

MLS & Rules Committee Minutes

January 3, 2025 – 2:30pm.

Previous **Meeting Minutes** were approved.

Attendance standards for the Committee were discussed. The Committee has the authority to approve or deny a requested excused absence. A Committee Member's 3rd unexcused absence will be considered resignation from the Committee. It is important to attend meetings for continuity of rules and policy discussions, and to maintain a manageable quorum.

MLS Staff next reported on the implementation of the Coming Soon Status in Paragon.

1. Coming Soon will be a sub-status of Active.
2. While in Coming Soon Status, DOM will accrue. When the status change is made from Coming Soon to Active, DOM will reset.
3. Fields for Display on Internet/VOW and IDX Include will remain separate fields in Paragon, however an error message will result in Paragon if the two fields are input with differing values.
 - a. If Display on Internet/VOW = No, then IDX Include must also = No.
 - b. If Display on Internet/VOW = Yes, then IDX Include must also = Yes.
 - c. There is an option on how the Coming Soon Disclaimer is displayed in Remarks.

After discussion, ***it was moved and seconded to approve the following language for the Coming Soon Disclaimer: Sight unseen offers may be accepted by the Seller. The Showing Begin Date is subject to change. And to place the disclaimer at the end of remarks on Coming Soon listings in the Paragon System. Motion Passed.***

4. Next, the Committee considered a request to visit the 1 Day timeframe in the Coming Soon policy. Should this be a Business Day or Calendar Day. The current interpretation of the Coming Soon policy is Calendar Day, while other MLS Policies use 1 Business Day. ***It was moved to make the reference to 1 Day mirror the last paragraph from the December 12th Meeting Minutes. The motion died for a lack of a second.*** After further discussion, the consensus remained to leave the Coming Soon policy as is, making the reference to 1 Day a Calendar Day.

At this time, the Committee resumed the discussion about Unintended Showings, which is how the previous meeting on December 12, 2024, had ended. The Committee discussed moving away from the terminology of "unintended" showings, favoring the use of "unauthorized" showings. After discussion, ***it was moved and seconded to change all references of "unintended" showings in the Coming Soon policy to "unauthorized" showings. Motion Passed.***

After the most recent change above, the Committee turned its attention to the overall organization of how the Coming Soon policy is drafted. As a result of the discussion, MLS Staff will prepare an updated version of the Coming Soon policy putting changes in place from both the December 12th and January 3rd meetings, incorporating the changes as shown in the Dec 12th Meeting Minutes, along with changes from the January 3rd meeting. The MLS & Rules Committee intends to meet again prior to the February Board of Directors meeting and will be provided with the updated Coming Soon Policy at that time. MLS Staff will also provide a working draft of the policy for the Board of Directors at their meeting on January 8th, but only for informational purposes.

Next, the Committee received a brief update from the Forms Committee. The Forms Committee is separate from MLS & Rules Committee in 2025, and will make recommendations on Forms direct to the Board of Directors. The Forms Committee is prioritizing work on the Exclusive Right of Sale to support Coming Soon,

and the goal is to make a recommendation on this form to the Board of Directors for consideration at their February 12th meeting.

Next, the Committee discussed the Change Form. A newer Amendment to the Listing Agreement was approved and circulated in January of 2024, with the intention of replacing the Change Form. After discussion, ***it was moved and seconded to sunset the Change Form, to be replaced by the Amendment to the Exclusive Right of Sale, to become effective after notification to membership. Motion Passed.***

Next, the Committee turned their attention to two Sold statuses that are rarely used, and can be confusing, i.e., **Sold Before Listed** and **Sold After Expiration**. Committee members noted that there are numerous transactions in Paragon's history with the Sold Before Listed Status that display a Listing Date prior to the Contract Date. This is not consistent with how the Sold Before Listed status should be used. In a Sold Before Listed Status, it is implied that a Seller and Buyer were already identified, and a property went under contract without being available to the open market via the MLS. A listing agreement is not required to be uploaded when a Sold Before Listed is reported, and little information is available to MLS Staff. As discussion continued, MLS Staff indicated that it would be helpful for Staff to do a little research on this issue and bring that back to the Committee at the next meeting.

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