

MLS & Rules Committee

Agenda / Action Items



Date: 01.03.2025

Chairperson: Lindsay Landis

Time: 2:30pm

Vice-Chairperson:

Locati LBOR Office

Staff Liaison: Linda Manley & Rob Hulse

Committee Members: See Roster/Attendance Handout

AGENDA ITEMS

No	Topic	Done	Notes/Update
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- 1 Review Previous Meeting Minutes from 12.12.2024
- 2 Review Requested Excused Absences - 2025 Attendance Sheet
- 3 Coming Soon Policy - Review updated informaton below, including requests for the Committee to add Policy Clarifications.
 - a. Coming Soon will be a sub-status of Active (Simply an FYI - This is a change from Paragon Supports original indication)
 - b. While in Coming Soon, DOM will accrue, but once it goes to Active, DOM will reset and start at 0.
 - c. Programming for Display on Internet/VOW and IDX Include is as follows:
 - These two fields will remain separate in Paragon, however a listing will receive an error message if saving differing values.
 - * If Display on Internet/VOW = No, then IDX Include must also = No
 - * If Display on Internet/VOW = Yes, then IDX Include must also = Yes
 - d. Options for the Coming Soon Disclaimer for Remarks.
 - The Disclaimer can be at the beginning of Remarks, or at the end of Remarks.
 - * Example: ***Disclaimer: "Sight unseen offers may be accepted by the Seller. The Showing Begin Date is subject to change."***

REMARKS

Public Remarks Perfect weekender or permanent residence on Lake Murray! Cozy floorplan with a screened porch and a detached "fish camp" building also overlooking 135 feet of lake frontage and the private dock. This home is 10 minutes from the traffic circle and an even shorter boat ride to Blacks Bridge area. This getaway has 3 bedrooms, 2 full baths, and 2 living rooms to suit extra guests or give the kids their own area while you enjoy the lake side! Fresh paint throughout. NO HOA! New deck and firepit. Live here permanently or vacation rent while not using for extra income! Paved road and an easy commute to Newberry, Chapin, Saluda, Aiken, or 40 minutes from Lexington. Fresh paint throughout. NO HOA! New deck and firepit. Live here permanently or vacation rent while not using for extra income! Paved road and an easy commute to Newberry, Chapin, Saluda, Aiken, or 40 minutes from Lexington. Fresh paint throughout. NO HOA! New deck and firepit. Live here permanently or vacation rent while not using for extra income! Paved road and an easy commute to Newberry, Chapin, Saluda, Aiken, or 40 minutes from Lexington. Fresh paint throughout. NO HOA! New deck and firepit. Live here permanently or vacation rent while not using for extra income! Paved road and an easy commute to Newberry, Chapin, Saluda, Aiken, or 40 minutes from Lexington. Fresh paint throughout. NO HOA! New deck and firepit. Live here permanently or vacation rent while not using for extra income! Paved road and an easy commute Disclaimer: CMLS has not reviewed and, therefore does not endorse vendors who may appear in listings.

~~e. Begin Show Date Clarification - Notice to Showing Agents if/when the Begin Showing Date is moved to an earlier date.~~

~~Previously discussed - the Listing Agent will need to notify Showing Agents to reschedule if the Begin Show date is extended.~~

f. Reference to one (1) day. Do we need to clarify that this is a Calendar day or Business day?

All MLS Rules use one (1) business day. s extended.

~~g. Intended Showings - See minutes showing where the Committee left off with this.~~

h. Unintended Showings - See minutes showing where the Committee left off with this.

4 Forms Committee Update - changes to support Coming Soon Policy (EROS and the Amendment to the EROS)

5 Discuss removing the Change Form from the LBOR Forms Library

6 Define the status of "Sold Before Listed"

7 Define the status of "Sold After Expiration"

8 Under Contract Listings returning to Active Status prior to signed Cancellation Notice.

9 Investor Property Listings - Painpoint for Readily Available to Show at 1 Business Day.

10 Consider Tabled Topics?

a. Readily Available to Show.

b. Fair and Equal Access for all.

c. Do we need policy/rules regarding Ancillary Dwelling Units (ADUs)?

d. Define "Reasonably Prominent" in IDX Rules.

11 **Next Meeting:** _____

12 **Adjourn:**

MLS & Rules Committee Minutes

December 12, 2024 – 1:00pm.

Previous **Meeting Minutes** were approved.

Staff shared that the BOD approved the Coming Soon Policy as proposed at their last Board meeting.

After BOD Approval, the Forms Committee met, and from that there has been some confusion and needed clarification specific to the Coming Soon Policy before the forms committee can put together an Exclusive Right of Sale Agreement that works.

As a result, the Committee turned their attention back to the Coming Soon Policy and started in on the agenda with Item 3.E. regarding the Begin Showing Date. Clarification needed for the Listing Agents obligation to give notice to showing agents if/when the Begin Showing Date is moved to an earlier date. Initial discussions related to the policy were centered only on a delay to the Begin Showing Date, in which the listing agent has an obligation to notify agents that have scheduled showings that need to be pushed back.

After discussion about the need to create rules for both a delay AND an advancing of the Begin Showing Date, **it was moved and seconded: If there is a pre-existing showing scheduled for a listing in Coming Soon status, and if there is ANY change in the Begin Showing date (forward or backward) the Listing Agent is required to provide notification to the showing agent.**

During Continued Discussion:

- Agents watching Paragon might be able to see if the Begin Showing Date changes by configuring the field to trigger a report to the hot sheet in Paragon.
- And, what is the definition of notification?

It was then moved to amend the motion as follows: **If there is a pre-existing showing scheduled for a listing in Coming Soon Status, and if there is ANY change in the Begin Showing Date (forward or backward) the Listing Agent is required to provide notification to the Showing Agent prior to any showing occurring, or within 1 business day whichever is first.** The Amended motion was seconded.

Clarification of the motion was requested for a showing event as follows: the original Begin Show Date is a Monday, and the Seller agrees to allow showings on the prior Saturday. If the Listing Agent needs to notify 10 scheduled Showing Agents (for example), what other showings may occur on the Saturday for the other Showing Agents, when the notifications to the 10 scheduled Showing Agents are not yet communicated/completed. Much other discussion ensued.

As a result of the continued discussion, the following protocol was added.

If there is a pre-existing showing scheduled, any change in the Begin Showing Date **will also result in the following protocol to be completed in this order:**

- 1. Seller provides written authorization to change the Begin Showing Date.**
- 2. Listing agent to provide notification ALL showing agents.**
- 3. A change is made to the Begin Showing Date in the MLS (Paragon) system.**
- 4. Showings can occur after 1, 2, & 3 are completed.**

The Amended Motion Passed. At this time a **vote was recorded for the Original Motion, as amended. Motion passed. Motion passes unanimously**

Next, the Committee discussed that once the Coming Soon Policy has been thoroughly hashed out, the Committee should have additional discussion about consequences/fines/etc. for violations to the Coming Soon Policy.

Next, the Committee discussed 3.F. and the reference to one (1) day. Do we need to clarify that this is a calendar day or business day? At this time the Committee decided to prioritize the need to fix intended vs unintended in the Coming Soon Policy, before they decide on calendar day or business day

A suggestion was made to Strike "intended or unintended" in section v of the approved policy and "unintended" in section v. of the approved policy. This would result in the following:

- v. Recommendation to implement an MLS Rule prohibiting the showing of any listing while in a **Coming Soon** Status. Any showing, ~~intended or unintended; will require the listing status to change from Coming Soon to Active within one (1) day. A violation of this policy~~ while in the Coming Soon Status will result in a fine of \$1,000, for both the Listing Agent and Showing Agent.
Approved by Consensus.

Additionally, it was suggested to change section vi. To the following.

- vi. Recommendation that in the event of an unintended showing, for example during an estate sale or garage sale, ~~when it becomes known that a prospective buyer has shown interest (a Buyer or the Buyer's Agent communicating interest alone qualifies), the Listing Agent will change the status from Coming Soon to Active within one (1) day.~~ In the event that a written Bonafide offer that is received by the Listing Agent/Broker, the Seller Authorizes the Listing Agent/Broker to change the status from Coming Soon to Active, within one (1) day.

Next, what is an unintended showing:

Has an unintended showing occurred when interest is shown from a Buyer? Is this the trigger?

Or is it triggered when a Showing Agent asks about the property?

Comments about how Unintended Showing might be defined.

When the listing agent becomes aware of a showing that happens outside of the listing agent's knowledge?

One of the benefits of coming soon is to have the seller under agency when there are estate sales, garage sales, etc..

Does one occur as a result of an estate sale, garage sale, ect. If there is communication on behalf of a buyer?

Does it occur when the listing agent becomes aware of a showing that happens outside of the listing agent's knowledge?

It was moved and seconded that:

- Intended showing while in Coming Soon Status is a \$1000 fine, for both the Listing Agent and Showing Agent.
- An Unintended showing which may occur such as during an estate sale or a garage sale, does not trigger into an active listing unless a written offer is received

During discussion, the above motion was amended and seconded as follows:

- Intended showing while in Coming Soon Status is a \$1000 fine, for both the Listing Agent and Showing Agent.
- An Unintended showing ~~which may occur such as during an estate sale or a garage sale, does not trigger into an active listing unless a written offer is received~~ does NOT trigger into an active listing unless a WRITTEN offer is received.

During continued discussion of the Amended Motion, there is Committee Consensus that this motion is not clear enough and needs more clarification. Should there be an automatic trigger requiring the Seller to authorize the listing broker to change status from coming soon to active in the Listing Agreement?

The Committee voted on the Amended Motion, which failed. And the original motion also failed.

It was moved and seconded to extend the meeting to 2:45 pm. Motion Passed.

Next, it was then moved and seconded that:

When the listing agent becomes aware of any unintended showing they must change the Begin Showing Date at their earliest convenience, but no later than by midnight of the same day. However, if the unintended showing comes from an estate sale or a garage sale, the listing agent does not have to change the Begin Showing Date at the earliest convenience but no later by midnight of the same day UNLESS a written offer is received. When incorporated into the Listing Agreement, this can be pre-authorized by the seller and will not need a newly prepared Seller's written authorization.

In further discussion, and Amended Motion was made that:

When the listing agent becomes aware of any unintended showing they must change the Begin Showing Date at their earliest convenience, but no later than by midnight of the same day. However, if the unintended showing comes from an estate sale or a garage sale, the listing agent does not have to change the Begin Showing Date ~~at the earliest convenience but no later by midnight of the same day~~ UNLESS a written offer is received, and at that point the Status must be changed to Active immediately. When incorporated into the Listing Agreement, this can be pre-authorized by the seller and will not need a newly prepared Seller's written authorization.
Motion Passed.

Having reached the end of the meeting time, the next meeting was scheduled for 2:30 pm Friday, January 3rd.

FYI Forms committee meets at 2:30 pm, Tuesday, January 7th

Coming Soon / Lawrence MLS

As Proposed by the Coming Soon Sub-Committee

Coming Soon Policy components, as a new Status in the MLS:

- i. Recommendation to name the added status in the MLS - **Coming Soon**.
- ii. Recommendation to add the **Coming Soon** status to all classes in the MLS: Residential, Land, Commercial, and Multi-Family.
- iii. Recommendation that all **Coming Soon** listed property must contain a **Begin Showing Date** when input into Paragon. Listing Agents may extend the **Begin Showing Date** as needed, without limitation, but no later than two (2) weeks prior to the listing expiration date.
- iv. Recommendation to allow **Coming Soon** Status for a period beginning on the Listing effective date, with a **Begin Showing Date** no later than two (2) weeks prior to the Listing Expiration Date (mirrors Heartland MLS policy).
- v. Recommendation to implement an MLS Rule prohibiting the showing of any listing while in a **Coming Soon** Status. Any showing, ~~intended or unintended, will require the listing status to change from **Coming Soon** to **Active** within one (1) day. A violation of this policy~~ will result in a fine of \$1,000.
- vi. Recommendation that in the event of an unintended showing, for example during an estate sale or garage sale, ~~when it becomes known that a prospective buyer has shown interest (a Buyer or the Buyer's Agent communicating interest alone qualifies)~~ in the event that a written Bonafide offer that is received by the Listing Agent/Broker, the Seller Authorizes the Listing Agent/Broker to change the status from Coming Soon to Active, within one (1) day.
- vii. When input into the MLS with status of Coming Soon, the Listing Agent/Broker is required to add a statement into Public Remarks as follows: *Sight unseen offers may be accepted by the Seller. The Showing Begin Date is subject to change.*
 - In the event of a Sight Unseen Offer that is accepted by the Seller, the Listing Agent/Broker will change the status from **Coming Soon** to **Active**, and then **Under Contract** within one (1) day.
- viii. Recommendation that once a listed property is removed from **Coming Soon** to another status in the MLS, it cannot be returned to a status of **Coming Soon**.
- ix. Recommendation that while the listed property is **Coming Soon**, Days on Market (DOM) in Paragon will not accrue/calculate.
- x. Recommendation that the fields for Display on Internet/VOW – Yes/No and IDX Include– Yes/No be coupled/tied together. Both will be the same value of Yes or No (All In/On or All Out/Off in the MLS).
- xi. Recommendation that by default, ALL **Coming Soon** listings will be set to a default of “Yes” for Display on Internet/VOW and IDX Include (coupled fields).
- xii. Recommendation that for **Coming Soon** listings, if Display on Internet/VOW and IDX Include is “Yes,” the default be set to Include on fields for data feeds to 3rd party sites such as Realtor.com, Homes.com, and ListHub. The Seller/Listing agent may choose to override the default and Exclude the **Coming Soon** listing on any combination of the 3rd party data feeds.

Summary Regarding x., xi., and xii. above:

- Display on Internet/VOW & IDX Include will be coupled together and be “Yes” by default.
 - If Display on Internet/VOW and IDX Include are Yes, fields for syndication to 3rd party data feeds be set to Include by default (Homes, Realtor.com, ListHub).
 - Agents can always override any default setting.
 - Listing Agent/Broker may personally market online at any time, except when Display on Internet/VOW & IDX Include = No.
 - If Seller directs that Display on the Internet/VOW and IDX Include = No, every other online display option is prohibited. No IDX, No Syndication, No personal public facing online marketing.
 - Personal online public facing marketing is defined as online promotional marketing, posts, ads, shares, etc., intended for public consumption. *For example: a post, share or ad placed on Facebook is prohibited, as opposed to a one-to-one contact using Facebook Messenger, which would be allowed.*
- xiii. ShowingTime settings will not allow appointment times prior to the Begin Showing: (date). If the Begin Showing: (date) is extended, the Listing Agent will be responsible to notify, cancel, or reschedule showings occurring before the newly updated Begin Showing: (date).

Q&A

1. May a listing in which the Seller authorizes the listing broker to Display on Internet/VOW be included in Listing Syndication?
Yes – When electing “YES” to Display on Internet/VOW & IDX Include, the listing Agent/Broker may also include the listing in Syndication to sites such as Realtor.com, ListHub.com, and Homes.com. However, electing “NO” to Display on Internet/VOW & IDX means NO to all internet marketing, including on the listing broker/agent website or social media, in IDX, and in Listing Syndication.
2. May a listing in which the Seller authorizes the listing broker to Display on Internet/VOW & IDX Include be personally marketed for sale online or in social media?
Yes – When electing “YES” to Display on Internet/VOW & IDX Include, the listing Agent/Broker may also include the listing in online public facing marketing, for public consumption. However, electing “NO” means NO to all online public facing marketing, including on the listing broker/agent website or social media, IDX, and in Listing Syndication.
3. Do I need to add any disclaimers or disclosures with my listing in the MLS, when using the status of Coming Soon?
Yes - When input into the MLS with status of Coming Soon, the Listing Agent/Broker is required to add a statement into Public Remarks as follows: Sight unseen offers may be accepted by the Seller. The Showing Begin Date is subject to change.
4. How long can my listing remain in the status of Coming Soon?
A listing that is input with a Coming Soon status may remain as Coming Soon in the MLS up to two (2) weeks prior to the expiration date in the listing agreement. When using Coming Soon, the LBOR Exclusive Right of Sale (listing agreement) must include a “Begin Showing Date” which will be input into the MLS system. The listing will automatically change from Coming Soon to Active on the Begin Showing Date. The Begin Showing Date may be edited as needed, however, once a listing has become Active, it cannot be returned to Coming Soon Status.
5. How is Personal Online Public Facing Marketing defined?
Online promotional marketing, posts, ads, shares, etc., intended for public consumption. For example: a post, share or ad placed on Facebook is prohibited, as opposed to a one-to-one contact using Facebook Messenger, which would be allowed. Displaying on the Agent/Broker’s public facing website is prohibited, although a for sale sign placed in the listed property’s yard is allowed.

Implementation

From Paragon Support

1. Add status of **Coming Soon** to all classes (Residential, Land, Commercial, Multi-Family) at no cost from Paragon.
2. Add a required field for **Begin Showings: (date)** to display in listing input when using the status of **Coming Soon**.
3. **Coming Soon** status listings will “Auto Maintain” from Coming Soon to Active on the date specified by the listing agent as the **Begin Showings: (date)**. FYI – Partial Listings will not “Auto Maintain.”
4. Combine and/or Couple the Fields for **Display on Internet/VOW** and **IDX Include** and set the default value at input to **Yes** (may be edited by the inputting listing Agent/Broker).
5. When Display on Internet/VOW & IDX Include fields are set to Yes, the fields for syndication (Realtor.com, ListHub, and Homes.com) will be set to Include by default. The listing Agent/Broker may edit the fields for syndication.
6. When Display on Internet/VOW & IDX Include fields are set to No, fields for syndication will be set to Exclude, and may NOT be edited by the Listing Agent.
7. When using the Coming Soon status, Paragon will include the following in Public Remarks: *Sight unseen offers may be accepted by the Seller. The Showing Begin Date is subject to change.*

MLS & Rules Committee	Role	1/3										Present	Excused	Unexcused	
		Fri											P	E	U
2025															
Lindsay Landis	Chairperson														
Elizabeth Ham	Committee Member	R													
Vanessa Schmidt	Committee Member														
Anna Clemente	Committee Member														
Bailey Stuart (President)	Committee Member														
Cheri Drake	Committee Member														
Chris Earl	Committee Member														
Danny Freeman	Committee Member														
Deanna Dibble	Committee Member	R													
Drew Deck	Committee Member														
Erin Maigaard	Committee Member	R													
Michelle Roberts-Freeman	Committee Member														
Nicholas Lerner	Committee Member														
Ryan Desch	Committee Member														
Taylor LaRue	Committee Member														
William Perkins	Committee Member														
Claire Vowels	Committee Member														
Zach Dodson	Committee Member														
Linda Manley	LBOR														
Rob Hulse	LBOR														
												0	0	0	
		R = Requested Excused Absence Z = Zoom AL = Arrived Late LE = Left Early													
		Guests on May 16: Karyn Davis, Claire Vowels, Denise Bridwell, Susan Parker													
		Guest on June 24: Drew Deck													



MLS & Rules Committee 2024	Role	1/25 Thu	2/22 Thu	3/21 Thu	5/16 Thu	6/20 Thu	6/24 Mon	8/22 Thu	9/18 Wed	10/16 Wed	11/13 Wed	12/12 Thu	Present P	Excused E	Unexcused U
Elizabeth Ham	Co-Chairperson	P	P	P	P	E	P	P	p	P	Z	P			
Vanessa Schmidt	Co-Chairperson	P	P	AL	P	P	P	P	p	P	P	P			
Anna Clemente	Committee Member	U	P	P	P	P	P	P	P	P	P	P			
Bailey Stuart	Committee Member	P	P	P	P	P	P	P	E	P	P	P			
Cheri Drake	Committee Member	P	P	P	Z	E	P	P	P	P	AL	P			
Chris Earl	Committee Member	P	E	P	P	P	P	E	P	P	E	P			
Cindy Glynn	Committee Member					P	P	P-Z	E	P	P	P			
Danny Freeman	Committee Member	P	P	E	P	E	E	E	P	P	P	P			
Deanna Dibble	Committee Member				P	P	P	AL	P	P	Z	U			
Drew Deck	Committee Member								P	P	P	AR			
Erin Maigaard	Committee Member	P	U	P	P	P	E	P	P	P	P	E			
Lindsay Landis	Committee Member	P	P	P	P	P	P	P	P	P	P	P			
Michelle Roberts-Freeman	Committee Member	AL-E	P	P	P	E	E	E	E	P	Z	E			
Nicholas Lerner	Committee Member	P	P	P	P	P	P	P	P	P	E	P			
Ryan Desch	Committee Member	P	AL-Z	P	P	P	P	P	P	P	P	P			
Taylor LaRue	Committee Member	P	P	P	P	P	P	P	P	P	P	P			
William Perkins	Committee Member	P	P	P	P	E	P	P	P	U	U	U			
Claire Vowels	Committee Member					P	E	P	P	P	P	E-AR			
Zach Dodson	Committee Member	E	E	P	U	P	P	P	E	P	P	E			
Jill Ballew	President				P										
Linda Manley	LBOR	P	E	P	P	P	P	P	P	P	P	-			
Rob Hulse	LBOR	P	P	P	P	P	P	P	P	P	P	P			

Z = Zoom AL = Arrived Late LE = Left Early

Guests on May 16: Karyn Davis, Claire Vowels, Denise Bridwell, Susan Parker

Guest on June 24: Drew Deck

