



## KCBOR MLS VIOLATIONS/FINES

### Business days are defined as (MLS Rules & Regulations 7.4.1):

- Monday through Friday
- Excluding weekends and all recognized federal and state holidays

### Calendar days are defined as (MLS Rules & Regulations 7.4.1):

- **Any** day of the week: Monday through Sunday
- Weekends and Holidays are **NOT EXCLUDED**

### Entry Only Listing Violation (MLS Rules & Regulations 7.2.2):

- **1<sup>st</sup> Offence: \$500.00**
- 2<sup>nd</sup> Offence: \$1,000.00
- 3<sup>rd</sup> Offence: Expulsion from MLS

### Expired Listing Violation (MLS Rules & Regulations 7.16):

- **\$10.00 Each**
- Any changes made to a listing after expiration. These changes require Board Office input.

### In-House Listing Violation:

- **1<sup>st</sup> Offence: \$500.00**
- 2<sup>nd</sup> Offence: \$500.00
- 3<sup>rd</sup> Offence of subsequent offence in same quarter: \$500.00 and a two (2) week suspension from the MLS

### Intentional/Inaccurate Information Violation (MLS Rules & Regulations 12.10):

- **\$25.00 Per Day**
- Unless the offence is determined by the MLS Committee to be so egregious to warrant a hearing.

### Late Closing Violation – “Sold Status” (MLS Rules & Regulations 10.2):

- **\$10.00 Each**
- When a property closes, it needs to be input into the MLS system ***within two (2) business days after the final closing date.***
- ***Example: A listing closed (sold) on 11/18/22 (Friday), regardless of the time of day, must be input by midnight on 11/22/22 (Tuesday). (If the midnight deadline is not met, a \$10.00 late close violation will be assessed on Wednesday or any day thereafter).***

**REVISED: Changed from Calendar Days to Business Days. Monday through Friday**  
➤ **Excluding weekends and all recognized federal and state holidays**

### Late Listing Hold Violation – “Hold Status”:

- **\$10.00 Each**
- If a listing will be unavailable for showing for **more than five (5)** calendar days, the Hold form needs to be submitted to the MLS within two (2) calendar days.
- ***Example: A listing on Hold status on 4/15/22, regardless of the time of day, must have a Hold form submitted by midnight on 4/17/22. (If the midnight deadline is not met, a \$10.00 late listing hold violation will be assessed on Monday or any day thereafter).***
- The Hold form will need to be signed by the seller, or accompanied by something in writing, by the seller.

### Late Listing Input Violation – “Active Status” (MLS Rules & Regulations 7.5):

- **\$25.00 Per Day**
- New listings need to be input within one (1) business day of marketing or advertising the property.
- Or within two (2) business days after all necessary signatures of the seller(s) have been obtained on the listing as specified in the contract, whichever is later, on any exclusive right to sell or seller reserved listing agreement for the sale of **one to four-unit residential property and vacant lots** located within the service area of the MLS.
- After the third (3<sup>rd</sup>) infraction the member will be required to appear before the MLS Committee for disciplinary review.

### Late Sale Pending Violation – “Pending Status” (MLS Rules & Regulations 10.2):

- **\$50.00 Each**
- Sales pending need to be input within two (2) calendar days after the acceptance of the offer.
- *Example: A listing with an acceptance of offer (Pending or Active Under Contract) on 4/15/22 (Friday), regardless of the time of day, **must be input by midnight on 4/17/22 (Sunday). (If the midnight deadline is not met, a \$10.00 late close violation will be assessed on Monday or any day thereafter).***

### Late Waiver/SELM (Exclusion) Submission Violation (MLS Rules & Regulations 7.6):

- **\$500.00 Each**
- The MLS Listing Waiver or C.A.R. Standard Form SELM is to be submitted to the MLS Coordinator along with a copy of the Listing Agreement, within one (1) business day of marketing or advertising the property on any exclusive right to sell or seller reserved listing agreement for the sale of **one to four-unit residential property and vacant lots** located within the service area of the MLS.
- A second (2<sup>nd</sup>) in-house listing offense in the same quarter will cause a fine of \$500.00.
- A third (3<sup>rd</sup>) in-house listing offense in the same quarter will cause a fine of \$500.00 and an automatic two (2) week suspension of MLS privileges. During this period of suspension, the MLS Participant and all Subscribers of the Participant will be denied access to the MLS computer system.

### Limited-Service Listing Violation (MLS Rules & Regulations 7.2.1):

- **1<sup>st</sup> Offence: \$500.00**
- **2<sup>nd</sup> Offence: \$1,000.00**
- **3<sup>rd</sup> Offence: Expulsion from the MLS**

### Lockbox Disclosure Violation (MLS Rules & Regulations 13.2.2):

- **\$25.00 Per Day**
- Effective June 15, 2011, it must be disclosed in the MLS if a lockbox is being used. If the lockbox is not placed on the front door, then the location of the box must be disclosed in the agent remarks. All Kings County lockboxes must have a working key in them, if not, the member will be given a twenty-four (24) hour notice to remedy the problem before a fine is assessed.
- Failure to respond to a twenty-four (24) or forty-eight (48) hour notice will result in a \$25.00 per day fine being assessed. Immediate notification will be made, that if compliance has not been met within twenty (20) days, the non-complaint member will be subject to MLS suspension.

### Lockbox Policy Violation (MLS Rules & Regulations 13.2.2):

- **\$100.00 Per Infraction** (Effective May 15, 2009)
- If a lockbox is used on any Kings County property listed in our MLS, a SentiLock Lockbox will be required **in addition to any other lockbox being utilized**. The fine for non-compliance of the lockbox policy will be \$100. per infraction. When a listing is input with the notation that it's on lockbox or there is a key in the office, the SentiLock box must be on the property or the key is in the office before the listing is input in the MLS, (3/2010).

### Lockbox Removal Failure Violation (MLS Rules & Regulations 13.11):

- **24 Hours' notice** before the lockbox will be removed for raffle.
- It will be the responsibility of the Broker Participants to ensure lockboxes are removed within twenty-four (24) hours after close of escrow and a listing expiration or cancellation to avoid the lockbox being removed by a

member of the MLS Committee and being raffled off at tour. **(24 hours' notice will be given before the lockbox is removed for raffle.)**

- **\$100.00 Per Infraction:** (Effective 3/17/22) will be assessed to the lockbox owner, for failure to remove the lockbox within the 24-Hour Notice.

#### Missing Mandatory Fields Violation:

- **\$25.00 Per Day** until the required fields are input
- A fine will be assessed on any listing still missing mandatory fields after a **forty-eight (48) hour** notification.
- **Exception to the rule will be tenant occupied properties where the tenant has denied access, then, a seller signed affidavit will be required.**

#### MLS Commission Violation:

Effective November 1, 2024, to comply with KCBOR MLS Rules and Regulations section **7.12: No Compensation Specified on MLS Listing**, the following guidelines are followed:

- **1<sup>st</sup> Violation** to be an email warning to make the correction within 3 calendar days. The listing is to be placed in a Hold status to remove it from Public Display until corrected. Failure to correct the listing violation will result in an automatic fine of \$500.
- **2<sup>nd</sup> Violation** will result in an email warning to correct it within 3 calendar days. The listing is to be placed into a Hold status to remove it from Public Display until corrected. This violation will result in an automatic fine of \$500. The Listing agent is to notify the Board Office when correction has been made.
- **3<sup>rd</sup> Violation** will result in an email warning to correct it within 3 calendar days. The listing is to be placed into a Hold status to remove it from Public Display until corrected. This violation will result in an automatic fine of \$1,000. The member will be required to appear before the MLS Committee for disciplinary review, (11/2024).

#### MLS Membership Reinstatement:

A \$250. **reinstatement** fee will be charged to any Subscriber (office) who allows their membership to expire for any reason, (7/1998).

Agents who drop their membership or are dropped by their broker and ask to be reinstated within the same semi-annual billing cycle, with the same broker/office will be charged a reinstatement fee of \$125. in addition to the semi-annual dues (7/2007), (Rev. 8/2009), (3/2024). The reinstatement fee will be waived for active-duty military members when returning from deployment, (5/2009).

Agents who fail to pay their MLS Dues during their semi-annual billing cycle, beginning on the 4<sup>th</sup> month of billing cycle, MLS Member will be required to reapply at the pro-rated amount of MLS Dues and will receive a \$125 Reinstatement Fee. **Example:**

- **Dues Invoice Emailed:** 12/01/24
- **Dues Invoice Amount Due:** 1/01/25
- **10 Day Grace Period:** 10% Late Fee Assessed on Invoiced Total Amount Due: 1/11/25
- **Deactivate Membership:** If Invoice Unpaid on 2/01/25, (11/2024).

#### Photos with Signs Violation:

- Board staff will immediately remove from the MLS, any photo that includes a REALTOR® sign.
- If it is the only photo, the listing will go inactive, and the listing agent will be given a **twenty-four (24) hour notice to replace the photo or be fined \$25.00 per calendar day until a new compliant photo is input.**

#### Public Remarks Violation (MLS Rules & Regulations 12.5):

- **\$25.00 Each Infraction**
- The public remarks section in the MLS is reserved for describing the property. Marketing of the property will be allowed, as long as the following guidelines are followed:
  - No information relating to the Seller, Agent, Broker, or Office, including compensation or bonuses offered to buyer brokers
  - No Contact Information (no agent or lender email address, phone or fax numbers, pre-qualification info etc.)
  - No website addresses (including virtual tours and transaction tracking URL's.)
  - No showing instructions, references to lockbox, alarm, gate or other security codes, or the occupancy of

the property

- The following generic financing terms will be allowed in Public Remarks:
  - Cash only, owner carry back, conventional, FHA, VA, etc.
- All other information can be put in the Agent Remarks section. A fine will be assessed for each infraction of any info other than a description of the property.
- If a member is fined for a Public Remarks violation, an email will be sent, stating the wording that was in violation. If Board staff is unclear on specific remarks, they will call the MLS Chair or Vice Chair for confirmation, (5/2009).
- Upon discovery, Board Staff will place the listing into a **Hold** status, notify the Listing Agent by phone and email of the remarks that are in violation. Listing Agent to be given 24 hours to make the appropriate changes. Failure to remove or correct the remarks that are in violation will result in the assessment of a \$25. fine. (4/2017), (3/2024).

#### REALTOR® Sign Removal Violation:

- Listing agent/brokerage sign must be removed from the property within 24 hours of the close of escrow. Failure to **remove within 24 hours**, will result in the assessment of a **\$100 fine**. Effective 4/2022.

#### SentriKey Access Violation (MLS Rules & Regulations 13.2):

- **1<sup>st</sup> Violation: \$1,000.00** and a thirty (30) day suspension of access privileges from the date the access is deactivated.
- **2<sup>nd</sup> Violation: \$2,500.00** and a sixty (60) day suspension of access privileges from the date the access is deactivated.
- **3<sup>rd</sup> Violation: \$5,000.00** and a permanent revocation of access privileges from the date the access is deactivated.

#### Status Changes:

- When changing the status to **sale pending**, the contract date should be the date signatures are received.
- When changing the status to **sold**, remember to change the estimated close date to the actual close date.

#### Unauthorized Access to the MLS Data Violation (MLS Rules & Regulations 12.12):

- **1<sup>st</sup> Offence: \$1,000.00** and 1.5 hours of training/education
- **2<sup>nd</sup> Offence: \$2,500.00**
- **3<sup>rd</sup> Offence: \$5,000.00**

#### Wrong Area Input Violation:

- When the wrong area is input in the MLS, upon report/discovery the MLS Coordinator will immediately input the correct area, then, notify the Member and Broker by email.
- Once the area has been corrected by Board staff, **any changes to the area by the Member will cause a \$25.00 fine to be assessed**. There will no longer be an automatic fine for wrong area unless you enter the wrong area again after Board staff has made the correction.
- Area maps are located under Links, Links & Documents in the MLS.