

# MLS & Rules Committee

## Agenda / Action Items



**Date:** 04.23.2025

**Chairperson:** Lindsay Landis

**Time:** 1:00pm to 2:30pm

**Vice-Chairperson:** Discuss

**Locati** LBOR Office

**Staff Liaison:** Linda Manley & Rob Hulse

Committee Member Attendance:

### AGENDA ITEMS

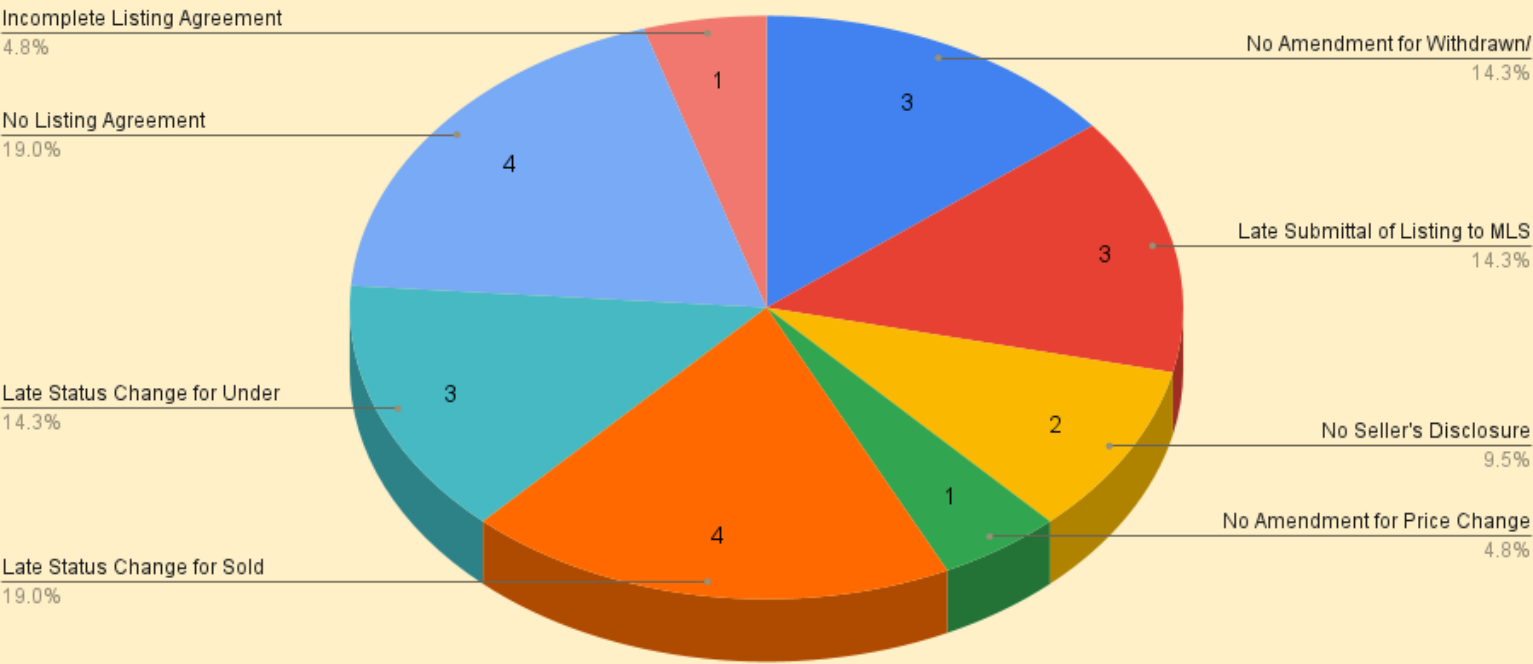
No	Topic
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#### ***Turn on PLAUD Meeting Recorder***

- 1 Consent Agenda - Review Previous Meeting Minutes and Requested Excused Absences.
- 2 MLS Staff Update
  - a. 2025 - 1st Quarter - MLS Violations Activity Chart
  - b. Online Portal Display Impacts from Rules Changes
    - i. Delayed Marketing Listings - Zillow & Redfin
    - ii. Commingling of Listings with For Sale By Owner - Zillow
- 3 Continue Discussion from April 8th meeting regarding Fair & Equal Access for All - Review updated/proposed draft of the Fair & Equal Access for All policy guidelines, as prepared by MLS Staff for Committee Review.
- 4 Continue Discussion from April 8th meeting regarding Investor Property Listings - Painpoint for Readily Available to Show at 1 Business Day.
  - a. Painpoint - Readily Available to Show at 1 Business Day.
  - b. Consider requiring Rent Amount for Investor Owner-Type property listings.
- 5 Under Contract Listings returning to Active Status prior to signed Cancellation Notice.
- 6 Consider a Paragon Alert/Warning when approaching Closing Date - *Three options presented by Paragon Support.*
- 7 Define the status of "Sold Before Listed" - share MLS Staff research.
  - a. Spreadsheet of Sold Before Listed from MLS Staff
- 8 Define the status of "Sold After Expiration"
- 9 Should Coming Soon listings have same required docs at Active listing, i.e., Disclosure.
- 10 NAR Policy Update - Delayed Marketing Listings (implementation deadline is 09/30/2025).
- 11 MLS & Rules Vice-Chairperson for 2025 - to become Chairperson for 2026.
- 12 Consider Tabled Topics?
  - a. Do we need policy/rules regarding Ancillary Dwelling Units (ADUs)?
  - b. Define "Reasonably Prominent" in IDX Rules.
- 13 **Next Meeting:**
- 15 **Adjourn:**



Q1 Fines, 2025



# MLS & Rules Committee

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## Meeting Minutes

- Monday, April 8, 2025 – 1:00pm to 2:30pm

### 1. Committee Meeting Management

#### Meeting Acceptance

- Approval of the previous meeting's minutes: The meeting minutes were reviewed. **It was moved and seconded to approve the meeting minutes. Motion passed.**
- **Excused Absences**  
Beth Ham and Deanna Dibble requested excused absences, with Taylor requesting an excused absence to leave the meeting early. The committee discussed whether to grant these as excused absences and the implications of unexcused absences. **It was moved and seconded to approve of the requested excused absences. Motion passed.**

### 2. MLS Staff Update

- **NAR Policy Update**  
NAR released a new policy on March 25th regarding multiple listing options for sellers, allowing listing agents to limit external marketing while still displaying on the internet.
  - Should Delayed Marketing be a sub-status of Active?
  - Should DOM accrue while a listing has Delayed Marketing?
  - Should Delayed Marketing listings record price change history?
  - Should Delayed Marketing be for a limited timeframe?
- **Clear Cooperation Policy Interpretation**  
The Committee was informed that NAR has updated the interpretation of the Clear Cooperation Policy, allowing one-to-one brokerage communications without triggering the policy. As an aside, the Committee also discussed how exclusive listings are reported when sold and the need to ensure accurate status reporting.
- **With regard to Coming Soon and Delayed Marketing Listings**  
It may be necessary to decouple the fields for IDX and Display on Internet options for listings, allowing brokers to display listings on their own sites while excluding IDX.
- **Zoning District Conversion**  
The zoning districts underwent a full conversion, costing \$250, and all new districts are now in place. Historical listings have been updated accordingly.
- **MLS Grid Compliance**  
MLS Grid conducted a quarterly review and found one vendor in violation. The issue was addressed, and the vendor is now in compliance.

- **Coming Soon Listings**

The 'Coming Soon' status is fully operational with consistent usage. An issue with adding open houses was fixed, allowing future dates to be input.

- Should seller's disclosures be required for Coming Soon listings. A workaround exists for when disclosures are unavailable, but it is not widely known.
- There is inconsistency in how websites display the 'begin show date' for listings. Would it be helpful for the MLS to publish a best practice, to ask that the Begin Showing Date be included in public remarks. After discussion, this will stay as it is, and staff will not put out a best practice.

### **3. Fair and Equal Access Policy**

- A draft policy was discussed to ensure fair and equal access to showings, requiring a minimum of 42 hours per week unless otherwise directed by the seller.
- The board of directors had approved a prior recommendation, but due to mathematical errors, it was sent back for revision and has since been neglected.
- Discussion on the necessity of seller participation in showings and the flexibility required for agents to manage schedules effectively.
- Debate on the policy requiring listings to be available within one day of request and the challenges it poses for agents and sellers.

### **4. Meeting Scheduling** - The next meeting is scheduled for April 23, 2025, at 1:00 PM, with a hard stop at 2:30 PM.

#### **For Next Meeting:**

1. Further discussion is needed on the implications of the NAR policy update about Delayed Marketing, and how it affects current practices. Specifically, clarify the specifics of decoupling IDX and internet display options and how it will be implemented in listing agreements to avoid potential delays in implementing the new policy changes by the September 30th deadline.
2. The fair and equal access policy requires further discussion to finalize guidelines on showing availability and seller directives.

# Zillow and Redfin listing ban FAQ:

## What you need to know now

Zillow Group and Redfin rocked the industry with 2 bans on listings that don't follow Clear Cooperation Policy guidelines. Here's what we know about the policies and how they'll play out



by [Marian McPherson](#)

April 17, 2025

This month, Zillow and Redfin rocked the industry by banning listings that aren't added to the multiple listing service within 24 hours of public marketing.

The similar portal policies, which came two weeks after the National Association of Realtors announced a new [Delayed Marketing Exempt Listings](#) option for its Clear Cooperation Policy (CCP), have led to mounting questions from agents and brokers over the legality of and logistics behind the ban.

Here are answers to the most frequent questions about Zillow and Redfin's rules:

### **What is Zillow Group's policy?**

On April 10, Zillow Group announced [its new listing access standard for Zillow and Trulia](#), which bans listings that aren't added to the MLS within 24 hours of being publicly marketed. Zillow said public marketing includes yard signs, social media posts and brokerage private listing networks (PLN) where consumers must log into a site to see listings.

The ban, which goes into effect in May, is based on NAR's CCP, which states listings must be entered into the MLS within one business day of public marketing. Zillow said "coming soon," office exclusives, and Delayed Marketing Exempt Listings are A-OK within its listing access standard, as long as listing brokers are adhering to NAR's guidance for each listing

status. [Zillow later clarified](#) that for sale by owner (FSBO) listings, rental listings and new construction listings sold by the builder are also permitted.

The [Coming Soon status](#) is for sellers and brokers who've signed a listing agreement and need time to prepare a home for sale. The broker will put the home in the MLS under a Coming Soon status, which may allow a broker to share the listing on social media or create a yard sign with a Coming Soon rider. However, MLS regulations prohibit sellers and their brokers from showing the home to prospective buyers or accepting offers from brokers until the home becomes active.

Individual MLSs have different rules for how long a listing can be labeled as coming soon, with some MLSs giving sellers and listing brokers up to 30 days and others giving as little as 10 days. MLSs also handle the distribution of coming soon listings through an Internet Data Exchange (IDX) feed differently, with some MLSs allowing coming soon listings to appear on sites like Zillow, Realtor.com, Redfin and Homes.com, and others only distributing listings once they've gone active.

Meanwhile, office exclusives are listings where the seller has stated they don't want their home to be publicly marketed or shared through the MLS. In this case, listing brokers will file the listing as an office exclusive with the MLS, which will make sure the listing isn't shared with other MLS participants and subscribers.

Lastly, Delayed Marketing Exempt Listings are an option where the seller has asked their broker to delay the public marketing of their listing through an IDX feed. As with office exclusives, brokers will still file delayed marketing listings with the MLS and do not stop brokers from marketing the listing in other manners the seller has requested. MLSs have until Sept. 30 to implement the terms of Delayed Marketing Exempt Listings [under NAR's Multiple Listing Options for Sellers \(MLOS\) policy](#).

With office exclusives and delayed marketing, sellers must sign an [exempt listing disclosure](#) that outlines the relationship between the seller and broker and clearly outlines what they're agreeing to alongside the potential downsides.

"Our standards say it's okay to share office exclusives among agents within the same brokerage, or to have delayed marketing or coming soon listings that are entered into the MLS and available to all MLS participants," Zillow Group's listing standard reads. "And, of course, it's okay to maintain a seller's privacy when necessary by keeping a listing off the internet entirely. But when it's time to market to buyers, that means all buyers."

## **How does Zillow's policy specifically impact Delayed Marketing Exempt Listings?**

A main point of confusion with Zillow Group's policy is how it might impact Delayed Marketing Exempt Listings.

Zillow Group said the ban does not apply to listings in this category; as long as they're submitted to an MLS within one day of public marketing, they can be published on Zillow, Trulia and other sites that receive listing feeds.

## **What does Zillow Group mean when it says the ban applies to 'the life of the listing?'**

The "life of the listing" refers to the time a home is being sold by a broker who is not following Zillow Group's listing access standard, resulting in that listing being banned from Zillow and Trulia's sites.

However, if the seller terminates the listing agreement with that broker and signs a new agreement with a broker who follows the listing access standard, Zillow and Trulia will lift the ban and display the listing.

## **What is Redfin's policy?**

On April 14, Redfin joined Zillow Group and [created a policy that bans listings](#) if they aren't added to the multiple listing service (MLS) within 24 hours of being publicly marketed.

Also like Zillow, Redfin said its ban won't impact Delayed Marketing Exempt Listings.

The Seattle-based firm told Inman in an email that these listings are safe: "If they're shared in the MLS and disseminated to sites like Redfin through a Virtual Office Website (VOW), where buyers can access them, those listings can be included on Redfin."

Unlike Internet Data Exchange (IDX) sites, where visitors can view listings without a login, VOWs require visitors to create an account to view listings. NAR's [FAQ on Multiple Listing Options for Sellers](#) (MLOS) notes that Delayed Marketing Exempt Listings can be displayed on VOWs as the sites are "not for advertisement but rather to help with the provision of brokerage services to consumers with whom there is an established broker-consumer relationship." NAR also states that MLSs cannot exclude Delayed Marketing Exempt Listings from appearing on VOW feeds.

Alongside the listing ban, Redfin CEO Glenn Kelman called on MLSs to create a new Coming Soon designation that bans portals from displaying how long a home has been for sale and at what prices.

Redfin hasn't said when it would implement the new policy, and leaders are still working on the technical logistics of the ban.



## **Do Zillow Group and Redfin have the right to ban listings?**

Although some industry members have argued that Zillow doesn't have the right to ban listings as an IDX-displaying broker, current NAR and MLS rules are on the portal's side.

In a [previous Inman article](#), California Regional MLS VP and General Counsel Ed Zorn said Zillow Group —and now Redfin — is within its rights to ban listings on Zillow and Trulia that don't follow its listing access standard.

“There seems to be a misunderstanding that if you take an [Internet Data Exchange] data feed, that you are required to display all the listings,” he said. “And in fact, NAR’s [Handbook on Multiple Listing Policy] Statement 7.58 states the exact opposite principle.”

“What it says is participants may select the IDX listings they choose to display based on only objective criteria, including but not limited to factors such as geography or location, list price, type of property, or type of listing,” he added. “So type of listing is even included as one of the few types of objective examples that NAR provides.”

## **Will the DOJ get involved?**

Industry members on both sides of the spectrum have called on the Department of Justice (DOJ) to investigate the opposing side.

CoStar Group CEO Andy Florance urged agents to report Zillow Group to the DOJ's Antitrust Division, while [two consumer watchdogs](#) said the department should be stopping the industry's largest brokerages from creating expansive PLNs.

It's unclear whether the DOJ will answer either side's clarion call, as [the law enforcement agency has signaled](#) that it's less interested in the CCP now that NAR has scrapped the Participation Rule, which previously mandated that listing brokers include an offer of compensation as small as \$1 to buyer brokers participating in a transaction.

The DOJ signaled [in a March 18 Nosalek vs MLS PIN court filing](#) that Clear Cooperation — on its own — is not anticompetitive. However, in situations where non-NAR-governed MLSs, like MLS PIN, enforce CCP while still allowing cooperative compensation, the DOJ might look at CCP with more scrutiny.

Consumer Policy Center senior fellow Stephen Brobeck said the DOJ isn't fond of giving a heads-up on investigations, so the industry will just have to wait.

“I don't have evidence they're looking at it, but I'm sure they are,” he told Inman [in a previous article](#). “... But, you know, the DOJ doesn't tell anybody what they're thinking or what they're going to do until they actually do it.”

### **Are Realtor.com and Homes.com banning listings as well?**

CoStar Group founder and CEO Andy Florance said [Homes.com won't ban listings](#) that aren't added to the MLS within 24 hours of being publicly marketed.

Florance characterized Zillow Group's move as "anti-competitive" and "a pure power play of epic proportion" to quash consumer choice amid private listing networks' growing prominence.

Realtor.com hasn't revealed any plans for a ban, with a company spokesperson only revealing that the portal is giving "thoughtful consideration" on how to handle DMEL.

### **Hey, my question wasn't listed. What gives?**

With 167 days until the MLS deadline for implementing NAR's MLOS policy, there's still much more to understand about how MLSs will handle delayed marketing, which brokers will latch onto private listing networks or eschew them, and how portals will put their policies into action.

Keep an eye on Inman's coverage as we continue to dig into what the next chapter of the CCP debate means for you and your clients, and let us know your questions in the comments below.

[Email Marian McPherson](#)

# Listings are quietly 'commingling' on Zillow again after 4-year hiatus

In most markets, the portal has resumed displaying non-MLS listings alongside other properties in spite of NAR's no-commingling rule, the policy behind a lawsuit between Zillow and REX in 2021



by [Taylor Anderson](#)

April 22, 2025

Four years after [complying with the National Association of Realtors' no-commingling rule](#), Zillow is quietly reversing course to once again allow the display of non-MLS listings alongside other properties on the platform after previously obscuring them with a filter many users never knew existed.

In markets where local multiple listing services never enacted NAR's rule — or recently rescinded it — users of the country's largest search portal will now see more properties in their search prompts by default, including for-sale by-owner listings, non-MLS auctions and buildable floor plans, executives told Inman.

NAR has long defended the policy and repeatedly rebuffed efforts to eliminate it.

## [TAKE THE INMAN INTEL SURVEY FOR APRIL](#)

"We're excited that a growing number of MLSs are adopting policies that allow for commingled display, enabling us to provide a more complete and seamless experience for consumers," Zillow said in a statement to Inman. "The majority of major metro areas are now seeing the single search experience, and we're continuing to work with MLSs across the country to expand that coverage."

The update was subtle and made discreetly, beginning in December, Zillow executives told Inman exclusively. But it followed years of advocacy and appeals Zillow made directly to

the National Association of Realtors, the industry and the broader public in [opinion pieces](#), [interviews](#) and paid advertisements.



Zillow’s two-tabbed user experience requires users to know about, find and change a filter to see for-sale by-owner and other listings. Many users didn’t know the filter exists.

The change hinges on the National Association of Realtors’ no-commingling rule, an [optional rule](#) created back when brokers began entering listings online in the 1990s. Since then, it has become a focal point for industry players including Zillow — and regulators like the U.S. Department of Justice, which has said the policy may be anticompetitive.



Matt Hendricks | Zillow

“Zillow has long advocated against the no-commingling rule,” Matt Hendricks, Zillow’s vice president of industry affairs, told Inman. “Consumers want and expect a single-search experience, where all available homes for sale can be viewed seamlessly. We applaud the many MLSs that have revoked the no-commingling restriction, and we’re excited about enhancing the search experience to reflect this progress as we expand single search on a by-market basis.”

## The two-tabbed display

The update is the latest in Zillow's journey from becoming the portal with the largest set of monthly users to joining hundreds of MLSs to gain access to all listing data via IDX feeds and complying with NAR's no-commingling rule.



Errol Samuelson | Zillow

In [January 2021](#), Zillow updated its platform to comply with the rule nationwide. Doing so involved creating a two-tabbed user experience. Listings that came from the MLS were the default view users saw. To see non-MLS listings like FSBOS, which made up 6 percent of homes sold last year, users needed to know about, find and change a filter.

While it complied with the rule by creating a two-tabbed system on its website, Zillow [continued to advocate](#) against the rule, asking NAR to rescind the rule on four separate occasions, Chief Industry Development Officer Errol Samuelson said.

“There’s no need for it, and we think it reduces consumer transparency,” Samuelson told Inman in November. “Now, we’re seeing others out there who agree with us that it’s time for the rule to go.”

During the four years that Zillow adhered to the rule universally, listings that complied with the no-commingling rule were what users saw by default. If they wanted to scroll non-MLS listings, users would have to click a tab labeled “Other Listings,” and adjust their settings to see non-MLS listings.

## REX v. Zillow

The change resulted in plummeting pageviews for non-MLS listings, critics said, in part because users thought they were already seeing all listings in a single-search display by default.

The change was so effective at hiding non-MLS listings that [discount brokerage REX](#) filed a lawsuit in March 2021 targeting Zillow’s compliance with the rule, and it wound down its

residential brokerage [business the next year](#) and blamed NAR's rule and Zillow's decision to follow it for its demise. (REX would later lose the case and an attempt to [appeal the loss](#).)

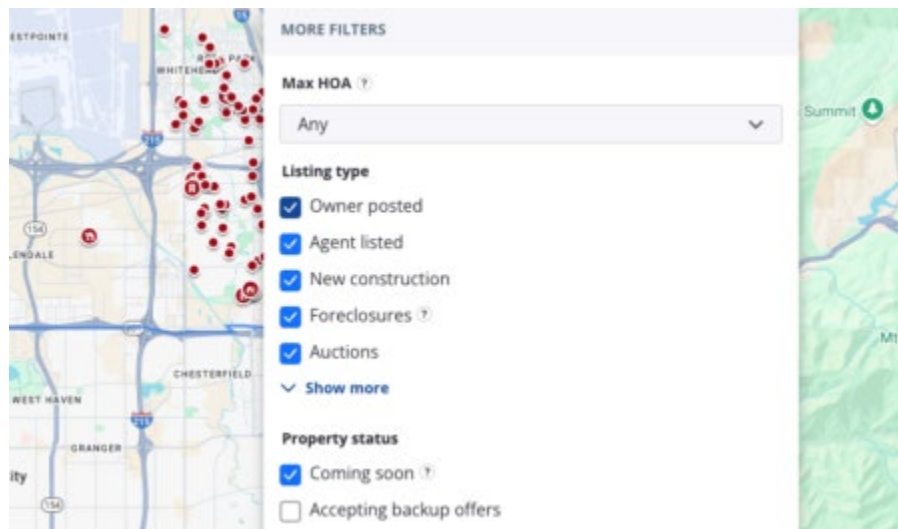
Amid the lawsuit, [Zillow called on REX](#) to join it in advocating for the elimination of the rule. An attorney for REX didn't respond to a request for comment on Zillow's policy change.

The rule has also drawn the attention of the U.S. Justice Department. In testimony given by a [DOJ attorney](#) during the REX case in February, the department questioned whether the rule was truly optional and [suggested it was anticompetitive](#).

In a statement, NAR defended the no-commingling rule and pointed to court rulings against REX in the case as evidence the rule is fair.

"The United States Court of Appeals for the Ninth Circuit affirmed a decision of the district court emphasizing what we've said from day one — NAR's no-commingling rule never constituted an antitrust violation," NAR said in a statement. "The rule is optional, leaving MLSs the choice whether to adopt it, and, in fact, 29 percent of them chose not to."

Nonetheless, some of the nation's largest MLSs have recently updated their rules to rescind the no-commingling rule for their users, including Bright MLS in May 2024 and Stellar MLS [in October](#).



Zillow's updated single search user experience shows FSBO and other listings by default, without requiring users to update their settings.

"We've supported comingling property data on IDX-licensed websites since the IDX program was invented decades ago, and we expanded that support in May 2024 to include

commingling at the website operator's discretion as long as our MLS-sourced property information may be filtered by the user," Bright MLS said in a statement to Inman.

REColorado is credited as being the first MLS to rescind the no-commingling Rule [when it did so in 2022](#).



James Dwiggins | NextHome

Zillow said it needed time to make updates to its systems to avoid degrading the user experience. It didn't make any announcements about the policy change because it is still rolling out the changes as more and more MLSs adjust their policies. And it said it was still working in more markets to be able to move to a single-search experience.

Others questioned whether the portal's update would have any meaningful impact on agents' lives and businesses.

"I don't personally have an issue with it," NextHome CEO James Dwiggins said. "If we're worried about FSBOs on a website, then we have a lot bigger problems as an industry to worry about."

[Email Taylor Anderson](#)

## Fair and Equal Access to Listed Property:

Listed property with a **limited** Visibility **Type** of MLS Listing (visible to all MLS Subscribers) must be readily available to show to all MLS subscribers **EQUALLY** and **FAIRLY**, **beginning not later than** within one (1) day of the Listing Date, or for Coming Soon listings **on** the Begin Showing Date. ~~The Listing Agent will provide agents with the same level of access to a listed property whether no one is granted access to show (including the Listing Agent), or everyone is granted access to show the property.~~ A violation of the Fair and Equal Access showing policy may result in serious fines and discipline, as shown below.

**Additionally,** Fair and Equal Access will be based on the following:

- The ~~showing~~ window of opportunity **for showings** is 8am to 8pm ~~(84 hours per week).~~
- ~~Listed property must be available for a minimum of one half (42 hours) of the showing window of opportunity.~~
- ~~The daily total for hours may vary, as long as the weekly minimum of 42 hours is met.~~
- ~~Meeting or exceeding the minimum weekly total of 42 hours requires no additional written authorization from the Seller.~~
- A listing ~~with a showing window of opportunity below 42 hours~~ **that has blocked out more than 50% of the window of opportunity for showings per week**, requires a Seller's written authorization, which will be made available to MLS Staff upon request.
- The maximum amount of time that a listing can be unavailable to show is five (5) consecutive days. *(If a listed property is unavailable for six (6) or more consecutive days, the Seller will provide written authorization to withhold the listing and temporarily change the status to Withdrawn in the MLS. DOM is not accrued while in the Withdrawn status.)*

### Examples:

<b>Listing A</b>	<b>Listing B</b>	<b>Listing B</b>
<b>Showing Availability</b>	<b>Showing Availability</b>	<b>Showing Availability</b>
<del>Sunday 12pm-8pm</del>	<del>Sunday 10am-6pm</del>	<del>Sunday 1pm-5pm</del>
<del>Monday 4pm-8pm</del>	<del>Monday 3pm-8pm</del>	<del>Monday None</del>
<del>Tuesday 10am-8pm</del>	<del>Tuesday 3pm-8pm</del>	<del>Tuesday None</del>
<del>Wednesday None</del>	<del>Wednesday 3pm-8pm</del>	<del>Wednesday 4pm-8pm</del>
<del>Thursday 4pm-8pm</del>	<del>Thursday 3pm-8pm</del>	<del>Thursday None</del>
<del>Friday 10am-8pm</del>	<del>Friday 3pm-8pm</del>	<del>Friday None</del>
<del>Saturday 10am-8pm</del>	<del>Saturday 10am-8pm</del>	<del>Saturday 1pm-5pm</del>
<b>Available 48 hours</b>	<b>Available 43 hours</b>	<b>Available 12 hours</b>
<b>Requires NO Additional Seller Authorization.</b>	<b>Requires NO Additional Seller Authorization.</b>	<b>REQUIRES Seller Written Authorization.</b>

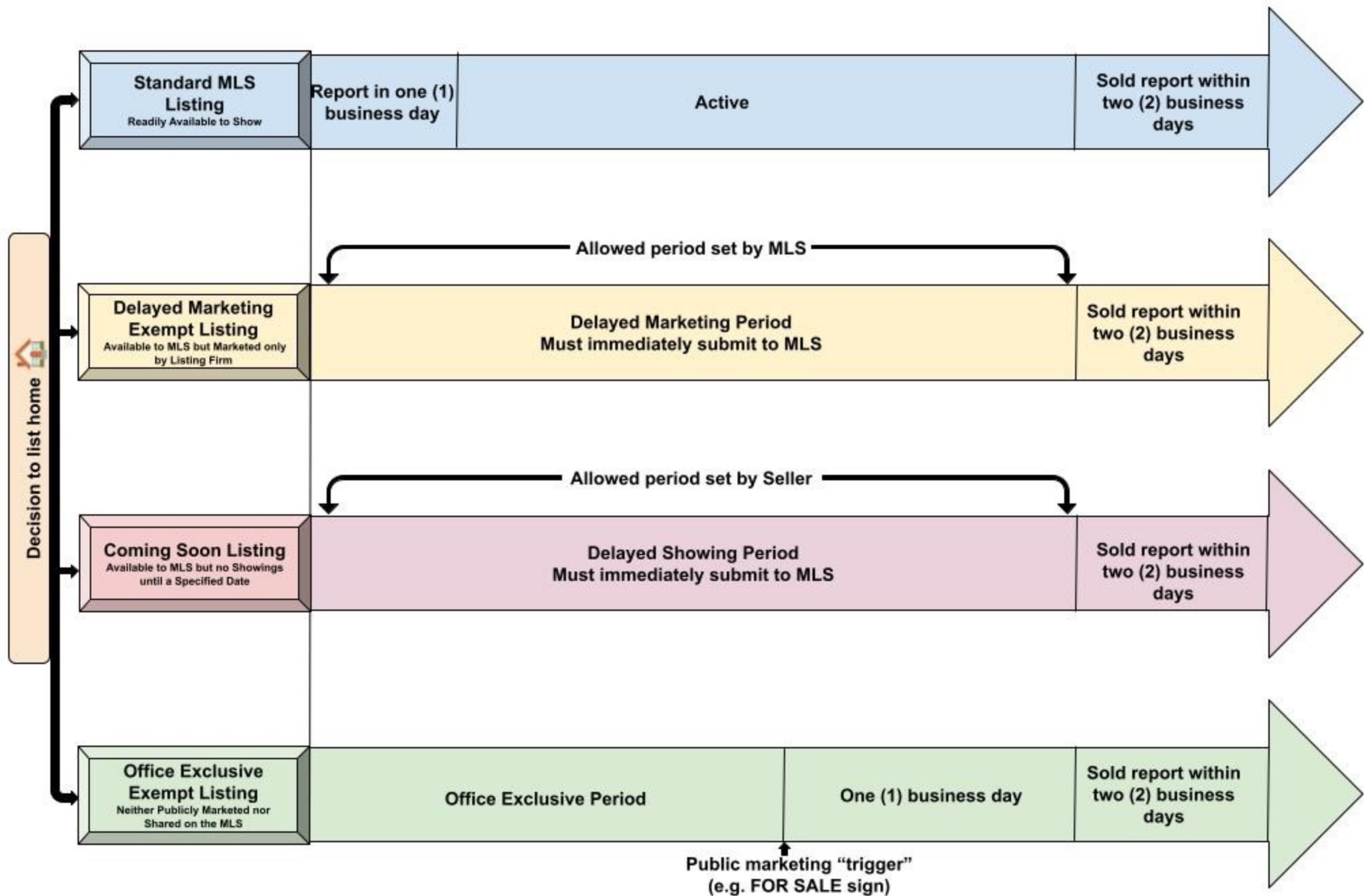
**Last, a violation of the Fair and Equal Access to listed property:**

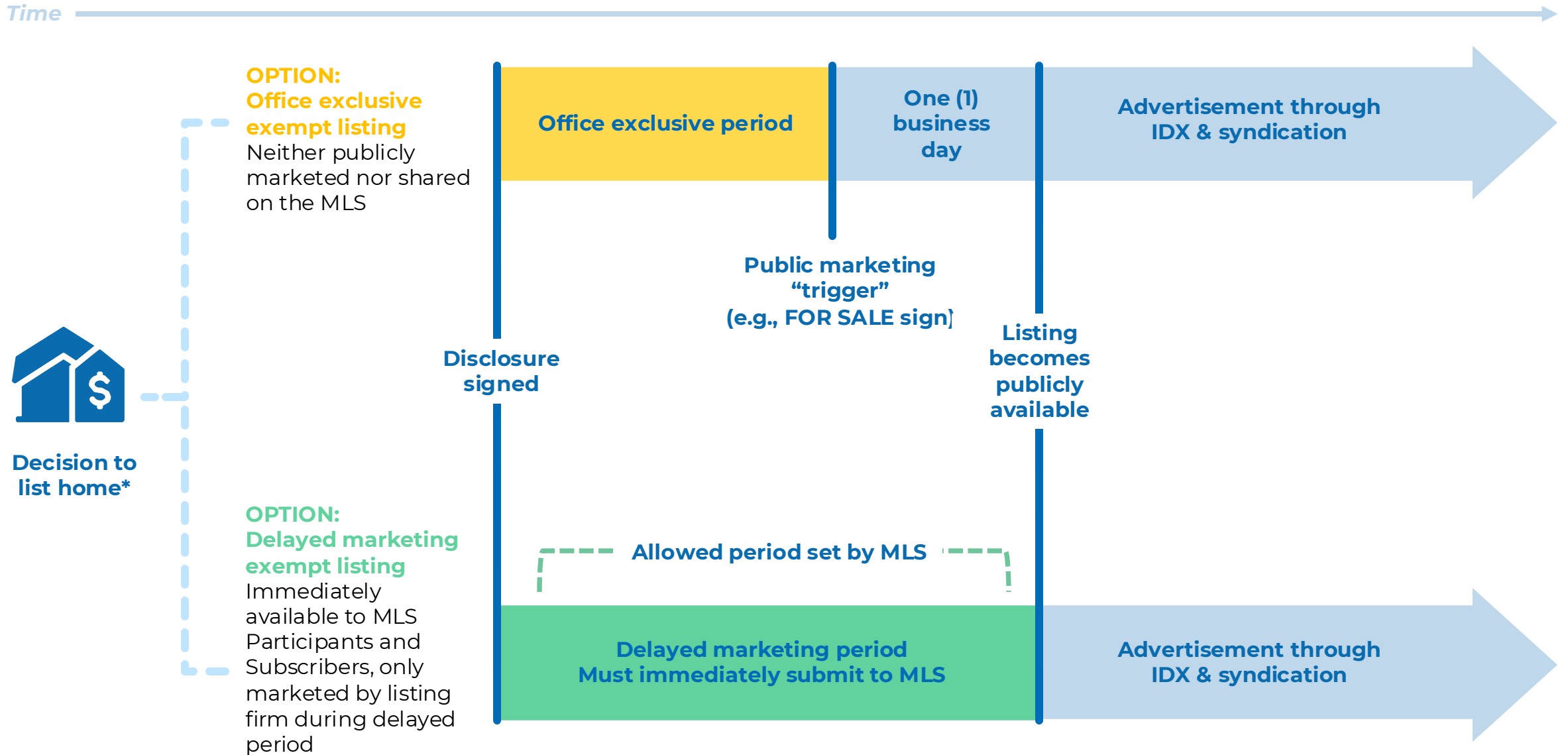
The MLS Fine to a Listing Agent who does not provide fair and equal access to other MLS Subscribers, to listings in the MLS with a visibility type of "MLS Listing" (all MLS) is \$1,000.

## Fair and Equal Access and the Clear Cooperation Policy.

According to NAR – A listing's availability to show is not a determining factor for Cooperation under the Clear Cooperation Policy. Cooperation is NOT tied to a listing's availability to show. NAR indicates that Cooperation is established by simply sharing information about the listing to all MLS Subscribers. However, if a Listing Agent provides unfair and unequal access to the listed property, the Listing Agent may have violated the Code of Ethics and/or the Clear Cooperation Policy and could result in a consumer complaint of Fair Housing Laws.







*\*Consumers always have the option to file their property as a regular MLS listing which is immediately available to MLS Participants and Subscribers and advertised through IDX and syndication.*

# Multiple Listing Options for Sellers

After many months of analysis and deliberation across the industry—including MLS leadership; Association Executives; brokerages of all sizes; agents; multi-cultural partners; and fair housing, policy, technology, and legal experts—NAR has adopted a new MLS policy, Multiple Listing Options for Sellers, which exists in conjunction with the [Clear Cooperation Policy](#) and other [MLS policies](#) to provide sellers and their agents more options and choice when marketing a property, while also supporting fair housing by providing buyers and their agents with equal access to important MLS property information.

## New MLS Policy Statement

### Multiple Listing Options for Sellers

**Office Exclusive:** Is an exempt listing where the seller has directed that their property not be disseminated through the MLS and not be publicly marketed. The office exclusive listing shall be filed with the MLS but not disseminated to other MLS Participants and Subscribers.

**Delayed Marketing:** Is an exempt listing where the seller has directed the listing broker to delay the public marketing of that listing through IDX and syndication for any period as allowed by the local MLS in its unfettered discretion. A delayed marketing listing shall be filed with the MLS and does not preclude the listing firm from marketing the listing in a manner consistent with their seller's choice.

**Exempt Listing Disclosure:** The filing of an exempt listing (office exclusive or delayed marketing) with the MLS must be pursuant to a certification obtained by the listing broker from the seller which includes:

- disclosure about the professional relationship between the Participant and the seller;
- acknowledgement that the seller understands the MLS benefits they are waiving or delaying with the exempt listing, such as broad and immediate exposure of their listing through the MLS; and
- confirmation of the seller's decision that their listing not be publicly marketed and disseminated by the MLS as an office exclusive listing or that their listing will not have immediate public marketing through IDX and Syndication as a delayed marketing listing.

Multiple Listing Options for Sellers requirements only apply to listing types that are subject to mandatory submission pursuant to the MLS local rules.

## With this new policy:

- A consumer will have the option to market their home as a “delayed marketing exempt listing.” This means a seller can instruct their listing agent to delay the marketing of their listing by other agents outside the listing firm through IDX or syndication for a period of time.
- During the delayed marketing period, the home seller and the listing agent can market the listing in a manner consistent with the seller’s needs and interests. At the same time, the delayed marketing exempt listing will still be available to other MLS Participants through the MLS platform so they can inform their consumers about the property.
- Each MLS will have discretion to determine a delayed marketing period that is most suitable for their local marketplace.
- Listing agents representing sellers who choose to delay the public marketing of their listing must secure from their seller a signed disclosure documenting the seller’s informed consent to waive the benefits of immediate public marketing through IDX and syndication. Seller disclosure is required for both delayed marketing exempt listings and office exclusive exempt listings.

## UPDATED POLICY INTERPRETATION FOR THE CCP

NAR is also clarifying its policy interpretation that one-to-one, broker-to-broker communications about listings do not trigger CCP requirements. However, multi-brokerage communications about a listing will constitute public marketing under CCP. The Multiple Listing Options for Sellers policy is effective March 25, 2025, and must be implemented by September 30, 2025, allowing for technical changes associated with this new seller option of delayed marketing exempt listings. Prior to local implementation, MLSs are encouraged to engage with their brokers and stakeholders to gather input on the flexibility and accommodations consumers need in their local market. **Please note that the new policy does not change an MLS’s local mandatory submission deadlines or CCP and its requirement to file a listing with the MLS within one (1) business day from public marketing.**

# Multiple Listing Options for Sellers FAQs

Last Updated: March 27, 2025

*The following questions will help NAR members and consumers understand Multiple Listing Options for Consumers Policy announced on March 25, 2025.*

## Delayed Marketing Exempt Listings

### Overview

#### 1. What was the result of NAR's evaluation of Clear Cooperation Policy (CCP)?

- After extensive analysis, NAR has created a new MLS policy, the Multiple Listing Options for Sellers Policy.
- The Multiple Listing Options for Sellers Policy will work alongside CCP and other MLS policies to provide sellers and their listing brokers more options and choice when marketing a property, while also supporting fair housing by providing buyers and their listing brokers with equal access to important MLS property information.
- NAR is also clarifying its policy interpretation of CCP that one-to-one, broker-to-broker communications do not trigger the requirements of CCP. However, multi-brokerage communications about a listing will constitute public marketing under CCP.

#### 2. What is the Multiple Listing Options for Sellers Policy?

- The Multiple Listing Options for Sellers Policy introduces a new category of listings called "delayed marketing exempt listings."
- This means a seller can instruct their listing broker to delay the marketing of their listing by other brokers outside of the listing firm through IDX and syndication for a period of time as determined by the local MLS.
- During the delayed marketing period, the home seller and the listing broker can market the listing in a manner consistent with the seller's needs and interests. At the same time, the delayed marketing listing will still be available to other MLS Participants and Subscribers through the MLS platform so they can inform their consumers about the property.
- Listing brokers representing sellers who choose to delay the public marketing of their listing must secure from the seller a signed disclosure documenting the seller's informed consent to waive or delay the benefits of immediate public marketing through IDX and syndication. Seller disclosure is required for both delayed marketing exempt listings and office exclusive exempt listings.
- Please note, the new policy does not change an MLS's local mandatory submission deadlines or CCP and CCP's requirement to file a listing with the MLS within one (1) business day from public marketing.

#### 3. Has CCP changed? Is it still in effect?

- CCP itself remains unchanged and in full effect.
- The Multiple Listing Options for Sellers Policy will work alongside CCP and other MLS policies to provide sellers and their brokers more options and choice when marketing a property, while also supporting fair housing by providing buyers and their brokers with equal access to important MLS property information.

#### 4. Is a delayed marketing exempt listing the same thing as an office exclusive?

- No, an office exclusive listing is an exempt listing where the seller has directed that their property is not disseminated through the MLS and is not publicly marketed.
- An office exclusive listing may require submission under local MLS rules but is not disseminated to other MLS Participants and Subscribers.
- The Multiple Listing Options for Sellers Policy requires listing brokers to obtain a certification from sellers for an office exclusive listing.

**5. Who benefits from the new delayed marketing listing option and the clarifying interpretation of one-to-one, broker-to-broker communications?**

- Each works towards providing a home seller the choice and flexibility to determine how they and their listing broker will market and sell the property pursuant to the seller's interests. *(Added 3/27/2025)*

**6. Who has the authority to decide whether to delay marketing of a listing?**

- A seller must authorize their listing broker to delay marketing of their property.
- Listing brokers representing sellers who choose to delay the public marketing of their listing must obtain from their seller a signed disclosure documenting the seller's informed consent to waive the benefits of immediate public marketing through IDX and syndication.
- Seller disclosure is required for both delayed marketing exempt listings and office exclusive exempt listings.

**7. How long is the delayed marketing window and who determines it?**

- Each MLS has discretion to determine a delayed marketing time period that is most suitable for their local marketplace.

**8. Why is NAR not mandating a specific length for the delayed marketing window?**

- MLSs are best positioned to establish a delayed marketing time period that reflects the business practices for their brokerage communities and the needs of their local marketplaces.
- Prior to formal implementation, we encourage MLSs to consult with brokers and stakeholders in their market to get their input on the allowed time period for delayed marketing exempt listings to determine how stakeholders in their marketplaces will be best served by this policy.

**9. How is "days on market" defined?**

- The Multiple Listing Options for Sellers Policy does not define "days on market" or require MLSs to track or report time on market information.
- This is a matter typically addressed within local MLS business rules.

**10. Does the time period during which a listing's marketing is delayed count toward days on the market?**

- Each MLS has discretion to determine whether to track days/time on market information for a delayed marketing exempt listing and how to report it.

**11. Does an MLS have to show price change history of a delayed marketing exempt listing while in this status?**

- An MLS is not required to track or report price change information other than the most recent increase or decrease in the price of current listings.
- Each MLS has discretion to determine whether to track change history for a delayed marketing exempt listing and how to report it.

**12. How does the new delayed marketing exempt listing time period impact the mandatory submission requirements of the local MLS?**

- The new policy does not change an MLS's local mandatory submission deadlines or CCP and CCP's requirement to file a listing with the MLS within one (1) business day from public marketing.

**13. Is a delayed marketing exempt listing available for other MLS Participants and Subscribers and their consumers to view and access during the delayed marketing period?**

- Yes, a delayed marketing exempt listing will still be available to other MLS Participants and Subscribers through the MLS platform so they can inform their consumers, arrange showings, and/or submit offers like other active listings in the MLS.

**14. Can a broker share information about a delayed marketing exempt listing with their consumer during the delayed marketing period?**

- Yes, a delayed marketing exempt listing will still be available to other MLS Participants and Subscribers through the MLS platform so they can inform their consumers about the property.

**15. Can an MLS share delayed marketing exempt listings through a Brokerage Backoffice Feed or through consumer-oriented vehicles (email, list sheet)?**

- Yes, subject to local MLS rules and procedures, a delayed marketing exempt listing can be shared by MLS Participants and Subscribers through means that are not IDX and syndication so they can inform their consumers about the property.

**16. Can an MLS show a delayed marketing exempt listing on their public-facing website?**

- No, an MLS's public-facing website would be considered syndication.

**17. Can an MLS repurpose an existing MLS field or function to satisfy the requirements of the new delayed marketing exempt listing?**

- Yes, MLSs have local discretion on how to best implement the Multiple Listing Options for Sellers policy.
- MLSs must ensure their implementation meets all the requirements of the policy and that their governing documents are updated accordingly. *(Added 3/27/2025)*

**18. Can an MLS prohibit showings for delayed marketing exempt listings?**

- No, delayed marketing exempt listings are considered an active listing.
- The showings of a delayed marketing exempt listing are subject to the seller's instructions and applicable law. *(Added 3/27/2025)*

**19. Can a seller and listing broker advertise their delayed marketing exempt listing on other websites, portals, social media, or elsewhere on the internet, in addition to the listing broker's website?**

- Yes. During the delayed marketing period, the home seller and the listing broker can market the listing in any manner that is consistent with the seller's needs and interests subject to applicable law. *(Revised 3/27/2025)*

**20. Can a listing broker for a delayed marketing exempt listing put a yard sign on the property?**

- Yes, the seller and listing broker may market the property in any manner consistent with the seller's needs and interests subject to applicable law. *(Added 3/27/2025)*

**21. Can an MLS Participant or Subscriber obtain an MLS data feed of their listing information and use it to display a delayed marketing listings on other websites or portals?**

- Yes, pursuant to Policy Statement 8.3, Right of Participant to MLS Data Feed of Listing Content, an MLS must, upon request, promptly provide an MLS Participant or their designee a data feed containing, at minimum, all active MLS listing content input into the MLS by or on behalf of the Participant, subject to any delivery changes reasonably related to the costs incurred by the MLS. *(Added 3/27/2025)*

**22. Can an MLS Participant or Subscriber use the MLS's CRM software or other consumer-oriented vehicles?**

- Yes, subject to local MLS rules and procedures, a delayed marketing exempt listing can be shared by MLS Participants and Subscribers through CRM software or other means that are not IDX and syndication to inform their consumers about the property. *(Added 3/27/2025)*

**23. How is the delayed marketing exempt listing different from the option to opt-out of IDX and/or syndication?**

- Under existing policy, a seller could opt-out of IDX provided that the property does not appear on the Internet or on other forms of electronic display, including display by the listing firm.
- With a delayed marketing exempt listing, while others will not be able to advertise the property via IDX and syndication, the seller can authorize their listing broker to advertise the property online, such as on the listing broker's website or elsewhere.
- Also for delayed marketing exempt listings, the listing broker must secure a signed disclosure from the seller documenting the seller's informed consent to waive the benefits of immediate public marketing through IDX and syndication. *(Added 3/27/2025)*

**24. Can a seller still choose to market their property as an office exclusive?**

- Yes, a home seller can choose to have their property marketed as an office exclusive exempt listing.
- This means the property will not be disseminated on the MLS to other MLS Participants and Subscribers, and that the listing will not be publicly marketed.

**25. Can a seller choose to convert an office exclusive exempt listing to a delayed marketing exempt listing?**

- Yes, the seller can decide to change their marketing strategy from an office exclusive exempt listing to a delayed marketing exempt listing.
- The listing broker needs to ensure they have secured from the seller a signed disclosure documenting the seller's informed consent to waive the benefits of immediate public marketing through IDX and syndication. *(Added 3/27/2025)*

**26. Can a delayed marketing exempt listing be shown on a VOW display?**



- Yes, VOW display is not for advertisement but rather to help with the provision of brokerage services to consumers with whom there is an established broker-consumer relationship.
- A VOW display must meet all the requirements set forth in NAR MLS policy. For more details go to, [online VOW resources](#) available at nar.realtor.

**27. Can an MLS exclude delayed marketing listings from VOW data feeds?**

- No, an MLS cannot exclude delayed marketing exempt listings from appearing as part of VOW data feeds.
- A VOW display is not for advertisement but to help with the provision of brokerage services to consumers with whom there is an established broker-consumer relationship. *(Added 3/27/2025)*

**28. Should a delayed marketing exempt listing be considered an active listing?**

- Yes. While a delayed marketing exempt listing will not be available for others to publicly marketing through IDX and syndication during the delayed marketing period, the property can be marketed by the listing broker and will be available for other MLS Participants and Subscribers so they can inform their consumers, arrange showings, and/or submit offers like other active listings in the MLS. *(Added 3/27/2025)*

## Disclosure Requirements

**29. What terms are included in the disclosure certification required by the Multiple Listing Options for Sellers Policy Statement?**

- The seller disclosure certification must include:
  - A disclosure about the professional relationship between the Participant and the seller;
  - Acknowledgement that the seller understands the MLS benefits they are waiving or delaying with the exempt listing, such as broad and immediate exposure of their listing through the MLS; and
  - Confirmation of the seller's decision that their listing will not be publicly marketed and disseminated by the MLS as an office exclusive listing or that their listing will not have immediate public marketing through IDX and Syndication as a delayed marketing listing.

**30. Does the disclosure certification have to be included in the filing of a delayed marketing exempt listing?**

- Seller disclosure is required in order to file a delayed marketing exempt listing.
- However, each MLS has discretion in how to enforce their policy and rules, which may or may not include the requirement to file the disclosure form with the MLS.

**31. Who is responsible for developing the seller disclosures required for both office exclusive and delayed marketing exempt listings?**

- MLSs are responsible for enforcing the seller disclosure requirements like other MLS rules.
- An MLS can develop and require the use of a particular disclosure form or allow the use of any disclosure form if it meets the policy requirements. *(Added 3/27/2025)*

## Timeline for Implementation

### **32. When does the delayed marketing exempt listing option take effect?**

- The Multiple Listing Options for Sellers Policy is effective March 25, 2025, and must be implemented by September 30, 2025.

### **33. When will local MLSs announce the time period for marketing delays?**

- Local MLSs can announce and establish their delayed marketing time period at any time, but no later than September 30, 2025.

### **34. Can an MLS implement the new MLS policy before September 30, 2025?**

- Yes, MLSs can implement the new MLS policy at any time, but no later than September 30, 2025.
- Prior to formal implementation, we encourage MLSs to consult with brokers and stakeholders in their market to get their input on the allowed time period for delayed marketing exempt listings.

### **35. What action do brokers who are REALTORS®, brokerage firms, and MLS executives need to take to comply with the new changes?**

- MLSs will need to adopt policy language as part of their local MLS rules at any time but no later than September 30, 2025.
- MLSs will also need to create the necessary functionality and support that allows for listing brokers, with authority from their seller, to delay the marketing of a listing by other brokers outside of the listing firm through IDX or syndication for a set time period.
- Prior to formal implementation, we encourage MLSs to consult with brokers and stakeholders in their market to get their input on the allowed time period for delayed marketing exempt listings.

## Implications for Members

### **36. What do these changes mean for sellers' brokers who are REALTORS® and/or MLS Participants?**

- Sellers' brokers who are REALTORS® and/or MLS Participants will be able to offer additional marketing options to their clients in a manner consistent with the clients' needs and interests.
- Brokers representing sellers who choose to delay the public marketing of their listing must secure from their seller a signed disclosure documenting the seller's informed consent to waive the benefits of immediate public marketing through IDX and syndication.

### **37. What do these changes mean for buyers' brokers who are REALTORS® and/or MLS Participants?**

- Buyers' brokers who are REALTORS® and/or MLS Participants will potentially see more listings on MLSs that can be shared with their clients from sellers who want greater control over the marketing of their property due to the sellers' personal preferences.

### **38. What do these changes mean for brokerage firms?**

- Brokerage firms will be able to offer additional marketing options to their consumers in a manner consistent with their needs and interests.

### **39. What do these changes mean for MLSs?**

- MLSs will continue to serve as a reliable, transparent, and accurate data source for available properties for sale while continuing to meet the evolving needs and interests of the selling and buying public.
- The Multiple Listing Options for Sellers Policy does not change an MLS's local mandatory submission deadlines or CCP and CCP's requirement to file a listing with the MLS within one (1) business day from public marketing.
- We encourage MLSs to consult with brokers and stakeholders in their market to get their input on the allowed time period for delayed marketing exempt listings.
- The Multiple Listing Options for Sellers Policy will ensure that consumers have additional optionality as to how and when their property is marketed.

### **40. How will real estate professionals, consumers, and the industry as a whole benefit from these changes?**

- These changes empower real estate professionals, consumers, and the industry with additional consumer choice that meets buyer and seller expectations while maintaining the benefits of MLSs, including through transparency and the cooperation that leads to benefits for home buyers and sellers.

## **Implications for Consumers**

### **41. What do these changes mean for home sellers?**

- Home sellers who want to limit the marketing of their property through IDX and syndication will have more options and choice when marketing a property.

### **42. Can any home seller choose to delay marketing of their listing?**

- Yes.

### **43. Why might a home seller choose to delay marketing of their listing?**

- Home sellers may have many different reasons for deciding to choose the delayed marketing exempt listing option. For instance, some homeowners want to limit the market exposure of their property due to privacy and/or other personal reasons.

### **44. Can brokers choose to delay marketing of a listing on behalf of the seller without seeking a seller's consent and disclosure?**

- No. Listing brokers representing sellers who choose to delay the public marketing of their listing must secure from their seller a signed disclosure documenting the seller's informed consent to waive the benefits of immediate public marketing through IDX and syndication.

### **45. What do these changes mean for homebuyers?**

- Buyers will potentially have more access to important property information about listings in their marketplace.

### **46. Can a delayed marketing exempt listing be shown to potential buyers during the delayed marketing period?**

- Yes, MLS Participants and Subscribers may arrange showings and tours of the property subject to the seller's instructions. *(Added 3/27/2025)*

## Evaluation of the Clear Cooperation Policy

### Background on CCP

#### 47. What is CCP?

- Under the Clear Cooperation Policy (CCP), the listing broker must submit the listing to the MLS for cooperation with other MLS Participants within one (1) business day of marketing a property to the public.
- Public marketing includes, but is not limited to, flyers displayed in windows, yard signs, digital marketing on public facing websites, brokerage website displays (including IDX and VOW), digital communications marketing (email blasts), multi-brokerage listing sharing networks, and applications available to the general public.

#### 48. When was CCP originally implemented and why?

- CCP was originally adopted in November 2019 and implemented by MLSs in May 2020.
- The policy was implemented because brokers and MLSs from across the country asked NAR to consider policy that will reinforce the consumer benefits of cooperation.
- The MLS creates an efficient marketplace and reinforces the pro-competitive, pro-consumer benefits that REALTORS® have long sought to support.

#### 49. Who is subject to CCP?

- All MLS Participants and Subscribers who participate in a REALTOR® association owned MLS.

#### 50. What does it mean to publicly market a listing under CCP?

- Public marketing includes, but is not limited to, flyers displayed in windows, yard signs, digital marketing on public facing websites, brokerage website displays (including IDX and VOW), digital communications marketing (email blasts), multi-brokerage listing sharing networks, and applications available to the general public.
- NAR is also clarifying its policy interpretation that one-to-one, broker-to-broker communications about listings will not trigger CCP requirements.

#### 51. Do one-to-one, broker-to-broker communications trigger the requirements of the Clear Cooperation Policy?

- No. One-to-one, broker-to-broker communications about listings will not trigger CCP requirements.

### Evaluation Process and Rationale

#### 52. Why did NAR evaluate CCP, and why now?

- NAR continually reviews its MLS policies to ensure that they best serve its members and consumers while also mitigating and avoiding potential legal risks.
- The Multiple Listing Options for Sellers Policy is the culmination of many months of analysis and deliberation across the agency, including MLS leadership, Association Executives, brokerages of all sizes, brokers, multi-cultural partners, and fair housing, policy, technology, and legal experts.

#### 53. What feedback did NAR receive on CCP?

- NAR greatly appreciates the feedback it received from stakeholders across the entire industry, including members, MLS leaders, association executives, brokers, multi-cultural partner organizations, and fair housing, policy, technology, and legal experts.
- NAR believes this outcome balances the needs and perspectives across the membership as well as benefits both sellers and buyers.

**54. What are the consequences for not complying with national mandatory MLS policies?**

- If a REALTOR® Association-owned MLS fails to comply with national mandatory MLS policies, the association will be ineligible for insurance coverage through the NAR Insurance Program.

**Subject:** FW: Question!

For Closing Date Warnings/Reminders – Paragon can trigger an alert as follows:

**Option 1- Login Pop-Up Noting that a listing has been Under Contract for a long time.**

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 to override the Expiration Date to match the closing date.**

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.

**Option 3- Reminder Warning Message when Maintaining a Listing – This listing is scheduled to close tomorrow....**

When maintaining a listing – a warning message can prompt the listing agent to update the Closing Date field, if necessary.

Home

Market Monitor

Listings

Admin

Listings

Maintain: 161441

INPUT MAINTENANCE

Primary

Add Label

Maintain Listing

Add/Edit Pictures

View Detail Report

Add/Edit Documents

Add/Edit Open House

Add/Edit Tour

View Activity Report

View Audit Listing Report

Access Log

SentriLock - Assign

Share via CollabLink

Share via Text

Share via Twitter

Input Fields: 177

R # of Fields: 47

R Remaining Fields: 0

MLS#161441 - 3301 RAINIER DRIVE

Save Listing

Price Analysis

Reset Fields

Required Only

Open All

Close All

Accept Warnings

1 warning, 0 errors 1 of 1

1

This listing is scheduled to close tomorrow. If closing is to occur as scheduled, no action is necessary. If the proposed closing date has changed, please update at this time.

308

Accept

(6) Housing Unit

(44) Housing Unit #

(5) Address 2

(45) City 

Lawrence

(46) State 

KS

(48) Zip 

66047

(49) Status 

UC - Under Contract

(50) Sale/Rent 

For Sale

(76) For Auction 

N - No

General

Features

Financial

Remarks

Sold

(188) Contract Date 

12/22/2024

(189) Proposed Closing Date 

01/29/2025