

**Sequim Association of REALTORS® Multiple Listing Service
Policies & Procedures
(Approved by Alan Millet, Attorney 04/2015)**

5/6/2003- Proxies are allowed if a written request is submitted from the Broker specifying another person to vote for them. This person should be from the absent Broker's office if at all possible. "Broker Only" offices are allowed to have an outside Agent/Broker vote for them if the Agent/Broker is a member of the Sequim Association of REALTORS®.

8/29/2000- An attendance of 50% is required to constitute a quorum for an MLS Committee meeting. This is required for scheduled meetings as well as special meetings.

2/14/2006- If disciplinary action against an agent is to be discussed at an MLS meeting, that person will be contacted and invited to participate. They are allowed a valid excuse for not attending the MLS meeting for one month, the discussion will take place at the second month's MLS Committee meeting whether this person is present or not.

9/01/2009- The nomination/appointment of the upcoming year's MLS Chairperson shall be held each year at the November MLS Committee meeting.

10/13/1998- Members showing property will insure the property is secured upon their departure (doors locked, etc.) unless instructed otherwise, or if property was found unsecured upon their arrival. Members guilty of the first such infraction will receive a letter of warning from the MLS Chair, through the member's Broker. Upon the Member's second infraction of this directive, a fine of \$50 will be levied by the MLS Committee and the money will be deposited in the MLS account. In the event of additional infractions, the MLS Committee shall have the option of reclaiming that Member's Supra Lockbox Key.

9/6/2005- The Listing Agent will be made aware of whether or not the Selling Agent will be present during inspections.

11/1/2005- When including an MLS number in an advertisement, the Olympt Listing Service MLS number must also be included.

02/03/2009- When Agents use SAR broadcast email, they must limit the information to a small amount of text, and hyperlink(s). Text only attachments may be sent but pictures are restricted.

There must be a Broker to whom an offer may be physically presented; this Broker must belong to the MLS.

2/3/2004- Secondary members may access the MLS if their office and all of its members join SAR, and pay all MLS and new office fees.

Signage

5/5/1998- Associates shall abide by the rules established by respective Home Owner's Associations (HOA) or the jurisdiction of the city, county and state governments regarding placement and removal of signs.

No Sequim Association of REALTORS® member shall remove another member's signs except to replace it with their Brokerage sign when the listing has changed companies.

No Sequim Association of REALTORS® member shall supply MLS information to the Home Owner's Associations for the purpose of their rule enforcement. The reasoning behind this statement is that the HOA should communicate with the property owner when questions arise concerning the market status of, or placing of signs on a property.

Complaints regarding signs should be addressed to a member of the Board. A Board appointed member will notify the Broker of the office of the complaint. The notified Broker will ensure that the sign will be taken down within 48 hours of closing of the property. Enforcement of this policy shall be the responsibility of the Brokers comprising SAR. The Brokers collectively will determine what consequence will be enacted in the case of failure to comply with this policy.

Photos

4/3/2001- Photos from expired listings belong to the Agent of the expired listing, and may not be used without their permission.

4/7/2009- A "For Sale" sign cannot be the primary focus of a photograph.

Tour Policies

3/4/2003- There will be a twelve (12) month minimum before a property can be on tour again. Exceptions are- ownership has changed, or the property has undergone a total renovation (not just carpet and paint). *The listing agent pays a fee of \$50 AND the tour is less than ten (10), and the extras (pays) don't cause the tour to exceed twelve (12) homes.* (Amended 4/05/11)

Announcement of an "Open House" at a Wednesday meeting constitutes the property being on that day's tour and it will not be eligible for 12 months.

6/01/2010- If a home that is scheduled for tour is not properly cancelled, the listing agent will be fined \$50.00. After the fine is paid, the home is again eligible for tour. Until the agent pays the fine, they (agent) are not allowed to have any properties on the tour.

No leased or vacant land shall be allowed on the tour.

8/2/2005- SAR members (Agents) will have preference over non-SAR members regarding placement on the weekly MLS tour.

11/11/2014- An unlicensed assistant employed by, or affiliated with SAR Realtor Members may sit an open house on the tour.

Key Policies

10/1/2003- If a licensed member of the Sequim Association of REALTORS® chooses to loan their Key to another agent, the lender is responsible for any misuse by the lendee.

10/2009- SAR Members are not required to have a lockbox key.

Multiple Listing Data Policies

12/5/1995- Listing Brokers/Agents will insure the entry of all listings into their correct property class. Town Homes, and/or Mobile Homes will not be entered as Single Family Residence. Town Homes will be entered as Condominiums, and Mobile Homes will be entered as OSB (Off Site Built). Seller's ownership of the land on which the Mobile is resting does not change the class from Mobile. Such erroneous entries frustrate potential buyers and embarrass the showing agent.

12/5/1995- Listing Brokers/Agents will insure the correct sales price and Selling Agent's name are entered when making status changes to "pending" or "sold". Incorrect sales prices will degrade the usefulness of comparative market analyses, and skew monthly statistical reports and sales trends. Sales prices reported in our database should agree with those reported for the same property in the Real Market Data.

12/5/1995- Offers with contingencies where continued marketing is required, will be coded as "active", "auction", "UCC", "UBAP" or "UCB" until all contingencies are removed, at which time the status will be changed to "pending". Properties with contingencies that do not require continued marketing will be coded as "pending". When the sale is closed, the status will then be changed to "sold". When offers are accepted that contain contingencies, complete the contingency entries in the database and explain/identify those contingencies in the remarks section, i.e., septic inspection, structural inspection, and/or financing. The key here is whether the Seller requests that you continue to market the property while contingencies are being satisfied. If so, the only way to have the listing remain available in searches is to leave it as "active". If there is no "bump", it needs to be "pending".

All new listings must be entered into the database within 48 hours of receipt.

4/04/2006- Any status change from "active" (except expired) must be made within a 24 hour period. "Sold/Closed" must be made within 48 hours (business days). A fine of \$250 for late status changes will be charged to the agent, not the Broker.

6/27/2006- This motion was amended to state: After there is Broker to Broker contact (SAR Brokers), if the change is not made within 48 hours, the offending agent, not the agent's Broker will be fined \$250.

10/24/2006- Motion was further amended: The time criteria was changed from hours to days, i.e. 24 hours=1 day; 48 hours= 2 days.

3/7/2006- Before the Audit Committee is asked to step in and investigate an alleged violation, the Agents' Brokers will be contacted and asked to resolve the problem. If the complaint cannot be resolved, the audit will take place.

Audit Committee members will investigate any complaints from Participants and their Agents to detect if a violation has taken place. If a violation is found, the offending Participant will be fined \$50.00. Fines may be appealed to the Sequim Association of REALTORS® Board of Directors within ten (10) days of receipt of the findings of the Audit Committee. Non payment of any non-appealed or upheld fine within fourteen (14) days will result in suspension of MLS services to the Participant.

Expired Listings: Each SAR Member Office will maintain a file in an accessible location to the Audit Committee. The file will contain a copy of the current listing agreement/extension/signed notice rejecting MLS service for each listing offered to Agents through the OLS. The Audit Committee will investigate any complaints from Participants and their Agents who detect a violation. The Audit Committee will also have access to the file for the purpose of audit, either random or scheduled. Each listing discovered in violation (in OLS but without a copy of listing agreement/or extension/or rejection of service) will result in a fine of \$100 assessed against the Participant. Fines may be appealed to the SAR Board of Directors within ten (10) days of receipt of finding by the Audit Committee. Non payment of any non-appealed or upheld fine within fourteen (14) days will result in suspension of MLS services to the Participant.

10/9/2003- When a “closed” listing is in the database under multiple categories, only one shall be designated as “closed”, the others shall be “withdrawn”.

8/2/2005- The Selling Agent who signs the *Purchase & Sales Agreement* shall be entered into the database as the Selling Agent of record. Only one (1) Selling Agent may sign any given *Purchase & Sales Agreement*.

5/6/2003- Compensation must be an exact amount (not a range), for example, it can’t state that the compensation is “up to X percent”; it must be specific. (SAR can only enforce the MLS rules on Agents in its jurisdiction)

REALTORS® or REALTOR® firms are not required to accept/take exclusive agency listings; but the MLS cannot refuse to allow them into the database when they have been taken.

12/4/2001- Listings will be accepted from any jurisdiction provided the Agent is a member of the Sequim Association of REALTORS®.

12/4/2001- Out of area listings are not required to be entered into the Multiple Listing Service database.

5/13/2003- Any Agent advertising any property for sale (other than their personal property) must include the name of the Brokerage in the ad.

10/10/2005- When using an MLS number in an advertisement, the OLS ML number must always be included.

9/6/2005- The Listing Agent is required to provide a plat map, including GEO Code and Area Code when entering listings into the MLS database. Exception: Plat maps are not required on OSB residences on leased land

3/04/2008- A legal description and plat map are required to be entered under Associated Documents.

07/06/2010- Plat maps and legal descriptions must be included on all listings including commercial listings.

07/06/2010- All legal descriptions and plat maps must be entered within three (3) days of inputting the listing, or the agent will be fined \$50.

2/12/2013- Failure to enter a legal description and plat map will result in a warning. After seven (7) days a second warning will be given if the legal description and plat map have not been entered. After a second warning, the agent has three (3) days to enter the legal description and plat map or they will be fined \$50 per violation.

11/1/2005- An Office Administrator will be given “level 5” access to the MLS database. This access will be on behalf of the Broker, who will be ultimately responsible for any action taken by the Administrator.

07/06/2010- There may be more than one (1) administrative person per office who will have the above level of clearance.

5/29/2008- A contact number for each agent (other than the office number) must appear in the agent only remarks if it doesn’t show up somewhere else on the transmittal.

2/03/2009- Agents’ name, phone number, and website should not appear in the general remarks section.

12/14/2010- \$100 fine for failure to enter a listing into the OLS database within forty-eight (48) hours of taking the listing unless there is a signed request by the seller to withhold it from the MLS.

8/02/2011- QR Codes cannot be used in place of photos in Paragon.

11/05/2013- A firm may give a full detail sheet of its own listing(s) to only the Seller of said property, and/or a licensed broker.

11/11- If an SAR member is found guilty of unauthorized distribution of OLS data, or loaning their key to an unlicensed person, they will be fined \$1000.00

8/02/2011- Agents in violation of MLS Policies will be contacted by the MLS Chair for their first offense; upon the second violation, the agent will be fined \$50 per violation providing the violation does not have a previously established fine amount.

11/11/2014- Branding is not allowed in transmittals, if the branding is not removed within seven (7) days of notification of the violation, the listing agent will be subject to a \$50 fine.

When showing a property, the agent must leave their business card with the date and time of the showing.

2/10/15- The Sequim Association of Realtors does not sanction or approve use of copyrighted images in our listing materials without the copyright owner's permission.

Fines:

Members neglecting to secure the property after showing (after 2 nd offense)	\$ 50.00
Failure to enter Sold/Closed status updates within 48 hours (2 days)	\$ 250.00
Failure to enter plat map	\$ 50.00
Failure to enter legal description	\$ 50.00
Failure to properly cancel a property from the tour	\$ 50.00
Failure to enter listing in OLS within 48 hours of taking the listing unless seller requests	\$ 100.00
A listing in OLS without a copy of listing agreement/or extension/or rejection of service	\$ 100.00
Unauthorized distribution of OLS data or loaning a key to an unlicensed person	\$1,000.00
Failure to remove branding on transmittals within seven (7) days of notification	\$ 50.00
Violations of other MLS Policies	\$ 50.00