

Multiple Listing Service

***MLS***

# **MLS ORIENTATION**

**BAYEAST**  
ASSOCIATION OF REALTORS®

# MLS RULES

- Who writes these rules?
- How are violations submitted?
- How can I get a copy?

# NON-COMPLIANCE OF MLS RULES



- Can result in fines
- Make sure you know the rules

## **7.5 MANDATORY LISTINGS FINED FOR FIRST NON-COMPLIANCE**

Listings are required to be submitted to the MLS within three (3) days after all necessary signatures of the seller(s) have been obtained.



## **7.6 EXEMPTED LISTINGS FINED FOR NON-COMPLIANCE**

If the seller refuses to permit the listing to be disseminated by the service, the listing broker shall submit to the MLS within three (3) days a certification signed by the seller that the seller does not authorize the listing to be disseminated by the service.

# SECTION 7.6 MLS RULES



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## SELLER'S INSTRUCTION TO EXCLUDE LISTING FROM THE MLS (Multiple Listing Service)

According to MLS Rules, Section 7.6, this form must be submitted to the Association/MLS office within 3 days.  
FAX (925) 730-0266 or email [mls@bayeast.org](mailto:mls@bayeast.org)

This waiver is being submitted for Property located at: \_\_\_\_\_

Listing Agreement Date: \_\_\_\_\_ Listing Expiration date: \_\_\_\_\_

Property listed with following firm: \_\_\_\_\_

1 **EXPOSURE TO BUYERS THROUGH MLS:** Listing property with an MLS exposes a seller's property to all real estate agents and brokers who are participants or subscribers to the MLS, all real estate agents and brokers receiving access to the MLS by way of an MLS reciprocal agreement, and potential buyer clients of those agents and brokers. The MLS may further transmit the MLS database to Internet sites that post property listings online, including national compilations of properties for sale (such as Realtor.com) and possibly even international compilations of properties for sale (such as worldproperties.com).

2 **CLOSED/PRIVATE LISTING SUBGROUPS OF CLUBS:** The MLS provides broad exposure for listed property. Closed or private listing clubs or subgroups are not the same as the MLS. They are accessible to a more limited number of licensees and generally offer less exposure for listed property. Whether listing property through a closed, private network – and excluding it from the MLS – is advantageous or disadvantageous to a seller, and why, should be discussed with the seller's listing agent.

3 **IMPACT OF EXCLUSION OF PROPERTY FROM MLS:** If Property is excluded from the MLS, Seller understands and acknowledges that: (a) real estate agents and brokers from other real estate offices who have access to that MLS, and their buyer clients, may not be aware that Seller's Property is offered for sale; (b) information about Seller's Property will not be transmitted to various real estate Internet sites used by public to search for property listing; (c) real estate agents, brokers and members of the public may be unaware of the terms and conditions under which Seller is marketing the Property; and (d) the reduction in exposure of the Property may lower the number of offers made which may adversely impact the sales price.

4 **SELLER OPT-OUT:** Seller certifies that Seller understands the implications of not submitting Property to the MLS and instructs Broker as following (Check one):

- A. ☐ Do not submit Property to the MLS Until \_\_\_\_\_ (DATE MUST BE ENTERED) or  
B. ☐ Do not submit Property to the MLS during the entire listing period

By signing below, Seller acknowledges that Seller has read, understands, accepts and has received a copy of this waiver form

Owner/Seller: \_\_\_\_\_ Date: \_\_\_\_\_

Owner/Seller: \_\_\_\_\_ Date: \_\_\_\_\_

Listing Agent: \_\_\_\_\_  
Print Name Signature

Listing Agent Phone #: \_\_\_\_\_ Listing Agent Member #: \_\_\_\_\_

Listing Broker: \_\_\_\_\_  
Print Name Signature

Listing Broker Phone #: \_\_\_\_\_ Listing Broker Member #: \_\_\_\_\_

No substitute waiver form may be submitted other than C.A.R. "SEL" (Seller Instruction to exclude listing from the MLS) Form

## SECTION 7.6 MLS RULES

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- A. ☐ Do not submit Property to the MLS Until \_\_\_\_\_ (**DATE MUST BE ENTERED**) or  
B. ☐ Do not submit Property to the MLS during the entire listing period

**By signing below, Seller acknowledges that Seller has read, understands, accepts and has received a copy of this waiver form**

Owner/Seller: \_\_\_\_\_ Date: \_\_\_\_\_

Owner/Seller: \_\_\_\_\_ Date: \_\_\_\_\_

Listing Agent: \_\_\_\_\_  
Print Name Signature

Listing Agent Phone #: \_\_\_\_\_ Listing Agent Member # \_\_\_\_\_

Listing Broker: \_\_\_\_\_  
Print Name Signature

Listing Broker Phone #: \_\_\_\_\_ Listing Broker Member # \_\_\_\_\_

No substitute waiver form may be submitted other than C.A.R. "SEL" (Seller Instruction to exclude listing from the MLS) Form

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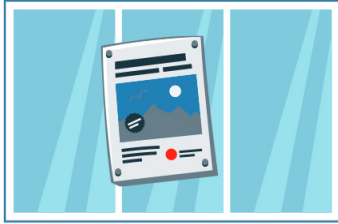


## **SECTION 7.5.1 CLEAR COOPERATION**

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.

# WHAT IS CONSIDERED PUBLIC MARKETING?

Public marketing includes, **but is not limited to:**



Flyers in Windows



Yard Signs



Brokerage Website Displays  
(Including IDX and VOW)



Public Facing Digital Marketing  
(Including Social Media Posts)



Digital Communication  
Marketing



Multi-Brokerage Listing  
Sharing Networks



# 11.5 PHOTOGRAPHS

Front exterior photo is required  
to be added within one (1) day.



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# **10.1 – 10.3 STATUS CHANGES FINED FOR NON-COMPLIANCE**

- Listing broker shall submit any change in the original listing agreement to the MLS within one day after the authorized change is received.

- By submitting such changes to the MLS the listing broker represents that the listing contract has been modified in writing to make such change.

## 8.4 INPUT DEFINED

The data fields are to be used only for the information specified (on the Input Sheet) for that data field.



## **7.2.1 LIMITED SERVICE LISTINGS**

## **7.2.2 ENTRY ONLY LISTINGS**



# 12.5 MISUSE OF REMARKS

## Public Remarks

- a. Information in the public remarks shall only relate to the marketing, description and condition of the property.
- b. No contact information is permitted, including names, phone or fax numbers, email addresses or branded website addresses (including virtual tours and transaction tracking URLs).
- c. No showing instructions are permitted, including references to lockbox, alarm, gate or other security codes, or the vacancy of the property. However, a statement that the property shall be delivered vacant is not a violation.
- d. No information directed toward real estate agents or brokers, including compensation or bonuses offered to cooperating brokers may be shown in public remarks.

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# 12.5 MISUSE OF REMARKS

## Confidential Remarks

- a. “For Comp Purposes Only” must appear in the first line of confidential remarks when a listing is entered for that purpose.
- b. References to codes, burglar alarm, security system, gate codes or combo lockbox code may only be placed in confidential remarks only with seller’s written permission.
- c. Caution: Title or escrow information may be entered in confidential remarks; however, participants/subscribers should note that any verbiage which implies a requirement to use a specific title company or escrow service may be a violation of RESPA. You are advised to seek legal counsel for specific advice when using such verbiage.

# SECTION 12.7 & 12.8

**12.8.1 Advertising of Listing in Printed Neighborhood Market Report.** Subject to the conditions set forth in (a) through (c) below, as well as throughout these Rules, Participants and Subscribers may include the listings of others in their printed “Neighborhood Market Reports.” The “Neighborhood Market Report” is defined as an advertising and/or information sheet (typically appearing in the form of a postcard, flier or newsletter) compiled by and/or for use by a licensee which sets forth a list of home activity in a particular neighborhood area. Advertising appearing in newspapers, magazines or other classified forms is not included in the definition of “Neighborhood Market Report” and is not authorized by this Rule 12.8.1.

**(a) Consent.** A listing broker may refuse to permit others to advertise his listing in the “Neighborhood Market Report” (i.e. “opts-out”) on a listing by listing basis. Participants and Subscribers are not permitted to include listings in their Neighborhood Market Report from which listing broker has opted out and will be responsible for verifying that they have permission to advertise all listings contained in their Neighborhood Market Reports. Nothing in this section shall preclude a Participant or Subscriber from including Sold Properties in their Neighborhood Market Report even if the listing broker has “opted out” (reference Rule 12.7).

**(b) Allowable Listing Content.** Broker Participants and R.E. Subscribers may include only those portions of the MLS compilation consisting of the following: property address (and whether attached or detached), status, price, number of bedrooms, number of bathrooms, number of garages (and whether attached or detached), square footage, lot size, year built, tract or development name, and if there’s a pool. Display of other fields, as well as confidential information and photographs, is prohibited.

**(c) Each “Neighborhood Market Report” shall include the following disclaimer:**

Based on information from the \_\_\_\_\_ /Association of REALTORS® (alternatively, from the \_\_\_\_\_ MLS) as of \_\_\_\_\_ (date the AOR/MLS data was obtained). All data, including all measurements and calculations of area, is obtained from various sources and has not been, and will not be, verified by broker or MLS. All information should be independently reviewed and verified for accuracy. Properties may or may not be listed by the office/agent presenting the information.



# 4. UNAUTHORIZED MLS ACCESS



- The participant is responsible for payment of all fees.
- If the participant or the licensee has not paid the imposed fee and the participant allows the licensee access to the MLS compilation, he is in violation of unauthorized access.
- Participants are required to notify the MLS within 10 days when accepting the affiliation of a new licensee.



# SUPRA KEY



iBox BT LE



eKey app for  
iPhone and  
Android



XpressKey

# SUPRA LOCKBOX



- Use of lockbox Key by someone other than registered key holder.
- Placement of lockbox without written authority of seller and tenants.
- Unauthorized entrance into a listed property (i.e. Failure to follow the showing instructions.)
- Failure to remove lockbox after close of escrow.

# MLS Mobile App



**213.739.8282**

