

Listings input into the MLS must follow the guidelines below. The listing agent (along with their broker) of a listing that is not in compliance with the requirements will be sent an email warning to correct the violation within 24 hours to avoid a fine. If the violation is not corrected within 24 hours, a fine will be assessed.

The Clear Cooperation policy is to be adhered to for all residential listings within the CHCBR service area (Blanco, Gillespie, Kimble, Mason counties):

Within one (1) business day of marketing a **residential***** property to the public, the listing broker must submit the listing to the MLS for cooperation with other MLS participants. 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 networks, and applications available to the general public. (Adopted 11/19)

Note: Exclusive listing information for required property types must be filed and distributed to other MLS Participants for cooperation under the Clear Cooperation Policy. This applies to listings filed under Section 1 and listings exempt from distribution under Section 1.3 of the NAR model MLS rules, and any other situation where the listing broker is publicly marketing an exclusive listing that is required to be filed with the service and is not currently available to other MLS Participants.

All participants and subscribers of the CHCBR MLS are required to enter all **residential***** listings within CHCBR's jurisdiction (Gillespie, Blanco, Mason, and Kimble Counties), into the CHCBR MLS. Office Exclusive listings are exempt. If an Office Exclusive listing is publicly marketed* the listing broker/agent must enter the listing into the CHCBR MLS within one (1) business day.

****Residential is defined as any property with a dwelling (main improvement) whose Appraisal District main improvement value is greater than or equal to 50% of the total Appraisal District value**. If Appraisal District main improvement value >= Appraisal District total property value**, a listing is deemed Residential." **property value without exemptions*

A. Entering Listings:

1. The following Property types are to be used:
 - a. Residential (Only if house/dwelling on property)
 - b. City Lots
 - c. Acreage, Farm, Ranch
 - d. Rural Subdivision Lots/Tracts
 - e. Commercial (must be currently zoned Commercial if in city limits.)
 - f. Residential Rental
 - g. Commercial Lease
2. The MLS Service does not accept: Limited Service Only Listings (MLS Only Listings), Net Listings, Open Listings, For Sale by Owner Listings, or businesses and manufactured homes being sold without real property.

3. Listings that are zoned Residential, may only be placed in the “Residential” category on the MLS.
4. Guidelines for entering Commercial Listings:
MLS users should ask themselves the following questions to help them determine if a commercial listing can be entered in the MLS under the “Residential” category.
 - a. Is it zoned commercial?
 - b. What is the highest & best use of the property – is the value commercial or residential?
 - c. Is the primary purpose of the property income producing?
 - d. Can the main building be used solely as a primary residence?
5. Listings must be input into the MLS, along with a main photo of the property, within 48 hours after all necessary signatures of sellers have been obtained except where sellers expressly direct that information - including photos - of their property not appear in the MLS compilations.
6. Re-Entering Existing Listings As New:
Listings must be off the market a minimum of 30 days to be re-entered as a new listing by the same firm; unless there is a substantial change* to the property being listed, as determined by the MLS Committee. *(Amended 01.30.2020)*

If a listing is re-entered into the MLS as new before 30 days have lapsed, without prior approval by the MLS Committee, the listing agent and broker will be sent an email warning to withdraw the new listing and bring the old listing back as active within 24 hours or be subject to a \$1000 fine. *(Amended 01.30.2020)*

** Examples of substantial changes would be major remodeling or renovation to property, additional acreage or structures, etc. Listing agent would need to submit photographs, etc. to the board office for approval by the MLS Committee.*
7. A property may be listed in the MLS more than one time in different classes. Additional listings of the same property must be withdrawn from all additional classes after the sale of the property. When the property is marked as sold, it is the agent’s responsibility to give written notice to the Board Office to have one of the listings withdrawn.
8. If the seller refuses to permit the listing to be on the MLS, listing agent must send certification to CHCBR MLS, signed by seller that he does not desire the listing to be on the MLS.
9. Co-listings will be accepted; however, brokers must ensure that proper co-listing forms are utilized. Names, phone numbers, or any information regarding co-listings with non MLS users may not be included in any remarks. Listings that are co-listed with non MLS users should state “Co-listed with agent/firm not on CHCBR MLS” in the agent remarks.

B. Coming Soon Status:

1. Listing agent must have a signed listing agreement.
2. Listing cannot be on the MLS as “Coming Soon” for more than 14 days.
3. Listing cannot be shown to any buyers prior to the “Go Active” date.

4. Listing must include a photo of the exterior curb shot of the property.
5. The listing agent must convert the listing to active on or before the “Go Active” date and no extensions are allowed.
6. When making status “Coming Soon”, the expiration date must be set as 14 days from the date the listing is input as Coming Soon. (When the listing is switched to Active, the listing agent will need to change the expiration date too.)

C. Closing Listings:

1. Residential & Commercial – Listings that are both in “Residential” and “Commercial” categories: the listing that matches the zoning is the listing that should be closed, and the other listing withdrawn.
2. Residential & Acreage, Farm, and Ranch – Listings that are in both “Residential” and “Acreage, Farm, and Ranch: Close the listing in the category based on the major contribution to total value and other listing should be withdrawn.

D. Photographs:

1. The main photo must be mostly representative of what the listing is.
2. Date Stamps are not permitted on photos.
3. Photos should be of property only, with no text, timestamps, watermarks or other advertising. The listing broker’s sign may not be placed or displayed in an MLS photo of the listed property in such a manner that it is the primary focus and appears to be an advertisement of the listing broker’s company. (\$500 Fine).
4. The main photo of a subdivision lot must be of the actual lot for sale; however, a photo of the entrance to the subdivision (including subdivision sign) may be used in additional photos.

E. Displays & Distribution:

1. Only Public Displays which do not show Agent Remarks are permitted to be given to clients and customers.
2. Any listing on the MLS shall not be made available to any broker or firm not a Member of the MLS without the prior consent of the listing broker.
3. Participants/Subscribers shall be permitted to display the MLS Compilation to prospective purchasers only in conjunction with their ordinary business activities or attempting to locate ready, willing and able buyer for the properties described in said MLS compilation. (Sec 12.1 CHCBLR MLS Rules & Regulations)
4. Sold information is not to be reported to any third party entity (i.e. Zillow, Trulia, etc.)

5. Branding is not permitted on any property specific materials entered into the MLS. Websites, videos, etc. referenced in the public display of a listed property may not contain any identifying broker information.
6. Virtual Staging is not permitted on listings in the MLS.

F. Disclosure:

1. Complete legal names of all sellers are to be included in the Owner field (use agent remarks if more space is needed.)
2. Listing Agent and Listing Office information may not be included on any uploaded documents
3. Do not include agent names, phone numbers, lockbox codes, websites, or other unauthorized information in the public remarks.
4. Participants must disclose potential short sales (defined as a transaction where title transfers, where the sale price is insufficient to pay the total of all liens and costs of sale and where the seller does not bring sufficient liquid assets to the closing to cure all deficiencies) when reasonably known to the listing participants.
5. Sold price must be disclosed on the MLS within 48 hours of closing. (Excluding weekends and holidays.) A listing cannot be withdrawn, expired or deleted to avoid reporting an accurate sales price and closing information. (\$1000 Fine)
6. Listing agent/broker must disclose any ownership interest in property listed in the MLS.

G. Price & Status Changes:

1. Price Changes to Listings – If the acreage or other data on the listings changes, so that the original price is no longer valid, the listing should be changed to match the property being sold. *
2. Higher Sold Price versus List Price – When a property sells for a higher price other than the list price, the reason should be noted in the remarks for comparable purposes. For example, if additional furnishings, outbuildings or other items are included in the sale, it should be clear that the reason for the higher price is due to the additional items and is not a reflection of an increasing market. If the price is higher because of a multiple offer situation, agent could simply note, “competitive priced offer”. *
3. Withdrawn listings must have the Withdrawn Comment field completed.
4. Status Changes must be made within 48 hours (excluding weekends and holidays)

H. User Info:

1. MLS Usernames and passwords are not to be shared with anyone – including personal assistants. Office staff and personal assistants shall have their own login credentials. The service may be accessed or used only in carrying out the duties of an assistant’s position and not for personal use.
 - a. Each office is allowed a maximum of two office staff with MLS access.
 - b. Each MLS Participant or Subscriber is allowed one Personal Assistant with MLS access.
2. Team’s broker must have an assumed name registered with TREC prior to entering listing in the MLS and all team members must be CHCBR MLS Users. (\$100 Fine for First occurrence)

H. MLS Dues Refunds

MLS Dues will be refunded if:

1. Participant/Subscriber has paid his/her quarterly invoice before the 1st day of the quarter AND the Participant or Subscriber requests, in writing, cancellation of their MLS subscription before the 1st day of the quarter, quarterly fee will be refunded.
2. Participant requests cancellation of their MLS subscription and Subscriber has already paid for the quarter, Subscriber will be issued a pro-rated refund.
3. A Participant is inactivated for any reason, Subscriber will be issued a pro-rated refund.
4. All refund requests must be in writing.
5. All refunds will be issued by check or may be maintained as a credit on account.

I. Other:

1. All highlighted fields on the MLS are required.
2. After entering a listing, check the mapping of the listing to see if it is mapped correctly.

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- *In addition to these listing requirements, CHCBR MLS users should ensure they are familiar with the Central Hill Country Board of REALTORS MLS Rules & Regulations.*
 - *Failure to comply with the MLS Rules & Regulations and Listing Requirements can result in suspension of privileges for the Participant (Broker) and Subscriber (Agent).*
 - *Failure to pay any fee within 30 days of the due date will result in the suspension of the MLS service.*
 - *If special circumstances prevent the Participant (Broker)/Subscriber (Agent) from adhering to the MLS policies, the Participant/Subscriber must give written notification to the Board Office of special circumstances in order to prevent enforcement of the policies and fines. Special circumstances will be reviewed by the MLS Committee.*

Definitions:

Coming Soon:

1. There should be a current, signed listing agreement
2. There should be a specific date to go active
3. Should not exceed 14 days from effective date of contract

Just Listed:

1. Should have signed agreement and entered into the MLS
2. Should not exceed 14 days as “just listed”

New Price, Reduced, or Price Change:

1. Should have signed amendment and entered into the MLS
2. Should not exceed 14 days

Participant: Designated Broker

Subscriber: Sponsored Sales Agent/Broker Associate

IDX Agreement: All MLS users requesting an IDX Link, RETS Feed or FTP Feed must complete an IDX Agreement for the Central Hill Country Board of REALTORS® in addition to any agreements Navica requires. Costs for IDX feeds are determined by the Board of Directors.

Waivers: Participants (Brokers) requesting a Waiver for an associate must state the reason on the Waiver form that the Waiver is being requested. Waivers will be granted if the reason states that the “Associate does not list or sell in our jurisdiction the type of properties which are required to be filed with the MLS and does not use the MLS in any way”.

Training: Online MLS training is required upon joining CHCBR MLS, and must be completed within 30 days.

Billing: All invoices for RETS and FTP Data Feeds will be sent to the broker quarterly. MLS Invoices will be sent directly to the user; however, the Broker may be held accountable when user neglects to pay the amount due.

Branch Offices: If a Participant (Broker) of the MLS Service opens a Branch Office, the Participant must register his branch office with the service and pay a fee of \$100. A Branch Office is considered a place where business is conducted.

Fines: Unless otherwise noted, fines for violations of these requirements are \$50. **Payment of fine does not rescind the requirement for the correction.** If the fine is not paid and correction made within 10 days, MLS User is subject to suspension of their MLS privileges until all fines are paid and violations corrected.

Late Fee: Quarterly service charges are due in the Board Office by the last day of the last month of the previous quarter (i.e. December 31, March 31, June 30, August 31). For failure to pay any service charge or fee by the due date a \$25 late fee will be incurred and MLS services will be suspended if not paid within 30 days of the initial due date.

MLS Fees:

Application Fee (Broker)	\$350.00	
Branch Offices:	\$100.00	
Application Fee (Agents)	\$50.00	(MLS only agents) (CHCBR board member's initial application fee is waived) (Application Fee is assessed after a 6 month lapse in MLS membership)
MLS Dues	\$146.14	Quarterly (Tax included)
RETS Feeds	\$129.90	Quarterly (Tax included)
FTP Data Pull	\$59.53	Quarterly (Tax included)
Transfer Fee	\$25.00	Assessed when MLS user transfers to another office.
Reactivation Fee	\$100.00	Assessed when MLS user is deactivated from the service for failure to pay required fees, in addition to past due balance.

MLS Fines: *(Payment of fine does not rescind the requirement for the correction)*

\$50 Fine:

- **New listings must be entered within 48 hours of the listing date.** In the event of extenuating circumstances, provide written notice to the board office. Failure to enter a listing timely is not considered extenuating.
- **At least a main photo of new listings must be uploaded within 48 hours.** The listing is automatically pulled by the Navica system and a fine will be issued to the listing agent.
- **The complete legal names of the Sellers are to be included in the "Owner" field.** Include more than one name if applicable. A buyer's agent should be able to prepare an offer with the information.
- **Status changes** (Price Change, Under Contract, Pending, and Closed) must be reported to the MLS Service within 48 hours.
- **Do not include agent names, phone numbers, lock box codes, websites, or other unauthorized information in public remarks.**

\$100 Fine (First Occurrence):

Unauthorized use of the MLS.

- MLS usernames and passwords are not to be shared with anyone including assistants. Office staff and personal assistants shall have their own log-in credentials. The service may be accessed or used only in carrying out the duties of an assistant's position and not for personal use. If an assistant is a licensed agent, they will need to make application to the MLS Service.
- The MLS Agent Ranking Report may only be provided to clients as a tool for the broker to demonstrate their standing in the market covered within the CHCBR MLS. Sharing of this information for other purposes is a violation of Sections 12 and 13 in the CHCBR MLS Rules and Regulations.

\$500 Fine:

- The listing broker's sign may not be placed or displayed in an MLS photo of the listed property
- Branding is not permitted on any property specific materials entered into the MLS. Websites, videos, etc. referenced in the public display of a listed property may not contain any identifying broker information.

\$1,000 Fine:

A listing cannot be withdrawn, expired, or deleted to avoid reporting an accurate sales price and closing information. If a Seller no longer wishes to sell their property, the property may be withdrawn from the Multiple Listing Service, provided written notice is filed with the Multiple Listing Service, including a copy of the agreement between the seller and the listing broker which authorizes the withdrawal.

~ Approved by the Central Hill Country Board of REALTORS® Board of Directors on May 21, 2020 ~