

CLEAR COOPERATION 2020: NAR®, STELLAR MLS AND YOU

MLS POLICY STATEMENT 8.0

Go Live Date: March 3, 2020

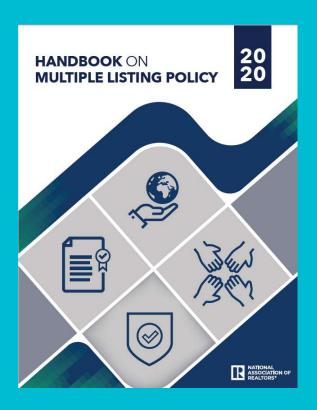
Agenda

- Review
- What is NAR® 8.0 Clear Cooperation Policy
- Rules & Form(s) update
- Your Stellar MLS Portal
 - Submit an Exclusion Form
 - Report a Violation

stellarmls.com/clearcooperation

RULE CHANGES

Section 17 Clear Cooperation (Policy Statement 8.0) 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. (Adopted 11/19)



https://www.nar.realtor/handbook-on-multiple-listing-policy

Stellar MLS March 4, 2020 3

MLS Policy statement 8.0

The new Policy 8.0: Clear Cooperation will go into effect for **Stellar MLS on March 3rd, 2020**. The policy as written and published by NAR® is below.

Section 1.01 – Clear Cooperation

Within one 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.



The NAR MLS Clear Cooperation Policy



Cooperation The Heartbeat of the MLS

Timeline - Review

Aug 2018 – March 2019

- Stellar MLS
- Task Force for Coming soon –
- Updated Owner(s)
 Authorizations Forms
- Created Process for Submitting Form

Sept 2019

- New Submission Process Implemented
- Broker Webinars
- Received Customer Feedback
- Rules and Forms Updated

Oct - Nov 2019

- Stellar BOD reviewed and revised drafts of forms
- Owner's Exclusion 2 forms
- NAR Approves MLS Clear Cooperation Policy Statement 8.0

Jan - Feb 2020

- Stellar Board of Directors reviews 8.0 policy impact
- Educational campaign on the impact of Policy 8.0 for Stellar customers will be ongoing
- Stellar MLS prepares to integrate policy into operations

March 2020

- Stellar MLS officially adopts Policy 8.0 and updated exclusion forms will be released, exempt listing rule will be updated
- March 3, 2020 Go Live

Future

May 2020: NAR policy 8.0 takes effect nationwide for all MLSs





Date of Go-Live

- Stellar MLS Rule Updates
- New Forms for Owners Exclusion
- Process for Submitting
- New Search Function



Article 5.1: Submission of Listing

Section 1: Submission of Listing

Participant's listings of real property of the types shown below which are located in the counties of Stellar 's service area shall be submitted to the Stellar MLS within five business days excluding weekends and federally recognized holidays, upon the latter of a) the dated signatures of the owner(s) of record or b) the beginning date on the Listing Agreement or within one business day of public marketing, whichever is sooner.

Should any public marketing of a listing occur during the allowed five-day submission period, the following requirement will adjust the mandatory entry period; Within one 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, all social media platforms public or private, brokerage website displays (including IDX and VOW), digital communications marketing (email or text blasts, or automated voice calls/messaging), multi-brokerage listing sharing networks, and applications available to the general public.

5.1 Mandatory Listing Types

- A. Single family homes for sale or exchange;
- B. Condominiums, co-ops and townhouses for sale or exchange;
- C. Vacant residential lots or parcels for sale or exchange;
- D. Mobile homes with land for sale or exchange;
- E. Duplexes, triplexes or quadruplexes for sale or exchange

5.3 Optional Listing Types



The following classifications of property may be placed with Stellar MLS at the option of the Participant, however the listing, if entered, must be in compliance with the MLS Rules and Regulations.

- Pre-Construction and New Construction Properties
- ii. Commercial Sale and Commercial Lease
- iii. Business Opportunity Listings. If entered, Business Opportunity listings are not required to have a photo, driving directions or address.
- iv. Properties owned by a Participant or Subscriber
- v. Rental Properties (short or long term)
- vi. Sold Data for Entry Only Listings (same wording as currently exists)
- vii. Fractional Listing (same wording as currently exists)
- viii. Joint Listings (same wording as currently exists)
- ix. Listings of property outside of the counties included in the Stellar MLS Service area.

FSBO in the MLS?



Submission of Listings

Mandatory Listing Types must be submitted to Stellar MLS within five business days of

Date Owner(s) Sign Agreement

or

Effective Date of Listing Agreement

or

Within One "1" Business day of Public Marketing



Mandatory Listing Types: Single family homes, Condominiums, Co-ops and Townhouses, Vacant Residential Lots or Parcels, Mobile homes, Duplexes, Triplexes or Quadruplexes.

What Counts as Public Marketing?

Policy 8.0 states that a property must be listed in the MLS within one business day of marketing a property to the public. 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

Executed Listing Agreement – 5 Business Days

Day 1 Day 2 Day 3 Day 4 Day 5

1. Put in the MLS

or

2. File a Temporary Exclusion

or

3. File an Office Exclusive Exclusion















1 Business Day to Enter



Article 5.11: Exempt Listing



Article 5.11: Exempt Listings. If the owner(s) of record refuses to permit the listing to be disseminated by Stellar MLS, the Participant must upload either the Owner's Authorization for Temporary Exclusion or the Office Exclusive form through the Stellar online submission system. The applicable form must be initialed where required and signed by the listing agent(s), listing broker/office manager and owner(s) of record affirming that they do not desire the listing to be disseminated by Stellar MLS.

The Owner's Exclusion of MLS Entry form or the Office Exclusive form must be submitted within five business days, excluding weekends or federally recognized holidays, upon the latter of a) the dated signature of the owner(s) of record or b) the beginning date on the Listing Agreement

If an offer is accepted during the temporary exclusion period, the listing must immediately be entered into the MLS by the Participant.

Should any public marketing of a listing occur during the allowed five-day submission period, or at any time while the listing is on file as an Owner's Exclusion from the MLS or an Office Exclusive, 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 submit the required Owners Authorization for Temporary Exclusion form or the Office Exclusive form through the Stellar online submission system within five business days, excluding weekends or federally recognized holidays, upon the latter of a) the dated signature of the owner(s) of record or b) the beginning date on the Listing Agreement in accordance with the Rules and Regulations or failure to enter the listing into the MLS within one business day of public marketing will result in a severe automatic penalty of \$500 for the first occurrence; as outlined in Article 11.4.





Automatic Fines - Severe

a. 1st Offense: \$500

b. 2nd Offense: \$2,500

c. Further Offenses for same violation will result in a mandatory hearing before a board hearing panel with allowable maximum monetary penalty of up to \$15,000, possible suspension/termination of MLS privileges and services and other provisions in accordance with MLS Rules and Regulations Article 11.1.

4.12 Listings Not Available for Showing

Section 12: Listings Not Available For Showing.

Because Stellar MLS exists to facilitate cooperation by Participants in the showing and sale of each other's listings:

Except those properties under auction terms and properties deemed unsafe with explanatory documentation uploaded as an attachment upon listing entry:

- A. Listings may not be entered as Active prior to being available for actual showings by all Participants/Subscribers. For example: Stellar MLS will not accept listings with "No showings until MM-DD".
- B. Active Listings that become temporarily unavailable for showing by other Participants for any reason whatsoever must be changed to "TOM" (Temporary Off Market) status within two days excluding weekends and federally recognized holidays and will expire automatically on the Expiration Date unless reactivated in the interim. The penalty for non-compliance of A or B is outlined in the Automatic Fine Schedule, Level II (See Article 11/Section 4C).
- C. Properties that are in TOM status may not be publicly marketed. The penalty for non-compliance is outlined in the Automatic Fine Schedule, Level III (See Article 11/Section 4C).
- D. Unless written permission is obtained from the listing agent/broker or included in the listing, A fine will be imposed to any Participant/User contacting owner(s) of record when their listings are in an on market (ACT, PNC, TOM) status as outlined in the Automatic Fine Schedule, Level III (See Article 11/Section 4C).



New Forms & New Process





OWNER(S) AUTHORIZATION TO TEMPORARILY EXCLUDE LISTING FROM THE MLS March 3, 2020: Two Forms

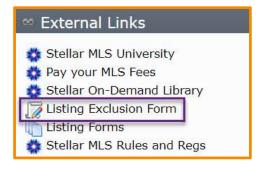


OFFICE EXCLUSIVE - NO ENTRY INTO THE MLS



Finding the Owners Exclusion Form

External Links in Matrix





StellarMLS.com Document Library



Form Simplicity and Transaction Desk





Owner's Authorization to Exclude Listing from the MLS

New Forms Available

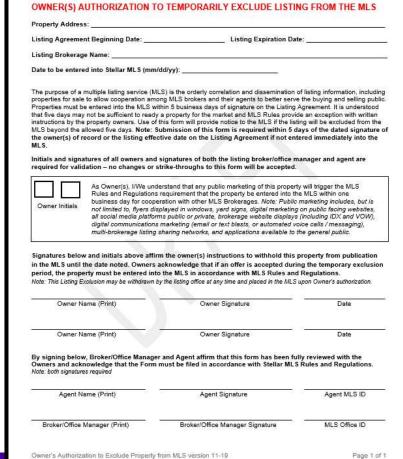


New Form:

OWNER(S) **AUTHORIZATION TO TEMPORARILY EXCLUDE LISTING** FROM THE MLS



No modification of this form will be accepted.





**Stellar MLS

Initials and signatures of all owners and signatures of both the listing broker/office manager and agent are required for validation – no changes or strike-throughs to this form will be accepted.

New Form:

Office Exclusive – No Entry into the MLS



No modification of this form will be accepted.



roperty Address:		Y INTO THE MLS	
isting Agreement Ber	ginning Date:	Listing Expiration Date:	
isting Brokerage Nan	ne:		
ouyers together, it is als and instruct their broker ou, as the property own prokerage. Note: Subm	o understood that there a to withhold their property ner, have instructed your i ission of this form is re	eration between MLS Brokers and their agents to re circumstances under which the property owner listing from the MLS. Initialing and signing of this prokerage that the sale of your property will be ha quired within 5 days of the dated signature of it tif not entered immediately into the MLS.	(s) may seek anonymity/privacy form will be notice to the MLS tha ndled exclusively within the listing
	of all owners and signa s or strike-throughs wil	tures of both the listing broker/office manager Il be accepted.	and agent are required for
A. Owner Initials	property Owner(s) to a Owner(s)'s needs, with	derstand that excluding the listing from the MLS is allow the brokerage to act in the Owner(s)'s best in h no intent to give the brokerage any advantage in blishing in the MLS and inviting cooperating broke	nterest and meet the Infinding a buyer for the
B. Owner Initials	Regulations requireme cooperation with other displayed in windows, public or private, broke marketing (email or te	derstand that any public marketing of this property not that the property be entered into the MLS win MLS Brokerages. Note: Public marketing include yard signs, digital marketing on public facing web grage website displays (including IDX and VOW), xt blasts, or automated voice calls / messaging), n tions available to the general public.	n one business day for s, but is not limited to, flyers sites, all social media platforms digital communications
C. Owner Initials	MLS based upon reas any individual or group limited to race, color, i	signing this form, I/We affirm that the property is n sons founded on refusal or reluctance to show, list p of individuals on the basis of membership in any religion, national origin, sex, ancestry, age, marita us or any other class protected by local, state and	, negotiate or sell property to class, including but not I status, physical or mental
	uctions to the listing bro d further acknowledge(ay. This Listing Exclusion	is, by initialing above and signing below, as the okerage affirming that the property will not be s) that any public marketing of the property wi on may be withdrawn by the listing office at an	entered into the MLS during the Il require entry into the MLS
entire listing period an		Owner Signature	Date
ntire listing period an rithin one business da pon the Owner's auth Owner Name (Print)		1 10
ntire listing period an virthin one business di pon the Owner's auth Owner Name (Owner Name (by signing below, Brol	Print) Print) ker/Office Manager and	Owner Signature Owner Signature Agent affirm that this form has been fully revieucordance with Stellar MLS Rules and Regulati	Date
owner Name (Owner Name (Owner Name (Oyner Name (Oy	Print) Print) ker/Office Manager and Form must be filed in ac	Owner Signature Agent affirm that this form has been fully revie	Date

Initials and signatures of all owners and signatures of both the listing broker/office manager and agent are required for validation – no changes or strike-throughs will be accepted.

A.	Owner Initials	As Owner(s), I/We understand that excluding the listing from the MLS is a provision provided to the property Owner(s) to allow the brokerage to act in the Owner(s)'s best interest and meet the Owner(s)'s needs, with no intent to give the brokerage any advantage in finding a buyer for the property instead of publishing in the MLS and inviting cooperating brokerages to assist in procuring a buyer for the property.
B.	Owner Initials	As Owner(s), I/We understand that any public marketing of this property will trigger the MLS Rules and Regulations requirement that the property be entered into the MLS within one business day for cooperation with other MLS Brokerages. <i>Note: Public marketing includes, but is not limited to, flyers displayed in windows, yard signs, digital marketing on public facing websites, all social media platforms public or private, brokerage website displays (including IDX and VOW), digital communications marketing (email or text blasts, or automated voice calls / messaging), multi-brokerage listing sharing networks, and applications available to the general public.</i>
C.	Owner Initials	FAIR HOUSING - By signing this form, I/We affirm that the property is not being excluded from the MLS based upon reasons founded on refusal or reluctance to show, list, negotiate or sell property to any individual or group of individuals on the basis of membership in any class, including but not limited to race, color, religion, national origin, sex, ancestry, age, marital status, physical or mental handicap, familial status or any other class protected by local, state and federal fair housing laws.

in the MLS until the date noted. Owners period, the property must be entered into	rm the owner(s) instructions to withhold this packnowledge that if an offer is accepted during the MLS in accordance with MLS Rules and by the listing office at any time and placed in the MLS upon the	g the temporary exclusion Regulations.
Owner Name (Print)	Owner Signature	Date
Owner Name (Print)	Owner Signature	Date
	r and Agent affirm that this form has been full must be filed in accordance with Stellar MLS i	
Agent Name (Print)	Agent Signature	Agent MLS ID
Broker/Office Manager (Print)	Broker/Office Manager Signature	MLS Office ID



Customer Flyer

Available for download at

https://www.stellarmls.com/clearcooperation



Your Property in the MLS: What You Need to Know

What are the benefits of listing my property in the MLS?

By listing your property with a brokerage that belongs to Stellar MLS, your listing is advertised to nearly 60,000 licensed real estate professionals in Florida and Puerto Rico. Additionally, if the brokerage you have partnered with to sell your property distributes their listings to third-party websites you have the option to gain national exposure for your property as well. Real estate agents are compensated if they bring a buyer for your property. By exposing your listing to such a large network of real estate professionals and their buyers, it's likely that you will be able to achieve a more favorable outcome.

What listings are required in the MLS?

The MLS requires listings of residential single family homes, condominiums, townhouses/villas, mobile or manufactured homes on seller owned land, duplexes, triplexes, and quadruplexes for sale to be submitted to the MLS with 5 business days of the latter of the date the listing agreement was signed by the seller or the effective date of the listing agreement. Furthermore, once public marketing begins, the listing must be submitted to the MLS within 1 business day. Stellar MLS follows rules and regulations established by the National Association of Realtors®. To ensure all fair-housing laws and ethical professional standards are being met, your Realtor® must follow mandatory rules regarding the marketing of your property to the public

What if I need more time to get my property ready to show?

If you need more than 5 days to get your property ready to show, your agent will ask you to sign a Temporary Exclusion Form. However, when your listing is under that temporary exclusion, once public marketing begins, it will need to be submitted to the MLS within 1 business day.

What if I do not want my listing in the MLS at all?

If you have privacy concerns and prefer to not have your listing in the MLS at all, you will need to complete and sign a "No Entry into MLS Form." If you decide to go this route, you agree not to market your listing publicly, and if you do, must agree to have it submitted to the MLS within 1 business day of marketing your property to the public.

What counts as public marketing?

Once any of the below activities are initiated, your listing must be submitted to the MLS within 1 business day!





lyers displayed in windows



Digital marketing or advertising on social media websites such as Facebook or Instagram



Listings posted on all websites, including your broker's website and other third-party websites such as





ommunications marketing (email blasts) listing sharing networks

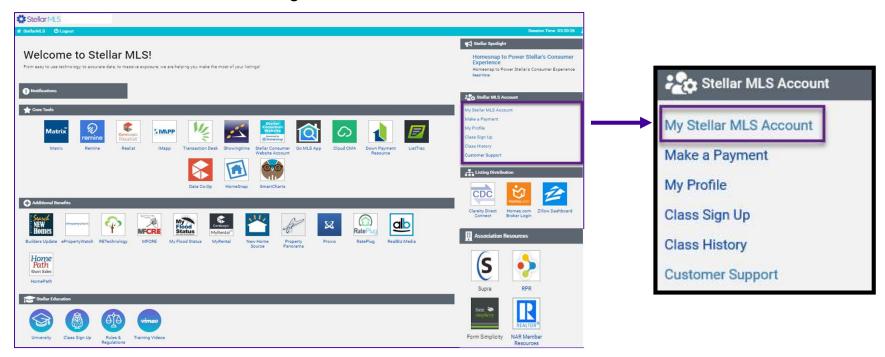
Remember: If the public can see your listing, it must be in the MLS!

Contact your Realtor® for more information.



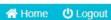
The Online Submission Process

Log in to **StellarMLS.com**From the Stellar MLS Dashboard, go to the "**Stellar MLS Account**" section





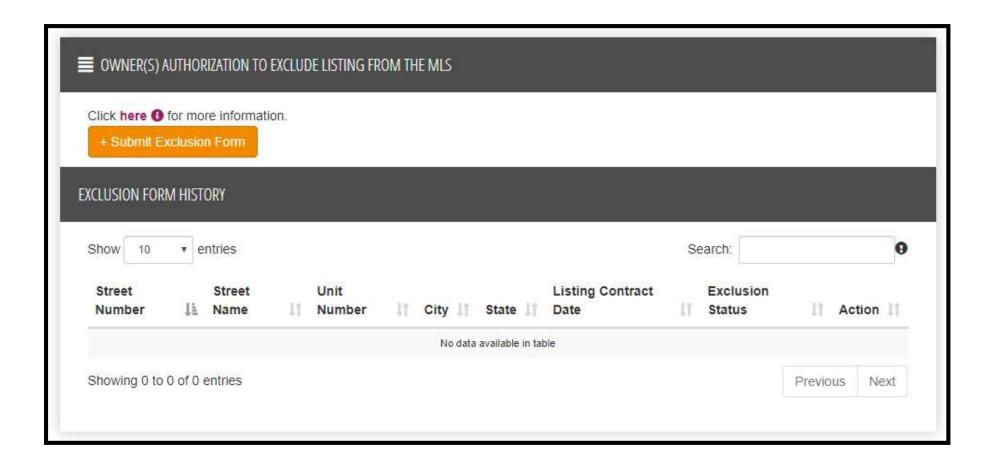




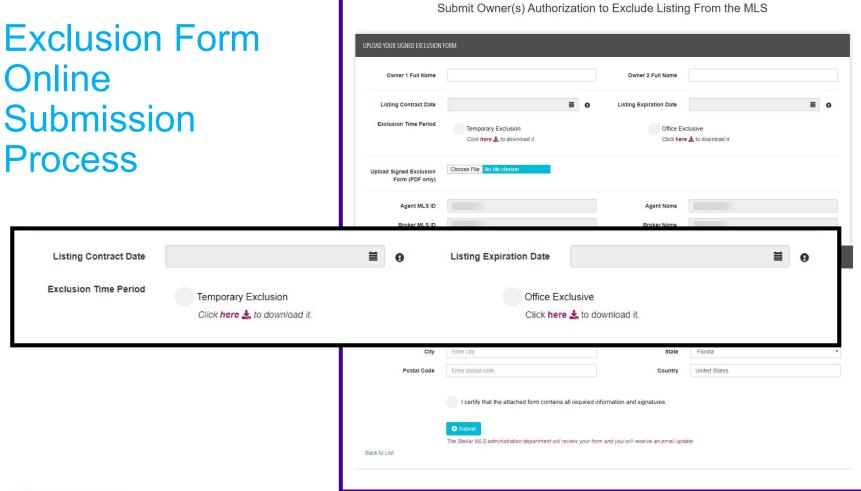


Exclusion Forms can be submitted by the Broker, Listing Agent, or Assistants



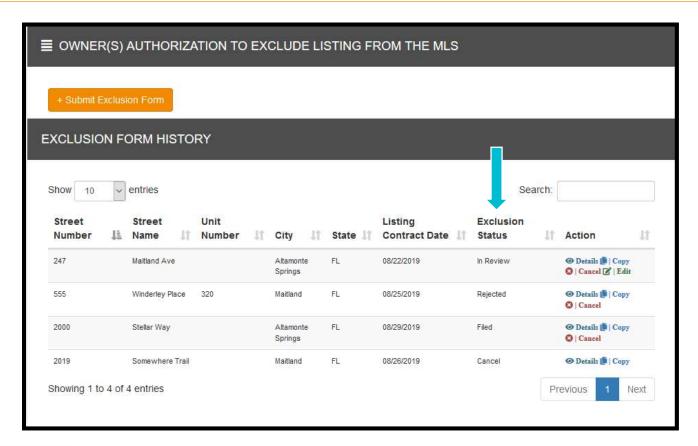


Online **Submission Process**





There are a total of 4 possible statuses for the Exclusion:





Have you seen a property marketed and are not able to find it in the MLS?



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

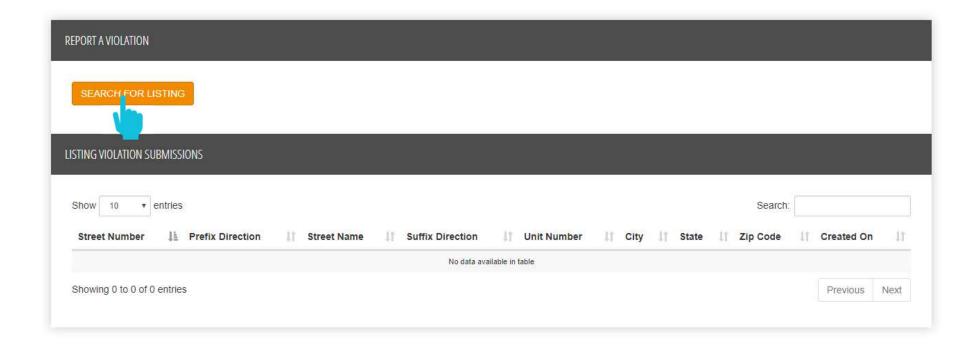
Report a Possible Violation







Search for Excluded Properties



Search For an Exclusion on File

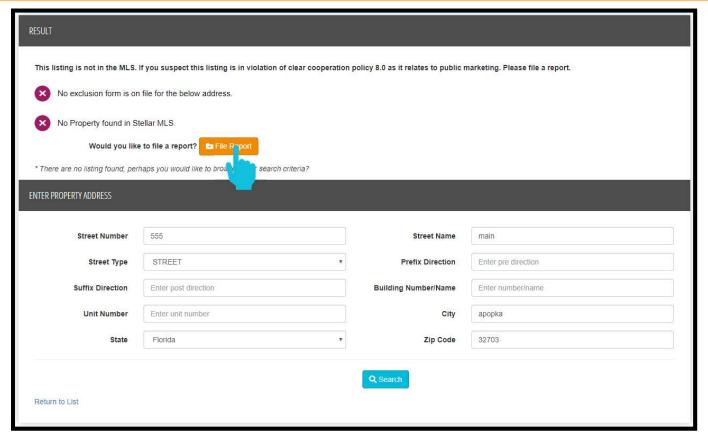
Street Number	Enter street number		Street Name	Enter street name only
	*A Street Number is required			* A Street Name is required
Street Type	STREET	*	Prefix Direction	Enter pre direction
Suffix Direction	Enter post direction		Building Number/Name	Enter number/name
Unit Number	Enter unit number		City	Enter city
				*A City is required
State	Florida	*	Zip Code	Enter postal code
				* A zip code is required

Results: Property Found in MLS



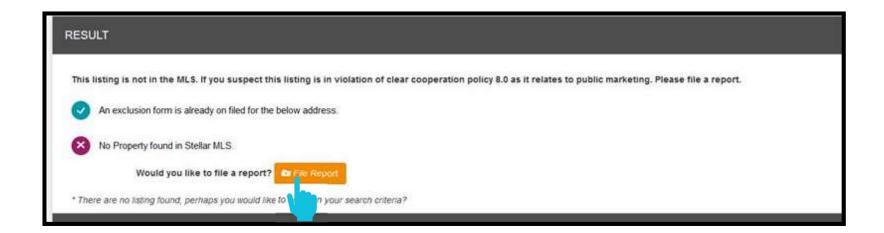
Option to Report a Violation is Not Available

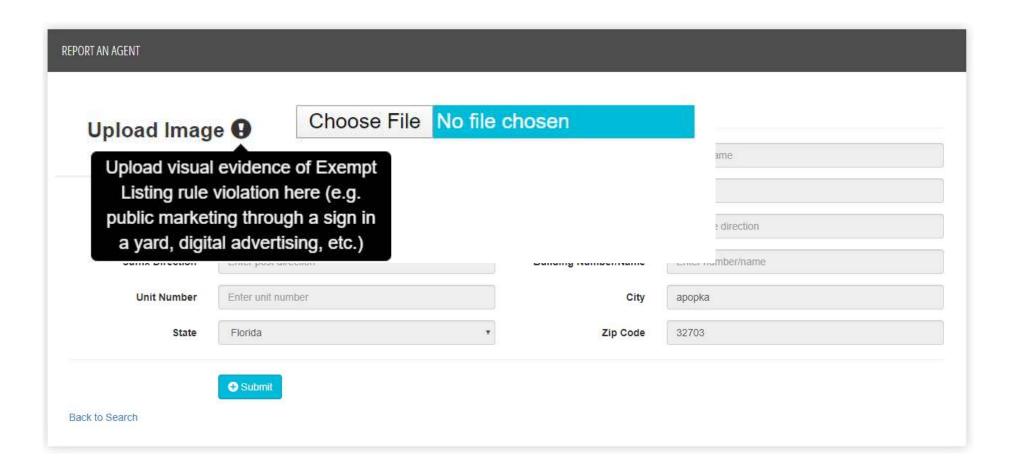
Results: No Exclusion – No Property in MLS





Results: Exclusion Found – No Property in MLS





Email Confirmation

Hello Valued Stellar Customer:

Thank you for reporting this potential violation. The Stellar MLS Compliance team will review the information and take necessary actions.

For questions or concerns please contact us at support@stellarmls.com or call 800-686-7451.

Sincerely,

Stellar MLS

247 Maitland Avenue Altamonte Springs, FL 32701 Main: 407-960-5300; Toll Free: 800-686-7451

www.stellarmls.com



Executed Listing Agreement – 5 Business Days

Day 1 Day 2 Day 3 Day 4 Day 5

1. Put in the MLS

or

2. File a Temporary Exclusion

or

3. File an Office Exclusive Exclusion















1 Business Day to Enter

Resources

– Spread the word!





<u>stellarmls.com/clearcooperation</u> <u>nar.realtor/about-nar/policies/mls-clear-cooperation-policy</u>

Support is Available

- When in doubt, always refer to latest version of Rules & regulations online
- For help with compliance notifications, rules and regulations, feel free to contact us!

Toll Free: (800) 686-7451

Local: (407) 960-5300

Email: admin@stellarmls.com

Hours: Mon. – Fri. 8:00 a.m. – 5:00 p.m.



THANK YOU!