



## KCBOR MLS POLICY

### Alarm Codes:

Alarm codes are not allowed anywhere in the MLS and gate codes will only be allowed in the Agent remarks. Board staff will immediately remove any alarm code that appears anywhere in the MLS, (12/2009), (7/2019).

### Application Fee:

If an MLS Participants office changed in a way that requires a new application, (i.e., any two of the following: change in Broker of Record, Office name, office address) a new office application fee of \$250. will be due. Per our membership application, membership is non-transferable, (9/2012), (5/2020).

### Applicants for Membership:

Applicants for MLS membership will not be considered for approval until unresolved issues from prior membership are resolved, including but not limited to unpaid assessed fines, (6/2013). Applicants for MLS membership that belong to another Association will be required to submit a letter of good standing from that Association, (6/2014).

### Auction Comps:

Auction properties will be allowed to be input as comps, if all mandatory info is provided along with the closing statement as required for all comps. Auction terms will be added to the terms field and a notation will be made in the agent remarks that the info was provided by the agent that had the listing before it went to auction, (3/2011).

### Broker Back Office Data Feeds:

No fee will be charged per request by the Broker, for Brokers' own data feed from the MLS, (12/2022).

A \$250 application fee and a \$350 annual fee will be charged for a Broker full back-office data feed used for brokerage management systems, transaction management, productivity, ranking tools, marketplace statistical analysis and reports that are only used for Brokers back office informational needs, (6/2024).

### Comp Only Listings:

Comp Only listings will be allowed to be input by Board staff when all mandatory information is provided on a Comp Only input sheet (available on [www.kcbor.com](http://www.kcbor.com) website under the resources/documents tab) and accompanied by the closing statement. The circumstances of the representation must be disclosed on the MLS by the reporting participant or subscriber. Any discretionary submission of sales information must occur within 30 days after the close of escrow. Listing type will be Exclusive Agency, the listing and expiration dates will be the date of entry unless the correct dates are provided. A notation will be made in the Agent Remarks stating the dates may not be accurate and should be verified by the member needing the accurate dates, (7/2018) per MLS R & R (3/2024).

### Computer Access Fee:

A participant whose secretary has access to MLS will be charged a semi-annual fee of \$90. per Secretary, (4/2007), (3/2024).

### Contingency:

Properties that have an accepted offer that has a first right of refusal, will remain in an active status with notice of the contingent offer being put in the agent remarks, (6/2015).

### Data Entry:

Board staff will only be allowed to input listings in the MLS for an office under extreme instances and be limited to three per office, per year, (4/2018).

Offices will be charged \$25. for each listing that is input by Board staff, (1/2000), (4/2018).

Builders listings that are under construction can only be entered in the computer once. If different floor plans with different prices and square feet can be built at that address then that information can be put in the remarks section,

(6/1997) or individual floor plans can be entered with 000 and the name of the subdivision as the address and state in the remarks section that this is a floor plan that can be built on lots in this subdivision, (4/1999).

A \$25. fine will be assessed on any listing that is still missing mandatory fields after the 24-hour notice and be assessed \$25. per day until the required fields are input. The exception to the rule will be tenant occupied properties where the tenant has denied access, then a seller signed affidavit will be required. Notification to the listing agent and broker will be by a telephone call and e-mail, if available, (7/2003).

Limited service and entry only listings must be identified in the MLS and be fully disclosed (spelled out) in the agent only remarks section of the MLS. The fine structure for failure to disclose limited service and entry only listings will be as follows: first offence \$500., second offence \$1,000. and the third offence would result in expulsion from MLS, (11/2001).

If a property remains in active status in MLS with offer(s) on the table and the seller refuses to accept any more offers, it will be required to be disclosed in the agent's remarks so all members will be fully informed, (9/2009).

Duplicate listings will not be allowed in the MLS. A copy of the deed and listing agreement will be required to negate an existing listing within the MLS. Once the deed and listing agreement are provided, Board staff will remove the existing listing in the MLS so that the valid listing can be input, (9/2010).

APN number can only be input in the MLS once. **Example**, the same listing cannot be entered under two different property classes, (2/2017).

### **Dues:**

Postmarks will no longer count as timely payment of dues. Dues are due January 1<sup>st</sup> and July 1<sup>st</sup> each year and will be considered late and a 10% late fee will be assessed if payment is not received in the Board office by 11:59 p.m. on the last day of the ten-day (10), grace period, (7/2003), (7/2020), (06/2023).

When the dues deadline falls on a weekend or holiday the dues will be due by: 11:59pm the following business day to avoid the late fee, (1/2004), (7/2020).

MLS dues will not be refunded or credited to the member's billing account, if a member drop form is received on or after the first day of the semi-annual billing cycle, i.e., January 1, July 1, (1/2017), (06/2023).

### **Harassment Policy:**

The Kings County Board of REALTORS®/Multiple Listing Service (MLS) has a harassment policy that can be found on the [www.kcbr.com](http://www.kcbr.com) website under the resources/documents tab. The harassment policy has been in place for several years and is now being made a part of these policies, (5/2012), (3/2024).

### **Hold Status:**

If a listing will be unavailable for showing for more than five days, the Hold form must be submitted to the MLS within two days. Example: A listing on hold 1/13/2016, regardless of the time of day, must have a hold form submitted by midnight on 1/15/2016. The hold form must be signed by the seller, or accompanied by something in writing, by the seller. The fine for failure to comply will be \$10., (5/2016).

### **Home Surveys:**

KCBB forbids the use of home surveys between offices. A "home survey" is defined as any questionnaire that requests agents from other offices to offer their opinion on the merits of any listed property, (3/2006).

### **In-House Listings:**

All in-house listings must be submitted to the Board office on CAR Form (SELM) Seller Instruction to Exclude Listing from MLS, failure to comply will result in a \$500. fine being assessed, third and or subsequent offense in the same quarter will also result in a two-week's suspension from MLS, (2/2003), (Rev. 10/2015).

### **Keyless Entry Door Locks:**

Keyless entry codes are prohibited from being entered anywhere in the MLS, (10/2019).

### **LockBox:**

Lockbox combinations are prohibited from being included anywhere in the MLS compilation, (3/2002).

The Kings County Board of REALTORS® does not condone the use of combination lock boxes, members choosing to use them, do so at their own risk, (3/2002). A letter will be sent to MLS Participant's whose office continually inputs

combination lockbox codes in the MLS. The letter will require the Participant to appear before the MLS Committee to explain the reason for disregarding the rule. The letter will also state that failure to appear may result in suspension from the MLS, (2/2009).

All lockbox purchases will be final, no refunds. Purchased lockboxes must be picked up from the Board office within 30 days of purchase, failure to pick up within 30 days will result in the box being returned to KCBOR inventory, (4/2022).

It will be the responsibility of the Broker participant to ensure lockboxes are removed within 24 hours after the close of escrow, listing expiration/cancellation, to avoid the lockbox being removed by a member of the MLS Committee and being raffled off at tour, (24-hour notice will be given before the lockbox is removed for raffle), (2/2011), (10/2013). A fee of \$100. will be assessed to the lockbox owner, for failure to remove the lockbox within the 24-hour notice, (3/2022).

After a lockbox policy violation fine has been assessed for having a combo or other association box without a SentiLock box on a Kings County listing, either the combo, other AOR box needs to be removed or a KCBOR SentiLock box installed within 24 hours of notice, otherwise another fine will be assessed. If still not in compliance within 24 hours of the 2<sup>nd</sup> fine being assessed, the member will be required to appear before the MLS Committee to explain the reason for disregarding the rule. Failure to appear may result in suspension from MLS, (2/2019).

Effective May 15, 2009, if a lockbox is used, on any Kings County property, listed in our MLS, a SentiLock box 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).

If additional lockboxes are being utilized on a listing, the type of lockbox(es) and their location must be identified in the agent remarks, (1/2020).

Members must troubleshoot lockbox issues with SentiLock. Board staff will not troubleshoot lockboxes for members that have not contacted SentiLock first, (1/2019).

### MLS Committee:

The MLS Committee provides an exchange of information between the Board of Directors, multiple listing committee and the general membership. The committee consists of 5 members and two alternates.

Reaffirmed long standing policy of not more than one (1) member from any one office can serve on the MLS Committee. (Reaffirmed, 5/2005). Absence from three regular meetings per calendar year without an excuse deemed valid by the MLS Committee shall be construed as resignation, (11/2007).

All committee members as well as alternates participate in discussions regarding agenda items. Alternate members do not vote unless a quorum has not been established. The alternate can then be counted as a member satisfying the number needed for a quorum and cast a vote.

The committee is also responsible for conducting the monthly MLS Coffee Connection. The committee generally meets once a month, on Tuesday, the week before the Board of Directors meeting. The Board of Directors meets on the third Thursday of the month, (10/2023).

### MLS Caravan Tour:

Any person who has passed the real estate salesperson test and is waiting for their license from the BRE can attend one tour before becoming a member, (5/2000).

Only MLS dues paying members will be allowed to tour open homes on tour, (6/2015).

Affiliate members will be allowed to tour the homes on tour after breakfast, (6/2015).

The tour Reservations and Rules are to be made a part of these MLS policies, (6/2000).

### 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 Computer Access:

Any office whose payment of dues, fees and fines that are not paid within 30 days of due date will be locked out of the MLS, (2/1996). Unauthorized access to the MLS data will be a fine of:

- **1<sup>st</sup> Offense** – \$1,000. and 1.5 hours of training/education,
- **2<sup>nd</sup> Offense** – \$2,500,
- **3<sup>rd</sup> Offense** – \$5,000 (Reaffirmed 6/2010, 6/2014).

### MLS Fines/Violations:

MLS fine/violations to be billed to the individual member the first of each month with the due date being the last day of the month billed beginning with 2024 MLS billing. If unpaid, MLS access to be suspended. Once suspended, the MLS member will be required to pay the MLS Reinstatement fee of \$125, (10/2023), (11/2024).

### MLS Meetings:

The MLS Coordinator will attend all MLS meetings, (3/1997).

### 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).

### Names in MLS:

Added to this policy, is the long-standing rule that names of non-members will not be allowed as contacts on listings in the MLS, (9/2018).

### Open House:

The deadline for placing a home on the Countywide Open House will be 5:00 p.m. on Tuesday before the scheduled open house, to allow staff time to update the website, (6/2015), (10/2019).

### Photos:

All listings input will require on all classes except Business Opportunity, at least one exterior photo to be entered in the MLS System at the time the listing is being input, or a KCBOR MLS Photo Waiver signed by the seller(s) and listing Broker will be required. The Photo Waiver form is available on the [www.kcbor.com](http://www.kcbor.com) website under Resources, Documents & Forms, (2/2010), (11/2016), (3/2024).

Photos that include minors, or include photos of minors in the photo, will not be allowed, unless the member has permission, in writing from the seller. **Example:** No photos that include family photos with children, school pictures, etc., (5/2018).

No photo is allowed in the MLS where there is a person in the photo, (7/2019).

Aerial drone photos in the MLS must be of the listed property only, photo is not allowed to include people, and neighboring properties that appear in the photo, must be blacked, whited, or cropped out to the property lines. Photos in violation will be removed from the MLS by Board staff, immediately upon discovery, (11/2017), (5/2018).

### Property Classification:

If a listing is entered into an inaccurate property type in the MLS, staff will notify the listing agent to input the listing into the correct property type. Listing agent will have 2 (two) Business days to correct the listing, if not corrected, Board staff are directed to place the listing into a Withdrawn status, (3/2023).

### Property Directions:

The direction to property field in the MLS must contain actual directions to the property. Property directions in the MLS must include a main street as the starting point, North, South, East, West and use directions such as left or right at each turn. Go to google maps is not an acceptable entry, (11/2018).

- **Land Listings:** Listing agent must provide clear directions to property, point of access, current and potential easement to access the property. Plat map to be provided by listing agent identifying subject property.

**Example:** Provide picture of plat map clearly identifying the property, (8/2023).

### Remarks:

The Public Remarks section in the MLS shall only relate to the marketing, description and condition of the property and **must be in compliance with fair housing laws**, (8/2024). All other remarks should be placed in the Agent Remarks section, (9/2008). Marketing of the property will be allowed, if 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 is permitted (no names, 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.

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, (9/2016).

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).

### RETS Data Feeds:

A \$400. application/setup fee is to be submitted with the signed contract. An annual fee of \$350. The first installment will be due and payable with the submission of contract, pro-rated through the remainder of the calendar year. Subsequent annual fees will become due and payable on the 31<sup>st</sup> of December each year, (6/2016).

### SentriKey LockBox Access:

MLS only members will be charged an annual fee of \$160. for SentriLock access (4/2018), (7/2020).

A member must be a non-SentriLock access participant for a calendar year or more, in order to get a proration on SentriLock fees, (2/2019).

### Short Sale Taking Back Ups:

All Short Sales that are in a pending status, awaiting bank approval and back up offers will be accepted, will be required to be placed in the Short Sale TBU status, if back up offers will not be accepted, it will be placed in Pending status, (5/2010).

### **Showing:**

A letter will be sent to the Brokers of agents that show properties without an appointment, (7/2002). Members making appointments for showings must identify the agent that will be showing the property. If plans change, and someone else will be showing the property instead, the listing agent must be notified of the change in advance, (2/2017).

### **Signs:**

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, (4/2022).

### **Sold Info:**

\$5. plus tax to be charged to non-member Appraisers per copy of detailed search, sold info only, (9/1997).

### **Training:**

All new Secretaries and Assistants gaining access to MLS will be required to complete mandatory MLS training at the Board office, or remotely, (12/2008), (rev. 11/2016).

Members that move from an office with admin only input, to an office where they will be inputting and maintaining their own listings, will be required to have MLS training before input access is granted, (10/2013).

All MLS applicants will be required to complete MLS training within thirty (30) days after MLS access has been provided, to avoid suspension, (2/2013).

### **Waiver of MLS Fines:**

Members wishing to request an MLS Committee Review of an assessed MLS fine may do so by requesting an MLS Committee Review. The form can be found on the [www.kcbor.com](http://www.kcbor.com) website under Resources, Documents & Forms, and must be signed by the Broker and filed within 10 business days of billed fine notification. (5/2009) The Request for MLS Committee Review form must be filed in the Board office to be placed on the agenda for the next scheduled MLS Committee meeting, (6/2009), (3/2024).

Board staff does not have the authority to waive fines or late fees, (1/2016).

### **Wrong Area:**

When the wrong area is input on a listing in the MLS, Board staff will correct the area and email the listing agent to notify them of the correction to their listing. Once the area has been corrected by Board staff, any changes to the area by the Member will cause a \$25. fine to be assessed. There will no longer be an automatic fine for a wrong area unless you enter the wrong area again after Board staff has made the correction. Area maps are located on the [www.kcbor.com](http://www.kcbor.com) website under Resources, Documents & Forms, (2/2016), (3/2024).

### **Zoning:**

Properties within the city limits shall be listed as City under location in the MLS system and all others shall be listed as Rural, (5/2008).