



## **MULTIPLE LISTING SERVICE FINES AND PENALTIES**

**FOR FAILURE TO ABIDE BY THE MLS POLICIES AND PROCEDURES, THE PARTICIPANT WILL BE ASSESSED IN THE FOLLOWING MANNER:**

**FINES ARE CUMULATIVE ON A PER LISTING BASIS. SUBSEQUENT VIOLATIONS WITHIN A TWO (2) YEAR PERIOD ARE SUBJECT TO THE ESCALATED FINES LISTED HEREIN.**

**THESE ITEMS AND FINES ARE SUBJECT TO CHANGE AS DIRECTED THE KWAR BOARD OF DIRECTORS AND MLS COMMITTEE.**

### **UNAUTHORIZED ACCESS –MISUSE OF MLS INFORMATION**

#### **\$5000 AUTOMATIC FINE PLUS MLS REVIEW PANEL**

- PROVIDING MLS ACCESS TO ANY UNAUTHORIZED PARTY (ANY NON-MLS PARTICIPANT). •
- FILING A FALSE MEMBERSHIP APPLICATION. •
- REPRODUCING AND DISTRIBUTING UNAUTHORIZED PORTIONS OF THE MLS DATABASE. •
- UNAUTHORIZED COMPUTER DOWNLOAD OR TRANSMISSION OF MLS DATA. •
- USE OF MLS DATA FOR OTHER THAN THE INTENDED/PERMITTED PURPOSES.

## **DATA INTEGRITY – MANIPULATION OF MLS CONTENT**

### **• 1<sup>ST</sup> VIOLATION: Automatic \$100 FINE**

- FAILURE TO PROPERLY SPECIFY OR INTENTIONAL MANIPULATION OF LISTING LOCATION INFORMATION, INCLUDING BUT NOT LIMITED TO:
- PROPERTY TYPE
- CITY
- ADDRESS
- MLS NEIGHBORHOOD
- MLS AREA
- MLS MAP
- ALTERNATE KEY NUMBER, LEGAL DESCRIPTION, PARCEL ID NUMBER
- 5 DIGIT ZIP CODE

### **2<sup>ND</sup> VIOLATION: \$250.00**

### **3<sup>RD</sup> VIOLATION: \$500.00 PLUS MLS REVIEW PANEL**

## **ENTERING LISTING AND REPORTING CHANGES BY DEADLINE**

### **1<sup>ST</sup> VIOLATION: \$500 Correct within 2 Business Days**

- FAILURE TO MAINTAIN CURRENT, ACCURATE LISTING AGENT EMAIL ADDRESS.
- FAILURE TO NOTIFY THE KWAR STAFF OF TERMINATION, TRANSFER OR ADDITION OF

AN ASSOCIATE UNDER THE PARTICIPANTS LICENSE WITHIN TWO BUSINESS DAYS.

- LISTINGS NOT ENTERED WITHIN TWO BUSINESS DAYS OF LISTING START DATE.
- LISTING STATUS CHANGES NOT REPORTED WITH TWO BUSINESS DAYS.
- FAILURE TO ENTER INFORMATION IN A REQUIRED DATA FIELD.
- FAILURE TO PROVIDE DOCUMENTATION WITHIN TWO BUSINESS DAYS REQUESTED BY THE KWAR STAFF.

### **2<sup>ND</sup> VIOLATION: \$750**

### **3<sup>RD</sup> VIOLATION: \$1500 PLUS MLS REVIEW PANEL**

## DATA INTEGRITY

### 1<sup>ST</sup> VIOLATION Automatic \$500

- POSTING A LISTING ON MLS WITHOUT HAVING A SIGNED LISTING AGREEMENT.
- OFF MARKET/POCKET LISTING – WITHHOLDING A VALID LISTING OUT OF MLS WITHOUT SIGNED SELLER OPT-OUT FORM.
- PLACING URLs, SHOWING INSTRUCTIONS, OPEN HOUSES, ACCESS CODES, LOCKBOX COMBINATIONS, COMMISSION/BONUS INFORMATION OR CONTACT INFORMATION IN THE CONSUMER REMARKS, OR INTERNET REMARKS. THIS INCLUDES BUT IS NOT LIMITED TO NAMES, PHONE NUMBERS, EMAIL ADDRESSES OR WEBSITES.
- NO PHOTO. MINIMUM THREE PHOTOS (REPRESENTATIVE OF THE FRONT OF THE PROPERTY AND AT LEAST TWO INTERIOR IS REQUIRED. ALL PHOTOS MUST BE SPECIFIC TO THE PROPERTY).
- AGENT SOLICITATION/RECRUITMENT IN ANY MLS INTERGRATED SERVICE.
- ENTERING INCORRECT SELLING AGENT OR SALE PRICE INFORMATION WHEN CLOSING A LISTING.
- FAILURE TO PAY ASSESSED MLS FINES.
- ENTERING A DUPLICATE LISTING UNDER THE SAME PROPERTY TYPE.
- NOT HAVING KWAR STAFF **DELETE** DUPLICATE LISTING BEFORE CLOSING
- ENTRY OF INACCURATE OR NON-TEXT INFORMATION (I.E WATERMARKS, LOGOS) ANYWHERE IN THE LISTING.
- USE OF ANY DATA FIELDS FOR A PURPOSE OTHER THAN ITS INTENDED USE.
- USE OR REUSE OF ANY PHOTOGRAPH WITHOUT THE PROPER AUTHORIZATION.
- INAPPROPRIATE/INACCURRATE PHOTOS, VIRTUAL TOURS AND VIDEOS.
- PHOTOS, VIRTUAL TOURS AND VIDEO IMAGES CONTAINING TEXT OR EMBEDDED LINKS.
- BRANDED SLIDE SHOWS, VIRTUAL TOURS OR VIDEOS (AGENT, OFFICE OR COMPANY INFORMATION). VT MUST CONTAIN THE LETTERS “MLS” OR “UNBRANDED,” OR “NON- BRANDED” IN URL.
- INACCURATE OR OUTDATED FEES (I.E MAINTENANCE FEE/HOA FEE/TOTAL FEES).
- FAILURE TO DISCLOSE VARIABLE/DUAL RATE COMMISSSION
- CANCEL AND RELIST SAME PROPERTY IN LESS THAN 30 DAYS

## **DATA INTEGRITY CONTINUED**

### **1<sup>st</sup> Violation \$500 if not corrected within 2 days of notification of violation**

- **CONDITIONAL OFFER TO COMPENSATION AND/OR ZERO COMMISSION AMOUNT.**
- **INVALID VALUE IN COMPENSATION FIELDS.**
- **VIOLATING LOCKBOX OR ELECTRONIC KEY REGULATIONS.**
- **VIOLATING IDX DISPLAY RULES.**
- **BONUS OR INCENTIVES ENTERED IN ANY FIELD OTHER THAN BROKERS REMARKS.**
- **FAILURE TO DISCLOSE BROKERAGE REPRESENTATION.**
  
- **ADVERTISING A LISTING FILED WITH MLS WITHOUT PERMISSION.**
- **EXTENDING A LISTING WITHOUT WRITTEN AUTHORIZATION OF THE SELLER ON MLS CHANGE FORM.**
- **FAILURE TO SECURE SELLER (S), BROKER OR OFFICE MANAGER SIGNATURE ON MLS CHANGE FORM.**
- **FAILURE TO USE CORRECT CLOSING DATE.**
- **USE OF CONSUMER REMARKS FOR OTHER THAN INTENDED USE.**

### **2<sup>ND</sup> VIOLATION: \$750**

### **3<sup>RD</sup> VIOLATION: \$1000 PLUS MLS REVIEW PANEL.**

**IN ACCORDANCE WITH THE NATIONAL ASSOCIATION OF REALTORS STANDARDS OF CONDUCT FOR MLS PARTICIPANTS, A PENALTY NOT TO EXCEED \$15,000 MAY BE IMPOSED FOR VIOLATIONS OF MLS RULES OR OTHER MLS GOVERNANCE PROVISIONS.**

**NOTE: BROKERS ARE RESPONSIBLE FOR ALL AGENTS/TEAMS OR OFFICE ADMINS WHO HAVE ADD/EDIT CAPABILITIES. LISTING AGENTS ARE RESPONSIBLE FOR UNLICENSED ASSISTANTS OR AUTHORIZED TEAM MEMBERS WHO ADD/EDIT LISTINGS ON THEIR BEHALF.**

**\*FINES NOT PAID WITHIN 30 DAYS WILL BE SUBJECT TO ADDITIONAL FEES AND/OR SUSPENSION OF MLS SERVICES.**