

## Most Common MLS Violations



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*Please feel free to contact the Association Office with any questions or concerns.*

**7.5. Mandatory Submission.** Participants shall electronically input or deliver to the MLS office Property Data Forms of exclusive right to sell or exclusive agency listings within the service area of the A.O.R. within 2 days after all necessary signatures of seller(s) have been obtained on the listing *or at the start date of the listing, whichever is later*. Only those listings that are within the service area of the CCRLMS must be input. Open listings or listings of property located outside the CCRMLS's service area (see Sec. 7.7) are not required by the Service, but may be input at the broker participant's option.

**7.6. Exempted Listings.** If the seller refuses to permit the listing to be disseminated by the Service, the listing broker shall submit to the Service, within 48 hrs, a certification signed by the seller that the seller does not authorize the listing to be disseminated by the Service within 48 hours.

**7.10 Contingencies.** Any contingency or condition of any term in a listing shall be specified and noticed to the participants. As prescribed by the MLS, the Active Contingent status may only be used for short sales prior to lenders written consent, sale contingencies coupled with a right to cancel clause or those transactions associated with a court ordered probate or trustee sale. Listings, in the Active Contingent status shall specify the release parameters and time frames in the first line of "Agent Remarks" in the MLS database. Contingent listings must be reported within 48 hours.

*a. Contingent-REO – Mandatory to mark as Contingent-REO at the time the bank/asset manager gives a verbal acceptance. Mark as pending when the listing agent receives a fully executed purchase contract and/or applicable addendums.*

*b. Contingent-Short Sale – Mandatory to mark as Contingent-Short Sale at the time the seller signs a purchase contract. Mark as pending when the listing agent receives written short sale lender approval.*

**8.3 Accuracy of Information; Responsibility for Accuracy.** By inputting information into the MLS computer, the listing broker or appraiser certifies all of the information on the form or data base is accurate to the best of the listing broker's or appraiser's knowledge. The listing broker or appraiser shall, immediately upon receipt of the first publication or electronic transfer by the MLS of such listing or appraisal information, verify the correctness and advise the MLS of any errors, omissions or corrections. Once notified of the error, the service's sole responsibility shall be to correct such error and notify participants through the next MLS publication. If the participant or subscriber does not advise the MLS of errors or omissions, the participant and subscriber shall indemnify and hold harmless the service for any damage or loss the MLS is required to pay due to the error. In no event will the MLS be liable to any MLS participant, subscriber or any other party for any indirect, special or consequential damages arising out of any information published in the MLS and any other damages shall be limited to the return of the listing fee to the listing broker.

**10.1 Reporting of Sales.** Listings with accepted offers shall be reported to the MLS or input into the MLS database as "pending" within 2 days after the acceptance by the listing broker unless the negotiations were carried on under Section 9.1 (a) or (b), in which case, the cooperating broker shall report to the MLS or input in the listing in the MLS as "pending" and send a copy of the listing's changed status to the listing broker within

forty eight (48) hours after acceptance. The listing shall be published on the MLS as pending with no price or terms prior to the final closing. Upon final closing, the listing broker shall report or input the listing in the MLS as “sold” within forty-eight (48) hours of the final closing date. Listings which were not input into the MLS as a result of the seller's instructions may be input into the MLS “sold” data at the listing broker's option.

11.5 Photographs on the MLS. By submitting photographs to the MLS which were taken by the participant and/or subscriber, the submitting participant and/or subscriber grants the MLS and the other participants and subscribers the right to reproduce and display the photographs in accordance with these rules and regulations. All aggregate listings, photos and documents attached in the MLS database are the property of the association. Photos or virtual tours submitted into the MLS system cannot be reused by a different listing agent for a new listing submission without permission from the original listing agent.

**12.5 Misuse of Remarks.** Information in the public remarks shall only relate to the marketing, description and condition of the property. No contact information is permitted, including names, phone or fax numbers, email addresses or website addresses (including virtual tours and transaction tracking URLs). No showing instructions are permitted, including references to lockbox, alarm, gate or other security codes, or the occupancy of the property (a statement that the property shall be delivered vacant is not a violation of this section). No information directed toward real estate agents or brokers, including compensation or bonuses offered to cooperating brokers may be shown in public remarks. No information other than the marketing, description and condition of the property is permitted. Participants and subscribers may not use the remarks in a property data profile sheet or listing submitted to the MLS or inputted directly into the MLS database for purposes of disparaging other real estate agents or conveying information about other offices or for conveying any other information that does not directly relate to the marketing of the listing. The following personal contact information may not be placed into the “Public/Marketing Internet” remarks section of the MLS form/system, nor in the MLS Photo section, nor any publicly visible display, nor on a MLS virtual tour or MLS virtual media: agent and/or office name, address, phone, email address or web address, logo or details pertaining to the contract or submission of the offers. URLs may be used in the “Public/Marketing Internet” section and the “Virtual Tour” section only if the URL and link destinations include no personal and/or office identification information.

**12.21 Photo Rule:** A minimum of one photograph, or other graphic representation that accurately depicts the listed property shall be placed in all listings at the time of the listings submission to the MLS except where the seller expressly directs in writing that photographs not appear in MLS compilations. The sellers' written directions must be signed at the same time as the listing agreement and submitted to the Association office prior to the listings submission to the MLS. This includes properties listed in all categories. Use of the Association photographer does not allow for exclusion of the photograph submission requirement. Requirement that at least one picture be placed in all listings at the time of the listings submission into the MLS.

**13.2 Key Use and Service.** Keys may not be used under any circumstances by anyone other than the key holder, including but not limited to, lending, borrowing or sharing keys and others. The MLS is not obligated to provide service on keys or lock boxes to individuals who are not the registered lessee or owner of the component.