

## Assessing “Coming Soon” Listings Checklist

This checklist is intended to help MLSs, participants, and staff evaluate whether a listing marketed as “Coming Soon” complies with applicable MLS rules and NAR MLS policy. Because “Coming Soon” is not defined by national policy, compliance depends on the listing agreement, marketing activity, and applicable local MLS rules.

### 1. Listing Agreement

Is there a signed exclusive listing agreement (e.g., exclusive right to sell or exclusive agency)?

- If **NO** → There is no listing subject to MLS filing requirements; MLS policies do not apply.
- If **YES** → Proceed to bullet 2.

### 2. MLS Filing Requirements

Has the listing been filed in the MLS in accordance with the MLS’s local mandatory submission deadline?

- Listings subject to an exclusive listing agreement must be filed within the applicable local timeframe.
- Is the listing of a type that requires mandatory submission per the local MLS rules.
- The Clear Cooperation Policy is triggered by public marketing prior to MLS submission, not by the act of filing itself.

### 3. Office Exclusive Exemption Listing

Is the listing being claimed as an Office Exclusive Exempt Listing (or similar local exemption)?

If **YES**, confirm all of the following:

Seller signed a required disclosure acknowledging:

- The professional relationship between the participant and the seller;
- The MLS benefits being waived or delayed (e.g., broad exposure); and
- The seller’s decision not to have the listing publicly marketed or disseminated by the MLS, or not to have immediate public marketing through IDX or syndication.

The listing is not publicly marketed beyond what is permitted by local MLS rules.

- If the office exclusive listing is publicly marketed, the listing must be filed in the MLS within one (1) business day of public marketing (excluding weekends and recognized federal and state holidays).

### 3. “Coming Soon” Status

- Is the listing being marketed as “Coming Soon”?
  - “Coming Soon” is a marketing strategy, not a nationally defined MLS status.
  - NAR does not establish or require a “Coming Soon” listing status.
  - Listing statuses and restrictions are determined by local MLS rules.
- Does the MLS recognize a “Coming Soon” or similar status (e.g., Delayed Marketing Exempt Listing) by rule?

If **YES**, are there local rules for that status?

- Seller disclosure form
- No showings or tours
- Exclusion from IDX, VOW, or syndication feeds
- No tracking of days on market (DOM) or price change history
- Other locally adopted limitations

### 4. Data Sharing and Brokerage Arrangements

- Is the brokerage sharing its own listing content with another brokerage or platform?
  - NAR MLS policy does not prohibit brokerages from sharing their own listing content.
  - MLS Policy Statement 8.3 entitles participants to a data feed of their own listings, which may be shared with a designee.
  - Office Exclusive Exempt Listings can be shared by the listing brokerage through 1-on-1 communication without triggering the requirements of CCP. Multi brokerage communications still trigger CCP and the requirements to file the listing with MLS for cooperating with other MLS Participants.

### 5. Days on Market (DOM) and Price History

- Does the MLS track DOM or price change history?
  - National MLS policy does not require MLSs to track this data.
  - Tracking and display requirements are matters of local MLS discretion.
- If tracked, are participants displaying DOM or price history appropriately?
  - Participants are not required to display DOM or price history on their own websites.
  - Local MLSs determine if IDX data feeds include DOM and price history.
  - Other MLS participants may share tracked DOM or price history with consumers, consistent with MLS rules.

### 6. Enforcement

If a rule violation is suspected, has the matter been referred for local MLS enforcement?

- MLS rules, including the Clear Cooperation Policy, are enforced locally.