SOUTHEASTERN MICHIGAN MULTIPLE LISTING SERVICE
POLICY AND PROCEDURES

FINES AND FEES

Listing agents are required to follow all rules and regulations according to the Southeastern Michigan MLS Board of Directors. Brokers are responsible for all office listings within their company. **Any violation on a listing, will result in an email notification to the listing agent and broker. ALL violations will be required to be corrected within one business day or a fine will be assessed. Brokers are responsible for all unpaid fines**. Within seven (7) days from the delivery of the email notice, all fines must be paid in full or a written letter to the MLS BOD from the listing agent wishing to appeal must be submitted to the Southeastern Michigan MLS office or automatic shut off for the listing agent will result. After the MLS BOD has reviewed the explanation and a decision has been made the listing agent will be notified and given 24 hours to pay any fines still levied. Brokers are responsible for all unpaid fines. If after seven (7) days from the Broker being invoiced for unpaid fine(s) the fines are still not paid, the Brokers Office will be shut off from the Southeastern Michigan MLS, until the fine(s) have been paid in full. (Amended 6/20)

If you are unable to provide proper information prior to a listing being submitted into the Southeastern Michigan MLS, contact the MLS support staff. You will be asked to submit written documentation on why you are unable to provide the proper information at the time of the listing being submitted into the Southeastern Michigan MLS.

LISTING

Offering Compensation: Implying any offer of compensation anywhere in the MLS including on ShowingTime, SentriLock, Syndicated website or any 3rd party IDX sites is strictly prohibited. Failure to comply will result in the removal of the implied compensation by the MLS Board office including without a written or verbal warning an automatic fine:

- First offense **$500** fine per listing.
- Second offense **$1,000** fine per listing.
- Third offense **$2,000** fine per listing including reviewed by the MLS Directors for further action including suspension of the MLS or termination from the Association. (Adopted 7/24)

Buyer Broker Agreement Documentation Request: Agents' failure to submit the Buyer Broker Agreement as requested by the MLS Board office immediately within the time limited requested will be levied the following fines per listing:

- First offense automatic **$1,000** notification fine per listing.
- Second offense automatic **$2,500** fine including reviewed by the MLS Directors for further action including suspension of the MLS or termination from the Association.
  Said participant shall be considered inactive until the levied fine is paid in full. (Adopted 7/24)

Clear Cooperation: Within one (1) business day of marketing a property to the public, the listing broker must submit the listing to the MLS for cooperation with other MLS participants. 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. Failure to comply with the Clear Cooperation Policy will result in a $100 fine.

Submission of Listings: All listings (in accordance with the Rules & Regulations of the MLS Service), must be input into the MLS, within **(3) business days, excluding holidays**, including excluded listings to the MLS Service. Failure to submit any listing will result in an automatic fine of **$100**. * Please note, once marketing or sharing of property information begins (intraoffice or externally) refer to the Clear Cooperation Policy. (Amended 8/20)

If a fraudulent listing (a listing without a proper listing agreement) is placed into the MLS the first offense will result in an automatic fine of $500 and the second offense will result in an automatic fine of $1,000.

An example of fraudulent listing is HUD Home sale or one entered for "Stats Only". All MLS entries must have a valid listing agreement and said listing agreement must be submitted to the Association upon request. Failure to comply with in a 24 hours notice will result in an automatic fine.

Active Listings with NO Showings: A new listing may not be entered if showings are not allowed. If a seller does not permit showings of an active listing in the MLS for more than 5 days (i.e. illness, repairs, etc.) it must be conditionally withdrawn – agent may comment in the remarks section. **If a licensed or unlicensed person (including the property owner) shows the property during the blocked-out date(s) on ShowingTime, the brokers agent will be charged an automatic fine in the amount of $1,000.** The only exception will be no showings per bank mandate, auction, foreclosure, redemption sale, and tenant occupied that prohibits access. The listing must be marked foreclosure "Yes" or the owner status must be marked "Owner w/ Tenant. The PUBLIC remarks must state in ALL CAPS "NO ACCESS. DO NOT DISTURB OCCUPANTS". Exterior viewing only. (Amended 8/20)

Duplicate Category: Multiple MLS numbers for a single active listing with the same address are prohibited. Each new listing may only be entered once per listing category. Listing category includes:

1. **Single Family**
2. **Condo / Villa**
3. **Multi - Family**
4. **Commercial Industrial & Business**
5. **Lots, Land & Farm**
6. **Manufactured Home Park -** Brokers are required to have a license to sell mobile homes and have separate E&O insurance
7. **Rental**
8. **Coming Soon**

Exception: Multiple MLS numbers are allowed if a home is for sale with additional land included. When the property has been sold, the other listing must be withdrawn. (Amended 04/2025)

Office Exclusive Listings: Per the MLS Rules and Regulations, the Listing Broker has three (3) business days to deliver the fully executed Listing Agreement and the SEM MLS Office Exclusive Exempt Listing form or other similar written instructions to the SEM MLS. Failure to do so will result in a $1,000 fine. This includes listings such as Single Family, Condo/Villa, Multi-Family, Lots, Land & Farm, and Mobile Homes. Only exception: Commercial Properties. (Amended 11/21/2024)

Rental Properties: Listings such as Single Family, Condo/Villa, Multi-Family, Lots, Land & Farm, and Mobile Homes that include land that are for **"Rental Only"** must be entered in the "Rental" category. Only exception: Commercial Properties (Amended 11/24/2020)

Auction Property: Properties subject to auction; All listings within five (5) business days, after the scheduled auction date. (As stated on the MLS Listing) One of the following must be reported in the MLS: **(a) report the listing as pending, (b) enter a list price other than $0 and keep the listing active, or (c) withdraw the listing**. Failure to comply with this rule will result in a fine of $50 and the immediate withdrawal of the auction listing by the Multiple Listing Service**.** (Amended 9/20)

COMING SOON

NO ADVERTISING/DISCLOSURE OF ANY LISTING INFORMATION TO THE PUBLIC IN ANY FORM PRIOR TO IT BEING ENTERED INTO THE MLS.

Definition: Coming Soon – Indicates that the broker and seller are preparing the property for sale and for marketing as Active Status. This status is not intended to give the listing broker an advantage in finding a buyer for the property to the detriment of cooperating brokers or to circumvent the selling of the property on the open market. The intended use of this status is to provide a vehicle for participants and subscribers to notify other participants and subscribers of properties that will be made fully available for showing and marketing after preparations have been completed. While the property is in 'Coming Soon' status, the seller and the listing broker may not promote or advertise the property in any manner other than as "coming soon".

Properties in this status may NOT be shown by anyone. This status is for short term use preparatory to **Active Status, 7 days or less**, and must have a listing agreement and seller(s) approval.

- Agents are required to obtain seller consent to list a Coming Soon property using the Coming Soon Authorization form.
- Signed exclusive right to sell or exclusive agency listing agreement.
- **The listing agent is not permitted to publish a Coming Soon listing (on 3rd party sites and any social media sites) prior to placing the listing on the MLS.**
- Listings placed in the Coming Soon status shall not be shown by anyone including but not limited to the listing office and listing agent during the Coming Soon period.
- Listings in the Coming Soon status are permitted to have an open house scheduled to take place AFTER the activation date.
- Southeastern Michigan MLS will work with ShowingTime to block showings from being scheduled while the listing is in the Coming Soon status, but still permit showings to be requested beginning on the activation date or later.
- All required fields are necessary including an activation date to submit the listing to the MLS.
- Primary photo and documents must be within 5 days – same as all listings.
- Must have a 'go live' date within 7 days of entry (including weekends and holidays).
- Coming Soon listings can be included in auto emails and sent out through the client portal clearly showing the status as Coming Soon.
- While the listing is in the Coming Soon status, it will also be viewable by the general public via IDX, RETS, and APIS provided the Coming Soon status and activation date, or a label clearly indicating the "listing is not available for showings" is apparent.
- Coming Soon listings will be made available to be sent via an individual email from the MLS system.
- The activation date will be included in the data feed, public displays and public remarks.
- Coming Soon listings will automatically move to active status at 12:00 a.m. on the recorded activation date.
- Agents cannot change the status from Coming Soon to anything but Active.
- Days on Market will begin as of the date the listing is entered, not the date it is changed to Active.
- Once the listing changes from Coming Soon to Active, it must remain Active and be available for showings and cooperation for a minimum of 24 hours.
- Once the listing transitions from Coming Soon to Active, it cannot revert to the Coming Soon status.
- A property that had been entered as Coming Soon cannot be relisted again as Coming Soon by the same brokerage within 90 days.

- ALL MLS Rules and Policies apply where appropriate.
- Failure to comply with any section of this rule (*except where otherwise noted) will result in an immediate fine of $1,000 for the first offense and $2,000 for the second offense.
- If the Multiple Listing Service, for any reason, requests a copy of the listing documentation on a listing in the Coming Soon status, that documentation must be submitted to the MLS within 24 hours of such request. (Amended 04/25)

Missing or Inadequate Information: Any listing with missing or inadequate information required by the Southeastern Michigan MLS within **3 business days** of input will result in an automatic fine of $50 per incident. Including the following fields required by the SEM MLS but not indicated by the letter (R) (number of rooms, road frontage, acres, lot measurements, bedroom(s), kitchen, living room, dining room, and/or family room measurements. Bedroom(s), bathroom(s), kitchen, living room, dining room, and/or family room floor level). (Amended 08/25)

Sellers Discloser/Lead Based Paint: (LBP - built prior to 78'): Active and Active/Contingent, Single Family and Condo/Villa properties are required to have the Sellers Disclosure and Lead Based Paint documents that are required by law attached to the listing within **3 business days.** Failure to comply will result in a $75 fine. Exception: Seller expressly directs in writing that the Sellers Disclosure is not provided in the MLS. Must be noted in agent remarks. (Amended 08/25)

Disclosing Potential Short Sales: March 1, 2009, to comply with the NAR Policy "Section 5.0.1 -Disclosing Potential Short Sales, option #2": All revised and or new listings are required to be disclosed in the required short sale field and may be added in the Agent Remarks section of the MLS, if the property listed is a Short Sale contract. Failure to comply with this policy within 24 hours of notice will result in a $50 fine per incident. (Amended 8/20)

Promotion of Company or Agents in Public Remarks Section, Photos and Virtual Tours: Any promotion of Company and/or Agent including but not limited to the name of the Company, the Agents name or the telephone number, website or email of one or both in the MLS remarks, is strictly prohibited. This includes branding on Virtual Tours, signage in Virtual Tours, signage in photos, water marks and still photos with agents name, phone numbers, company names, and websites. Failure to comply with this policy will result in a $100 fine per incident. The MLS will also remove this information from the Remarks Section and remove Virtual Tours and/or photos with signage, when violations occur. (Amended 8/16)

Public Remarks Section: The Southeastern Michigan MLS prohibits in the "Remarks Section", naming of any Company Names, Real Estate Company, Agent, Builder / Building Company, any phone number and or websites. All of the above are allowed only in the "Agent Remarks Section", which does not appear on "Customer" print outs, and is intended for agent information only. Failure to comply with this policy will result in a $100 fine per incident. (Amended 9/20)

Open House: The Southeastern Michigan MLS allows agents to add an Open House to the public remarks. The remarks must include the month, date, year, and hours. Prior to adding the open house information in the public remarks members are required to add the Open House in the Open House category located in the Southeastern Michigan MLS. The Open House data should be removed from the public remarks within 48 hours after the open house. (Amended 9/20)

Accepted Offers:

Active Contingent Keep Showing (KSCA) – If an offer has contingencies and the property owner is still accepting showings and back up offers. The listing must be input into the MLS as Active Contingent Keep Showing (KSCA) status within 24 hours. Failure to input this information will result in a $50 fine. (Amended 3/20)

Accepting Backup Offers (ABO) - Seller is accepting backup offers, but currently has an accepted offer on the property. The listing must be input into the MLS as Accepting Backup Offers (ABO) status within 24 hours. Failure to input this information will result in a $50 fine. (Amended 9/20)

Pending - If the listing is no longer available for showings. The status pending must be input into the MLS within 24 hours. Failure to input this information will result in a $50 fine. (Amended 3/20)

Submission of Solds: All Sold listing information must be input into the MLS within five (5) business days from the date of closing. Failure to submit sold information will result in a fine of $50 per sold listing. (Amended 9/20)

Non-member lists, FSBOs, transaction coordinator, one-party list and office exclusives must be entered within five (5) business days of closing. FALSE information entered and reported on (ie: wrong closing dates, wrong selling or listing agent, etc.) will result in a fine of $150 per listing. (Adopted 11/21)
After the listing has been input into the MLS, the listing agent MUST contact the SEM MLS staff within 24 hours to change the listing agent to a "non-member list". As a reminder the listing must follow all MLS Policies. (see MLS Policy Missing or Inadequate Information)

Sellers Concessions: Only with the written agreement from the seller and purchaser may the seller concessions be disclosed in the sold data section**.** (Amended 9/20)

Lease Purchase: "FOR THE PURPOSE OF LISTINGS IN THE MLS THAT ARE REPORTED AS SOLD, THE DEFINITION OF SOLD MUST INCLUDE TRANSFER OF OWNERSHIP"
Any transaction that is a lease option/purchase must be reported as such in the rental category or withdrawn. Failure to comply with this policy within 24 hours of notice will result in a $100 fine per incident. (Amended 8/16)

Withdraw Listings: Only Brokers and Office Secretaries are allowed to Conditionally and Unconditionally Withdraw listings.

Conditional Withdrawn Listing: Conditional withdrawn listings that remain under the original contract with the same listing office must be placed back in the MLS as Back on the Market (BOM) or Active (ACT) **using the same MLS number**. Failure to comply will result in a fine of $**500** for the first offense and the second offense will result in an automatic fine of **$1,000**. (Amended 08/25)

Relist - 7 Days: Listings that expire or have been withdrawn from the Multiple Listing Service and resubmitted back into the MLS as "active" by the same listing office must assume the same MLS number. Unless the property has been off the market for no less than 7 days. With the exception being "Phantom/To Be Built" listings, which can be withdrawn after 90 days and reentered as a new listing prior to 7 days. Failure to comply will result in a $50 fine. (Amended 4/19)

PICTURES

Non-Submission of Photographs: All listings must have a photo or line drawing submitted to the MLS within **3 business days** of the listing date. The primary photo for all categories other than vacant land must be the front elevation of the property. Failure to comply will result in a fine of $75 for each listing. The listing will be withdrawn until the fine has been paid and the required photograph or line drawing has been submitted. Except where sellers expressly direct in written notice within **3 business days** that photographs of their property do not appear in the MLS. (Amended 08/25)

Non-Submission of Lot Line Drawing: All listings must have a line drawing (for vacant land) submitted into the MLS within **3 business days** of the listing date. Failure to comply will result in a $75 fine for each listing. The listing will be withdrawn until the fine has been paid and the required line drawing has been submitted. (Amended 08/25)

Photos/Videos Containing Persons: No photos/videos are allowed in the MLS that contain any persons. The MLS will remove the photo(s)/video(s) from the Southeastern Michigan MLS, when violations occur. (Amended 9/20)

Document Submission: Agents failure to submit all listing contracts/documentation and signed extensions as requested (per active, active/contingent, and pending listings) by the MLS Board office within the time limit requested will be levied a fine for the amount of $100 per listing request not submitted with the allowable time given. A copy of this fine must be issued to the Broker. (Amended 9/20)

LOCKBOXES

Authorized Lockbox Access: Access to combination lockboxes can only be granted to licensed real estate agents or brokers in the State of Michigan. Access to SentriLock boxes can only be granted to REALTORS® licensed in the State of Michigan. One day codes can be given directly to licensed agents in the state of Michigan for their use only under the guidelines of the Multiple Listing Service and the Code of Ethics. Sharing lockbox codes with unauthorized individuals to access lockboxes will result in a $1000 fine. (Amended 09/25)

Failure to notify the listing office prior to the entrance of a property will result in a $1000 fine. (Amended 04/25)

CONFIDENTIALITY

Confidentiality of MLS Information

Any participant giving out their personal password to anyone shall be subject to a fine.

- First offense email & 5 days until second offense.
- Second offense email and one day until third offense.
- Third offense forced password change, automatic **$1,000** fine and ten days until fourth offense. Said participant shall be considered inactive until the levied fine is paid in full.
- Fourth offense email alert regarding policy sharing passwords, up to **$5,000** fine, suspension of services for a minimum of 30 days, and five days until fifth offense. Said participant shall be considered inactive until the levied fine is paid in full.
- Fifth offense automatic **$2,500** fine, notifying the subscriber their account has been placed in a REVIEW status for fraudulent activity, a reoccurring alert will be sent each time the subscriber logs into the Southeastern Michigan MLS, warning if activity persist the account will be automatically disabled, and subscriber will receive a **$5000** fine, and one day until sixth offense. Said participant shall be considered inactive until the levied fine is paid in full.
- Sixth offense automatic **$5000** fine. Said participant shall be considered inactive until the levied fine is paid in full.
- Seventh offense Disable Account.

The agent will have 7 business days to pay any fines. If the fine is not paid after 7 days the broker will be billed. (Exception**:** Broker and or Appraiser are not responsible for any participant other than their own account for fines levied do to sharing passwords.) **If the fine remains outstanding after 30 days from the time the broker is billed the listing office's MLS access will be terminated until delinquent fines are paid.**

NOTE: The above is an extension of the MLS Rules and Regulations. Business days are considered Monday thru Friday with the exception of holidays unless otherwise stated above.

Amended: 09/25/2025