MLS Compliance

Course Notes

Course Objectives: Understand the purpose of an MLS and know where to find and apply MLS rules.

Course disclaimer: This handout is a practical, plain-language class guide. It does not replace the current MLS Rules and Regulations. Participants are responsible for reading, understanding, and complying with all current rules, including rules not discussed in detail in this handout. Please find all our rules at this link. https://rules.stellarmls.com

Contents

Data Integrity

- Accurate and timely data is crucial to your real estate business.
- MLS rules help make data accurate, timely, cooperative, and useful for participants and customers.

Password Sharing

Article 04.27: Allowing Unauthorized Access

- MLS access is for one authorized user. Password sharing is prohibited.
- Assistants and appraisers must have their own Stellar MLS account to access MLS tools and information.
- Password sharing is a level two finable offense.

Listing Types

Article 05.02: Types of Listings Accepted

- The following Listing Types are accepted in the MLS:
  - Exclusive Right of Sale
  - Exclusive Agency
  - Limited-Service listings
    - allow selected broker/agent services a la carte;
    - listing cannot reference for sale by owner (FSBO)
    - Buyer agents may be directed to contact the owner for showings, negotiations, or information when appropriate

- Not accepted
  - Net Listings
  - Open Listings
- Mandatory listing types include:
  - Single-family homes
  - Condominiums, co-ops, and townhouses
  - Vacant residential lots or parcels
  - Duplexes, triplexes, or quadruplexes; and
  - Mobile homes with land for sale or exchange

See Classification types for complete definitions

Listings

Article 05.01.A Submission of Listings: Mandatory Listing Types

Article 05.09: Use of MLS Data Entry Form

Entry Deadlines

- Submit mandatory listing type within 5 business days of
  - seller signature on listing agreement or
  - listing agreement effective date
- Any public marketing that occurs on the property after listing agreement effective date must be submitted in the MLS within ***1 business day.***
- Exempt listings (see additional listing options below) are a mandatory listing type.
- Sold Data Entry Only must be entered within 30 days of sale.

Listing forms and owner authorization

- Use the updated MLS Data Entry Form

The property owner must sign the indemnification statement located on the

  - Residential Listing Data Entry Form or
  - Owners Authorization Print View
    - Available for incomplete listings in Matrix
- Find forms at
  - StellarMLS.com → Document Library

- Online Transaction Management Platforms
  - Transaction Desk, Skyslope Forms, or Form Simplicity (all included in StellarMLS subscription)
- External Links in Matrix
- Stellar Central

Additional listing options

Article 05.11: Exempt Listings

Use the MLS Options For Property Owners Authorization Form when listing a property with one of the following options:

Option	Meaning
Office Exclusive	Shared only within the listing broker office. Public marketing is not allowed.
Office Exclusive with Temporary Exclusion	Temporarily withheld while seller prepares. Public marketing is not allowed.
Delayed Distribution	Visible only to the listing broker/office during delay. Public marketing by listing office is allowed; showings not allowed until after 5 days.
Coming Soon	Pre-market window up to 14 days. All marketing must state Coming Soon. Showings are optional; offers can be accepted; ADOM/CDOM does not accumulate; price changes do not appear in MLS history during Coming Soon.
Please note: Once a listing is made Active, it cannot be changed to Office Exclusive, Office Exclusive with Temporary Exclusion, Delayed Distribution, or Coming Soon. Coming Soon marketing must clearly state Coming Soon. You cannot have a listing with more than one of these options.	

No reference to compensation in the MLS

Article 04.31: No Reference to Offers of Compensation

Article 09.01: No Compensation Specified on MLS Listings

- No reference to compensation may appear anywhere in the MLS, including but not limited to:
  - Realtor remarks and/or showing instructions
  - photos and/or attachments
  - web links, or virtual tours.
- Compensation references are a Level 3 finable offense
- Do not place percentage amounts in public-facing fields

Listing Photos, virtual tours, and listing content

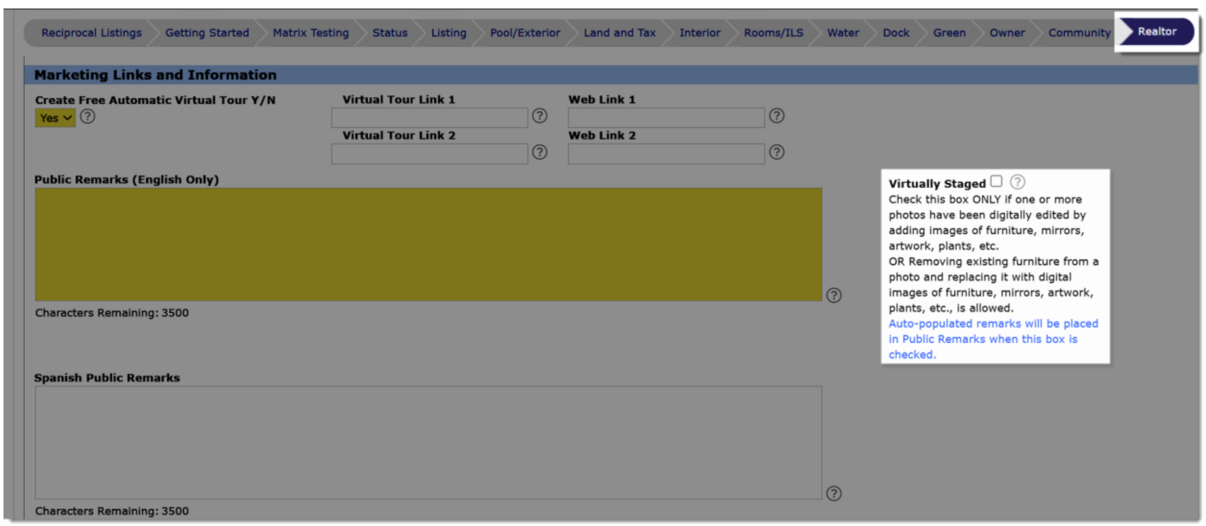
Article 04.05: Listing Content and Virtual Tours

- The first photo must be the
  - front exterior (or)
  - aerial view (or)
    - for aerial photos of public spaces (i.e. beaches), facial features of people must not be identifiable.
  - water view
    - for water views from condos, most of the photo must feature the water and not include interior features
- The first photo cannot
  - be a pool or a collage of photos, or
  - have signage or branding
- The photo marked for external exposure (blue star) will continue to be shown on public sites when the listing goes off market
- No photos or virtual tours should have:
  - company or agent logos or branding
  - contact information
  - compensation references
  - people or pets

- All content must be owned, purchased, or licensed by the listing broker or agent.
- Floorplans with room types, measurements etc. are allowed when free of branding, contact information, and company or personal details.

Virtual staging

- Virtually staged photos must comply with all photo rules and cannot misrepresent the current state of the property.
- When adding a listing with virtually staged photos, check the box to the right of public remarks to disclosure that photos are virtually staged.



Required disclosures

Article 05.23: Auction Properties

Article 04.18: REO/Bank Owned Disclosure

Article 04.14: Short Sales

Article 04.16: Housing for Older Persons

Article 06.07: Participant as Principal

- The following special sale provisions must be disclosed
  - Short Sale
  - Auction
  - REO/Bank Owned

  - Government Owned
  - Probate Listing

- Housing for Older Persons must be disclosed
- You must disclose if you are listing or purchasing a property for yourself or a member of your family

Listing remarks

Article 04.06 Listing Remarks

- Public Remarks must be only about the listed property.
  - Do NOT include in Public Remarks
    - contact or identifying information,
    - access or showing instructions,
    - outside links or vendors,
    - inappropriate or risky language,
    - financial terms or compensation references,

- Short Sale listings must be clearly identified in Public Remarks.

Including Builder's name:

  - For New Construction, the builder's name may not be included in public remarks.
  - For resale properties, where the builder is not the seller or a Participant, builder or architect names may be used in the public remarks as a feature describing the property.

- ShowingTime Secure Remarks are the only place for gate codes, showing instructions, and other secure access information.

Allowed in Public Remarks	Not allowed in Public Remarks
Property features and descriptions such as condition, upgrades, and location features	Showing instructions Open House information

	Agent, company, owner, phone, email, or website Compensation, percentages, or buyer-broker-friendly language URLs, vendors, service providers, lockbox, gate, or access details

Driving directions

Article 04.13 Driving Directions

- Driving directions should provide turn-by-turn directions from a major road or point of reference.
- The first direction should be clear enough to orient the user.
- No URLs or contact information are allowed in driving directions.
- Do not rely solely on "Use GPS," "Google Maps," or a similar instruction.

Status changes

Article 05.12 Change of Terms and Status of a Listing

Change type	Deadline
Price, terms, or conditions	Within 2 business days after written owner authorization
Pending status	Within 2 business days of the contract effective date
Sold status	Within 2 business days of closing date
Other status changes	Within 2 business days after written owner authorization

- Pending: indicate whether backups are accepted.
  - If yes, property must remain available to show. If the contract falls through, return to Active within 2 business days.
  - Update Expected Closing Date if pushed out.

- Sold: enter all relevant information, including sold price, selling agent, terms, and financing details.
- Temporarily Off Market: use when the listing becomes unavailable for showings and you have written seller permission.
  - Do not conduct additional marketing while TOM.
  - Returning to Active does not reset ADOM/CDOM.
- Withdrawn Conditional means the listing is withdrawn while conditions remain.
- Withdrawn Unconditional/Canceled means the listing is canceled without remaining conditions.

Listing manipulation

Article 04.15 Listing Manipulation

- Do not create a new MLS ID to make a listing look new.
- A new MLS ID may be created when the same brokerage has a new listing agreement dated at least 30 days after expiration or cancellation, or other rule criteria are met.
- CDOM resets only after the property has been off market for 60 days.
- Listing manipulation is an automatic $500 fine.
- Agent changes should be made in Add/Edit fields without creating a new listing ID.

Written buyer agreements

Article 06.01 Written Buyer Agreements Required

- A written buyer agreement is required prior to touring
  - Residential or income property,
  - whether virtual or in person.
- Speak with your broker about which BBA they would like you to use and where to find it.
- BBA not required for:

  - FSBO not listed in Stellar MLS
  - New construction not listed in Stellar MLS
  - Buyers attending an open house on their own without a real estate professional.
- The agreement must state
  - The amount, rate, or how the amount will be determined.
  - The amount is objectively ascertainable and not open-ended.
  - The participant may not receive more than the agreed amount or rate.
  - Broker fees and commissions are not set by law and are fully negotiable.
- Suspected BBA violations can be reported using the BBA Violation form on StellarMLS.com, Stellar Central, or related access points.
- Non-submission of written buyer agreement or noncompliance is a finable Level 3 offense.

MLS data and advertising

Article 6.06 Advertising of Listings Filed with Stellar MLS
Article 19:31 False or Misleading Advertising and Representations

- Do not use MLS data feeds to make offers of compensation.
- Do not advertise another broker listing without authorization.
- Advertisements containing sold listings or statistical summaries must not be misleading and must contain required disclosures, including the source and reporting period when applicable.
- Before posting a social media ad showing another broker listing from the MLS, obtain the appropriate authorization first.

Sample Disclosure:

"Based on information from the Stellar Multiple Listing Service for the period (date) through (date). This information may or may not include all listed expired, withdrawn, pending or sold properties of one or more members of the Stellar Multiple Listing Service.

Violations and reporting

- Listings are actively monitored, and anyone may report a suspected violation from the listing tab.
- When appropriate, consider reaching out to the agent first so the issue can be corrected quickly.
- Automatic fines: the agent and broker receive notice; the agent must pay the fine and correct the issue.
- Warnings: the agent and broker receive notice, and the agent has a grace period to correct the issue.
- Repeating offenses or failure to correct can escalate.

Participant quick-reference checklist

Stage	Checklist
Before taking/listing	Confirm accepted listing type; decide whether mandatory or optional; confirm classification; identify disclosures; choose correct listing option, have signed listing agreement.
Before activation	Complete MLS Data Entry Form or Owners Authorization; collect signatures; ensure all required fields complete; review photos, remarks, directions, disclosures, and compensation-free content.
When marketing begins	If public marketing occurs, enter within 1 business day unless already entered appropriately.
While active	Update price/terms/status within required deadlines; monitor remarks/media; respond to MLS requests for signed forms.
When under contract	Change to Pending within 2 business days; note backups; keep available to show if accepting backups; update expected closing date.
At closing	Change to Sold within 2 business days and enter complete sale data.
With buyers	Obtain a written buyer agreement before virtual or in-person tours of Residential or Income property.

Appendix

Fines and Fine Schedules

Level	Fine schedule
General	1st Offense: $50; 2nd Offense: $100; 3rd Offense: $150; 4th Offense: $200; if all four occur in the same year, a disciplinary hearing may be called
Level 1	1st offense: $100; 2nd: $250; 3rd: $500; 4th: $1,000 plus disciplinary hearing.
Level 2	1st offense: $500; 2nd: $1,000; 3rd: $5,000.
Level 3	1st offense: $500; 2nd: $2,500.
Further offenses	May require a hearing, with allowable maximum monetary penalty up to $15,000 and possible suspension or termination of MLS privileges.

Listing Entry Deadlines

Situation	Deadline / rule
Standard listing entry	5 business days
Public marketing occurs	1 business day
Exempt listing entry	5 business days
MLS requests signed form	Respond by the MLS deadline or receive an automatic fine
Classification correction	Within 2 days
Sold Data Entry Only	Within 30 days of sale