

# Royal Gorge Association of REALTORS® Fines & Sanctions Schedule

## Level 1 Violations

### **\$100.00 Per Violation not corrected within 3 business days**

If the violation(s) is corrected during the 3-day grace period then the fine will be waived. Failure to correct the listing within the 3-day grace period will result in withdrawal of the listing. Multiple violations in a single listing are charged per violation.

- **Incomplete or Inaccurate information** – All mandatory fields must be completed. The only time that zeros, dashes or N/A is permissible is if that field does not pertain to the subject listing.
- **Room Measurements**- all rooms including bathrooms must be measured and input Length X Width in Feet and Inches.
- **No Main Photo** – Photos must be uploaded to the system within three (3) days. The main photo for Residential, Multi-Family and Improved Commercial Property must be of the exterior of the main structure. All other listings shall have an exterior photo that is an accurate representation of the listed real property, map or elevation of the actual subject property as the main photo.
- **Prohibited Photos** - Photos cannot contain company signs, broker identification, contact information, logos or people.
- **Use of Photos Without Authorization** – Photos cannot be copied or otherwise used without written permission from the agent.
- **Prohibited Information in (Public) Remarks or Directions** – Agent/office name, logos, codes, website addresses, phone numbers, instructions to “Call, Contact or See” (to include mapping sites), offers of incentives or bonuses, showing instructions, vacancy or other information that does not describe the Property is not allowed in Public “Remarks” or “Directions”.
- **Prohibited Media Attached**- Agent, office or broker name, phone number, email address, web address or other information of this nature that is not descriptive in nature is prohibited in Virtual tours or other virtual media to be attached to listing in the MLS
- **Duplicate Reporting of SOLDS** - Only One Listing may be marked as SOLD if entered into multiple property types. The other listings must be Withdrawn.
- **Agent Ownership** - Agent shall disclose Agent has interest in the property when the listing is filed with the MLS and such information shall be disseminated to all Multiple Listing Participants.
- **Co-Listing Information** – Co-listings must contain the Co-List Office and Agent Information. Non-MLS Office/Agent information, as well as showing and/or negotiations instructions are to be included in the Agent Remarks.

## Level 2 Violations-Automatic Fine

### **\$100.00 Per Violation**

- **Commission Information Prohibited in Remarks Section**- Comments related to, or information on compensation are not allowed in the Public or Agent Remarks.
- **Advertising Prohibited prior to entering in MLS** - No property shall be advertised by any means until the listing has been entered in the MLS, including but not limited to signs, social media, internet, print and radio.
- **Failure to upload listings and within 3 days of listing** - Listings must be entered into the MLS within 3 days after all signatures of the sellers have been obtained.
- **Failure to enter a listing of any property within the jurisdiction** - Listings located within the territorial jurisdiction or RGAR are required to be submitted to the service.
- **Failure to disclose Limited-Service Listings** – as defined in Section 1.2.1 of the MLS Rules & Regs.
- **Failure to report change of listing** - Any changes in listed price or other changes must be made within 24 hours.
- **Failure to change status (Sold, U/C, Pending)** – Sales or status changes shall be reported within 48 hours or two (2) business days.
- **Failure to enter the cancellation of Pending Sale** - A cancellation of a Pending Sale requires that the listing shall be reinstated immediately.
- **Failure to report contingency changes** – Contingencies that have been fulfilled, renewed or cancelled must be reported within 24 hours.
- **Failure to obtain permission to advertise** – A listing shall not be advertised by any agent other than the listing agent without prior consent of the listing agent.
- **Providing MLS Data to Unauthorized Persons** – Listing information cannot be given to any Broker or firm that is not a member of the MLS without prior consent of the listing broker.
- **Distribution of Confidential Information** - Data sheets distributed to any person cannot contain Compensation, Agent Remarks or any other confidential information.
- **Failure to use disclaimers when using RGAR Stats for advertising** – See Section 13 of RGAR MLS Rules and Regulations for required verbiage when advertising.

- **Notification of Termination of Agent or Administrative Staff** – Broker must send written notification to the Board Office within 48 hours when an Agent or Administrative Staff leaves an office. If notification is not made prior to the end of the month the Broker is required to pay the next month's MLS fees.
- **Failure to make appointment for Access of Listed Property** - Access to a listed property must be arranged with the listing broker, even if the property is vacant.

**Level 3 Violations – Automatic Fine**  
**Egregious Violations – \$500.00 Per Violation**

- **Failure to Comply** with Governor, Attorney General or other laws and mandates will result in an immediate fine. Additional sanctions and complaints may be filed or issued.
- **Unauthorized Access to NavicaMLS** – Providing access to NavicaMLS, regardless if it is intentional, negligent or inadvertent.
- **Unauthorized Use of Supra Electronic Equipment** – Providing access to or use of the electronic access key to anyone, regardless if it is intentional, negligent or inadvertent, the Keyholder shall be fined.
- **Active listing without Listing Agreement** – All listings entered must be supported with a listing agreement that is signed by the MLS Participant/User as the listing agent.
- **Co-Listing** – Co-listed properties with non-MLS Participants must have a listing agreement that is also signed by the RGAR Participant.
- **MLS Only Co-List /Team Listings-** An exempted licensee may not co-list properties with another licensee within their brokerage unless both licensees are RGAR MLS members. Licensees operating as a team must all be added under the Participant. Team members cannot be exempted.
- **MLS Only Team Listings-** ALL Licensees operating as a team must be added under the Participant. Team members cannot be exempted.
- **Change of Active Listing** – Written permission from seller is required to extend or withdraw listing.
- **Failure to adhere to IDX and/or VOW rules** – may also result in inactivation of IDX and/or VOW

**Level 4 Violations – Automatic Fine**  
**\$1000.00-First Violation \$2000.00-Second Violation, \$3000.00-Third Violation**

- **Office/Agent Ranking Report-** Any advertising, use of other Brokers names, distribution, marketing, or sharing of the Office/Agent Ranking Report outside of the employing broker's office is prohibited. The Office / Agent Ranking Report is only for internal use within an employing broker's office. It does not have the context, sufficient background and information to be readily understood and has significant potential for misleading potential sellers and buyers.

\*Complaints may be initiated by RGAR Participants, Users, Board Office staff or indiscriminate listing audits. Reporting of possible violations will remain confidential. Complaints of possible violations must be submitted to the MLS Committee using the MLS Complaint form available in Navica.

\*Invoices for violations will be billed to the Participant (Designated Broker/Owner) and are due upon receipt. Failure to pay within 10 days\* of the invoice date will result in a late fee of \$50.00. Any fines, including late fees that remain unpaid after 15 days\* are subject to suspension of RGARMLS access until the account is paid in full.

\*Payment of the fine, late fee if applicable and the \$20.00 service re-activation fee will be required before MLS service will be reinstated.

\*A request of a Waiver/Review for any Violation/Fine must be submitted in writing together with documentation to the RGAR MLS Committee within 10 days\* of the notification date. Required corrections must be made prior to request.

\*Unless otherwise specified, days will be defined as business days.

Notifications of violations will be sent via email to the agent and carbon copied to the Broker. *Current email information is required to be on file at the Board Office.*

*Compliance with all RGAR Bylaws, MLS Rules and Regulations and MLS Governance Provisions is applicable to all Participants, Subscribers/Users, Administrative Staff and Assistants. The MLS Committee and/or the Board of Directors may impose additional fines or sanctioning in accordance with the Royal Gorge Association of REALTORS® Bylaws and/or MLS Rules and Regulations.*

Any act or omission which violates the Bylaws, MLS Rules and Regulations or *MLS Governance Provisions* of the Royal Gorge Association of REALTORS® shall constitute a "Violation".

**I have received, read, and understand the above Fines and Sanctions Schedule**

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date