

SBMLS POLICIES

SECTION I: LISTINGS AND STATUS REPORTS

A. PRIMARY/SECONDARY LISTINGS: Each listing must indicate whether or not it is the primary listing. A primary listing must be placed in the correct geographic location and property category. A secondary listing is a duplicate of a primary listing which may be placed under a different property type in the MLS. A secondary listing may also be used, but is not required, when a co-listing exists with members of different firms. No property may be listed more than twice (one primary and one secondary listing). The charge for a secondary listing is \$40.

B. SIGNATURES ON LISTINGS: Staff need not verify the authenticity of the signatures on any listings submitted to the MLS, however, staff does need to check for the completeness of the data sections which are required for input.

SECTION II: CARAVANS/TOURS

A. DAYS AND TIME: Properties for Montecito, Summerland and Carpinteria map coordinates will be on tour Wednesday from 10:00 a.m. - 1:00 p.m. Properties for Santa Barbara map coordinates will be on tour Thursday from 10:00 a.m. - 1:00 p.m. Properties with Hope Ranch and Goleta map coordinates will be on tour on Fridays from 10:00 a.m. - 1:00 p.m.

WEDNESDAY

Carpinteria
Summerland
Montecito

THURSDAY

Santa Barbara

FRIDAY

Hope Ranch
Goleta

B. TOUR GUIDELINES:

- All property must have an agent or representative present if the door is unlocked and open house signs are posted for a property.
- If an unlicensed assistant is the representative at an open house, he or she must abide by Department of Real Estate Rules.
- Properties may be on tour without having an agent present by using the "lock box" notation, as long as the door to the property is locked and there are no "open house" signs posted.
- A property may be held open for tour by the owner.
- Alcohol shall not be served on any tour advertised through the MLS.
- All regular tours are from 10:00 a.m. until 1:00 p.m. The Board of Directors strongly urges members to comply with the 10:00 to 1:00 timeframes.
- A property may only be listed on the tour sheet once at any given day and time.

SECTION III: MONTHLY NETWORKING MEETING

A. ASSOCIATION PORTION: A meeting of the Santa Barbara Association of REALTORS® may be conducted during the monthly marketing meeting.

B. AFFILIATE ATTENDANCE: The Affiliate members of the Santa Barbara Association of REALTORS® are permitted to attend the monthly MLS Marketing Meeting. The information at the marketing meeting is confidential and not for public use or solicitation.

C. PROMOTIONAL MATERIAL: Promotional materials brought to the marketing meeting are to be placed on the designated table at the meeting and/or be handed out after the meeting.

D. PERMITTED ATTENDEES: MLS marketing meetings are not open to the general public. Other than guests as defined below, only the following persons will be permitted to attend the marketing meeting: MLS members, Affiliate members, SBAOR members and staff, and anyone invited by the MLS Chair or his or her designated representative.

E. GUEST POLICY: Members and Staff may bring a guest to the meeting who is considering membership, but they shall not bring the same guest more than once. Members may also bring guests based on topics of interest if approved in advance by the MLS Chair or Staff.

F. PROPERTIES: MLS members are allowed to market listings at the MLS marketing meetings that are not currently input into the MLS system.

G. No recruiting activities may take place at the meeting.

SECTION IV: AFFILIATE ACCESS TO THE MLS SYSTEM: All Affiliates will have access to the following flexmls functions and will be subject to the fines and penalties of the MLS Rules & Regulations: Off-Market Listings only (Cancelled, Closed, Expired, Withdrawn), Tour/Open Houses, Bulletin Board, Tax Records, Statistics and Maps.

The following uses of MLS data by Affiliates are prohibited:

1. Contacting owners directly
2. Advertising or marketing the data to the public
3. Publishing the data to the public or anywhere else

SECTION V: POLICY IN SUPPORT OF MLS RULE 4.11

The following policy is to further clarify and explain the SBMLS process and procedure regarding the enforcement of MLS Rule 4.11. FlexMLS has developed a tracking tool that enables the MLS administrative staff to detect possible, probable, and certain violations of rule 4.11 in three ways. First, based on the location of a user's login compared to the location of subsequent logins, the MLS can detect if the locations are too far apart for it to be physically possible for one person to have logged in from both locations ("LOCATION ISSUE"). Second, the MLS can track how many times a user is being kicked off the system because of logins occurring while a session is running ("KICKOFF ISSUE"). Third, the MLS can detect when numerous different browsers are being employed ("BROWSER ISSUE").

If members appear to be sharing their username and password, action taken by the MLS will be as follows:

1st action = warning letter notifying the member of the potential violation and asking them to take any corrective action necessary such as changing password etc.

2nd action = stronger warning letter including a notice that a third violation will result in a hearing and potential fine of up to \$5,000 and/or loss of MLS access.

3rd action = hearing.

Because of the probability of certainty for "LOCATION ISSUES", actions will be taken for any that are detected.

Action will be taken for any member that has "KICKOFF" and "BROWSER ISSUES" both in the same week.

Actions will be taken when members have "KICKOFF" or "BROWSER ISSUES" separately, but only when the confidence factor generated by the system is above 50%.

SECTION VI: POLICY IN SUPPORT OF MLS RULE ON LISTING ACCURACY AND THE ERROR REPORT FUNCTION

The following policy is to further clarify and explain the SBMLS process and procedure regarding the enforcement of listing accuracy. The Error Violation button is included on all listing reports and allows the agent to report an error on a listing. When submitted, the report is sent to the listing broker, listing agent, co-listing agent, and the MLS office. All reports are anonymous, except the report received by the MLS office. According to the MLS rules, if there is an error to a listing, the listing broker and/or agent must make the correction within one business day from the time the error appears. If the correction to the listing is not made within the permitted timeframe, a fine will be billed to the primary agent, according to Appendix A of the MLS Rules and Regulations.

Timeframes for correcting errors associated with error reports are separate and unrelated to the time required to submit the documentation to the MLS when requested. All written documentation must be sent immediately.

SECTION VII: INACTIVATION AND REACTIVATION FEES

An MLS Participant or Subscriber may inactivate his/her membership with the SBMLS for no charge prior to the time that late fees or dues are accessed. A late inactivation fee of \$25 will be charged once the dues bills are late. The member shall not be eligible to inactivate his/her membership once it has been terminated. An MLS Participant or Subscriber may reactivate for one full year following the year for which the member's due are paid by paying the current dues and a reactivation fee of \$25. Those members wishing to rejoin after a year past his/her date of inactivation must pay the then current new member application fee.