

**RULES & REGULATIONS OF THE GREATER NORTHWOODS MULTIPLE LISTING SERVICE
(GNMLS)
(Adopted 05/06)**

Listing Procedures

Section 1—Listing Procedures: Listings of real or personal property which are listed subject to a real estate broker's license, and are located within the territorial jurisdiction of the Multiple Listing Service, and are taken by Participants shall be entered in the GNMLS database within 7 business days after all necessary signatures of seller(s) have been obtained: (Amended 11/01)

The Greater Northwoods Multiple Listing Service shall accept only exclusive right to sell listing and exclusive agency contracts for entry into the GNMLS database which make it possible for the listing broker to offer compensation to the other Participants of the GNMLS (Amended 11/96).

The listing agreement must include the seller's written authorization to submit the agreement to the Greater Northwoods Multiple Listing Service. (Amended 11/96)

The Service may not accept net listings because they are deemed unethical and, in most states, illegal. Open listings are not accepted except where required by law because the inherent nature of an open listing is such as to usually not include the authority to cooperate and compensate other brokers and inherently provides a disincentive for cooperation. (Amended 4/92)

The exclusive right to sell listing is the conventional form of listing submitted to the Greater Northwoods Multiple Listing Service in that the seller authorizes the listing broker to cooperate with and to compensate other brokers. (Amended 4/92) The exclusive agency listing also authorizes the listing broker, as exclusive agent, to offer cooperation and compensation on blanket unilateral bases, but also reserves to the seller the general right to sell the property on an unlimited or restrictive basis. Exclusive agency listings are eligible for entry in the GNMLS database.(Amended 4/92)

Note 2: A Multiple Listing Service does not regulate the type of listings its Members may take. This does not mean that a Multiple Listing Service must accept every type of listing. The Multiple Listing Service shall decline to accept open listings (except where acceptance is required by law) and net listings, and it may limit its service to listings of certain kinds of property. But, if it chooses to limit the kind of listings it will accept, it shall leave its Members free to accept such listings to be handled outside the Multiple Listing Service. Only Exclusive Right to Sell listings and Exclusive Agency listings are eligible for entry in the MLS database, exclusive agency listings will not be displayed in aggregate compilations (amended 07/06).

Note 3: Exclusively listed property that is subject to auction is eligible for entry in the GNMLS database. If such listings do not show a listed price, they may be included in a separate section of the GNMLS compilation of current listings. (Adopted 11/92).

Types of Properties: Following are some of the types of properties that may be published through the Service, including types described in the preceding paragraph that are required to be filed with the Service and other types that may be filed with the Service at the Participant's option provided, however, that any listing submitted is entered into within the scope of the Participant's licensure as a real estate broker: (Amended 11/91)

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|---------------------------|------------------------|--------------------------|
| 1. residential | 5. business investment | 8. condominiums |
| 2. residential investment | 6. time share | 9. commercial investment |
| 3. farms/farmettes | 7. mobile homes | 10. industrial |
| 4. vacant land | | |

Section 1.1—Listings Subject to Rules and Regulations of the Service: Any listing taken on a contract to be filed with the Greater Northwoods Multiple Listing Service is subject to the rules and regulations of the Service upon signature of the seller(s).

Section 1.2—Detail on Listings Filed with the Service: A listing agreement, when filed with the Greater Northwoods Multiple Listing Service by the listing broker, shall be complete in every detail which is ascertainable as specified on the property data online form.

Section 1.2.1—Limited Service Listings: Listing agreements under which the listing broker will not provide one, or more, of the following services:

- (a) arrange appointments for cooperating brokers to show listed property to potential purchasers but instead gives cooperating brokers authority to make such appointments directly with the seller(s);
- (b) accept and present to the seller(s) offers to purchase procured by cooperating brokers but instead gives cooperating brokers authority to present offers to purchase directly to the seller(s);
- (c) advise the seller(s) as to the merits of offers to purchase;
- (d) assist the seller(s) in developing, communicating, or presenting counter-offers; or
- (e) participate on the seller(s) behalf in negotiations leading to the sale of the listed property

will be identified with an appropriate code "LSL" in GNMLS compilations so potential cooperating brokers will be aware of the extent of the services the listing broker will provide to the seller(s), and any potential for cooperating brokers being asked to provide some or all of these services to listing brokers' clients, prior to initiating efforts to show or sell the property. (Adopted 09/05)

Section 1.3—Exempted Listings: If the seller refuses to permit the listing to be disseminated by the Service, the Participant may then take the listing ("office exclusive") but not disseminate the listing to the Participants. A listing waiver form must then be filed with the GNMLS board office; the waiver shall be accompanied by signed documentation from the seller.

Section 1.4—Change of Status of Listing: Any change in listed price or other change in the original listing agreement shall be made only when authorized in writing by the seller and shall be filed with the Service within twenty-four (24) hours (excepting weekends, holidays, and postal holidays) after the authorized change is received by the listing broker.

Section 1.5—Withdrawal of Listing Prior to Expiration: Listings of property may be withdrawn from the Greater Northwoods Multiple Listing Service by the listing broker before the expiration date of the listing agreement, provided notice is filed with the Service, including a copy of the agreement between the seller and the listing broker which authorizes the withdrawal.

Sellers do not have the unilateral right to require the GNMLS to withdraw a listing without the listing broker's concurrence. However, when a seller(s) can document that his exclusive relationship with the listing broker has been terminated, the Greater Northwoods Multiple Listing Service may remove the listing at the request of the seller. (Adopted 11/96)

Section 1.6—Listing Multiple Unit Properties: All properties which are to be sold or which may be sold separately must be indicated individually in the listing and on the property data form. When part of a listed property has been sold, proper notification should be given to the Greater Northwoods Multiple Listing Service.

Section 1.7—No Control of Commission Rates or Fees Charged by Participants: The Greater Northwoods Multiple Listing Service shall not fix, control, recommend, suggest, or maintain commission rates or fees for services to be rendered by Participants. Further, the Greater Northwoods Multiple Listing Service shall not fix, control, recommend, suggest, or maintain the division of commissions or fees between cooperating Participants or between Participants and nonparticipants.

Section 1.08—Expiration of Listings: Listings filed with the Greater Northwoods Multiple Listing Service will automatically be removed from the compilation of current listings on the expiration date specified in the agreement, unless prior to that date the GNMLS receives notice that the listing has been extended or renewed. (Amended 11/01)

If notice of renewal or extension is received after the listing has been removed from the compilation of current listings, the extension or renewal will be published in the same manner as a new listing. (amended 11/01).

Section 1.09—Termination Date on Listings: Listings filed with the Service shall bear a definite and final termination date, as negotiated between the listing broker and the seller.

Section 1.10—Jurisdiction: Only listings of the designated types of property located within the jurisdiction of the GNMLS (Oneida, Iron, Forest, Vilas, and Price Counties) are required to be submitted to the Service. Listings of property located outside the GNMLS's jurisdiction will be accepted if submitted voluntarily by a Participant, but cannot be required by the Service. (Amended 11/01)

Section 1.11—Listings of Suspended Participants: When a Participant of the Service is suspended from the GNMLS for failing to abide by a membership duty (i.e., violation of the Code of Ethics, Board bylaws, GNMLS bylaws, GNMLS rules and regulations, or other membership obligation except failure to pay appropriate dues, fees, or charges), all listings currently filed with the GNMLS by the suspended Participant shall, at the Participant's option, be retained in the Service until sold, withdrawn or expired, and shall not be renewed or extended by the GNMLS beyond the termination date of the listing agreement in effect when the suspension became effective. If a Participant has been suspended from the Board (except where GNMLS participation without Board membership is permitted by law) or GNMLS (or both) for failure to pay appropriate dues, fees, or charges, a Board GNMLS is not obligated to provide GNMLS services, including continued inclusion of the suspended Participant's listings in the GNMLS compilation of current listing information. Prior to any removal of a suspended Participant's listings from the GNMLS, the suspended Participant should be advised, in writing, of the intended removal so that the suspended Participant may advise his clients.

Section 1.12—Listings of Expelled Participants: When a Participant of the Service is expelled from the GNMLS for failing to abide by a membership duty (i.e., violation of the Code of Ethics, Board bylaws, GNMLS bylaws, GNMLS rules and regulations, or other membership obligations except failure to pay appropriate dues, fees, or charges), all listings currently filed with the GNMLS shall, at the expelled Participant's option, be retained in the Service until sold, withdrawn, or expired, and shall not be renewed or extended by the GNMLS beyond the termination date of the listing agreement in effect when the expulsion became effective. If a Participant has been expelled from the Board (except where GNMLS participation without Board membership is permitted by law) or GNMLS (or both) for failure to pay appropriate dues, fees, or charges, a Board GNMLS is not obligated to provide GNMLS services, including continued inclusion of the expelled Participant's listings in the GNMLS compilation of current listing information. Prior to any removal of an expelled Participant's listings from the GNMLS, the expelled Participant should be advised, in writing, of the intended removal so that the expelled Participant may advise his clients.

Section 1.13—Listings of Resigned Participants: When a Participant resigns from the GNMLS, the GNMLS is not obligated to provide services, including continued inclusion of the resigned Participant's listings in the GNMLS compilation of current listing information. Prior to any removal of a resigned Participant's listings from the GNMLS, the resigned Participant should be advised, in writing, of the intended removal so that the resigned Participant may advise his clients.

Selling Procedures

Section 2—Showings and Negotiations: Appointments for showings and negotiations with the seller for the purchase of listed property filed with the Greater Northwoods Multiple Listing Service shall be conducted through the listing broker, except under the following circumstances:

- (a) the listing broker gives the cooperating broker specific authority to show and/or negotiate directly, or
- (b) after reasonable effort, the cooperating broker cannot contact the listing broker or his representative; however, the listing broker, at his option, may preclude such direct negotiations by cooperating brokers. (Amended 4/92)

Section 2.1—Presentation of Offers: The listing broker must make arrangements to present the offer as soon as possible, or give the cooperating broker a satisfactory reason for not doing so. (Amended 4/92)

Section 2.2—Submission of Written Offers: The listing broker shall submit to the seller all written offers until closing unless precluded by law, government rule, regulation, or agreed otherwise in writing between the seller and the listing broker. Unless the subsequent offer is contingent upon the termination of an existing contract, the listing broker shall recommend that the seller obtain the advice of legal counsel prior to acceptance of the subsequent offer. (Adopted 11/87)

Section 2.3—Right of Cooperating Broker in Presentation of Offer: The cooperating broker (subagent or buyer agent) or his representative has the right to participate in the presentation to the seller or lessor of any offer he secures to purchase or lease. He does not have the right to be present at any discussion or evaluation of that offer by the seller or lessor and the listing broker. However, if the seller or lessor gives written instructions to the listing broker that the cooperating broker not be present when an offer the cooperating broker secured is presented, the cooperating broker has the right to a copy of the seller's or

lessor's written instructions. None of the foregoing diminishes the listing broker's right to control the establishment of appointments for such presentations. (Amended 4/92)

Section 2.4—Right of Listing Broker in Presentation of Counter-Offer: The listing broker or his representative has the right to participate in the presentation of any counter-offer made by the seller or lessor. He does not have the right to be present at any discussion or evaluation of a counter-offer by the purchaser or lessee (except when the cooperating broker is a subagent). However, if the purchaser or lessee gives written instructions to the cooperating broker that the listing broker not be present when a counter-offer is presented, the listing broker has the right to a copy of the purchaser's or lessee's written instructions. (Adopted 11/93)

Section 2.5—Reporting Sales to the Service: Sales shall be reported within 72 hours to the Multiple Listing Service by the listing broker unless the negotiations were carried on under Section 2(a) or (b) hereof, in which case the cooperating broker shall report, sending a copy to the listing broker within twenty-four (24) hours after acceptance. (Amended 4/92)

Note: The listing agreement of a property filed with the GNMLS by the listing broker should include a provision expressly granting the listing broker authority to advertise; to file the listing with the GNMLS; to provide timely notice of status changes of the listing to the GNMLS; and to provide sales information including selling price to the GNMLS upon sale of the property. If deemed desirable by the GNMLS to publish sales information prior to final closing (settlement) of a sales transaction, the listing agreement should also include a provision expressly granting the listing broker the right to authorize dissemination of this information by the GNMLS to its Participants. (Amended 11/01)

Section 2.7—Advertising of Listing Filed with the Service: A listing shall not be advertised by any Participant other than the listing broker without the prior consent of the listing broker.

Section 2.8—Reporting Cancellation of Pending Sale: The listing broker shall report immediately to the Greater Northwoods Multiple Listing Service the cancellation of any pending sale, and the listing shall be reinstated immediately.

Refusal to Sell

Section 3—Refusal to Sell: If the seller of any listed property filed with the Greater Northwoods Multiple Listing Service refuses to accept a written offer satisfying the terms and conditions stated in the listing, such fact shall be transmitted immediately to the Service and to all Participants.

Prohibitions

Section 4—Information for Participants Only: Any listing filed with the Service shall not be made available to any broker or firm not a Member of the GNMLS without the prior consent of the listing broker.

Section 4.1—"For Sale" Signs: Only the "For Sale" sign of the listing broker may be placed on a property. (Amended 11/89)

Section 4.2—"Sold" Signs: Prior to closing, only the "Sold" sign of the listing broker may be placed on a property, unless the listing broker authorizes the cooperating (selling) broker to post such a sign. (Amended 4/96)

Section 4.3—Solicitation of Listing Filed with the Service: Participants shall not solicit a listing on property filed with the Service unless such solicitation is consistent with Article 16 of the REALTORS®' Code of Ethics, its Standards of Practice, and its Case Interpretations.

Note: This Section is to be construed in a manner consistent with Article 16 of the Code of Ethics and particularly Standard of Practice 16-4. This Section is intended to encourage sellers to permit their properties to be filed with the Service by protecting them from being solicited, prior to expiration of the listing, by brokers and salespersons seeking the listing upon its expiration.

Without such protection, a seller could receive hundreds of calls, communications, and visits from brokers and salespersons who have been made aware through GNMLS filing of the date the listing will expire and desire to substitute themselves for the present broker.

This Section is also intended to encourage brokers to participate in the Service by assuring them that other Participants will not attempt to persuade the seller to breach the listing agreement or to interfere with their attempts to market the property. Absent the protection afforded by this Section, listing brokers would be most reluctant to generally disclose the identity of the seller or the availability of the property to other brokers.

This Section does not preclude solicitation of listings under the circumstances otherwise recognized by the Standards of Practice related to Article 16 of the Code of Ethics.
Division of Commissions

Section 5—Compensation Specified on Each Listing: The listing broker shall specify, on each listing filed with the Multiple Listing Service, the minimum compensation offered to other Greater Northwoods Multiple Listing Service Participants for their services in the sale of such listing. Such offers are unconditional except that entitlement to compensation is determined by the cooperating broker's performance as the procuring cause of the sale (or lease) or as otherwise provided for in this rule. The listing broker's obligation to compensate any cooperating broker as the procuring cause of the sale (or lease) may be excused if it is determined through arbitration that, through no fault of the listing broker and in the exercise of good faith and reasonable care, it was impossible or financially unfeasible for the listing broker to collect a commission pursuant to the listing agreement. In such instances, entitlement to cooperative compensation offered through GNMLS would be a question to be determined by an arbitration hearing panel based on all relevant facts and circumstances including, but not limited to, why it was impossible or financially unfeasible for the listing broker to collect some or all of the commission established in the listing agreement; at what point in the transaction did the listing broker know (or should have known) that some or all of the commission established in the listing agreement might not be paid; and how promptly had the listing broker communicated to cooperating brokers that the commission established in the listing agreement might not be paid. (Amended 11/98)

Note 1: In filing a property with the Greater Northwoods Multiple Listing Service of a Board of REALTORS®, the Participant of the Service is making blanket unilateral offers of compensation to the other GNMLS Participants, and shall therefore specify on each listing filed with the Service, the minimum compensation being offered to the other GNMLS Participants. Specifying the compensation on each listing is necessary, because the cooperating broker has the right to know what his compensation shall be prior to his endeavor to sell.* (Amended 11/96)

**The compensation specified on listings filed with the Greater Northwoods Multiple Listing Service shall appear in one of two forms. The essential and appropriate requirement by a Board Multiple Listing Service is that the information to be published shall clearly inform the Participants as to the minimum compensation they will receive in cooperative transactions, unless advised otherwise by the listing broker, in writing, in advance of his producing an offer to purchase. The compensation specified on listings published by the MLS shall be shown in one of the following forms:*

- 1. by showing a percentage of the gross selling price*
- 2. by showing a definite dollar amount (Amended 11/95)*

The listing broker retains the right to determine the minimum amount of compensation offered to other Participants (acting as subagents, buyer agents, or in other agency or non-agency capacities defined by law) which may be the same or different. (Amended 11/96)

This shall not preclude the listing broker from offering any GNMLS Participant compensation other than the compensation indicated on any listing published by the GNMLS, provided the listing broker informs the other broker, in writing, in advance of his producing an offer to purchase, and provided that the modification in the specified compensation is not the result of any agreement among all or any other Participants in the Service. Any superseding offer of compensation must be expressed as either a percentage of the gross sales price or as a flat dollar amount. (Amended 11/95)

The Board Multiple Listing Service shall not have a rule requiring the listing broker to disclose the amount of total negotiated commission in his listing contract, and the Board Multiple Listing Service shall not publish the total negotiated commission on a listing which has been submitted to the GNMLS by a Participant. The Board Multiple Listing Service shall not disclose in any way the total commission negotiated between the seller and the listing broker.

Note 2: The listing broker may, from time to time, adjust the compensation offered to other Greater Northwoods Multiple Listing Service Participants for their services with respect to any listing by advance published notice to the Service so that all Participants will be advised. (Amended 4/92)

Note 3: The Greater Northwoods Multiple Listing Service shall make no rule on the division of commissions between Participants and non-participants. This should remain solely the responsibility of the listing broker.

Note 4: Multiple Listing Services, at their discretion, may adopt rules and procedures enabling listing brokers to communicate to potential cooperating brokers that gross commissions established in listing contracts are subject to court approval or to lender approval; and that compensation payable to cooperating brokers may be reduced if the gross commission established in the listing contract is reduced by a court or by a lender. In such instances, the fact that the gross commission is subject to court or to lender approval and either the potential reduction in compensation payable to cooperating brokers or the method by which the potential reduction in compensation will be calculated must be clearly communicated to potential cooperating brokers prior to the time they produce an offer that ultimately results in a successful transaction. (Adopted 11/98)

Section 5.1—Participant as Principal: If a Participant or any licensee (or licensed or certified appraiser) affiliated with a Participant has any ownership interest in a property, the listing of which is to be disseminated through the Greater Northwoods Multiple Listing Service, that person shall disclose that interest when the listing is filed with the Greater Northwoods Multiple Listing Service and such information shall be disseminated to all Greater Northwoods Multiple Listing Service Participants.

Section 5.2—Participant as Purchaser: If a Participant or any licensee (including licensed and certified appraisers) affiliated with a Participant wishes to acquire an interest in property listed with another Participant, such contemplated interest shall be disclosed, in writing, to the listing broker not later than the time an offer to purchase is submitted to the listing broker. (Adopted 2/92)

Section 5.3—Dual or Variable Rate Commission Arrangements: The existence of a dual or variable rate commission arrangement (i.e., one in which the seller/landlord agrees to pay a specified commission if the property is sold/leased by the listing broker without assistance and a different commission if the sale/lease results through the efforts of a cooperating broker; or one in which the seller/landlord agrees to pay a specified commission if the property is sold/leased by the listing broker either with or without the assistance of a cooperating broker and a different commission if the sale/lease results through the efforts of a seller/landlord) shall be disclosed by the listing broker by a key, code, or symbol as required by the MLS. The listing broker shall, in response to inquiries from potential cooperating brokers, disclose the differential that would result in either a cooperative transaction or, alternatively, in a sale/lease that results through the efforts of the seller/landlord. If the cooperating broker is a buyer/tenant representative, the buyer/tenant representative must disclose such information to their client before the client makes an offer to purchase or lease. (Amended 5/01)

Service Charges

Section 6—Service Fees and Charges: The following service charges for operation of the Greater Northwoods Multiple Listing Service are in effect to defray the costs of the Service and are subject to change from time to time in the manner prescribed.

(a) Initial Participation Fee: An applicant for participation in the Service shall pay an application fee of \$1000.00 with such fee to accompany the application.

Note: CHARGES FOR OPERATION OF THE SERVICE ARE IN EFFECT TO DEFRAY THE COSTS OF BRINGING THE SERVICE TO GNMLS MEMBERS.

(b) Recurring Participation Fee: The annual participation fee of each Participant shall be an amount equal to \$30 monthly times each salesperson who has access to and use of the Service, whether licensed as a broker or sales licensee, (the monthly participation fee of certified appraisers employed by or under contract with Appraiser-REALTOR Participants will be waived; Each Appraiser-REALTOR Participant will be assessed a fee of \$30 monthly for their firm). Payment of such fees shall be made on or before the first day of the month of access to the Multiple Listing Service.

Note: The Greater Northwoods Multiple Listing Service has elected to have such fees payable on a monthly basis.-(c) Listing Fee: A Participant shall pay no monthly listing fee.

(d) Subscription Fees: One complete set of current listings shall be supplied to the Participant via the Interface software upon payment of the application fee and the participation fee. There are no additional subscription fees.

(e) A 10% service charge for late payment will be assessed for payments received after the last day of the month.

Compliance with Rules

Section 7—Compliance with Rules: The following action may be taken for noncompliance with the rules:

(a) for failure to pay any service charge or fee within one (1) month of the date due, and provided that at least ten (10) days' notice has been given, the Service shall be suspended until service charges or fees are paid in full

(b) for failure to comply with any other rule, the provisions of Sections 9 and 9.1 shall apply

Note: Generally, warning, censure, and the imposition of a moderate fine are sufficient to constitute a deterrent to violation of the rules and regulations of the Greater Northwoods Multiple Listing Service. Suspension or termination is an extreme sanction to be used in cases of extreme or repeated violation of the rules and regulations of the Service.- All fines shall be specified in the GNMLS Policies and Procedures.

Section 7.1—Applicability of Rules to Users and/or Subscribers: Non-principal brokers, sales licensees, appraisers, and others authorized to have access to information published by the GNMLS are subject to these rules and regulations and may be disciplined for violations thereof provided that the user or subscriber has signed an agreement acknowledging that access to and use of GNMLS information is contingent on compliance with the rules and regulations. Further, failure of any user or subscriber to abide by the rules and/or any sanction imposed for violations thereof can subject the Participant to the same or other discipline. This provision does not eliminate the Participant's ultimate responsibility and accountability for all users or subscribers affiliated with the Participant. (Adopted 4/92)

Meetings

Section 8—Meetings: The meetings of the Participants in the Service or the Board of Directors of the Greater Northwoods Multiple Listing Service for the transaction of business of the Service shall be held in accordance with the provisions of Article 7, bylaws of the Service.

Enforcement of Rules or Disputes

Section 9—Consideration of Alleged Violations: The GNMLS Board of Directors shall give consideration to all written complaints *presented by the Complaints & Committee* having to do with violations of the rules and regulations. (Amended 2/98)

Section 9.1—Violations of Rules and Regulations: If the alleged offense is a violation of the rules and regulations of the Service and does not involve a charge of alleged unethical conduct or request for arbitration, it may be administratively considered and determined by the Board of Directors of the Service, and if a violation is determined, the Board of Directors may direct the imposition of sanction, provided the recipient of such sanction may request a hearing before the Professional Standards Committee of the Board in accordance with the bylaws and rules and regulations of the Board of REALTORS® within twenty (20) days following receipt of the Directors' decision. (Amended 11/96)

If, rather than conducting an administrative review, the GNMLS has a procedure established to conduct hearings, any appeal of the decision of the hearing tribunal may be appealed to the Board of Directors of the GNMLS within twenty (20) days of the tribunal's decision. Alleged violations involving unethical conduct shall be referred to the Professional Standards Committee of the Board of REALTORS® for processing in accordance with the professional standards procedures of the Board. If the charge alleges a refusal to arbitrate, such charge shall be referred directly to the Board of Directors of the Board of REALTORS®. (Amended 2/98)

Confidentiality of MLS Information

Section 10—Confidentiality of GNMLS Information: Any information provided by the Greater Northwoods Multiple Listing Service to the Participants shall be considered official information of the Service. Such

information shall be considered confidential and exclusively for the use of Participants and real estate licensees affiliated with such Participants and those Participants who are licensed or certified by an appropriate state regulatory agency to engage in the appraisal of real property and licensed or certified appraisers affiliated with such Participants. (Amended 4/92)

Section 10.1—GNMLS Not Responsible for Accuracy of Information: The information published and disseminated by the Service is communicated verbatim, without change by the Service, as filed with the Service by the Participant. The Service does not verify such information provided and disclaims any responsibility for its accuracy. Each Participant agrees to hold the Service harmless against any liability arising from any inaccuracy or inadequacy of the information such Participant provides.

Section 10.2—Access to Comparable and Statistical Information: Board members who are actively engaged in real estate brokerage, management, mortgage financing, appraising, land development, or building, but who do not participate in the GNMLS, are nonetheless entitled to receive by purchase or lease all information other than current listing information that is generated wholly or in part by the GNMLS, including “comparable” information, “sold” information, and statistical reports. This information is provided for the exclusive use of Board members and individuals affiliated with Board members who are also engaged in the real estate business and may not be transmitted, retransmitted, or provided in any manner to any unauthorized individual, office, or firm, except as otherwise provided in these rules and regulations.

Ownership of GNMLS Compilation* and Copyright

**The term "GNMLS compilation," as used in Sections 11 and 12 herein, shall be construed to include any format in which property listing data is collected and disseminated to the Participants, including but not limited to bound book, loose-leaf binder, computer database, card file, or any other format whatever.*

Section 11—By the act of submitting any property listing data to the Board GNMLS the Participant represents that he has been authorized to grant and also thereby does grant authority for the Board to include the property listing data in its copyrighted GNMLS compilation and also in any statistical report on comparables.

Section 11.1—All right, title, and interest in each copy of every Greater Northwoods Multiple Listing compilation created and copyrighted by the Northwoods Association Board of REALTORS® and in the copyrights therein, shall at all times remain vested in the Northwoods Association Board of REALTORS®.

Section 11.2—Each Participant shall be entitled to lease/ download from the Northwoods Association Board of REALTORS® a number of copies of each GNMLS compilation sufficient to provide the Participant and each person affiliated as a licensee (including licensed or certified appraisers) with such Participant with one copy of such compilation.

Participants shall acquire by such lease only the right to use the GNMLS compilation in accordance with these rules.

Use of Copyrighted GNMLS Compilation

Section 12—Distribution: Participants shall, at all times, maintain control over and responsibility for each copy of any GNMLS compilation leased to them by the Board of REALTORS®, and shall not distribute any such copies to persons other than subscribers who are affiliated with such Participant as licensees, those individuals who are licensed or certified by an appropriate state regulatory agency to engage in the appraisal of real property, and any other subscribers as authorized pursuant to the governing documents of the GNMLS. Use of information developed by or published by a Board Multiple Listing Service is strictly limited to the activities authorized under a Participant’s licensure(s) or certification, and unauthorized uses are prohibited. Further, none of the foregoing is intended to convey “Participation” or “Membership” or any right of access to information developed or published by a Board Multiple Listing Service where access to such information is prohibited by law. (Amended 4/92)

Section 12.1—Display: Participants and those persons affiliated as licensees with such Participants shall be permitted to display the GNMLS compilation to prospective purchasers only in conjunction with their ordinary business activities of attempting to locate ready, willing, and able buyers for the properties described in said GNMLS compilation.

Section 12.2—Reproduction: Participants or their affiliated licensees shall not reproduce any GNMLS compilation or any portion thereof, except in the following limited circumstances.

Participants or their affiliated licensees may reproduce from the GNMLS compilation and distribute to prospective purchasers a reasonable* number of single copies of property listing data contained in the GNMLS compilation which relate to any properties in which the prospective purchasers are or may, in the judgment of the Participants or their affiliated licensees, be interested.

**It is intended that the Participant be permitted to provide prospective purchasers with listing data relating to properties which the prospective purchaser has a bona fide interest in purchasing or in which the Participant is seeking to promote interest. The term reasonable, as used herein, should therefore be construed to permit only limited reproduction of property listing data intended to facilitate the prospective purchaser's decision-making process in the consideration of a purchase. Factors which shall be considered in deciding whether the reproductions made are consistent with this intent and thus reasonable in number, shall include, but are not limited to, the total number of listings in the GNMLS compilation, how closely the types of properties contained in such listings accord with the prospective purchaser's expressed desires and ability to purchase, whether the reproductions were made on a selective basis, and whether the type of properties contained in the property listing data is consistent with a normal itinerary of properties which would be shown to the prospective purchaser.*

Nothing contained herein shall be construed to preclude any Participant from utilizing, displaying, distributing, or reproducing property listing sheets or other compilations of data pertaining exclusively to properties currently listed for sale with the Participant.

Any GNMLS information, whether provided in written or printed form, provided electronically, or provided in any other form or format, is provided for the exclusive use of the Participant and those licensees affiliated with the Participant who are authorized to have access to such information. Such information may not be transmitted, retransmitted, or provided in any manner to any unauthorized individual, office, or firm.

None of the foregoing shall be construed to prevent any individual legitimately in possession of current listing information, sold information, comparables, or statistical information from utilizing such information to support an estimate of value on a particular property for a particular client. However, only such information that a Board or Board-owned Multiple Listing Service has deemed to be nonconfidential and necessary to support the estimate of value may be reproduced and attached to the report as supporting documentation. Any other use of such information is unauthorized and prohibited by these rules and regulations.

Use of GNMLS Information

Section 13—Limitations on Use of GNMLS Information: Information from GNMLS compilations of current listing information, from statistical reports, and from any sold or comparable report of the Board or GNMLS may be used by GNMLS Participants as the basis for aggregated demonstrations of market share or comparisons of firms in public mass-media advertising or in other public representations. This authority does not convey the right to include in any such advertising or representation information about specific properties which are listed with other Participants, or which were sold by other Participants (as either listing or cooperating broker).

However, any print or non-print forms of advertising or other forms of public representations based in whole or in part on information supplied by the Board or its GNMLS must clearly demonstrate the period of time over which such claims are based and must include the following, or substantially similar, notice:

Based on information from the Greater Northwoods MLS Board for the period (date) through (date).
(Adopted 11/97)

Changes in Rules and Regulations

Section 14—Changes in Rules and Regulations: Amendments to the rules and regulations of the Service shall be by consideration and approval of the Board of Directors of the Multiple Listing Service, subject to final ratification by the Board of Directors of the Northwoods Association Board of REALTORS® (shareholder).

Policies and Procedures

Section 15- The Board of Directors of the Greater Northwoods Multiple Listing Service shall establish GNMLS Policies and Procedures designed to govern the day-to-day operation of the Service. Amendments to the GNMLS Policies and Procedures shall be by consideration and approval of the Board of Directors of the Greater Northwoods Multiple Listing Service only.

Orientation

Section 16—Orientation: Any applicant for GNMLS Participation and any licensee affiliated with an GNMLS Participant who has access to and use of GNMLS-generated information shall complete an orientation program of no less than (4) hours at the Board Offices devoted to the GNMLS rules and regulations and computer training related to GNMLS information entry and retrieval and the operation of the GNMLS within thirty (30) days after access has been provided. The Participant and affiliated licensees are afforded two opportunities to attend GNMLS orientation. Failure to attend orientation within this time frame will result in termination of the service. Once terminated the Participant must reapply to the service as a new applicant and is subject to all application fees.

Internet Data Exchange (IDX)

Section 17—IDX Defined: IDX affords GNMLS Participants the option of authorizing display of their active listings on other Participants' Internet Web sites.

Section 17.1—Authorization: Participants' consent for display of their active listings by other Participants pursuant to these rules and regulations is presumed unless a Participant affirmatively notifies the GNMLS that the Participant refuses to permit display (either on a blanket or on a listing-by-listing basis). If a Participant refuses on a blanket basis to permit the display of that Participant's listings, that Participant may not download or frame the aggregated GNMLS data of other Participants.

Section 17.2—Participation: Participation in IDX is available to all GNMLS Participants, who are REALTORS® and who consent to display of their listings by other Participants.

Section 17.3—Display: Display of listing information pursuant to IDX is subject to the following rules:

Section 17.3.1—Listings displayed pursuant to IDX shall contain only those fields of data designated by the GNMLS. Display of all other fields (as determined by the MLS) is prohibited.

Section 17.3.2—Participants shall not modify or manipulate information relating to other Participants' listings. (This is not a limitation on site design but refers to changes to actual listing data.)

Section 17.3.3—All listings displayed pursuant to IDX shall identify the listing firm.

Section 17.3.4—Non-principal brokers and sales licensees affiliated with IDX Participants may display information available through IDX on their own Web sites subject to their Participant's consent and control and the requirements of state law and/or regulation.

Section 17.3.5—Listing information downloaded and/or otherwise displayed pursuant to IDX shall be limited to properties listed on an exclusive right to sell basis.

Section 17.3.6—All listings displayed pursuant to IDX shall show the GNMLS as the source of the information.

Section 17.3.07—Participants (and their affiliated licensees, if applicable) shall indicate on their Web sites that IDX information is provided exclusively for consumers' personal, non-commercial use and may not be used for any purpose other than to identify prospective properties consumers may be interested in purchasing.

Section 17.3.08- The right to display other Participants' listings pursuant to IDX shall be limited to a Participant's office(s) holding participatory rights in this GNMLS.

Section 17.3.09—Listings obtained through IDX must be displayed separately from listings obtained from other sources, including information provided by other MLSs.

Section 17.3.10—No portion of the IDX database shall be used or provided to a third party for any purpose other than those expressly provided for in these rules.

Section 17.3.11- No Participant may use the acronym "GNMLS" as a part of the Participant's URL website address. Participant website's shall ensure that all search features disclose to the public that they are accessing/searching a subset of listing data of the GNMLS; (example: "Search the MLS" is unacceptable- Search the MLS listing database is acceptable).

Section 17.4—Service Fees and Charges: Service fees and charges for participation in IDX shall be as established annually by the Board of Directors. There is no current fee.(Adopted 11/01)