Table of Contents

Introduction

Stellar MLS takes our role in the industry, providing accurate, updated, and comprehensive real estate data very seriously.

As a result, there are extensive rules and regulations in place.

That is why the Board of Directors of Stellar MLS requires you to take renewal training every two years. The purpose of this course is to spotlight how the MLS is constantly evolving, update you on important changes that impact the use, display, and maintenance of MLS data, and provide helpful reminders about the MLS Rules and Regulations since your last MLS compliance class.

By having good data in the MLS, we all win. Listing agents can help ensure their listings are showing up to the right buyers, buyer's agents can feel confident about the data they are sharing with their customers and clients, and appraisers have better information to assist with property valuations. Cooperation fuels business!

In the MLS, *cooperation* is defined as 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).

This class is **separate** from the Code of Ethics, *a requirement of NAR and your local REALTOR® board*. It is also separate from the continuing education required by the Florida Department of Business & Professional Regulation for license renewal. Therefore, we designed this class to be brief, informative, and interactive.

Where to Find the Stellar MLS Rules & Regulations

The Stellar MLS Rules & Regulations 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) at the bottom of the Products & Services page of your Stellar Central workspace in the MLS Education and Compliance section.

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.

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.

The choice of which form to use is a decision made by the brokerage. If a brokerage decides to create its 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 a Level III – Severe violation (see Article 11.04.3.3)

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

Should a listing need to be **changed** 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!

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
      MLS Data

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.
- Floorplans 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 in Matrix™ will be the image selected for external exposure and remain public after the property goes off the market.

This photo may be changed by clicking the star in the top right corner of the photo while editing the listing but needs to be done BEFORE the listing goes off-market.

Only one photo may be selected and must adhere to the Stellar MLS 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 included as part of a Stellar MLS subscription.

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.

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 seller(s) that justifies the update:

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

  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.)

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.
- Reminder: **DO NOT** make any references to compensation anywhere in the MLS!

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 to 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.
- No mention of Open House Information in the Public Remarks

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

NOTE: All Listings must be complete and accurate.

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
      MLS Data

Listings

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

Listing Data Entry Forms

- Prior to activating a listing in the MLS, a **Data Entry form*** must be signed by broker (or, if authorized by their broker, the agent) as well as the seller(s).
- Forms are available for each type of listing
- What is the purpose?
  - The Data Entry Form contains all of 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 seller to disseminate the listing into the MLS. The indemnification provides the broker, board, and MLS with additional protection if seller gave incorrect information for the MLS listing or should the seller(s) dispute what is in the MLS.
  - In addition to the specific Stellar MLS Rules, all listings must be complete and accurate.
    - Examples: Incorrect Acreage/Lot Size, Incorrect Pre-Construction Pricing, Incorrect Bed/Bath Count, Incorrect Map Location, Incorrect Selling Agent, Incorrect Subdivision, Invalid Garage/Carport, Invalid Out of Out-Of-State Listing, Invalid Property Type, and Invalid Sold Price.

*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"

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 (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.

Several Course Takeaways

1. **Mandatory Listing Types must be entered per the MLS Rules**
   a. **This includes Office Exclusive and Office Exclusive with Temporary Exclusion listings.**
2. **Listings need to be kept up-to-date!**
   a. **RULE: Within *TWO* business days**
   b. **It's better to use an ASAP mentality!**
4. **If the public can see it – it cannot be branded!**
   a. **Listing photos (no signs in the front yard)**
   b. **Public Remarks**
   c. **Virtual Tours**

5. **References to compensation are NOT allowed in the MLS!**
6. **YOU are responsible for following all the Stellar MLS Rules and Regulations. (*Rules are subject to change, be sure to refer to the online version, Stellar MLS communications, posts in Stellar Central, etc.)**
7. **Never share your MLS account password**

Support is Available
When in doubt, always refer to latest version of the Stellar MLS Rules & 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.