

MLS & Rules Committee

Agenda / Action Items



Date: 11.13.2024

Co-Chairperson: Beth Ham

Time: 11:30am

Co-Chairperson: Vanessa Schmidt

Locati LBOR Office

Staff Liaison: Linda Manley & Rob Hulse

Committee Members: See Roster/Attendance Handout

AGENDA ITEMS

No	Topic	Done	Notes/Update
1	Review Previous Meeting Minutes from 10.16.2024		
2	Board of Directors actions taken. <ul style="list-style-type: none">a. Board approved the MLS Training Requirement for all New Membersb. Board approved additional member of Unrepresented Seller and Buyer, and additional check boxes in SOLD Container for same.c. Board approved expanding SOLD data to Realtor.com for greater attribution.		
3	Coming Soon Policy - Review the update to the policy following a discussion with NAR, and the response from the Board of Directors		
4	Provide the Committee with information about the meeting with Brad Eldridge, Douglas County Appraiser.		
5	Discuss removing the		
6	Define the status of		
7	Define the status of		
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? <ul style="list-style-type: none">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 ACTION ITEMS

No	Action	Due Date	Responsible Member	In Process	Done	Notes/Update
	Create Class Content for Required New Member MLS Training.	01.01.2025	LMLS Staff - Rob	√		Approved by Board of Directors on 11.13.2024
	Work with Realtor.com to expand Sold Data online.	11.01.2024	LMLS Staff - Rob		√	Approved by Board of Directors on 10.09.2024
	Add the Following Members to Paragon - Unrepresented Buyer and Unrepresented Seller	11.01.2024	LMLS Staff - Rob	√		Approved by Board of Directors on 10.09.2024
	Add Checkboxed in the Sold Container in Paragon for Seller was unrepresented / Buyer was Unrepresneted.	11.01.2024	LMLS Staff - Rob	√		Approved by Board of Directors on 10.09.2024
	Add General Language to SPCD and Publish with new statement regarding a property's use - subject to regulations.	11.01.2024	LMLS Staff - Rob	√		Requires New Formatting
	Expand Sold Data at Realtor.com to include attribution for both the Listing and Selling agents.	11.01.2024	LMLS Staff - Rob		√	Approved by Board of Directors on 10.09.2024
	Statistical Reporting Policy - Add to Governing Docs	06.01.2024	LMLS Staff - Rob		√	
	Statistical Reporting Policy - Communicate new Policy to Membership	06.01.2024	LMLS Staff - Rob		√	
	Communicate that Production Awards have been permanently discontinued.	06.01.2024	LMLS Staff - Rob		√	Approved by Board of Directors on 04.05.2024
	Rocommend Citation Schedule for adoption and pass along to Professional Standards Committee	03.21.2024	LMLS Staff - Rob		√	
	Create a new Citation (fine) Policy/Schedule and return to Committee with recommendation.	03.01.2024	LMLS Staff - Rob		√	
	Zillow - configure with at Time/Date stamp to display in chronological order as a new listing.	03.01.2024	LMLS Staff - Rob		√	
	Present recommendation from MLS & Rules to expand photos to 100 in Paragon.	11.13.2023	LMLS Staff - Rob		√	
	Create a new Detail Report specific to feedback provided by Appraisers.	In Appraiser's Hands at this time.	Member Appraiser and LMLS Staff	√		Waiting on the Appraiser for noted changes.

MLS & Rules Committee Minutes

October 16, 2024 – 11:30am.

Previous Meeting Minutes – **It was moved and seconded to approve the meeting minutes.** Discussion then occurred regarding the Committee’s conversation about a Best Practice for Distribution Lists provided by the LBOR/LMLS. While it has been communicated from NAR that use of the Distribution List is acceptable for Agents and Brokers to communicate offers of compensation from Agent/Broker to Agent/Broker, there is a greater concern about the amount of spam email being sent using the distribution list. The question that we need some guidance from NAR is specific to any limitations we can impose on the use of a Distribution List provided by the LBOR/LMLS. Staff will ask NAR for guidance on this issue, and report back to the Committee as their next meeting. This item will also be an Agenda Item for the next meeting. **After discussion, and consensus to add more notes to the 09.18.2024 meeting minutes, the motion passed.**

Next the Committee began discussing progress of the Coming Soon topic, from the Coming Soon Sub-Committee. Coming Soon was to be proposed to the Committee for approval, however notes about the specific implementation of Coming Soon were not included in the Committee’s Agenda Packet. The Committee moved ahead with the agenda, while Staff gathered the Coming Soon recommendation.

Next the Committee discussed whether MLS Training should be required of all new Members (Primary and MLS Only). Currently all Primary Members are required to attend Orientation, and Members with a 2nd MLS Violation are required to attend MLS Rules Training. The Committee discussed how a preemptively required MLS Training would help to alleviate the “gotcha” feeling when members are fined without MLS training. As discussed, a required MLS Training for all would include the content from the current MLS Rules Training covering policy and listing requirements and would also include a basic level of Paragon training. The basics should include time spent showing where helpful online tutorials can be found, and where resources are made readily available. After discussion, **it was moved and seconded to recommend to the Board of Directors that all new Members be required to attend an MLS Training Session.**

Next, the Committee returned the discussion to the recommendation to approve a new status of Coming Soon in the MLS. Considerable discussion about Coming Soon focused on the inclusion of Coming Soon listings in IDX Data Feeds, and in Syndication to 3rd Parties such as Realtor.com, Homes.com, and in ListHub. Pros and Cons were thoroughly discussed. After discussion it was moved and seconded to accept the proposal to move ahead with Coming Soon as proposed by the Coming Soon Sub-Committee (with 100% inclusion of Coming Soon to IDX, and the option at Seller/Agent choice for inclusion of Coming Soon to 3rd party sites such as Realtor.com, Homes, com, and in syndication through ListHub). A vote was recorded by a show of hands, passing 12-5.

Specifics of the Coming Soon policy are on the attached page.

Next meeting was scheduled for November 14th at 11:30am to 1:00pm.

Meeting adjourned.

Coming Soon / Lawrence MLS

As Proposed by the Coming Soon Sub-Committee

Coming Soon, as a new Status in the MLS will be implemented as follows:

- 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 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 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) calendar day. A violation of this policy will result in a fine of \$1,000.
Note: An Estate Sale or Garage Sale may result in a unintended showing, when a prospective buyer has had access to view the property, and now shows interest in purchasing the property.
- 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) calendar day.
- vii. Recommendation that in the event of a Sight Unseen Offer that is accepted by the Seller, the listing will change the status from **Coming Soon** to **Active**, and then **Under Contract** within one (1) day.
- viii. Recommendation that once a listed property that is **Coming Soon** is moved to Active 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 calculate.
- x. Recommendation that by default, ALL **Coming Soon** listings will be included in IDX Data Feeds. The Seller/Listing agent may choose to have the listing opt in or out of IDX Data Feeds by selecting IDX Include Yes/No. If the Seller/Listing Agent opts out of IDX, the Listing may not be included in data feeds to 3rd party sites such as Realtor.com, Homes.com, or ListHub.
Note: Heartland MLS is different in that they are setting the default for IDX to exclude.
- xi. Recommendation that **Coming Soon** listings default to Exclude on fields for data feeds to 3rd party sites such as Realtor.com, Homes.com, and ListHub. However, if the listing is included in IDX Data Feeds, the Seller/Listing Agent may then choose to override the default and include the Coming Soon listing in 3rd party data feeds to Realtor.com, Homes.com, and ListHub.
*Note: If either of the fields for **IDX Include** or **Display on Internet/VOW** are set to No, the listing will NOT be included in any data feeds, and the listing may NOT be marketed online, anywhere.*
*Note: Heartland MLS will have one ON/OFF field, combining both **IDX & Internet Display** to one selection, which will be set to OFF by default.*
- xii. 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).

Implementation

- i. 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” on the date specified by the listing agent as the **Begin Showings: (date)**.
(FYI - Not able to “Auto Maintain” from a Partial Listing.)
 4. Existing MLS Rules and Listing Requirements will apply to **Coming Soon** listings, i.e., input within 1 business day, uploaded Listing Agreement and Disclosures, etc.

Begin Building FAQ:

RULE: Listings or property addresses of sellers who have directed their listing brokers to withhold their listing or property address from display on the Internet (including, but not limited to, publicly accessible websites or VOWs) shall not be accessible via IDX display. (*Amended 05/12*)

FAQ:

Q: May a listing that is excluded from display in IDX be marketed for sale online and/or in social media by the listing broker/agent?

Answer:

Q: May a listing that is excluded from display in IDX be included in syndication by the MLS to 3rd party sites such as Realtor.com?

Answer:

Q: May a listing that is withheld from display on the internet be included in IDX.

Answer: No. When Display on Internet/VOW is set to NO, then all online display is prohibited. NO means NO to all.

Coming Soon / Lawrence MLS

Updated on 11.13.2024 for Board of Directors

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 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 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), the Listing Agent will change the status from **Coming Soon** to **Active** within one (1) day.
- vii. Recommendation that in the event of a Sight Unseen Offer that is accepted by the Seller, the listing 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 calculate.
- x. Recommendation that by default, ALL Coming Soon listings will be included in IDX Data Feeds. The Seller/Listing agent may choose to override the default.
- xi. Recommendation that Coming Soon listings default to Exclude 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 include the Coming Soon listing on any combination of the 3rd party data feeds (Realtor.com, Homes.com, and ListHub).

Summary Regarding x. and xi. Above:

- IDX be set to Include by default.
- Syndication to 3rd party data feeds be set to Exclude by default (Homes, Realtor.com, ListHub).
- Agents can always override any default setting.
- Agent/Broker may market online at any time, except when Display on Internet = No.
- If Seller directs that Display on the Internet = No, every other online display is off the table. No IDX, No Syndication, No personal websites. No social media.

*Note: If the field for **Display on Internet/VOW** is set to No, the listing will NOT be included in any data feeds ([IDX](#), [Syndication](#), etc.), and the listing may NOT be marketed online, anywhere.*

Implementation

- i. 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” on the date specified by the listing agent as the **Begin Showings: (date)**.
(FYI - Not able to “Auto Maintain” from a Partial Listing.)
 4. Apply existing listing requirements and rules will apply to **Coming Soon** listings, i.e., input within 1 business day, uploaded Listing Agreement and Disclosures, etc.

Q&A

1. May a listing in which the Seller authorizes the listing broker to withhold the listing or property address from display on the Internet (including, but not limited to, publicly accessible websites or VOWs) be included in Listing Syndication?

No – Electing “NO” to display on Internet 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 withhold the listing or property address from display on the Internet (including, but not limited to, publicly accessible websites or VOWs) be publicly marketed for sale online or in social media?

No – Electing “NO” to display on Internet means NO to all internet marketing, including on the listing broker/agent website or social media, in IDX, and in Listing Syndication.

3. May a listing that is excluded from display in IDX be marketed for sale online and/or in social media by the listing broker/agent?

Yes – This policy is determined at the local discretion of the MLS.
A Coming Soon listing may be actively marketed for sale online and in social media, even if the listing has been excluded from IDX Display.

4. May a listing that is excluded from display in IDX be included in syndication by the MLS to 3rd party sites such as Realtor.com?

Yes – This policy is determined at the local discretion of the MLS.
A listing may be included in syndication in the MLS (Realtor.com, Homes.com & ListHub), even if the listing has been excluded from IDX Display.