excluded listing Fee."

For listings that sell as an excluded listing, agents have two options:

1. Notify Metro MLS that the excluded listing has closed and that you **do not** want it entered into the MLS. You **will not** receive the \$20 credit.
2. Notify Metro MLS by phone or email before entering it into the MLS. Use the current excluded listing contract and enter it into the MLS as "Sold" within 24 hours after closing. Upload the listing contract under Documents. **Note in the private remarks, "Sold as an excluded listing."** The contract date from the listing contract will be the same listing date in the MLS and Days on Market will accumulate.

WHEN AN EXCLUDED LISTING GOES LIVE ON THE MLS

You have two options for when an excluded listing goes live in the MLS:

1. **Notify Metro MLS by phone or email before entering it in the MLS.** Use the current excluded listing contract and enter it into the MLS as "Active" or "Delayed" within 24 hours. *The contract date from the listing contract will be the same listing date in the MLS and Days on Market will accumulate.*
2. Expire the current excluded listing contract and execute a new listing contract. **Amendment to expire the excluded listing contract must be emailed to Metro MLS** at admin@metromls.com before entering it in the MLS. Enter it as "Active" or "Delayed" with the new listing contract. Days on Market will begin at this point.





SELLER ADVISORY AND AUTHORIZATION TO EXCLUDE LISTING FROM MULTIPLE LISTING SERVICE Inc.

Property Address (Please print clearly): _____

City: _____ **ZIP:** _____

*** The intended purpose of a seller excluding a property from MLS is to allow privacy and provide additional confidentiality. Excluding a listing from MLS is NOT to participate in the listing agent's marketing strategy. Excluding a property from MLS does not alleviate an Agent's responsibility to cooperate with fellow REALTORS®. Listing agents found abusing intended use of MLS Exclusion practices could be assessed liquidated damages by Metro MLS. ***

1. **Multiple Listing Service Inc. (Metro MLS)** maintains a multiple listing service (MLS) for the benefit of its participants and subscribers who agree to abide by its MLS Rules and Terms of Service. Listing information submitted to the MLS describes the property, price and other terms and conditions under which a seller's property is offered for sale, including but not limited to the listing broker's offer of compensation to other brokers. These listings are available to all Metro MLS participants and subscribers and their potential buyers through its subscription website, Broker IDX Display websites, as well as to the general public through its public website and (if permitted by Seller) third party real estate websites that receive MLS data from Metro MLS. Such listing information may also be submitted as a reciprocal listing with WIREX or accessed by real estate practitioners who belong to other MLS's that have reciprocal agreements with Metro MLS.

2. **Authorization Required to Exclude Property from Metro MLS.** MLS Rules require all real estate agents and brokers who are participants in the MLS to submit to Metro MLS all their exclusive right to sell and exclusive agency listings located in Metro MLS' territorial jurisdiction, within 48 hours from the start term of the listing agreement. However, a seller may refuse to permit the listing to be disseminated by Metro MLS, in which case the listing broker must submit to Metro MLS within 48 hours this certification, signed by the seller and the broker.

3. **NOTICE AND ACKNOWLEDGMENT. BY EXCLUDING SELLER'S PROPERTY FROM THE MLS, SELLER ACKNOWLEDGES THE FOLLOWING (SELLER MUST INITIAL EACH):**
 - (A) **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."* THIS POLICY NOT ONLY APPLIES TO ACTIONS TAKEN BY MLS PARTICIPANTS/SUBSCRIBERS, BUT ALSO TO ANY ADVERTISING ACTIONS TAKEN BY THE SELLER(S); _____

 - (B) **SELLER'S PROPERTY WILL NOT BE INCLUDED IN THE MLS DATABASE AVAILABLE TO REAL ESTATE AGENTS AND BROKERS WHO SUBSCRIBE TO METRO MLS' SERVICE AND THEIR BUYER CLIENTS, NOR TO THE GENERAL PUBLIC THROUGH METRO MLS' PUBLIC WEBSITE;** _____

 - (C) **METRO MLS WILL NOT MAKE AVAILABLE INFORMATION ON SELLER'S PROPERTY TO OTHER REAL ESTATE WEBSITES USED BY THE GENERAL PUBLIC TO SEARCH FOR PROPERTIES FOR SALE;** _____

 - (D) **REAL ESTATE AGENTS, BROKERS AND MEMBERS OF THE PUBLIC CONSEQUENTLY MAY BE UNAWARE OF THE AVAILABILITY OF SELLER'S PROPERTY OR THE TERMS AND CONDITIONS UNDER WHICH SELLER IS MARKETING THE PROPERTY; AND** _____

(E) THE REDUCTION IN EXPOSURE OF SELLER'S PROPERTY TO OTHER REAL ESTATE OFFICES AND PROSPECTIVE BUYERS MAY REDUCE THE NUMBER OF OFFERS AND ADVERSELY IMPACT THE PRICE OR TERMS SELLER RECEIVES. ____

(F) IF THE DECISION IS MADE TO PUBLICLY MARKET THE PROPERTY, LISTING AGENT MUST INPUT THE PROPERTY INTO THE MLS COMPILLATION WITH 1 (ONE) BUSINESS DAY FOR DISSEMINATION TO THE MARKET. ____

Seller understands the above, and instructs Real Estate Agent *not* to submit the Property to Metro MLS for inclusion in the MLS for the following reason(s): _____

Seller certifies that Seller understands the consequences of excluding his/her property from Metro MLS. By signing below, Seller acknowledges that Seller has read, understands, accepts and has received a copy of this authorization.

Seller Signature: _____ **Date:** _____

Seller Signature: _____ **Date:** _____

Listing Agent Signature: _____ **Date:** _____

Office met.ID: _____ **Office Name:** _____

Listing Agent Name (Please print clearly): _____ **Phone Number: (____) _____**

Listing Agent met.ID: _____

AUTHORIZATIONS WITHOUT THE SIGNATURE OF THE LISTING AGENT WILL NOT BE ACCEPTED

This form must be submitted with a copy of the Listing Contract within forty -eight (48) hours of the start term of listing date. Additionally, an exclusion fee will apply, see Section 6 of the MLS Rules.

****If there is a change to the excluded status of this listing you must notify Metro MLS at admin@MetroMLS.com**

MLS Use Only: Approved By: _____ Billed Date: _____ MLS #: _____

Return form to Metro MLS Administration Department: Fax 414-778-6143 or email admin@MetroMLS.com