

MLS Compliance

Creating a better MLS experience for all subscribers!

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MLS Education Requirements

New subscribers must take the following MLS onboarding classes within sixty (60) days of joining Stellar MLS:

- **Starting out Stellar**
- **MLS Basic**
- **MLS Compliance**

If adding or modifying listings will be part of your business, you must also complete the course:

- **MLS Adding & Editing Listings**
 - Once this course is complete, it is your broker who then activates your add/edit access in the system, not Stellar MLS.

- **Note:** If you are the broker of your firm, the *MLS Adding and Editing Listings* course is required within your first sixty (60) days of joining Stellar MLS. For all other subscribers, this course can be taken anytime.

A **Compliance Refresh** course is required every 2 years.

Overview of the MLS and Framework for Rules and Regulations

Why an MLS?

- Provides a framework for Data Integrity
- Numerous Products and Services to maximize your business
- Cooperation fuels business
 - Cooperation is the obligation to share information on listed property and to make property available to other brokers for showing to prospective purchasers and tenants when it is in the best interests of their client(s).

Why this class?

- Understanding the MLS Rules ensures that we all have better data
- Violations can be costly to your business, and to the business of others

Who is Stellar MLS?

- Located in Altamonte Springs, Florida (Orlando Area)
- Stellar MLS Offers a wide variety of products and tools to assist real estate professionals.
- Stellar MLS is the 3rd largest out of approximately 600 Multiple Listing Services in the USA.
- Largest MLS in the state of Florida!

MLS Subscriptions

- An MLS subscription is only for one user
- Password sharing is strictly prohibited, and fines can range from \$500 (first offense) to \$15,000 (multiple offenses)
- Unlicensed assistants must have their own account purchased through your local Realtor® Board
- Login patterns, locations, and other factors are closely monitored to identify account sharing

MLS Rules and Regulations

- The Stellar MLS Rules & Regulations ensure that accurate and timely data is shared
- Rules are easily searchable, and the online version provides the most up-to-date information

From Where do the Rules Come?

- Several rules come directly from the National Association of Realtors® Handbook on Multiple Listing Policy.
- Other rules, more specific to our market, are enacted by the Stellar MLS Board of Directors.
- Recommendations from MLS Advisory Council (MAC)

Where to Find the Stellar MLS Rules & Regulations

The [Stellar MLS Rules & Regulations](http://www.stellarmls.com/) can be accessed (1) from the Resource tab at <http://www.stellarmls.com/> or through the link at the bottom of most pages of the site, (2) from the External Links widget or Links page in Matrix, and (3) from the Regulations & Policies page of your Stellar Central workspace.

Search the online version!

- By Article – there is a list of each article on the Rules & Regulations home page.
- By Keyword/Topic – Search for keywords or topics using the search box

Although it is possible to download the Stellar MLS Rules & Regulations in PDF format, please be sure to always consult the online version for the most up-to-date information and reach out to the Stellar MLS Compliance Team if needed.

Listings

The MLS Accepts:

- Exclusive Right to Sell Listings
- Exclusive Agency Listings
- Limited Service Listings
 - Specific wording in Listing Agreement (Not a FSBO).
 - Broker performs a la carte functions for set fee
 - Buyer's broker may be instructed to work directly with the property owner(s).
 - Listing agent is fully responsible for maintaining listing in MLS.

The MLS Does Not Accept:

- Net Listings
- Open Listings

Submission of Listings

(ref: [Article 05.01](#))

- All Mandatory Listing Types must be entered into the MLS within **five (5) business days**, excluding weekends or federally recognized holidays, upon the latter of either the dated signatures of the owner(s) of record or the beginning date on the Listing Agreement.

- **NOTE:** if any public marketing begins, the listing must be entered within **one (1) business day** of the start of the public marketing. (See Clear Cooperation section below)
- Mandatory Listing Types include the **sale or exchange** of the following:
 - Single family homes
 - Condominiums, Co-ops and townhouses
 - Vacant residential lots or parcels
 - Mobile homes with land
 - Duplexes, triplexes or quadruplexes

Clear Cooperation, Policy Statement 8.0

Per Clear Cooperation, Policy Statement 8.0, if there is **any** public marketing of the property, the listing must be activated in the MLS within **one (1) business day** of that marketing.

What Counts as Public Marketing?

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 network

Article 05.11: Exempt Listings

Multiple Listing Options for Property Owner(s) provides owner(s) of record with multiple options to list and disseminate their property by the Participant through Stellar MLS (MLS). To learn more about the options of Office Exclusive, Office Exclusive with Temporary Exclusion, and Delayed Distribution listed below, please refer to [Article 05.11](#).

NOTE: If any of the options below are chosen, the MLS Options for Property Owners – Authorization form must be completed and signed by the Broker (or authorized associate), Agent, and Owner(s). The signed form should be kept in the broker's office file and submitted to Stellar MLS within two (2) business days if requested. **Failure to submit a signed form within two (2) business days of the request by the MLS will result in an automatic fine as outlined in the Automatic Fines Schedule, Level II (See Article 11 / Section 4.3)**

Office Exclusive: Where the owner(s) of record has directed the listing Participant NOT to disseminate their property through the MLS to Participants and Subscribers outside of their office. An Office Exclusive listing must be fully entered into the MLS system and will only be

available to the listing broker's office. **No public marketing of the listing is permitted for Office Exclusive listings.** Should public marketing occur, the listing must be entered into the MLS within one business day, in accordance with these Rules and Regulations.

Office Exclusive with Temporary Exclusion: Where the owner(s) of record has directed the listing participant NOT to disseminate their property in the MLS for a defined period of time to allow for necessary time to prepare the property for dissemination to MLS Participants and Subscribers. During the exclusion period, the listing will only be available to the listing broker and listing agent. **No public marketing of the listing is permitted for Office Exclusive listings with a Temporary Exclusion.** Should public marketing occur, the listing must be entered into the MLS within one business day, in accordance with these Rules and Regulations.

Delayed Distribution: Where the owner(s) of record has directed the listing Participant to delay the public marketing of their property and delay the display on IDX and syndication platforms for five (5) calendar days. The listing must be entered into the MLS in accordance with all Rules and Regulations and noted as "Delayed Distribution" when the listing is entered. During the "delay" period, the listing will be fully active and available to all MLS Participants and Subscribers in every capacity but will not be disseminated outside of the MLS for purposes of IDX or third-party syndication. When the "delay" period ends, the listing will then be disseminated for IDX and third-party syndication.

Where to find the MLS Options for Property Owners - Authorization form

- StellarMLS.com > Resources tab > Document Library > [Listing Forms](#)
- Some online transaction management systems including Form Simplicity, TransactionDesk, SkySlope Forms

Reporting a Suspected Clear Cooperation Violation

1. From your Stellar Central workspace, select Regulations & Policies from the left navigation section then click on the button labelled "Access this tool" on the Report a Clear Cooperation Violation tile.
2. On the screen that follows, you may search for the address in question.
3. If no information is found, you would need to upload proof (photo, screenshot, etc.) with the property information and submit the form. The Stellar MLS Compliance Team will then review the information to determine if a violation exists.

Listing Data Entry Forms

- Prior to activating a listing in the MLS, a **Data Entry form*** must be signed by the broker (or, if authorized by their broker, the agent) as well as the property owner(s).
- Forms are available for each type of listing
- What is the purpose?
 - The Data Entry Form contains all the MLS fields available for a particular property classification which provides an avenue to collect comprehensive information about the listing.
 - The form also contains an indemnification statement and authorization by the property owner(s) to disseminate the listing into the MLS. The indemnification

provides the broker, board, and MLS with additional protection if the property owner(s) gave incorrect information for the MLS listing or should the property owner(s) dispute what is in the MLS.

*Alternatively, the owner(s) of record may sign the Owners Authorization Display which also contains a display of the information entered for the listing as well as the proper indemnification statement. Note: The Owner Authorization is available only when the MLS listing is still in the status of Incomplete in Matrix.

Listing Classifications

If entering listings will be part of your business, be sure to use the proper classification – this is one of the top violations!

- Multi-family income generating property such as duplexes, triplexes, etc. go under “Income Property,” not “Residential”
- Residential vacant lots go under “Vacant Land”

Sold Data/For Entry Only Listings (SDEO)

- Agents bringing buyers to listings outside of MLS or for the sale of a non-listed property may enter transaction as a “Sold Data/For Entry Only” Listing
- Must be entered within 30 days after closing and contain at least one photo
- Separate entry forms for these.
- Refer to [Article 05.03](#) for Details

Disclosures

Special Sale Provisions

The following Special Sale Provisions must be disclosed:

- Short Sales ([Article 04.14](#) & [Article 05.01-C](#))
- REO/Bank Owned ([Article 04.18](#))
- Auctions ([Article 05.23](#))
- Refer to the appropriate section(s) of the Stellar MLS Rules & Regulations for disclosure requirements

New Construction

- To be entered into the MLS under the Residential property classification, new construction must have:
 - Specific Lot
 - Specific Structure
 - Specific Price
- Otherwise, the listing needs to be entered under the classification of Vacant Land.
- For Pre-construction (ground not broken), refer to [Article 04.21](#).

- For Under Construction (ground broken but no Certificate of Occupancy), refer to [Article 04.22](#).

Manufactured/Mobile Homes

- Must be on seller-owned land or in a resident-owned mobile home park, not leased land.
- Otherwise, not allowed in MLS
- Check tax records for ownership details

Housing for Older Persons

Disclosure of qualified housing for older persons in the MLS database is mandatory. Any listing otherwise eligible for dissemination in the MLS database that is located within a community that is “qualified housing for older persons” under the Fair Housing Act, and thus may lawfully limit occupancy to such older persons (e.g. an “over- 55” or “over-62” community). [Article 04.16](#)

Agent Owned Property / Purchase of Property

Properties personally owned by Participants or Subscribers where the owner is the listing agent are an optional listing type in the MLS ([Article 05.01-Section 1-B](#)). This does not apply to properties owned by a business entity. If entered, all Stellar MLS Rules & Regulations apply and it can be indicated during listing entry that the list agent is the owner or related to the owner.

If a Participant or User wishes to acquire an interest in a property listed in Stellar MLS, such contemplated interest shall be disclosed, in writing, to the Listing Participant not later than the time an offer to purchase is submitted.

Other Required Disclosures

- HUD Listings - [Article 04.17](#)
- Fractional Listings (partial ownership) - [Article 05.03](#)
- Joint Listings (multiple brokers) - [Article 05.03](#)
- In-Foreclosure and Pre-Foreclosure - [Article 04.19](#)

Practice Changes Mandated by NAR

- Require the MLS to eliminate all broker compensation fields and compensation information in the MLS.
- Eliminate and prohibit MLS participants, subscribers and sellers from making any offers of compensation in the MLS to buyer brokers or other buyer representatives.
- Require the MLS to not create, facilitate or support any non-MLS mechanism (including by providing listing information to an internet aggregator’s website for such purpose) for participants, subscribers or sellers to make offers of compensation to buyer brokers or other buyer representatives.

- Prohibit the use of MLS data or data feeds to directly or indirectly establish or maintain a platform of offers of compensation from multiple brokers or other buyer representatives.
- Require MLS participants working with a buyer to enter into a written agreement with the buyer prior to touring a home.

Stellar MLS

No reference to compensation, either direct or indirect, is allowed anywhere in the MLS or any platform offered by the MLS

This includes MLS fields such as Public Remarks, Realtor Remarks, other open text fields, and showing instructions via ShowingTime, as well as within any photo, attachment, web link, virtual tour, etc.

Not adhering to these rules constitutes an automatic, Level III – Severe violation!
[Article 11.04.3.3](#)

Written Buyer Agreements

As of August 6, 2024, Stellar MLS subscribers must have a written buyer agreement (sometimes referred to as a “buyer broker agreement” or similar) with their customers before touring a Residential or Income property. Touring a property is defined as either a) when the buyer(s) and the agent from the brokerage working with the buyer physically enter a dwelling, or b) when an agent from the brokerage working with the buyer(s) enters a dwelling to provide a live, virtual tour if the buyer(s) is not physically present. either in person or via a live virtual tour.

Which form to use is a brokerage decision. Should a brokerage choose to develop their own form(s) they must ensure that all required elements for compliance with Stellar MLS Rules and Regulations are included. For details, refer to [Article 06.01](#).

Additional information:

- These agreements are not required for any other property class in the MLS, including rentals.
- Stellar MLS does not enforce touring properties not listed in Stellar MLS (ex For Sale By Owner (FSBO), new construction not listed in Stellar MLS, etc.).

- While Stellar MLS **will not** collect these agreements, we must enforce their existence and ensure that the required components are included. (refer to Article 06.01)
- Similar to listing contracts, Stellar MLS will request a copy of the original written buyer agreement if improper use is reported.

Reporting Violations and Enforcement Process

You may report a suspected violation through links available in your Stellar MLS customer portal, the Stellar MLS website, and Matrix. The enforcement process is as follows:

1. Stellar MLS receives notification of suspected non-compliance through its reporting systems
2. The showing agent is sent a request for a copy of the written buyer agreement related to the report
 - a. Showing agent has one (1) business day to fulfill the request to avoid a penalty
3. Upon receipt, compliance staff will review for proper execution and verification of required stipulations

Responsibility

- For not submitting a completed agreement upon request, the penalty goes to the **SHOWING AGENT**.
- For submitting a non-compliant written buyer agreement form, the penalty goes to the showing agent's **BROKER**.

Not adhering to these rules constitutes an automatic, Level III – Severe violation (see Article 11.04.3.3)

Photos / Virtual Tours

Listing Photos

- At least one photo required prior to activating listing (100 max.).
- No copying of other brokers' photos without written consent.
- Stellar does not remove photos. Participants/Subscribers need to remove and/or update them.
- There can be no agent/company branding, signage, or any other text in photos.

- Photos (& virtual tours) featuring people, including if in costume, are not allowed in the MLS.
- Adding a view that is not possible from the location is prohibited.
- Floor plans are allowed as images but may not contain any branding.

First Photo Rules | [Article 04.05](#)

The front exterior photo or rendering must be entered in the 1st photo slot of the listing on all property types unless the 1st slot is an aerial photo or an exterior photo of a water view from the property (unit), in which case the front exterior photo must be in the 2nd slot.

Note: a photo of a swimming pool **does not** qualify as a water view.

Matrix™ Media Privacy

By default, the photo in the primary slot will be the photo selected for external exposure after the property goes off the market. This External Photo may be changed by clicking the star in the top right corner of the photo. This needs to be done BEFORE the property goes off market.

Only one photo may be selected and must adhere to the rules and regulations.

It is important to note that this applies to off-market listings and when displayed outside of the MLS. Stellar MLS subscribers continue to have access to all property photos associated with the listing when working in Matrix.

Virtual Tours

- Only unbranded virtual tours are allowed in the MLS meaning there can be no contact information or agent/office branding
- Only virtual tours may be placed in Virtual Tour links in Matrix
- YouTube videos must be an embedded link (no visible channel information)
- Property Panorama offers an unbranded virtual tour for the first 5 images.

Virtual Staging

[Article 04.04](#)

Virtual Staging is defined as using a photo editing software to create a photo or conceptual rendering of what the interior room(s) and/or interior of the property could look like, if it was staged or lived in.

Virtual Staging shall not be used for Pre-Construction & Under Construction properties.

Disclosure of virtually staged photo(s) is required in the specified field, namely the photo description entry field by adding the words “Virtually staged” and by checking the virtually staged field. Additionally, the first words of the public remarks must read “One or more photo(s) was virtually staged.”. Photos must always present a “True Picture” of the property.

Permitted Uses of Virtual Staging:

- Modifying photo(s)/rendering(s) to include personal property items not conveyed with the real property is permitted. Permitted personal property modifications include but are not limited to: applying digital photos of furniture, mirrors, artwork, plants, etc. into a photo of a room.
- Removing existing furniture from a photo and replacing it with digital images of furniture, mirrors, artwork, plants, etc.
- Twilight photos are acceptable as long as lighting is not added where it does not exist, and sunset/sunrise is a true reflection of where the sun rises and sets

Prohibited Uses of Virtual Staging:

- No photos of the exterior of the property shall be virtually staged, except for unattached furniture or décor.
- No permanent fixtures of the interior or exterior of the property shall be attached, removed, altered or added to photos.
- Modifying photo(s)/rendering(s) to include visual elements not within a property owner's control is strictly prohibited. (example: editing in a view of the gulf/ocean, lighting and/or popular landmarks that are not physically possible from the specified location in the real world.)
- Modifying photo(s)/rendering(s) to exclude negative visual elements is strictly prohibited. (example: holes in the wall, exposed wiring, damaged flooring, etc.)
- No branding is permitted. The use of people or persons and/or words on any property photograph submitted to the Service is strictly prohibited.
- Modifying photo(s) / rendering(s) to distort the dimensions of a room or space is strictly prohibited. (example: placing small furniture to make a room appear larger than it actually is.)

All photos must represent a true and accurate picture of all property features and surroundings.

Listing Remarks

Public Remarks

- Public Remarks are viewable on public sites and on customer reports
- Stick to facts about the property
- No agent/company information, web sites, vendor recommendations, showing information, open house information, etc.

Public Remarks, Ethics, & Fair Housing

- Be careful to not misrepresent property or use overly vague terms (i.e. Close to the beach.)
- Avoid financing terms that may trigger required disclosures
- Be careful not to “steer” buyers (Fair Housing)
- Restricted Words—The system may highlight words in yellow during listing entry/updates for you check that you have not violated Fair Housing in their use. If the context is correct, you will be able to submit your listing. Any word highlighted in red is on the restricted word list and must be removed / replaced.

ShowingTime Secure Remarks

- This is the only place to enter confidential showing information such as gate/alarm codes.
- Only viewable by clicking on the ShowingTime button in the listing.
- Subscribers must have a valid real estate license to access this information.
- Reminder: **DO NOT** make any references to compensation anywhere in the MLS!

Driving Directions

- Turn by Turn Directions are required for each listing, beginning from a major intersection
- First direction needs to be a cardinal/compass direction before indicating left/right, etc.
- No references to a GPS or electronic map
- No URLs or contact information

Status Changes

Status Change Rules

Status Changes must be made in the system within **two (2) business days** (including price changes and expiration date changes)

Must have something in writing from the property owner(s) that justifies the update:

- Stellar MLS Status Change Form*
- *or* Signed Paperwork – must be signed by ALL parties.
- *or* an email from the property owner(s).

*If Stellar MLS must make the change, the Status Change Form must be completed and signed by all parties.

Pending Listings

- Change status to Pending within two (2) business days of the effective date of contract
- Indicate whether Backups are accepted, per the instructions of the property owner(s)
If yes, property must remain available to show.
- If contract falls through, change back to Active within 2 business days
- If Expected Closing Date is pushed back, be sure to update

Sold Listings

- Change to sold within 2 business days of transaction closing
- Provide all relevant information (sold price, selling agent, terms, etc.)

Temporarily Off-Market (TOM)

- Active Listings in the MLS must be available to show
- Listings **may not** be entered as Active prior to being available for actual showings by all Participants/Subscribers
 - (For example) Stellar MLS will not accept listings with "No showings until MM-DD"
- If a listing becomes unavailable for showings, the status can be changed to "Temporarily Off-Market" (with property owner(s) written permission).
 - **No** additional marketing while the listing is in TOM status
- May stay in "Temporarily Off-Market" status until the expiration date.
- Note: When changing from TOM back to Active, this does NOT reset the ADOM / CDOM

Withdrawn Listings

- Two Statuses:
 - Withdrawn Conditional
 - Canceled (Unconditional Withdrawal)

NOTE: Withdrawn listings with conditions indicate some form of outstanding contractual item(s) or obligation(s) between the listing broker and property owner(s) until the date those conditions expire.

Days on Market

- Active Days on Market (ADOM) tied to a specific MLS ID
 - Creating a new listing causes ADOM to reset to 0.
- Cumulative Days on Market (CDOM) is tied to the Property ID
 - An expired or withdrawn listing must be off the market for a full 60 days for the CDOM to reset

Listing Manipulation | [Article 04.15](#)

A listing within the same office that expires, is withdrawn, or cancelled should be **reactivated** with the same MLS ID if this occurs within 30 days from the expiration, withdrawal, or cancellation date.

Creating a new listing ID prior to 30 days from an expired, withdrawn, or cancelled listing by the same office to make it appear as new is a listing manipulation subject to a \$500 fine.

Valid reasons for creating new listing number:

- Execution of a new listing agreement by new office
- Execution of a new listing agreement on a property by the same brokerage dated 30 days or more after expiration or withdrawal of original listing

To avoid a potential listing manipulation violation, should a listing need to be **updated** by the broker of record to another agent in the same office, either the broker or their authorized representative with add/edit access for the firm (office manager, etc.) can update the applicable fields on the Realtor tab in Matrix:

- Once updated, the previous agent is removed, and the new agent(s) will be able to maintain the listing going forward.
- This can be done without creating a new listing ID!

MLS Data

Where Do Listings Go?

- When entering a listing, there are various options on where to send listing data
- **Brokers** choose where listings can be distributed to for their entire office.
- For an individual listing, it is possible to opt out of certain sites should the property owner(s) not want their property to be displayed on them.
- Several of the selections available in Matrix originate from the FR Exclusive Right of Sale Listing Agreement.
- For additional information visit stellarmls.com/distribution

Using MLS Data

- An IDX feed is the only authorized way to advertise another broker's active listing online without written permission
- Print advertisements cannot contain other brokers' active listings without written permission
- Print advertisements may contain information on sold listings and aggregate data, as long as the proper disclosure from [Article 06.05](#) is used and the advertisement is not misleading

IMPORTANT

- Stellar MLS will not create, facilitate or support any non-MLS mechanism (including by providing listing information to an internet aggregator's website for such purpose) for participants, subscribers or sellers to make offers of compensation to buyer brokers or other buyer representatives.
- Stellar MLS prohibits the use of MLS data or data feeds to directly or indirectly establish or maintain a platform of offers of compensation from multiple brokers or other buyer representatives.

Violations

How Violations are Detected

To maintain data integrity:

- Stellar MLS uses scanning software to identify common violations.
- The Data Integrity Team closely monitors listings.
- Investigate complaints received via reporting mechanisms

How to Report a Violation

- If you notice a violation on a listing, you may reach out to the listing agent for a correction or anonymously report the violation by clicking the link on the bottom of the listing

[If you believe there is a violation on this listing, click here to report the problem.](#)

Violation Information

- Stellar MLS will automatically issue a courtesy warning notification prior to any fine being issued, except for any violation resulting in an automatic fine as defined in the Rules and Regulations.
- If the violation is corrected within the grace period of three business days (excluding weekends and holidays) unless noted otherwise, there will be no fine assessed
- Repeated or deliberate violation of the same rule by the same subscriber will immediately be subject to the progressive fine schedule with no further notice.

- If a fine is issued in error, there is a waiver and appeal process.

Top Violations

Top 6 Violations

#6: Contact Information in Public Remarks
#5: Exempt Listings
#4: Pending Listings with a Past Expected Closing Date
#3: Failure to Report a Sold Listing
#2: Listing Manipulation
#1: Photos, Virtual Staging & Virtual Tour Violations

Support is Available

When in doubt, always refer to latest version of Stellar MLS Rules and Regulations online:

<https://rules.stellarmls.com/hc/en-us>

For help with compliance notifications, rules and regulations, feel free to contact us!

Toll Free: (800) 686-7451

Local: (407) 960-5300

Email: dataintegrity@stellarmls.com

Hours: Mon. – Fri. 8:00 a.m. – 5:00 p.m.