

# MLS & Rules Committee

## Meeting Minutes

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### Meeting Information

- 1:00 pm to 2:30pm on 07-23-2025
- LBOR Office

### Meeting Notes

- **Consent Agenda and Previous Minutes**

Discussion on the consent agenda, specifically regarding the language on page 4 of the previous meeting's minutes about canceling and relisting practices, and whether the following statement from the meeting minutes is an accurate statement, or someone's opinion: *The practice of canceling and relisting properties solely to reset "days on market" remains an unresolved and problematic issue. (Despite a decision not to change the underlying policy, this practice continues to negatively impact the accuracy and integrity of market data and can introduce agent bias, leading to ongoing debates and potential misrepresentation of market activity.* Staff reported that this is a summary statement created by AI based upon the transcript of the meeting. After discussion, **it was moved and seconded to remove the portion cited above from the minutes. Motion Passed.** With the minutes having been updated, **it was moved and seconded to approve the meeting's consent agenda approving the meeting minutes and excusing both Drew Deck and Zach Dodson from the meeting. Motion Passed.**

- **Staff Updates**

Updates included the Board of Director's approval of the Committee's recommendations including:

- Delayed Marketing for the duration of the listing, uncoupling IDX and internet,
- There is minimal feedback on the new policy of Fair & Equal Access for All,
- There is progress on the Committee's directive to the Forms Committee to create a Limited Marketing Addendum to the Exclusive Right of Sale. A draft has been sent to and reviewed by legal counsel, which has been returned to MLS Staff with comments.

- **MLS Rental Listings Requirements**

Discussion about requirements for rental listings in the MLS, including whether associated docs are needed, the implications of licensing for leasing (noting one doesn't have to be licensed to lease, but if licensed, it falls under professional umbrella), and data sharing with portals like Apartments.com and ListHub, and options outside of the MLS such as KAR's new Rental Beast platform offered as a member benefit. After discussion, **it was moved and seconded to remove the For Rent option in the MLS. Motion passed 7-5.**

- **Days on Market and Listing Status Changes**

Detailed discussion on how days on market are calculated for listings that

change status (e.g., from Coming Soon to Active), the impact on Paragon's Market Monitor and the Hot Sheet. It was noted that "Coming Soon" listings hit the Market Monitor twice due to the reset of Days on Market when the listing date in Paragon overrides to the Begin Showing Date. The listing first appears in the Market Monitor as a new listing that is Coming Soon, and then again when the status change is made to Active because the listing date changes. This is perceived as a "win-win" for the listing. On the other hand, when an Exclusive Listing (Agent, Office, or Firm) converts the Listing Visibility Type to MLS Listing, the Listing Date does NOT override, and although the Days on Market starts at 0 when the LVT is changed to MLS Listing, the change is not displayed on the Market Monitor. Concerns were raised about unintended consequences, such as agents canceling and relisting so that the listing will be displayed on the Market Monitor, and the impact on data integrity. As a result of the discussion, **it was moved and seconded to discontinue the override to the Listing Date for Coming Soon listings when they convert to Active on the Begin Showing Date.** While the status change will display on the Hot Sheet, it will not reappear on the Market Monitor because the Market Monitor is based upon Listing Date and not Days on Market. **Motion Passed.**

- **Licensed Contractors and Permitting Requirements**

Discussion about what constitutes a 'licensed' contractor for repairs, differences between state and city licensing (specifically in Lawrence), and the challenges in verifying contractor credentials and permit requirements. Specific examples included roofing and hot water tank replacements, highlighting the difficulty for the public to verify licenses through city portals and the need for permits and inspections for certain repairs. The Committee acknowledged the complexity and need for clarity on licensing and permitting requirements for repairs. The Committee also contemplated the need to clarify language in contracts regarding the quality of repairs, specifically the statement "seller agrees that any corrections or seller performs shall be completed in a workmanlike manner with good quality materials." Last, the Committee discussed the importance of educating both members and buyers about inspection limitations, the need for licensed professionals (e.g., electricians for breaker boxes), and understanding what inspectors do and do not cover. Suggestions included using newsletters with general bullet points for agents to put on their radar, advising them to contact the city for specific questions. After discussion, **it was moved and seconded to add education for members on City of Lawrence license requirements. Motion passed.**

*NOTE: During discussion of the previous and following topics, the Committee was challenged whether these are Forms Committee issues, and not a responsibility of the MLS Rules Committee. By consensus, because the conversations are about transaction trends, the Committee felt it was appropriate to discuss. The result may be a policy or regulatory change but might also result in a task for the Forms Committee to discuss.*

- **Appraisal Issues and Contract Language**

The Committee next discussed the lack of clear direction in the LBOR Sales Contract regarding appraisals, appraisal contingencies, and the responsibilities of buyers, sellers, and agents when appraisal values differ from contract price. It was noted that the KCRAR (Kansas City Regional Association of Realtors) Sales Contract has a clear path for appraisal issues, and the LBOR relies upon an optional addendum for appraisal contingencies. By consensus, the Forms Committee will review the Appraisal Language inside the Sales Contract to see if a revision is needed.

- **ADU Task Force Update**

Five (5) of the seven (7) members of the task force are confirmed. We are waiting to hear from two others and the task force will schedule a meeting once the group is finalized.

- **Homes.com Direct Mail Marketing to Sellers**

Homes.com sent approximately 100,000 direct mailers to property owners, including a 20-page advertisement, offering listing boosts for \$\$\$ and advertising on multiple platforms (Facebook, ESPN, Instagram, New York Times, Yahoo Finance). Concerns were raised about Homes.com using MLS data to solicit sellers directly, potentially violating agreements with vague "derivative work" clauses, and the ethical implications if such actions. Next steps are for the LMLS to review the content of its existing license agreement with Homes.com, and to consult with legal counsel. Leadership and the MLS Committee will be made aware of our findings.

- **Scheduling Next Meeting**

Discussion about when to hold the next meeting, considering the current workload and the lack of urgent issues. A date was set for September 24<sup>th</sup> from 1:00pm to 2:30pm at the LBOR/LMLS Office. The Committee may meet sooner if needed. Meeting Adjourned at 2:30pm.