

## **Greater Northwoods MLS, Inc Policies & Procedures**

**May 2008**

**Before you contact the board offices, please be sure that you have reviewed this booklet as well as the current Rules & Regulations available on the board website at [www.northwoodsrealtors.org](http://www.northwoodsrealtors.org).** Many times the answer to your question is right at your fingertips!

Contact the **Association Executive – Debby Genz** at [debbyge@verizon.net](mailto:debbyge@verizon.net) 715-356-3400 with the following issues:

- Questions regarding Governance Procedures
- Professional Standards and Ethics violation filings
- Requests for Arbitration
- Broker requests for MLS board documents
- Membership Information
- MLS Invoicing

Contact the **MLS Director - Patricia Fried** at [mlspat@verizon.net](mailto:mlspat@verizon.net) or 715-356-3400 for issues pertaining to the following:

- Changes to your personal or office information in MLS system
- Adding your agent photo to Interface
- Assistance with Listing Maintenance or photos
- Difficulty with downloading the Interface offline system.
- Questions on how to use a particular feature in Interface or Interface Express.
- Non-member listing or sale entry
- Lost or change password
- Adding a street or lake name to the system
- Interpretation of MLS rules and regulations, policies and procedures
- To file a compliance complaint regarding an MLS listing
- Questions regarding MLS bylaws
- Inclusion in the MLS board meeting agenda

Contact **Angela at RealtyServer** [angela@realtyserver.com](mailto:angela@realtyserver.com) or 866-531-7065 for issues related to the following:

Problems involving your existing hardware (computer, printer, internet connection), interfacing with the RealtyServer MLS software. This would include runtime errors, recurrent shutdowns, or inability to download the Interface software.

Contact **InnoVia Tech Support** at [innoviasupport@marketlinx.com](mailto:innoviasupport@marketlinx.com) or 800-334-0831

Please be at your computer when you call technical support and have the following information available.

Operation system (Windows XP or Windows Vista, etc)  
Browser and version – Internet Explorer or Firefox  
Type of internet connection - DSL, Dial-up, Cable, or Satellite  
Clear description of the problem you are having  
What system and what version of Interface you are experiencing trouble with Distributed Version or Interface Express or InnoVia

Contact **REIS Technology Helpline** for any computer problem not related to the MLS system or software. At 888-804-8225.

## I. Membership

A. Participant is defined as any REALTOR® Principal of this or any other association in the United States. Principal is defined as a sole proprietor, partner in a partnership, or corporate officer of a corporation. A REALTOR® Principal may contract with the Greater Northwoods MLS (GNMLS) upon filing a list of Principals of the firm with the Board offices [to be verified by the appropriate licensing bureau], providing a list of licensees, and upon payment of the application fee. This contract shall allow the Participant, sales licensees, and appraisers of the firm hereinafter referred to as "SUBSCRIBER" to all the benefits and services of the GNMLS Corporation subject to its Rules & Regulations.

### B. New Participants

1. In the case of a change of GNMLS membership status due to the separation of particular GNMLS membership shall remain.

2. A branch office must have the same identity of ownership as the principle/primary office. Branch offices are not subject to the membership application fee.

3. Membership cannot be transferred to another firm except in the event of a sale of the firm where the corporate entity owns the GNMLS membership and the corporate entity will continue to exist under the new ownership.

4. A change of ownership or form of ownership, by any MLS Participant shall not require a new initial membership fee if the new entity includes at least one Principal who is a current member of the GNMLS.

### C. New Subscribers

1. Any change in the list of Subscribers in a firm must be submitted in writing to the GNMLS Board Offices within 10 days. Change must be verified by submission of the Department of Regulations & Licensing (DRL) termination or notice of employment contract form.

2. GNMLS Subscribers and Participants shall be given a Maximum of 2 notices to attend GNMLS sponsored MLS Orientation to include a minimum of 1.5 hours of Rules & Regulations training, and no more than 6 classroom hours devoted to computer training related to data entry, retrieval and the operation of the GNMLS software. If the Subscriber/Participant fails to meet this requirement, all dues, fees and other assessments may be forfeited at the discretion of the GNMLS Board of Directors. If forfeiture occurs the Participant shall be treated as a new GNMLS member applicant subject to the application fee

## II. Fees

- A. All subscriber fees are to be paid in advance. Billing for the upcoming month of service will be mailed [electronically or hard copy] prior to the 5<sup>th</sup> of each month. All fees are due by the last day of the month preceding the service month. Payment postmarked after the 30<sup>th</sup> day of the month will be assessed a 10% service charge.
- B. Users or Participants joining after the 22<sup>nd</sup> of the current month will not be billed for the current month's service.
- C. If payment is not received in the service month the GNMLS access will be suspended. Service will be reconnected upon payment of the month's service, the 10% service charge, and the next month's advance payment.
- D. 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 and fees are paid in full.
- E. Three months of non-payment will result in the termination of membership. New member application fees apply.
- F. There are no partial-refunds of monthly service fees. If a subscriber termination is received prior to the next month's business cycle the Participant will receive a credit if the payment for service has been received in advance per the Policies and Procedures. The GNMLS does not credit the Subscribers nor will it accept payment from individual Subscribers. Terminations which occur in the current service month will not be credited. The Participant's policies determine if money is refunded to the individual Subscriber.
- G. Appraisal offices will pay \$38.25 per office regardless of the number of appraisers working for the firm.
- H. The GNMLS Board Office will assess a fee for scanning and entering photos: One photo entry \$10.00, Multiple photos \$25.00.
- I. The GNMLS Board Office will assess a \$30.00 fee for entering member listings and non-member sold listings into the GNMLS database.

## III. Fines

- A. All new listings not submitted within 5 business days are subject to a \$25.00/day fine imposed on the Participant. The first day a listing contract is received is the "grace day" and does not count as the first business day. If a circumstance beyond the Subscriber's/Participant's control prevents timely entry, a listing waiver, along with supporting documentation (postmarked envelope, fax submission page, or listing contract in which it is detailed that the listing was withheld at the request of the seller) must be submitted to the GNMLS Board office.
- B. A \$25.00 fine will be imposed on a Participant for failure to submit a photo with the listing within 5 business days.
- C. Ineligible properties entered into the MLS listing database are subject up to a \$500 fine imposed upon the Participant.

D. Properties co-listed only with non GNMLS members are eligible for entry into the service.

E. Any other MLS listing violations or a repeated violation of the above within a 12 month period will be forwarded to the GNMLS Complaints and Compliance Committee for review. The committee will make a recommendation for remediation to the GNMLS Board of Directors. Remediation may be in the form of education, service to the GNMLS, Fines not to exceed \$500 per offense, suspension of membership, and/or termination of membership.

F. Status changes must be entered into the MLS database within 72 hours. Status changes are defined as Active, Active O/C, Pending, Sold, Expired, or Cancelled. Amendments or other requests to withhold offers are strictly prohibited and a violation of GNMLS rules. If a seller does not wish to disclose offer status, that property must be removed from the MLS and a waiver filed with the board office along with the written request by the seller. A fine of \$25/day will be imposed upon the Participant for failure to change a listing status within the mandated time.

G. A listing with a pending offer that has a bump clause may remain in Active status with a notice as such put in to the REALTOR® Remarks section.

H. If a listing is entered in the MLS Database in both the residential and commercial categories, only one of the listings may be claimed as sold, ( The other listing is then cancelled) unless the Participant chooses to pro-rate the sales price between both listings.

I. Residential property offered in multiple acreage configurations may be represented in the MLS up to a maximum of three (3) listing numbers. Other configuration possibilities may be described in the property description remarks or supporting documents section.

J. All fines may be modified by motion of the GNMLS Board of Directors.

**1. NOTE: All violations are considered violations of the Participant not the individual subscriber and are considered as such when determining a pattern of behavior for the purposes of the Complaints and Compliance Committee.**

#### IV. Non-member Listings

A. The sale of a non-member listing may be reported in the MLS software. Complete listing data and at least one photo must be submitted to the Service. Call the board office for instructions on entering listing information for non-member sales.

B. One Party listings entered for the purposes of sold information only must contain the minimum required information per the MLS data entry form and at least one photo.

#### V. Entry Fields

A. The property description field may contain descriptive remarks only. The field may not contain the name of the Brokerage, Agent, website address or phone numbers. No references such as "call ABC Realty or Listing Agent for details" are allowed.

- B. Virtual tours must be “unbranded” including the information that appears in the address bar when it is viewed. Virtual tours must not link to a REALTOR® or brokerage website.
- C. The Directions field shall contain street/HWY directions only. If the client desires that directions not be displayed, this field should be left blank and appropriate information provided in the Agent Information section such as LA must accompany or Call LO. Call LO or Listing Agent is not allowed in this field.
- D. Photos may not be transferred from another brokers listing without permission. Violation of this policy will result in a \$25.00 fine for the first offense.
- E. For sale signs shall not be allowed in property photos. Photos must be cropped or taken appropriately to avoid including the brokerage for sale sign in the listing photo.
- F. IDX feeds may transmit all information contained in the “client detail format only.
- G. All requests for street-adds must be accompanied by a plat map or tax bill which indicates the street/road.
- H. Private roads will not be entered into the MLS database. All roads must be recognized by their appropriate county or internet mapping service.
- I. Lakes must be in the Wisconsin Department of Natural Resources (DNR) Lake registry in order to be entered in the MLS database. Private and man-made lakes that are not recognized by the DNR will not be entered into the lake name search selection. To ensure that private and man-made lake property is searchable as an on-water property, the shoreline footage must be entered into the MLS database and the lake name field left blank. Upon electronic submission the lake name field will auto-populate with the words, “Unnamed Lake”.
- J. Deeded Access – the REALTOR® may include the Lake name in the lake field if there is actual deeded lake access, provided the REALTOR® also includes deeded access in the site influence and property description. Repeated omission of the additional information will be referred to the Complaints and Compliance committee.
- K. No further counties will be added to the MLS database. If a listing occurs in a county not in the database use the county code “OT”.
- L. No further townships/lakes outside of the immediate sales area of Forest, Iron, Langlade, Lincoln, Oneida, Price, and Vilas counties will be entered into the MLS Database. Listings that occur outside the immediate sales area may have the townships entered with the correct county code and the township name of “Other”.
- M. Listings which occur in a non-listed county and non-listed township will be entered as “OT-Other”.
- N. If significant listings occur in an unmapped county the brokerage may file a written request with the GNMLS Board of Directors to include the county/township. Township/County additions are at the sole discretion of the GNMLS Board of Directors.
- O. Limited Service listings must be clearly designated by checking the LSL box in Broker load and a notation in the REALTOR® Remarks/SPAL field.

P. Exclusive Agency Listings must be clearly designated by checking the EA box in Broker load and a notation in REALTOR® Remarks/SPAL

Q. Any changes to the Policies & Procedures guide must be approved by majority vote of the GNMLS Board of Directors.

R. Commission rate entered into the MLS must be the amount the brokerage will co-broke regardless of variance - commission variance info to be entered in REALTOR® Remarks or supporting documents section.

S. Video streaming parameters are the same as with photos. No signage or branding will be allowed. Also, no references to the brokerage, broker or agent will be allowed within the video.

## VI. Communications

A. Each brokerage/branch office will receive a mailed updated copy of the current NAR approved GNMLS Bylaws, Rules & Regulations, and Policies & Procedures guide annually in the month of September. It is the brokers' responsibility to keep the brokerage updated on any changes.

B. Office and agent rosters are available within the MLS software and will not be provided by the MLS board offices.

C. GNMLS minutes are to be mailed or electronically mailed to all GNMLS participants upon board approval of the minutes.

D. An annual report of the GNMLS Corporation shall be filed with the GNMLS Board of Directors each September. This report shall include fiscal year-end financial statements, overview of operations, incoming MLS Directors and Officers, a compilation of previous fiscal year's agendas & minutes, and future prospects. This report shall be mailed to all GNMLS Participants.

**Revised as of May 2008**

## LISTING VIOLATION FINE SCHEDULE

<b><u>Violation</u></b>	<b><u>First Offense</u></b>	<b><u>Second Offense</u></b>	<b><u>Third Offense</u></b>	<b><u>Fourth Offense</u></b>
No Photo	Warning	\$25 per day beyond the 5 business days	\$100 plus \$25 per day beyond the 5 business days	Referral to C&C Committee
Late Listing Entry – no waiver filed	\$25 per day beyond the 5 business days.	Referral to C&C Committee	Referral to C&C Committee	Referral to C&C Committee
Failure to enter a listing status change	\$25 per day	Referral to C&C Committee	Referral to C&C Committee	Referral to C&C Committee Fine up to \$500
Misrepresentation of Listing Data	Warning	Fine up to \$500	Referral to C&C Committee Fine up to \$500	Referral to C&C Committee - Fine up to \$500
Using photos from another broker without permission	\$25.00 per day	Fine up to \$500	Referral to C & C Committee Fine up to \$500	Referral to C & C Committee. Fine up to \$500
Brokerage firm/agent named within listing info	Warning	\$25	\$50	Referral to C&C Committee
Cell Phone number in property description	Warning	\$25	\$50	Referral to C&C Committee
Brokerage sign in photo	Warning	\$25	\$50	Referral to C&C Committee
Failure to cancel a listing or pro-rate sales price when a property is listed as both residential and commercial	Warning	\$25	\$100	Referral to C&C Committee – Fine up to \$500
Directions field containing non directional remarks	Warning	\$25	\$50	Referral to C&C Committee
Ineligible Listing entered into MLS	Warning	Referral to C&C Committee – Fine up to \$500	Referral to C&C Committee – Fine up to \$500	Referral to C&C Committee – Fine up to \$500