

7.5 Mandatory Submission. Within ~~3~~ 1 days ~~of marketing or advertising a property to the public after all necessary signatures of the seller(s) have been obtained on the listing or at the beginning date of the listing as specified in the contract, whichever is later,~~ on any exclusive right to sell or seller reserved listing agreement for the sale of ~~on~~ one to four-unit residential property and vacant lots located within the service area of the MLS, Broker Participants must input the listing to the service for cooperation with other Participants. Public marketing or advertising includes, but is not limited to, conveying or displaying any information about the property or its availability for sale through or on any: windows, signs, public facing websites, social media, brokerage or franchise operated websites (including IDX and VOW), digital communications marketing (ex: email, text or phone blasts, social media messaging), multi-brokerage or franchise listing sharing networks, flyers or written material or on any applications available to the public or through conducting an open house. The public would include anyone outside the broker(s) and agent(s) licensed within a single listing brokerage and their clients, as further described in Section 7.6. Only those listings that are within the service area of the MLS must be input. Open listings, rental listings or listings of property located outside the MLS's service area (see Section 7.7) are not required by the service but may be input at the Broker Participant's option. shall (1) ~~Input the listing to the service, or~~ (2) ~~Submit a seller signed exclusion in accordance with Section 7.6 (Exempted Listings) to the service.~~

~~All necessary signatures are those needed to create an enforceable listing, which generally means all named signatories to the listing agreement. In the event there are known additional property owners not made a signatory to the listing, listing broker shall disclose said fact on the service and state whether the listed seller will make the sale contingent on the consent of the additional property owners. In the event listing agent is prevented from complying with the 3-day time period due to seller's delay in returning the signed listing agreement, listing broker must submit the listing to the service within 3 days of receipt back from seller. The MLS may require listing broker to present documentation to the service evidencing seller's delayed transmission. Only those listings that are within the service area of the MLS must be input. Open listings or listings of property located outside the MLS's service area (see Section 7.7) are not required by the service but may be input at the Broker Participant's option.~~

For violation of this section, see Appendix A, Citable Infractions.

7.6 Exempted Listings. If the seller refuses to permit the listing to be disseminated by the service on any exclusive right to sell or seller listing agreement for the sale of one to four unit residential property and vacant lots located within the service area of the MLS, the listing broker shall submit to the service within 3 days after all necessary signatures of the seller(s) have been obtained on the listing agreement or at the beginning odate of the listing as specified in the contract, whichever is later, a certification signed by the seller stating that the seller instructs listing broker to do no public marketing or advertising (as public marketing or advertising is defined in Section 7.5), that the only scope of permissible promotion of the property will occur internally within the brokerage and consist of direct one-on-one communication between the listing broker and licensees affiliated with the listing broker and their respective clients (i.e. "office exclusive") and that seller refuses to ~~does not~~ authorize the listing to be disseminated by the service. C.A.R. Standard Form SELM and/or RLA may be used for this certification, but in any event, said certificate exclusion shall include the aforementioned required statements as well as an advisory to seller that, in keeping the listing off the MLS (1) real estate agents and brokers from other real estate offices, and their buyer clients, who have access to the MLS may not be aware seller's property is for sale; (2) seller's property will not be included in the MLS's download to various real estate internet sites that are used by the public to search for property listings; (3) 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 (4) any reduction in exposure of the listing property may lower the number of offers made negatively impact the sale price. In the event listing broker commences any public marketing or advertising on

an exempted listing, submission to the MLS for dissemination is required within (1) one business day thereafter in accordance with Section 7.5.

For violation of this section, see Appendix A, Citable Infractions.

10.1.1 Coming Soon Listings. It shall be the responsibility of the Broker Participant (Section 4.1.1) and Real Estate Subscriber (Section 4.2.1) to follow said rules when placing a property in the Coming Soon section of the multiple listings service (MLS). Broker Participant and Real Estate Subscriber shall only place a property in the Coming Soon section of the MLS if the Participant/Subscriber has met necessary criteria for MLS input as described Sections 7.5, 7.6 and 8.1.

Participant/Subscriber is required to enter a proposed list date to proceed in placing a listing in the Coming Soon section of the MLS. Once the listing moves from Coming Soon to any Active status it cannot revert back to Coming Soon.

FYI Only: Important information Surrounding Coming Soon Listings:

1. IT IS OPTIONAL TO PLACE YOUR LISTING INTO A COMING SOON STATUS.
2. The listing agent must have an active listing agreement in place to enter a Coming Soon listing.
3. ~~The listing agent is required to send the SELM (Seller Exclude Listing from the MLS) form to the MLS.~~
4. The Coming Soon listing will automatically be placed in a “Withdrawn Coming Soon” after 30 days of entry.
5. Coming Soon listing will not be syndicated out to other websites.
6. Coming Soon listing will not be included in the IDX and RETS feeds.
7. Coming Soon listing are only searchable within the Paragon MLS.
8. Once a listing has been moved from Coming Soon to Active status by the agent, it cannot revert to Coming Soon.

11.13 Participant Access and Entitlement to Their Own Listing Information; Data Portability. The Service must, upon request, promptly provide a Participant (or the Participant’s designee) a data feed containing, at minimum, all active MLS listing content input into the MLS by or on behalf of the Participant and all of the Participant’s off-market listing content available in the MLS system. The delivery charges for the Participant’s listing content shall be reasonably related to the actual costs incurred by the MLS. The data feed must be in compliance with the prevailing RESO (Real Estate Standards Organization) standards required by NAR MLS Policy. The Service will not limit the use of the Participant’s listing content by the Participant or the Participant’s designee.