

Big Changes Are Coming – Effective October 1, 2018



SAR MLS Service Area, Listings and Photos, LBX's, Exempt Listings, Coming Soon, Auction Properties, MLS of Choice, Revised Citation Policy Fines and New Citation Policy Fines

1. **Service Area.** The “service area” of the Spokane Association of REALTORS® MLS is changing to add the four (4) contiguous counties in Washington – Stevens, Pend Oreille, Lincoln and Whitman. This is a big change and how does it affect you?
 - a) **Listings and Photos.** All listings (exclusive right to sell and exclusive agency) and photos shall be required to be submitted by the next business day after all necessary signatures of seller(s) have been obtained and any Marketing or Advertising begins that includes single family homes, vacant lots and acreage and two-family, three-family and four-family residential buildings in our service area.
 - b) **LBX.** IF there is a LBX on the listing for the purpose of providing access to the property by other MLS Participants and Subscribers in our service area it must have an Association approved (i.e. blue Supra) electronic LBX.
 - c) **Photographs.** The rule about photos has changed to include all properties (including vacant lots/land) and the main photo must be an exterior photo of the property, to include the primary structure (if applicable) with the exception of properties under construction.
2. **Exempt Listings (“office exclusive”).** If a property owner requests an exempt listing, the property shall not be entered into the MLS for at least 90 days after the submission of the MLS Exempt Listing Form to the Association. The MLS Exempt Listing Form must be submitted to the Association by the next business day of any advertising or marketing. Seller may petition the MLS Steering Committee for a waiver of the 90 day time period.
 - a) **“Coming Soon”** – All listings being marketed as “coming soon” will be input in the MLS. If the property is not ready for showings, this shall be noted in the Agent Remarks section and you can also put that it is “coming soon”.
 - b) No showings by anyone are allowed during this period of time. If you are going to show the property this information must be deleted and opened up to all members to show.
 - c) Do not put the property Temporarily off the Market (TOM) as if you do you are not able to market the property. Form 4145 TERMINATION/TEMPORARY SUSPENSION OF LISTING AGREEMENT reads as follows: Temporarily Off Market. Seller and Firm agree that the Property shall be taken off the market temporarily, such that no active marketing activity shall be conducted at this time. Seller and Firm agree that the relationship between them shall continue to exist, and all rights to commission and other terms and provisions of the Listing Agreement shall continue to apply. (Signatures of at least one Seller or Firm's Broker required.)
3. **Auction Properties.** Only auction properties owned by the U.S. Department of Housing and Urban Development will be allowed in the MLS. If an existing listing becomes ineligible for inclusion in the MLS because it will be sold at auction and not owned by the U.S.

Department of Housing and Urban Development, the listings must be released or placed TOM whichever is appropriate at the time when the property may only be purchased through an auction.

4. **MLS of Choice (effective July 1, 2018).** If a Participant subscribes to more than one MLS, a licensee with that Participant may apply for a waiver of MLS fees and charges from the Spokane Association of REALTORS® MLS provided that such individual can demonstrate they belong to another MLS.
5. **Consideration of Alleged Violations – Fines.** All corrections must be corrected by the next business day of receipt of the Notice of Violation and Fines (no more 72 hours).

The Citation Policy Fines have been Increased significantly:

Tier 1 Violation Fines:

First Violation	(\$0 if timely corrected) not timely corrected - \$100 \$500
Second Violation	\$200 \$1,000
Third and Subsequent Violations	\$300 \$1,500
Uncorrected Violation – 1 st Additional Fine Period	\$200 \$1,000
- 2 nd and subsequent Additional Fine Periods	\$400 \$2,000
Maximum accumulated fine for a single Violation	\$2,000 \$4,500
Additional Violations after maximum fine reached	MLS Suspension*
Failure to pay fines	MLS Suspension*

**Suspension is for no less than thirty (30) days nor more than one (1) year*

TIER 3 A “Tier 3” violation means that the offense is considered “very serious” and constitutes a knowing disregard of the MLS Rules and Regulations.

Citation Policy Fines - New

- a) **Failure to submit a signed MLS Exempt Listing Form (“office exclusive”) pursuant to Section 1.4.**
- b) **The listing is entered into the MLS within said 90 day period pursuant to Section 1.4:**

<u>First Violation</u>	<u>\$1,000</u>
<u>Second Violation</u>	<u>\$5,000</u>
<u>Third Violation</u>	<u>\$10,000</u>
<u>Fourth and subsequent Violations</u>	<u>Additional \$5,000</u>
<u>Failure to pay fines</u>	<u>MLS Suspension*</u>

***Suspension is for no less than thirty (30) days nor more than one (1) year**