

MLS & Rules Committee

Agenda / Action Items



Date: 01.30.2025

Chairperson: Lindsay Landis

Time: 2:30pm - 4:00pm

Vice-Chairperson: *Needed*

Locati LBOR Office

Staff Liaison: Linda Manley & Rob Hulse

Committee Member Attendance: Nicholas Lerner and Danny Freeman have requested an excused absence.
Zach Dodson has requested to be excused to leave the meeting early.

AGENDA ITEMS

No	Topic	Done	Notes/Update
1	Review Previous Meeting Minutes from 01.03.2025		
2	Review Requested Excused Absences - Review 2025 Attendance Sheet		
3	Coming Soon Policy - The updated policy has been included in the meeting packet. a. Highlighted items were added for improved clarification in the policy.		
4	Consider a Member request to discontinue the requirement to upload MLS Docs (<i>specifically the Amendment to the Exclusive Right of Sale</i>).		
5	Consider Fines/MLS Citation Schedule - The current Citation Schedule is included in the meeting packet.		
6	Forms Committee Update (<i>the Forms Committee will make recommendations directly to the Board of Directors</i>).		
7	Deferred to next Meeting: Define the status of "Sold Before Listed" - share MLS Staff research done following the last meeting.		
8	Deferred to next Meeting: Define the status of "Sold After Expiration"		
9	Under Contract Listings returning to Active Status prior to signed Cancellation Notice.		
10	Investor Property Listings - Painpoint for Readily Available to Show at 1 Business Day.		
11	Consider a Paragon Alert/Warning when approaching Closing Date - <i>Two options presented by Paragon Support + Closing Date Field Rule</i> .		
12	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.		
13	Next Meeting: _____		
14	Adjourn:		

MLS & Rules Committee	Role											Present	Excused	Unexcused
		1/3	1/30									<i>P</i>	<i>E</i>	<i>U</i>
		Fri	Thu											
2025														
Lindsay Landis	Chairperson	P										1		
Elizabeth Ham	Committee Member	E											1	
Vanessa Schmidt	Committee Member	P										1		
Anna Clemente	Committee Member	P										1		
Bailey Stuart (President)	Committee Member	P										1		
Cheri Drake	Committee Member	E											1	
Chris Earl	Committee Member	Z										1		
Danny Freeman	Committee Member	P	R									1		
Deanna Dibble	Committee Member	E											1	
Drew Deck	Committee Member	E											1	
Erin Maigaard	Committee Member	E											1	
Nicholas Lerner	Committee Member	P	R									1		
Ryan Desch	Committee Member	P										1		
Taylor LaRue	Committee Member	P										1		
William Perkins	Committee Member	P										1		
Claire Vowels	Committee Member	P										1		
Zach Dodson	Committee Member	P	R									1		
Linda Manley	LBOR	P										1		
Rob Hulse	LBOR	P										1		
		R = Requested Excused Absence Z = Zoom AL = Arrived Late LE = Left Early												



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.

Coming Soon / Lawrence MLS

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 for both the Listing Agent and the Showing Agent.~~

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(s) prior to any showing occurring, or within 1 business day whichever is first. Additionally, any change in the Begin Showing Date will also result in the following protocol to be completed in this order:

1. Seller **provides** signs written authorization to change the Begin Showing Date.
2. Listing agent to provide notification to 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.

- 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. An unauthorized showing is defined as a showing that occurs outside of the Listing Agent/Broker's knowledge. When the Listing Agent/Broker becomes aware of any unintended unauthorized showing they must change the Begin Showing Date in the MLS at their earliest convenience opportunity, but no later than midnight of the same day. However, if the unintended unauthorized 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 **Coming Soon Addendum**, this can be pre-authorized by the SELLER and will not need a newly prepared SELLER'S written authorization.~~
- 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.*
 1. 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) will accrue in Paragon ~~will not accrue/calculate~~, and when the status is changed from Coming Soon to Active, Days on Market (DOM) will reset to zero (0).
- 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 do online public facing marketing 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 online public facing marketing.
 - 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).

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 at the end of Public Remarks: *Sight unseen offers may be accepted by the Seller. The Showing Begin Date is subject to change.*

Coming Soon Q&A

1. May a Coming Soon 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 online public facing marketing, including on the listing broker/agent website or social media, in IDX, and in Listing Syndication.
2. May a Coming Soon 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. How is 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.
4. Do I need to add any disclaimers or disclosures with my Coming Soon 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. (As a courtesy this is pre-programmed to display at the end of public remarks)
5. How long can my Coming Soon 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.

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LMLS Citation Schedule

<u>VIOLATION</u>		<u>1ST</u>	<u>2ND</u>	<u>3RD</u>	<u>4TH</u>
Listing Violations	No Listing Agreement	\$50 Training Available May be appealed to the Professional Standards Committee	\$100 *Training Required May be appealed to the Professional Standards Committee	\$250 Permissions Reduced to Level 3 for 5 completed transactions May be appealed to the Professional Standards Committee	Referral to Professional Standards Committee for Discipline Decision may be appealed to the Board of Directors
	Incorrect Price on LA				
	No Address on LA				
	No Dates on LA				
	No Signature(s) on LA				
	No Seller's Disclosure				
	No Amendment to the LA				
	(i.e., price change, list date, etc.)				
Status Change Violations	Late Submittal of Listing to the MLS	\$100 Training Available May be appealed to the Professional Standards Committee	\$250 *Training Required May be appealed to the Professional Standards Committee	\$500 Permissions Reduced to Level 3 for 5 completed transactions May be appealed to the Professional Standards Committee	Referral to Professional Standards Committee for Discipline May be appealed to the Board of Directors
	Late Status Change for Sold				
	Late Status Change for Under Contract				
	Late Status Change for Withdrawn				
	Late Status Change for Cancelled				
	Status Change to Withdrawn or Cancelled without an Amendment to the EROS				
Clear Cooperation Policy Violation	\$500 Training Required May be appealed to the Professional Standards Committee All further offenses referred to the Professional Standards Committee Decision may be appealed to the Board of Directors				

**Training sessions are scheduled every third Wednesday of the month. THERE IS A \$50.00 FINE FOR THE 1st MISSED OPPORTUNITY TO ATTEND REQUIRED TRAINING. Fines increase for each missed training session: 2nd - \$100, 3rd - \$150, thereafter - \$200 for each missed training session.*

Rob Hulse

Subject: FW: Question!

Hi Rob,

Option 1- 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 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.

Please let me know how you would like to proceed.

Thank you,

Jenny Paul
System Support Manager, Customer Care, ICE
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www.ice.com

