

**NORTHERN KENTUCKY MULTIPLE LISTING SERVICE**  
**IMPORTANT MLS RULES TO REMEMBER 05/2021**

1. **Clear Cooperation Policy** ----- 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)  
Failure to comply with these MLS Regulations will result in the following sanctions:  
  
First \*\*\*\*\*confirmed Offense by agent -A warning letter to the Agent and notification to the Broker  
  
Second \*\*\*\*\*confirmed Offense by agent - An automatic fine of \$100 to the Agent and notification to the Broker  
  
Third \*\*\*\*\*confirmed Offense by agent – An automatic fine of \$500 to the Agent and notification to the Broker  
  
\*\*\* Non-payment of fines may result in suspension of Agent’s MLS privileges.
2. **Listing Contract- NEW Policy**—FINE- is escalating- \$100 (1); \$250 (2); \$500 (3); \$1000 (4) A valid **Listing Contract** must be attached to every listing prior to it being entered into MLS. **Note: Refer to Clear Cooperation Policy if any public marketing is done before the listing is entered into the MLS.**
3. **Required Documents - NEW Policy**—FINE- is escalating- \$100 (1); \$250 (2); \$500 (3); \$1000 (4) Sellers Disclosure of Property Condition and Lead Based Paint Disclosure, if applicable, are required to be attached to every listing.
4. **Pending Contracts**----\$100 FINE----All fully executed (Pending) Offers to Purchase must be reported to the MLS within 1 business day of the action or contract signing, not including weekends or holidays. Contingencies are not acceptable exclusions from proper reporting. Pending Contracts with a “Sudden Death” are not required to be reported as pending in the MLS system. A fine of \$100 will be payable to the MLS by the Participant within 5 business days of the fine being levied. **NEW Policy: Once a property is marked pending in the MLS, the price cannot be changed while in pending status.**
5. **Exempt Listings –Effective 2/3/21---** If the seller withholds consent for the listing to be disseminated by the Service, the Participant may then take the listing as “Office Exclusive” and such listing shall be emailed to the NKMLS within 3 business days of the listing date. Exempted Listings are **NOT** disseminated to the other Participants. **NO Public Marketing or Advertising is permitted for Exempt Listings.** If Public Marketing occurs, the Broker must enter the property into the “**NEW**” status on the MLS within 1 business day. An **Exempt Listing Seller Authorization** MUST accompany the listing contract as it is sent to NKMLS. The Addendum contains a space to enter the expected Listing Date for the listing to be live on MLS.
6. **Showings: Section 2.10 Availability of Listed Property:** Fine- \$100 per occurrence  
Listing brokers shall not misrepresent the availability of access to show or inspect listed property. (Adopted 11/05)  
Note: If NO SHOWINGS are permitted for more than **24 hours**, the status must be changed to WITHDRAWN, with the exception of Auctions, Foreclosed, Tenant Occupied and unsafe properties.  
**Note: According to MLS policy, a property is either AVAILABLE or NOT AVAILABLE - if your seller is accepting ANY showings, they should accept ALL showings.**
7. **Accuracy of Listing Data: Section 1.2.0- Accuracy of Listing Data:** Participants and subscribers are required to submit accurate listing data and required to correct any known errors. (01/21) **Section 1.3—Detail on Listings Filed with the Service:** A listing agreement or property data form, when filed with the Multiple Listing Service by the listing broker, shall be complete in every detail which is ascertainable as specified on the property data form.
8. **Listings in the Territorial Jurisdiction Must be Entered in NKMLS - \$500 FINE –** Brokers and Subscribers of NKMLS must input their listings that are located in the territorial jurisdiction of the Association in the NKMLS first before entering the listing in another MLS.
9. **Virtual Tours/ Virtual Media** ----\$100 FINE--- Virtual tours posted on MLS listings must be un-branded meaning no personal branding or promotion, no company branding or promotion, and may not contain phone numbers, email addresses, website addresses or links to other websites. If using a Youtube.com video, the video may not contain any personal or company branding or promotion. A violation of this regulation carries a \$100 fine.

10. **Unauthorized Use of Lockboxes Prohibited- Fine- \$250 - \$2500** MLS Subscribers may not provide a key or lockbox code to a consumer or unauthorized person or persons to enter a listed property. NKMLS highly recommends the use of the Service's Electronic Lockbox System. If a member chooses to use a combo lockbox on MLS listings, be advised that an appointment is still required and unauthorized entry into the keybox is prohibited.
11. **Withdrawn/Cancelled Listings**----NO FINE----If a listing is taken off market (temporarily or conditionally), it is still under contract with the listing company and should be listed as withdrawn. If a listing is unconditionally released, it must be listed as cancelled.
12. **Marketing Remarks**----\$100 FINE----No free form field that is viewable to the public shall contain personal information (branding) including but not limited to: names, phone numbers, website or e-mail addresses or links to other websites. **Company signs may not be visible in property photos**Note: With regards to builder's names, if the builder's name is used as an adjective to describe the style of the house (e.g. Schmidt-built 2 story or built by Schmidt. NKMLS will allow these types of descriptions in marketing remarks. Builders who are members of MLS can also use their name in the form of an adjective to describe the house (as indicated above). A fine of \$100 will be levied per occurrence to the Participant.
13. **Free Form Field Violation**----\$100 FINE----No free form field that is viewable to the public shall contain information that is inappropriate for that field (special financing remarks, photo descriptions, tax rate, directions).
14. **Owner Name**----\$50 FINE----The property owner/executor/financial institution's (i.e. actual owner) last name, for identification purposes is required to appear on every listing in the appropriate field. Failure to comply shall result in a fine of \$50 per occurrence being levied against the Participant.
15. **PIDN Number Is Required For Residential, Multi-Family And Commercial Listings.** --Listings in counties serviced by Realist must contain the property PIDN number to be entered upon listing entry. New Construction and Land listings are exempt from this requirement.
16. **Password Privacy**----\$1,000 FINE----The sharing or disclosure of MLS Passwords or access to the MLS shall be strictly prohibited. Violations of this policy will result in a 15 day suspension from the MLS and a fine of \$1,000 will be assessed.
17. **Duplicate Listings In Different Areas**----\$100 FINE----Duplicate listings of the same address, in the same area and same property sub-type are not permitted in MLS. Properties that can be zoned in two different ways may be entered using two different listing numbers. (Agents are responsible to check with Planning and Zoning department.) Excluded from this rule are residential properties with 10+ acres in which the seller wants to offer the house with differing number of acres for two different prices to appeal to buyers in two different price ranges. Violations of this policy will be fined \$100 per occurrence.
18. **Conditional Listings**----No listing can be entered in MLS unless a blanket unilateral offer of compensation is offered to the selling REALTOR®. An example of a "conditional listing" would be one with language such as: "If purchaser is a licensed agent, no commission will be paid." Or, "If the selling agent (buyer's agent) is the purchaser of this property, seller will not pay the selling agent's (buyer's) portion of the commission.
19. **Primary Photo Required**---- A Participant must submit his own picture, plat or digital image within 5 days of submitting each listing. Note: In cases where the home is "under construction" or "to be built", the MLS will not permit images of model homes even if it is identical to the proposed. Because the buyer gets to choose many interior finishes, it is misleading to consumers and other agents to display similar floor plans, cabinetry, or flooring of a different property. Any listing without a photo, plat or digital image of the listed property will be fined \$50 per occurrence.
20. **At least 1 of the total photos on an MLS listing must be of the exterior front of the property**—An exterior front of the single family or multi family dwelling, or exterior of the commercial building listed is required to be included as one of the total photos on MLS.
21. **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 (excluding weekends, holidays, and postal holidays) after the authorized change is received by the listing broker. A Fine of \$50 per occurrence will be levied for non-compliance.
22. **Withdrawal of Listing Prior To Expiration** ---- Listings of property may be withdrawn from the 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.

23. **Delinquent Closings** ---- Reporting Sales to the Service (i.e., after the property closes) shall be reported immediately to the Multiple Listing Service. \*\*\*If a listing is not reported to the MLS as sold within 5 business days there shall be a \$25.00 fine, solds reported after 30 days will receive a \$100 fine.
24. **Duplicate Reporting of Solds** ----There shall be no double or triple reporting of solds. i.e.) when a listing closes that has been put into multiple property types, only one listing can be put in as sold. The other properties need to be deleted by MLS staff. \*\*\*\***If the same listing is put in as sold multiple times there shall be a \$100.00 fine per occurrence.**
25. **Inaccurate Reporting of Solds** -- There shall be a **\$50.00** fine per occurrence for inaccurate reporting of solds properties. **This is referring to a repetitive instance of the listing agent entering themselves as both listing and selling agent when they co-operated with another brokerage on the sale transaction.**
26. **Compensation to Cooperating Brokers Must Be Based on Gross Sales Price**--- in accordance with the Rules and Regulations of the Northern Kentucky Multiple Listing Service, Inc., all Brokers and Agents should be aware that offers of co-operating compensation must be based on a flat dollar amount or as a percentage of the gross sales price. Brokers and Agents should also be aware that co-operating offers of compensation listed and appearing in the co-op compensation fields of MLS listings are understood to be based on gross sales price.