

June 14, 2011

Dear MLS Member:

Thank you for being a WSRAR MLS Member. We value your membership and we are always seeking ways to enhance your MLS services. Last year, as part of that effort, a new MLS service called "DataChecker" was implemented. DataChecker reviews MLS listings for errors, MLS policy violations, and incomplete data fields.

DataChecker has three essential functions:

1. It acts as a reminder: notices are sent about expiring listings and listings that may need to be updated (such as a status change or refreshed data)
2. It catches mistakes such as spelling errors or incorrect numerical entries
3. It improves data accuracy, which is critically important to buyer's agents, agents conducting CMAs, and appraisers

The WSRAR Board of Directors approved a new MLS fine policy on March 28, 2011; the fine policy appears below. When DataChecker identifies a listing that has a violation, the listing agent will receive a detailed email explaining the issue, how it should be resolved, and the potential fine amount; the broker-in-charge will be copied on this email. If you do not understand the issue, or if you believe there are mitigating circumstances for a particular listing, please reply to the email. If a fine is incurred, it will appear on the office monthly MLS statement with the MLS number and the violation type. Should you disagree with an issuance of a fine, there is an appeals process; information about this may be found at the bottom of the policy.

The implementation date will be July 5th, 2011.

We hope all our members will find DataChecker to be an invaluable resource for improving the data in our MLS. Accurate, complete, current information is critical for buyer's agents, listing agents, and appraisers.

If you have any concerns about this policy, please let us know.

WSRAR FINE/PENALTY POLICY

Late Listing Violation

\$100 Fine

All listings must be entered into the MLS within five (5) business days of the date noted on the agreement signed by all parties. *Member will receive an immediate fine.*

Untimely Status Change Violation

\$100 Fine

All status changes (active to pending, pending to active, pending to closed, and active to withdrawn) must be entered into the MLS within five (5) business days of the date noted on the agreement signed by all parties. *Member will receive an immediate fine.*

Photo Violation

\$100 Fine

A photo, rendering or plat map unique to the property must be entered into the MLS within five (5) business days after the listing is activated. Photos may not contain visible real estate signs. Photos may not be illegally copied from another MLS listing. *Member will receive one courtesy notice. If the photo is not added and/or corrected within five (5) business days, the member will receive an immediate fine.*

Virtual Tour Violation

\$100 Fine

Virtual tours may not contain any contact information. This includes printed contact information, recorded contact information, or hyperlinks to any site that includes contact information. *Member will receive one courtesy notice. If the virtual tour is not corrected within five (5) business days, the member will receive an immediate fine.*

Inappropriate Info in Remarks and/or Directions

\$100 Fine

The remarks and directions fields should not contain any contact information (i.e. phone, URL or email address), auction information, bonus or commission information, or references to the listing agent and/or listing company (i.e. "Turn right at the Your Best Realty" sign.) *Member will receive one courtesy notice. If the remarks and/or directions are not corrected within five (5) business days, the member will receive an immediate fine.*

Incorrect or Missing Tax Info Violation

\$50 Fine

The taxes and tax value fields should be complete, accurate and current to within six months of the date the listing was entered. *Member will receive one courtesy notice. If the taxes and/or tax value fields are not added and/or corrected within five (5) business days, the member will receive an immediate fine.*

Incorrect Address

\$50 Fine

The address must be complete and accurate, matching the property address as listed on the tax card. *Member will receive one courtesy notice. If the address is not corrected within five (5) business days, the member will receive an immediate fine.*

Duplicate Listing

\$50 Fine

A listing may only be entered into the MLS once; this includes co-listings. Exceptions will be made for listings marketed with different amounts of land or marketed under multiple categories. *Member will receive one courtesy notice. If the duplicate listing is not withdrawn within five (5) business days, the member will receive an immediate fine.*

General Compliancy

\$50 Fine

Includes but not limited to: listings mapped incorrectly, incorrect style or type, incorrect or incomplete square footage, selecting "See Remarks" for mandatory fields but then failing to disclose in the "Remarks" field, incorrect closed information (including closed price, sell concessions and selling agent) and failing to disclose HOA fees. *Member will receive one courtesy notice. If the listing is not corrected within five (5) business days, the member will receive an immediate fine.*

Any curable violation that is not corrected during the first cure period may be assessed an additional fine and given an additional cure period. Any curable violation not cured during the second cure period may be assessed a third fine and given a final cure period. Any violation not cured during the third and final cure period may result in the listing being withdrawn from the MLS and the violating party may have their access to the MLS suspended.

If the member receives a third fine for the same violation within a one year period, attendance at a mandatory training class will be required. Failure to attend the class may result in a six month suspension from the MLS.

The MLS fine policy only applies to the residential, land and multi-family property types.

APPEALS PROCESS FOR MLS FINES AND VIOLATIONS

Any member, having reason to believe that the fine imposed on that member by the MLS is without merit, may request a hearing before the MLS Committee. The request for hearing must:

1. Include proof of correction where applicable
2. Include copies of any relevant documents
3. Include an appearance deposit equal to ½ the assessed fine
4. Be sent to WSRAR within twenty (20) days after receiving the fine

After receiving the request, WSRAR shall send notice to the member offering two hearing dates. The member will have fifteen (15) days to notify WSRAR of the preferred date. If the member does not respond within that timeframe, it will be considered a “non-appearance” and the remaining ½ of the fine will be assessed. If the member fails to appear at the hearing and has not requested a continuance, it will be considered a “non-appearance” and the remaining ½ of the fine will be assessed.

The member who requested the hearing may cancel the request. The request must be in writing and received prior to the hearing date. The remaining ½ of the fine will be assessed and the member waives any future right to contest the fine which was the subject of said hearing.

Minutes will be taken at the hearing. The MLS Committee will submit their decision in writing within ten (10) days. If a majority of the MLS Committee finds that a rule or regulation has been violated, the fine stands and the remaining ½ of the fine will be assessed. If the majority of the MLS Committee finds that the member’s appeal prevails on its merits, the fine will be revoked and the appearance deposit will be refunded.

The member may appeal to the WSRAR Board of Directors if the MLS Committee votes to impose the fine. If the majority of the WSRAR Board of Directors agrees that the rule or regulation has been violated, the fine stands. If the majority of the WSRAR Board of Directors finds that the member’s appeal prevails on its merits, the fine will be revoked and any deposits or fines will be returned. The ruling of the WSRAR Board of Directors shall be final.