

# RANW MLS Rules Detailed Index

## REALTORS® ASSOCIATION OF NORTHEAST WISCONSIN, MULTIPLE LISTING SERVICE, INC. RULES AND REGULATIONS

Approved by: The Board of Directors of REALTORS® Association of Northeast Wisconsin, Inc. and the REALTORS® Association of Northeast Wisconsin Multiple Listing Service, Inc.

### INDEX

- Section 1: Purpose..... 3
- Section 2: Participation/Qualification ..... 3
  - 2.1 Participation of Eligibility..... 3
  - 2.2 Participation Fee and Submission of Current Listings..... 4
  - 2.3 Transfer of Participation/Qualification .....
    - Transfer within a Company.....
    - Transfer to a New Legal Entity .....
    - Transfer Between Managers .....
    - Transfer Ownership of Member Company where the Legal Entity is the Same.... 5
    - Change in Ownership of Existing Company/Change in Legal Entity.....
    - Transfer in Case of Deceased Participants.....
  - 2.4 MLS Firm Re-Application Fee ..... 6
  - 2.5 Medical Leave Waiver .....
    - Subscribers .....
    - Participants with Agents.....
    - Participants who are Sole Proprietors .....
  - 2.6 Access by Unlicensed Subscribers/Appraiser Trainees/Apprentice Licensees.....
    - A. Appraiser Trainees .....
    - B. Unlicensed Subscribers (personal assistants, office personnel) .....
    - C. Apprentice Licensees.....
  - 2.7 Registration of Unlicensed Subscribers/Appraiser Trainees.....
  - 2.8 Access/Participation in Wisconsin Commercial Information Exchange (WCIE) .....
  - 2.9 Orientation/Computer Training.....
    - MLS System Training.....
    - Listing Input and Maintenance (LIM) ..... 7
  - 2.10 MLS Participant Office Administrator-Access ..... 7
- Section 3: Governance, Committees and Meetings..... 7
  - 3.1 Governing Body.....
  - 3.2 Committees .....
  - 3.3 MLS Committee.....
  - 3.6 Rules Enforcement Committee .....
- Section 4: Listing Procedures..... 8
  - 4.1 MLS Service and Mandatory-Listing Areas .....
  - 4.2 listing of All Real Estate Properties.....
    - A. Current Listings.....
    - B. Properties Required.....
    - C. Listing Content Defined.....
    - D. Listing History .....
    - E. Types of Properties .....
    - 1. Residential .....
    - 2. Duplex/Multi-Family .....
    - 3. Condo .....
    - 4. Vacant Land.....
    - 5. Commercial.....
  - 4.3 Filing and Reporting Procedures ..... 9
    - A. Listings that are Required to be Submitted to the RANW MLS.....
    - B. Clear Cooperation Submission Deadlines .....
    - C. Listings Exempted from MLS "Office Exclusives" .....
    - D. Active Listings with Delayed Showings "Coming Soon".....
    - E. Availability of Listed Property ..... 10
    - F. Penalties for Late Submission of Listings – Publicly Marketed.....
    - G. Penalties for Late Submission of Listings – NOT Publicly Marketed .....
    - H. Late Submission Allowances – Only for Listings NOT Publicly Marketed .....
    - I. Unconfirmed Listings Visibility .....
    - J. Days on Market .....
  - 4.4 Listing Agreements..... 11
    - A. Listing Contract.....
    - B. Signature of Seller .....
    - C. Exclusive Agency Listing Contracts .....

D. Seller's Authorization to Submit Property Listing to MLS .....	
E. Type of Listing Agreement .....	
F. HUD and REO Listing Agreements .....	
G. Listing Agreement Definitions .....	
a. Exclusive Right to Sell Listing.....	
b. Exclusive Agency Listing.....	
c. Other Listings.....	
H. Submissions of Co-Listings.....	
I. Named Exceptions.....	
J. No Control of Commission Rates or Fees Charged by Participants.....	12
4.5 Expiration, Extension, and Renewal of Listings.....	12
4.6 Termination Date on Listings .....	12
4.7 Listing Price Specified.....	12
4.8 Value Range Pricing.....	12
4.9 Limited Service Listings.....	12
4.10 Auction Properties.....	12
4.11 Offer Presentation Restrictions .....	13
4.12 Data, Remarks, Photo and Document Requirements.....	13
1. Required Data for Public Remarks.....	
2. Fair Housing Policy for All Remarks.....	
3. Required Photos.....	
4. Virtual Tours.....	14
5. Required Documents.....	
6. Required Documents and Optional MLS Attachments to Listings.....	
4.13 Incomplete and Incorrect Listings .....	14
1. Policy for Incomplete Listings.....	
a. No Listing Agreement.....	15
b. Missing or Incorrect Information.....	
c. Unconfirmed Listings.....	
2. Policy for MLS to Correct Data or Correct Placement of Data.....	
3. Fair Housing Policy for All Remarks.....	
4.14 Complaints Regarding Listing Data .....	15
4.15 Listings Subject to Rules and Regulations of the Service.....	15
4.16 Change of Status of Listing/Change of Contract.....	15
4.17 Contingencies Applicable to Listings – Reporting of “Offer Statuses” .....	15
Definition of Active Statuses .....	16
Active (A or ACT) .....	
Active Offer with Bump (AB) .....	
Active Offer with No Bump (AN) .....	
Active Offer with Bump-Show (ANS) .....	
4.18 Withdrawal of Listing Prior to Expiration .....	16
4.19 Pending .....	17
4.20 “DOM” Days on Market.....	
4.21 Sold “Closed Properties” .....	
4.22 Duplicate Listings .....	
4.23 Listing Multiple Unit Properties.....	
4.24 Listings of Suspended Participants.....	
4.25 Listings of Expelled Participants.....	18
4.26 Listings of Resigned Participants.....	
4.27 Listings of Deceased Participants.....	
4.28 Listings and MLS Systems Programs of Transferred Agents .....	
4.29 Communications – Unauthorized Use of Membership Data .....	
Section 5: Selling Procedures.....	18
5.1 NAR Policy 8.5 No Filtering Based on Compensation .....	
5.2 Showings and Negotiations.....	
5.3 Authorized Access to Properties.....	19
5.4 Timely Presentation of Offers.....	
Showing After Offer Received .....	
5.5 Submissions of Written Offers.....	
5.6 Right of Cooperating Broker in Presentation of Offer .....	
5.7 Right of Listing Broker in Presentation of Counter-Offer .....	
5.8 Reporting Solds to the Service.....	
5.9 Reporting Solds on Named Exceptions.....	
5.10 Reporting Resolutions of Contingencies.....	20
5.11 Reporting Cancellation of Pending Sale .....	
5.12 Disclosing the Existence of Offers .....	
5.13 Option to Purchase.....	
5.14 Electronic Consent for Email Delivery.....	
5.15 Seller Concessions.....	

	5.16 Buyer Concessions .....	
Section 6:	Refusal to Sell .....	20
Section 7:	Prohibitions .....	20
	7.1 Information for Participants Only .....	
	7.2 "For Sale" Signs .....	
	7.3 "Sold" Signs or Public Representation of a Sold .....	
	7.4 Solicitation of Listing Filed with the Service .....	
	7.5 Use of the Terms MLS and Multiple Listing Service .....	
	7.6 Services Advertised as "Free" .....	
	7.7 Unauthorized Use of Membership Data .....	
	7.8 (Also Section 5.1) NAR Policy 8.5 No Filtering Based on Compensation .....	
Section 8:	Division of Commissions .....	21
	8.1 Cooperative Compensation Specified on Each Listing .....	
	1. By Showing a Percentage of the Gross Selling Price .....	
	2. By Showing a Definite Dollar Amount .....	
	8.2 Short Sales .....	23
	8.3 Offers of Cooperative Compensation Related to Listings of REO (per NAR) .....	
	8.4 Participant as Principal .....	
	8.5 Participant as Purchaser .....	
	8.6 Dual or Variable Rate Commission Arrangements .....	
	8.7 Display of Listing Broker's Offer of Compensation .....	24
Section 9:	Service Fees and Charges .....	24
	9.1 Service Charge for MLS .....	
	a. Initial Participation Fee .....	
	b. Recurring Participation Fee .....	
	Agent Transfer or Termination .....	
	New Subscriber .....	
	c. Duplicate Listing Fee .....	
	d. Participant Data License Feed Fees .....	
	9.2 Subscriber Fee Waivers .....	
	9.2.1 Conditions for Waiver .....	
	9.2.2 Process for Obtaining and Maintaining Waivers .....	25
	9.2.3 Revocation of Waiver .....	
	9.2.4 Consequences of Repeated Violations .....	
Section 10:	Non-Payment of MLS Fees .....	25
	Payment Schedule .....	
	Disputed Fees .....	
	Repeated Late Payments .....	
	Partial Payments .....	
	Refunds .....	
Section 11:	Other Violations .....	26
	Submission of Listings – Timely and Accurate Data .....	
	11.1 Incomplete and Incorrect MLS Data .....	
	11.2 Photos Late/Missing Photos .....	27
	11.3 Late Listing Submission – Listings NOT Publicly Marketed .....	
	11.4 Late Listing Submission – Publicly Marketed Listings – Clear Cooperation .....	
	11.5 Contractual Changes .....	
	11.6 Late Sold Reports .....	
	11.7 Subterfuge of Listings Submission Rules .....	
	11.8 Damages and Continued Violations .....	
	11.9 Unauthorized Release of Information .....	
	11.10 Other Rules and Violations .....	28
Section 12:	Enforcement of Rules or Disputes .....	28
	12.1 Compliance with Rules-Authority to Impose Discipline .....	
	12.2 Compliance with Rules – Regarding Service Fees (See Section 10) .....	
	12.3 Consideration of Alleged Violations .....	
	12.4 Violations of Rules and Regulations .....	
	NAR Policy 7.21, Appeals .....	29
	12.5 Complaints of Unethical Conduct .....	
	NAR Policy 7.21, Complaints of Unethical Conduct .....	
	12.6 Complaints of Unauthorized Use of Listing Content .....	
	12.7 MLS Rules Violations .....	
	12.8 Complaints of Violations of Clear Cooperation Policy .....	
	12.9 Mediation .....	30
Section 13:	Lock Box System Provisions .....	30
	13.1 Lockbox Security Requirements – NAR .....	
	13.2 NAR Policy on Criminal Investigation for Lockbox Keyholders .....	
	NAR Factors Used in Determination of Request Re: Criminal Investigation .....	
	13.3 Lockbox Keyholders Previous Denial, Revocations, or Restrictions of Keys .....	

	13.4 Lockbox System Rules and Policy – RANW .....	30
	A. RANW Agreements .....	
	B. Audits .....	31
	C. Further Violations of Lockbox System .....	
	D Lockbox Sanctions .....	
	E. Lockbox System Use.....	
	1. Realtor® Keyholders .....	
	2. Affiliate Home Inspector Keyholders.....	
	13.5 Lockbox Cooperative Reciprocal Agreement(s) .....	
Section 14:	Confidentiality of MLS Information .....	31
Section 15:	MLS Not Responsible for Accuracy of Information .....	32
	15.1 Responsibility .....	
	15.2 Disclaimer of Warranty of Data Provided by MLS .....	
	15.3 Limitation of Liability for Data Provided by MLS .....	
Section 16:	Realtor Access to Comparable and Statistical Information.....	32
Section 17:	Ownership of MLS Compilations and Copyrights .....	32
	17.1 Copyright Listing Content.....	
	NAR Policy 7.85 Reference – Ownership of Listing Agreement.....	
	17.2 Digital Millennium Copyright Act – NAR Policy 7.99.....	33
	17.3 Photos or Other Copyright Content – Take Down Notices.....	
	17.4 Ownership of Compilation Copyright .....	
	A. Annual Click-Through Agreement.....	
	17.5 Display .....	
Section 18:	Use of Copyrighted MLS Compilations .....	33
	18.1 Distribution.....	
	18.2 Display .....	34
	18.3 Reproduction .....	
Section 19:	Use of MLS Information – Internet and Advertising .....	34
	19.1 Advertising of Listing Filed with the Service .....	
	19.2 Use of MLS Data on Internet .....	
	A. MLS Information .....	
	B. Data License Agreement.....	
	C. Electronic Display of Other Participants Listings (Non-IDX/Non-VOW).....	
	D. NAR Policy 8/8 Display of Listing Broker’s Offer of Compensation .....	35
	19.3 Source of Data in Advertising or Links.....	
	19.4 Limitation on Use of MLS & Sold Information & Comp Advertising Disclosure .....	
	19.5 RANW MLS Data Feeds and Syndication .....	
	A. NAR Policy 8.3 Right of Participant to MLS Data Feed of Listing Content .....	
	B. Data Feeds on Behalf of RANW MLS Participants Requirements.....	
	C. Requirements of Data Fields and Public Display .....	36
	D. Realtor.com and Homesnap .....	
	E. Opt-In Data Syndication Offered Through MLS.....	
	19.6 RESO and Real Estate Transaction Standards (RETS) .....	
Section 20:	Internet Data Exchange (IDX) .....	37
	20.1 IDX Defined/Use of MLS Data on IDX .....	
	20.2 Authorization.....	
	20.3 Participation .....	
	20.4 Notification .....	
	20.5 Security and Control .....	
	20.6 Exclusions.....	
	20.7 Timely Updates.....	
	20.8 Redistribution.....	
	20.9 Broker Identification.....	
	20.10 Any IDX Website(s) and Display(s) Controlled by a Participant (Subscriber) ..	38
	20.11 Means to Correct Data .....	
	20.12 Display (Content of IDX Display).....	
	20.12.1 Status and Data Fields .....	
	20.12.2 Listing Types.....	
	20.12.3 No Modification or Manipulation .....	
	20.12.3.1 Rules .....	
	20.12.4 Co-Mingling of Information .....	
	20.12.4(A) Franchise Company .....	
	20.12.5 Listing Broker Identification .....	
	20.12.6 Framing the RANW MLS IDX Internet Site .....	39
	20.12.7 Display by Agents .....	
	20.12.8 MLS Source of Information and Minimal Display .....	
	20.12.9 Disclaimers .....	
	NAR Policy 8.8 Required Disclaimer re: Compensation .....	
	20.12.10 Copyright.....	

	20.12.11 Consumer Search.....	
	20.12.12 The Right to Display .....	
	20.12.13 listing From Other Sources.....	
	20.12.14 Listing Statuses Prohibited.....	40
	20.12.15 Seller information Prohibited .....	
	20.12.16 Site Security.....	
	20.12.17 Audit Trail.....	
	20.12.18 Advertising on Site.....	
	20.13 License Agreement .....	
	20.14 Compliance.....	
	20.15 Service Fees and Charges.....	
Section 21:	Virtual Office Websites (VOW) .....	40
	21.1-21.24 VOW Website Rules .....	
Section 22:	Participant Data Return Firm-Specific Data Feed.....	43
	NAR Policy 8.3 Right of Participant to MLS Data Feed of Listing Content.....	
Section 23:	Broker Back-Office Feed .....	43
	23.1 BBO Data Defined.....	
	23.2 BBO Use Defined.....	44
	23.3 BBO Use by Participant.....	
	23.4 No Opt Out.....	
Section 24:	Participant Valuation Data Base.....	44
	24.1 Participant Valuation Defined.....	
	24.2 Valuation Vendor .....	
	24.3 Provision of Participant Valuation.....	
	24.4. Eligible Registrants.....	
	24.5 Registration Email Address.....	
	24.6 Terms of Use .....	
	24.7 Rights Limited to Participants.....	45
	24.8 Standard of Care and Display .....	
	24.9 Compliance Checking .....	
	24.10 No Disclosure of Confidential Data .....	
	24.11 Display Requirements .....	
Section 25:	One Data Source.....	45
Section 26:	Terms and Conditions of Access to RANW MLS Website .....	46
Section 27:	Changes in Rules and Regulations.....	47
Section 28:	NAR Standard MLS Logo .....	47
Section 29:	Definitions, Rule Guidelines and Clarifications .....	48
	RANW .....	
	MLS .....	
	Board of Directors .....	
	MLS Office .....	
	MLS Staff.....	
	Broker or MLS Participant.....	
	Appraiser Trainees.....	
	Office Administrator – Secretary/Office Personnel.....	
	Personal Assistant License or Unlicensed .....	
	Access.....	
	Shall .....	
	Public Marketing.....	
	Business Days .....	
	Property Types and Subtypes .....	
	Residential .....	49
	New Construction.....	
	Under Construction .....	
	To Be Build w/Lot.....	
	Hobby Farm.....	
	Farm.....	
	Zero-Lot-Line .....	
	Condominium.....	
	Multi-Family.....	
	Vacant Land.....	
	Commercial.....	
	Dual Property Types.....	50
	Property Location.....	
	Streets.....	
	Numbered Streets.....	
	Highway-Type Streets.....	
	Lot Numbers .....	
	Municipality .....	

Municipality-City Sub-area.....	
Municipality-City Sub-area Definitions .....	
City .....	51
Municipality and City.....	
School District Code # .....	
Waterfront.....	51
Riparian and Littoral Rights .....	
Waterfront image – as a photo .....	
Square Footage Guidelines .....	51
Finished space.....	52
Permanently Installed heat Sources .....	
Seasonal Dwelling.....	
Materials Generally Accepted for Interior Finished Construction .....	
Above-Grade Finished.....	
Below-Grade Finished .....	
Unfinished Space.....	
Contiguous Square Footage .....	
Non-Contiguous Square Footage .....	
Primary Structure-Dwelling.....	
Walk-Out .....	53
Finished Lower-Level Basement.....	
Full Bath .....	
Half Bath .....	
Bedroom .....	
Room Dimensions .....	
Split Bedroom .....	
Garage .....	
Building Types .....	
1-Story .....	
1.5 Story .....	
2-Story .....	
Bi-Level.....	
Multi-Level .....	
Tri-Level.....	
Quad Level .....	
Architectural Styles .....	
Other-Miscellaneous Fields .....	
Remarks.....	51
Private Remarks, Agent to Agent.....	
General Remarks, Public .....	
Inclusion and Exclusion Remarks .....	
Licensee Interest .....	54
Electronic Consent.....	
Deeded Access.....	
Restrictive Covenant.....	
PUD (Planned Unit Development) .....	
Lot Size .....	
Year Built Estimate .....	
Taxes and Annual Tax Updating.....	
Sources.....	
Features.....	
Data Requirements – Other.....	
Name of Listing Company.....	
Internet Display of Property Statuses.....	
MLS Property Displays .....	
Digital Millennium Copyright Act (DMCA) .....	
Confidential Fields.....	55
Private (Agent to Agent) Remarks.....	
Information for Showings-Private .....	
Other Confidential Fields .....	
Named Exceptions .....	
Variable Rate Commission .....	
Listings Codes.....	
Features of .....	
PDF Attachments to Listings Marked Private .....	
Expiration Date .....	
Statuses and Sold Reporting.....	
Days on Market (DOM).....	
Listing Visibility and Statuses in MLS.....	

	Unconfirmed .....	
	Confirmed .....	
	Types of Sale .....	
	Real Estate Owned (REO) .....	
	Short Sale .....	
	Court Ordered Sale .....	56
	Estate Sale or Estate Liquidation .....	
	Relocation Sale .....	
	Arm's Length .....	
	Non-Arm's Length Sale .....	
	Exposed to Open Market .....	
	Comp – Sold Only Listing .....	
	Seller Concessions .....	
	Cash Payment for Closing Cost and/or Pre-Paid .....	
	Seller Paid Points .....	
	Allowance .....	
	Interest Rate Buy-Down .....	
	Loan Assumption .....	
	New Construction Homes .....	
	Home Warranty Paid by Seller .....	
	Buyer Concessions Buyer Inducement .....	56
	Resources .....	57
	RANW MLS Required Forms .....	
	Limited-Service Form .....	
	Auction Property Form .....	
	Seller Authorization Form for Delay or Exclusion from MLS .....	
	Other Help Docs .....	
	Listing Maintenance (LIM) .....	
	MLS Data Compliance Standards Doc .....	
	Other Help Docs .....	
	ZipForms and Data Forms .....	
Section 30:	RANW MLS Contact Information .....	57
	Website .....	
	Paragon MLS System .....	
	Email Help .....	
	Other Email Addresses .....	
	Phone .....	
	Service Office .....	
	RANW – Use of Courier Sites .....	58

See Index Summary for Revision Dates