

MLS & Rules Committee

Meeting Minutes

May 22, 2025

LMLS Staff Report on policy updates, NAR mandates, Delayed Marketing, and Fair and Equal Access for All.

- **MLS Territories and Listing Requirements**
Discussion clarified that there are no formal MLS territories, though coverage maps exist. Heartland MLS is used as an example, where all listings and sales must be posted on the MLS site. Some members have dropped out due to an increased workload related to MLS requirements.
- **SAR 'Coming Soon' Policy Implementation**
SAR approved a 'coming soon' policy effective July 1st. The policy is modeled after Lawrence MLS's Coming Soon Policy, including an added infographic for listing types. The Lawrence MLS will emulate the infographic used by SAR.
- **NAR Mandated Policy on Multiple Listing Options for Sellers**
Reviewed new NAR-mandated policy for multiple listing options for sellers. Discussion focused on uncoupling IDX and internet display fields, updating forms, and ensuring sellers understand their options.
- **Delayed Marketing and IDX Display Timelines**
Explored the subject of delayed marketing, where IDX display can be withheld for a period of time as directed by the Seller. Discussed whether there should be a minimum or maximum timeline, and how to implement this technically and procedurally.
- **Ownership and Control of IDX Display**
Raised questions about who controls IDX display at the listing agent level and how state law interacts with NAR rules. Discussed gray areas in social media sharing and enforcement.
- **Upcoming Discussion and National Committee Meeting**
Plan to discuss unresolved questions at the next MLS & Rules Committee meeting. Staff will bring input back from the NAR Legislative Meetings in Washington, DC.
- **Technical Implementation of Delayed Marketing**
Considered technical solutions for implementing delayed marketing, such as creating a sub-status in Paragon or automating IDX activation. Discussed the need for defensible, realistic policies.
- **Fair and Equal Access Policy**
Board of Directors approved the fair and equal access policy in May. Implementation is pending finalization and staff action.
- **Monitoring Zillow and Redfin Listing Practices**
Group is monitoring how companies like Zillow and Redfin handle listings that may be blocked from immediate display. An Inman article was referenced.

Regular Agenda Items

MLS Under Contract Listings returned to Active status

Discussion on the importance of accurately portraying listing status in the MLS to prevent misrepresentation of property availability.

- **Policy on Returning Listings to Active Status**

Discussed the policy for returning listings to active status, requiring them to be unencumbered. Legal opinions or signed cancellation agreements are accepted. No requirement to upload legal documentation. The current policy allows the listing to return to active with legal authority or signed cancellation; and no uploaded document is required. **It was moved and seconded to take no action. Motion Passed.**

- **Reminder Alerts for Under Contract listings and Closing Dates**

Exploration of current and potential reminder systems for listings nearing expiration or closing dates, including email and pop-up notifications.

- **Updating Close Dates and System Clean-Up**

Agents often forget to update the actual close date, leading to inaccuracies. The system is periodically cleaned up by staff who send courtesy emails to prompt updates.

- **Options for Closing Date Alerts**

Three options were discussed: (1) system-wide retention settings with alerts for listings in under contract status for set periods, (2) overriding expiration date to match close date for countdown reminders, (3) pop-up warnings when maintaining listings near close date.

- **User Preferences and System Annoyances**

Participants expressed irritation with frequent expiration notices and pop-ups and discussed the need for customizable or opt-in reminder features.

- **Consequences of Not Updating Listing Status**

Failure to update listing status after closing can result in fines if not changed within two business days and may require administrative intervention if the listing expires before being marked as sold.

- **Email Notification Options**

Discussion on the possibility and timing of automated email alerts post-closing, with suggestions for emails to be sent at 8 a.m. the day after closing. Staff will check with Paragon Support to learn what if an Auto-Alert can be sent on days after the Closing Date if the status of Under Contract has not changed. Staff will ask the ability to Opt-in or Opt-out can be determined at the agent level.

MLS listing Sold Status definitions,

Review of various MLS statuses such as 'sold before listed', 'sold after expiration', 'sold office exclusive', and their implications for marketing and reporting.

- **Definition and Use of 'Sold After Expiration' Status**
Debate over what constitutes 'sold after expiration', whether it refers to the contract date or closing date, and how it should be reported in the MLS.
 - **Handling Listings That Expire During Contract**
Discussion on what happens when a property goes under contract but the listing agreement expires before closing, including compliance and representation issues.
- **Definition and Use of 'Sold Before Listed' and 'Sold After Expiration' statuses.**
Clarification sought on the definition and application these two statuses, especially for listings that expired before closing.
 - **Data and Frequency of 'Sold Before Listed' Transactions**
Examination of how often 'sold before listed' occurs, with reference to a spreadsheet and specific numbers.
- **Appraisal and Market Value Implications**
Discussion on how off-market or family sales can affect perceived market value and appraisals.
- **Alerts and Closing Date Notifications**
Consideration of whether to implement or allow opt-in/opt-out alerts for scheduled closing dates in the MLS system.
- **Action on Status Field Changes**
Proposal to change or remove certain MLS status fields, specifically 'sold after expiration', and how to handle existing records.
- **Motion made and supported to remove 'sold after expiration' status and move affected records to 'sold'.**
- **Renaming 'Sold Before Listed' Status**
Discussion on changing the status name from 'sold before listed' to alternatives such as 'sold before input', 'sold before market', or 'sold before entered into the MLS', with concerns about terminology clarity and compliance.
- **Motion made and supported to Change the status of Sold Before Listed to Sold Before Input to MLS. Scheduling Next Meeting**
Consideration of dates for the next meeting, factoring in members' availability and other commitments, including mid-year luncheon and board meetings.

Coming Soon Listings and Contract Scenarios

- Exploration of scenarios where a 'coming soon' listing accepts a contract without showings, then falls out of contract, and whether it can revert to 'coming soon' status.

Meeting adjourned at 2:30pm