

# MLS & Rules Committee

## Agenda / Action Items



**Date:** 05.22.2025

**Chairperson:** Lindsay Landis

**Time:** 1:00pm to 2:30pm

**Vice-Chairperson:** Discuss

**Locati** LBOR Office

**Staff Liaison:** Linda Manley & Rob Hulse

Committee Member Attendance:

### AGENDA ITEMS

No	Topic
	<b>Turn on PLAUD Meeting Recorder</b>
1	Consent Agenda - Review Previous Meeting Minutes and Requested Excused Absences.
2	MLS Staff Update <ul style="list-style-type: none"><li>a. MLS Policy from NAR regarding Multiple Listing Options for Sellers - also see #10 below.</li><li>a. Fair and Equal Access Policy Recommendation approved by LBOR Board of Directors.</li></ul>
3	Under Contract Listings returning to Active Status prior to signed Cancellation Notice.
4	Consider a Paragon Alert/Warning when approaching Closing Date - <i>Three options presented by Paragon Support.</i>
5	Define the status of "Sold Before Listed" - share MLS Staff research. <ul style="list-style-type: none"><li>a. Spreadsheet of Sold Before Listed from MLS Staff</li></ul>
6	Define the status of "Sold After Expiration"
7	Should Coming Soon listings have same required docs at Active listing, i.e., Disclosure.
8	Coming Soon status change to Under Contract with a Sight Unseen Offer. Contract falls apart. No showings ever occurred. Can the listing be returned to Coming Soon, from Under Contract, as long as it was never Active or had showings?
9	For Cancelled listings, with an immediate relisting as new to hit reset: Do we need to continue the DOM count unless off market for a minumum amount of time. It has become more and more prevelant to cancel and relist to hit the reset button.
10	NAR Policy Update - Delayed Marketing Listings (implementation deadline is 09/30/2025).
11	MLS & Rules Vice-Chairperson for 2025 - to become Chairperson for 2026.
12	Consider Tabled Topics? <ul style="list-style-type: none"><li>a. Do we need policy/rules regarding Ancillary Dwelling Units (ADUs)?</li><li>b. Define "Reasonably Prominent" in IDX Rules.</li></ul>
13	<b>Next Meeting:</b> _____
14	<b>Adjourn:</b> _____

# MLS & Rules Committee

## Meeting Minutes

April 23, 2025

## Meeting Notes

### Meeting Procedures and Real Estate Listing Rules

#### Meeting Minutes and Absences

The meeting began with a review of the meeting minutes and the approval of absences for Zach Dodson, Bill Perkins, and Drew Deck, who is attending via Zoom and will leave early. ***Absences were accepted and meeting minutes were approved.***

#### Staff Updates and Fines

Linda presented a pie chart showing first-quarter fine activity, noting 21 fines in the first three months. Discussion ensued on whether loosened rules have impacted the decrease in fines. Fine amounts are down, possibly due to rule changes and improved compliance.

#### Online Portal Display and Rule Changes

Discussion on rule changes affecting online portal displays, particularly regarding delayed marketing listings and IDX rules. Concerns were raised about listings not being displayed (blocked) on platforms like Zillow and Redfin if excluded initially.

### Real estate listing policies and IDX regulations

#### IDX Include Yes/No and Display on the Internet Yes/No Fields -

Discussion on the coupling of these two fields and the new NAR Mandate for the newly released, "MLS Options for Sellers." Discussed were the impacts of the variable rules for Clear Cooperation, as well as how a Participant/Broker who has opted-in as a IDX Participant can exclude IDX at the Listing level. It was concluded that the Seller, and only the Seller, may opt-out of IDX or Display on the Internet.

**Syndication and Internet Display – MLS Staff** clarified that these two fields are separate, and the settings in Paragon which couple these fields can be removed to keep them independent of one another, allowing for more flexible listing options.

#### Zillow and Redfin IDX Policies

Discussion on Zillow's and Redfin's policies regarding IDX, including the co-mingling of listings with FSBOs and the implications of these changes.

### **Non-Member Access to MLS**

The possibility of non-members being able to input listings into the MLS was discussed, with examples from Florida and Heartland.

## **Fair and Equal Access for All - listing and showing policies**

### **Showing Time and Access**

Discussion on the complexities of scheduling showings, including the potential for unfair practices and the need for cooperation among agents. The conversation also touched on the Code of Ethics and the importance of fair access.

### **Listing Availability and Seller's Authorization**

The group discussed the requirement for listings to be available within one day of input and the need for seller's authorization if restrictions are placed on the showing window of opportunity. The importance of having written authorization was emphasized.

### **Policy Wording and Interpretation**

Participants debated the wording of policies related to listing availability and the potential for misinterpretation. Suggestions were made to reword policies to ensure clarity and fairness.

### **Fair and Equal Access Policy**

The meeting explored the idea of a fair and equal access policy, discussing whether listings should be available for at least one calendar day and not be unavailable for five consecutive days. ***The policy was agreed upon, requiring seller's written authorization for any showing restrictions and ensuring properties are available for showing within one day of listing input. Passed.***

## **Investor Property Listings**

The discussion focused on requiring rent amounts for investor-owned property listings. The aim is to make rent information readily available to potential buyers without needing to contact the seller. ***A motion was made to require rent amounts for investor-owner type properties, but the decision was not finalized. Motion Failed.***

### **Next Meeting Schedule**

The next meeting was scheduled to discuss further policy language and other pending issues. The next meeting is set for May 22nd at 1:00 PM.



From Inman

# Zillow provides clarity on private listings rule — and when it rolls out

*Zillow will send warnings about non-compliant listings beginning May 28 but enforcement won't start until June 30. Agents will receive 2 warnings before their 3rd non-compliant listing is blocked*

by Lillian Dickerson

May 20, 2025

Zillow on Tuesday published additional details for agents and brokers regarding how its new listing standards will play out once they go into effect in June.

In April, Zillow said it would begin enforcing the National Association of Realtors' Clear Cooperation Policy with a ban on real estate listings that fail to make it on a multiple listing service or IDX feed of a portal within one business day of being marketed privately. The company also noted that listings that violated these new standards would be banned from the portal for the life of the listing agreement between that specific listing broker and home seller.

The announcement spurred questions about what qualified as public marketing and which types of listings would violate Zillow's new terms. With the more detailed guidance directed at industry professionals published on Tuesday, Zillow sought to bring more clarity to the standards as they are rolled out later this month.

"These listing access standards are how we're implementing NAR's Clear Cooperation Policy on Zillow sites and reflect our belief in fair access for all," Zillow's post states. "The standards apply to listings regardless of any applicable MLS rule. They apply to all listings subject to an exclusive for-sale listing agreement between a broker and a seller and therefore do not apply to builder inventory represented directly by the builder, rental listings or for sale by owner listings."

The full listing access standards are now available for reference within Zillow's Terms of Use.

Zillow clarified that it would be rolling the new standards out in phases, beginning in large markets in the U.S. and then nationally over the summer.

Agents will begin receiving notifications about non-compliant listings on May 28. However, the portal won't begin blocking listings until June 30.

Zillow also noted that it will be adopting a type of 'three-strikes, you're out' policy, where agents will only receive warnings about a listing violation for their first two non-compliant listings, and then their third non-compliant listing will be blocked from Zillow and Trulia starting on June 30, without warning. Still, those listings

that meet Zillow's standards — even if held by an agent who has received past violations — will remain visible on the platform.

“This notification period is designed to give agents ample time to understand and ensure they're complying with the new listing access standards so all publicly marketed listings can reach the broadest audience of home shoppers online,” Zillow said.

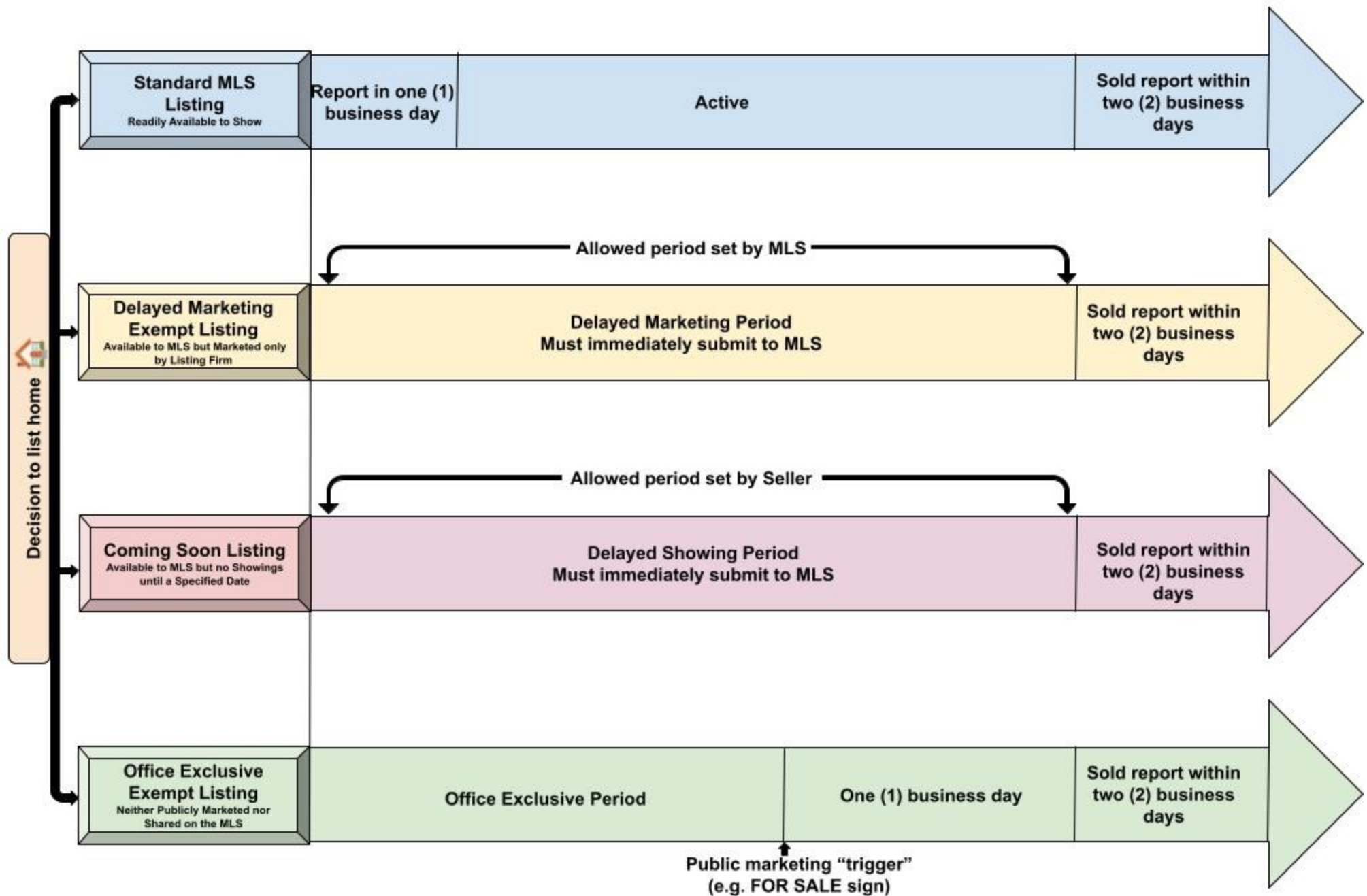
In the guidance published on Tuesday Zillow addressed specific types of listings that agents had doubts about following their initial announcement in April, including office exclusives, coming soon listings and “sneak peeks” of listings. Under Zillow's standards, office exclusives are permitted if a homeowner signs a seller disclosure and a listing is only shared within a single brokerage or during a one-on-one with clients, and not marketed publicly. Coming soon listings that are entered into the MLS within one business day and made available via IDX or VOW are also allowed. Likewise, sneak peeks on social media or in newsletters are also considered ok if they don't include details that would liken it to a listing, including price and address or any call to action.

Zillow also specified that for sale by owner listings will not be impacted by the new standards, nor will new construction listings, unless they are listed with an agent under an exclusive listing agreement — in which case, those listings will be held to the new standards.

Zillow also said that delayed marketing listings, a new designation recently established by NAR, will also be allowed under the new standards as long as they are entered into the MLS and available to all MLS participants, including in an IDX or VOW listing feed.

The portal pointed out that sellers who want to sell their home privately still have multiple options available to them, including posting their property on the MLS for all participants to see but opting out of internet display, and hiding their address while still publishing a home on the MLS and to other websites that receive MLS feeds. If sellers wish their listing to remain completely private, Zillow said, they should be informed of the tradeoffs and sign a written agreement with their agent not to distribute the listing in the MLS or elsewhere online.

*Lillian Dickerson*



# Multiple Listing Options for Sellers

After many months of analysis and deliberation across the industry—including MLS leadership; Association Executives; brokerages of all sizes; agents; multi-cultural partners; and fair housing, policy, technology, and legal experts—NAR has adopted a new MLS policy, Multiple Listing Options for Sellers, which exists in conjunction with the [Clear Cooperation Policy](#) and other [MLS policies](#) to provide sellers and their agents more options and choice when marketing a property, while also supporting fair housing by providing buyers and their agents with equal access to important MLS property information.

## New MLS Policy Statement

### Multiple Listing Options for Sellers

**Office Exclusive:** Is an exempt listing where the seller has directed that their property not be disseminated through the MLS and not be publicly marketed. The office exclusive listing shall be filed with the MLS but not disseminated to other MLS Participants and Subscribers.

**Delayed Marketing:** Is an exempt listing where the seller has directed the listing broker to delay the public marketing of that listing through IDX and syndication for any period as allowed by the local MLS in its unfettered discretion. A delayed marketing listing shall be filed with the MLS and does not preclude the listing firm from marketing the listing in a manner consistent with their seller's choice.

**Exempt Listing Disclosure:** The filing of an exempt listing (office exclusive or delayed marketing) with the MLS must be pursuant to a certification obtained by the listing broker from the seller which includes:

- disclosure about the professional relationship between the Participant and the seller;
- acknowledgement that the seller understands the MLS benefits they are waiving or delaying with the exempt listing, such as broad and immediate exposure of their listing through the MLS; and
- confirmation of the seller's decision that their listing not be publicly marketed and disseminated by the MLS as an office exclusive listing or that their listing will not have immediate public marketing through IDX and Syndication as a delayed marketing listing.

Multiple Listing Options for Sellers requirements only apply to listing types that are subject to mandatory submission pursuant to the MLS local rules.



## With this new policy:

- A consumer will have the option to market their home as a “delayed marketing exempt listing.” This means a seller can instruct their listing agent to delay the marketing of their listing by other agents outside the listing firm through IDX or syndication for a period of time.
- During the delayed marketing period, the home seller and the listing agent can market the listing in a manner consistent with the seller’s needs and interests. At the same time, the delayed marketing exempt listing will still be available to other MLS Participants through the MLS platform so they can inform their consumers about the property.
- Each MLS will have discretion to determine a delayed marketing period that is most suitable for their local marketplace.
- Listing agents representing sellers who choose to delay the public marketing of their listing must secure from their seller a signed disclosure documenting the seller’s informed consent to waive the benefits of immediate public marketing through IDX and syndication. Seller disclosure is required for both delayed marketing exempt listings and office exclusive exempt listings.

## UPDATED POLICY INTERPRETATION FOR THE CCP

NAR is also clarifying its policy interpretation that one-to-one, broker-to-broker communications about listings do not trigger CCP requirements. However, multi-brokerage communications about a listing will constitute public marketing under CCP. The Multiple Listing Options for Sellers policy is effective March 25, 2025, and must be implemented by September 30, 2025, allowing for technical changes associated with this new seller option of delayed marketing exempt listings. Prior to local implementation, MLSs are encouraged to engage with their brokers and stakeholders to gather input on the flexibility and accommodations consumers need in their local market. **Please note that the new policy does not change an MLS’s local mandatory submission deadlines or CCP and its requirement to file a listing with the MLS within one (1) business day from public marketing.**

# Changes to the NAR Handbook on Multiple Listing Policy for the Multiple Listing Options for Sellers Policy

## Changes to the Model MLS Rules and Regulations

As found in:

- C. Model Rules and Regulations for an MLS Operated as a Committee of an Association of REALTORS® and
- F. Model Rules and Regulations for an MLS Separately Incorporated but Wholly-owned by an Association of REALTORS®

(Underline indicates additions and strikethroughs are deletions.)

### **Section 1.3 ~~Exempt Listings~~**

~~If the seller refuses to permit the listing to be disseminated by the service, the participant may then take the listing (office exclusive) and such listing shall be filed with the service but not disseminated to the participants. Filing of the listing should be accompanied by certification signed by the seller that he does not desire the listing to be disseminated by the service.~~

**Note 1:** ~~Section 1.3 is not required if the service does not require all (indicate type[s] of listing[s] accepted by the service) listings to be submitted by a participant to the service.~~

### **Multiple Listing Options for Sellers**

Office Exclusive: Where the seller has directed the listing broker to not publicly market their property and to not disseminate it through the MLS to other MLS Participants and Subscribers, the Participant may then take the listing as an office exclusive exempt listing and such listing shall be filed with the MLS, subject to its local filing rules, but not disseminated to other MLS Participants and Subscribers.

Delayed Marketing: Where the seller has directed the listing broker to delay the public marketing of their property through IDX and syndication for [insert local delayed period as set by MLS's unfettered local discretion]. A delayed marketing exempt listing shall be filed with the MLS, subject to its local filing rules, and disseminated to other MLS Participants and Subscribers. The listing broker shall not be precluded from marketing the delayed marketing exempt listing in a manner consistent with the seller's choice.

Exempt Listing Disclosure: The filing of an exempt listing (office exclusive or delayed marketing) with the MLS must be pursuant to a certification, signed by the seller, obtained by the listing broker which includes:

- disclosure about the professional relationship between the Participant and the seller;

## Changes to the NAR Handbook on Multiple Listing Policy for the Multiple Listing Options for Sellers Policy

- acknowledgement that the seller understands the MLS benefits they are waiving or delaying with the exempt listing, such as broad and immediate exposure of their listing through the MLS; and
- confirmation of the seller's decision that their listing not be publicly marketed and disseminated by the MLS to other MLS Participants and Subscribers as an office exclusive listing or that their listing will not have immediate public marketing through IDX and Syndication as a delayed marketing listing.

Multiple Listing Options for Sellers requirements only apply to listing types that are subject to mandatory submission pursuant to the MLS local rules.

**Note 1:** The Multiple Listing Options for Sellers policy is designed to give consumers greater choice and flexibility in marketing their homes for sale. Each MLS has the unfettered local discretion in determining what is most suitable for their marketplace regarding a Delayed Marketing Exempt listing which includes adopting "0" days or to not implement the Delayed Marketing aspects of the Multiple Listing Options for Sellers policy.

**Note 2:** MLS Participants must distribute Office Exclusive eExempt listings through the MLS to other MLS Participants and Subscribers within (1) one business day ~~one~~ after the listing ~~is~~ has been publicly marketed. See Section 1.01, Clear Cooperation. **M**

**Subject:**

FW: Question!

For Closing Date Warnings/Reminders – Paragon can trigger an alert as follows:

**Option 1- Login Pop-Up Noting that a listing has been Under Contract for a long time.**

If you go to Admin > Status Categories > Under Contract, there's a setting called "Months to Keep Listings." Since Pending/Under Contract listings are never purged from Paragon, this setting actually determines the number of months after a listing is put into 1 of these 2 statuses to begin having a pop-up come up after an agent logs in. The pop-up would say "This listing has been under contract for an extended period of time." The agent would continue receiving that prompt each time they log in until the listing has been changed to a different status. In your situation, I would suggest having this set to 1 month. Again, this would only apply to Pending/Under Contract listings.

**Option 2- We could create a field rule to override the Expiration Date to match the closing date.**

When Proposed Closing Date is updated, it will trigger the Expiration Date to match the Proposed Closing Date, so the Listing Agent would receive an expiration notice, so the agent would receive a notice, but it would be sent like an expired listing notice.


**Option 3- Reminder Warning Message when Maintaining a Listing – This listing is scheduled to close tomorrow....**

When maintaining a listing – a warning message can prompt the listing agent to update the Closing Date field, if necessary.

Home
Market Monitor
Listings
Admin

Listings
Maintain: 161441

Primary



Add Label

Maintain Listing

Add/Edit Pictures

View Detail Report

Add/Edit Documents

Add/Edit Open House

Add/Edit Tour

View Activity Report

View Audit Listing Report

Access Log

SentriLock - Assign

Share via CollabLink

Share via Text

Share via Twitter

Input Fields: 177

# of Fields: 47

Remaining Fields: 0

MLS#161441 - 3301 RAINIER DRIVE

Save Listing

Price Analysis

Reset Fields

Required Only

Open All

Close All

Accept Warnings

1 warning, 0 errors
1 of 1

This listing is scheduled to close tomorrow. If closing is to occur as scheduled, no action is necessary. If the proposed closing date has changed, please update at this time.
308
Accept

(6) Housing Unit

(44) Housing Unit #

(5) Address 2

(45) City 

Lawrence

(46) State 

KS

(48) Zip 

66047

(49) Status 

UC - Under Contract

(50) Sale/Rent 

For Sale

(76) For Auction 

N - No

General

Features

Financial

Remarks

Sold

(188) Contract Date 

12/22/2024

(189) Proposed Closing Date 

01/29/2025

2