

MLS FINE SCHEDULE

By becoming and remaining a Participant or Subscriber in the Southeast Florida Multiple Listing Service (“SEFMLS”), each agrees to be subject to the MLS Rules and Regulations (“MLS Rules”) and Governing Documents of the MIAMI Association of REALTORS® (“MIAMI”). FAILURE TO COMPLY WITH THE MLS RULES WILL SUBJECT PARTICIPANTS AND/OR SUBSCRIBERS TO DISCIPLINE PER SECTION 28 OF THE MLS RULES.



ADMINISTRATIVE SANCTIONS:

This fine schedule of administrative sanctions includes examples of the most common violations of the MLS Rules; however, it is not an exhaustive list. Any violation of the MLS rules is subject to these administrative sanctions and discipline.

UNAUTHORIZED ACCESS – MISUSE OF MLS INFORMATION

1st Violation: \$5000 | **2nd Violation:** \$10000 | **3rd Violation:** \$15000

In addition to liquidated damages as mentioned in MIAMI Membership Agreement and/or Supra eKey Licensee Agreement.

- Providing ANY Password or Lockbox access to any unauthorized party or violating any lockbox or electronic key regulations (Section 22.5.3, 27.1–27.11)
- Reproducing and distributing unauthorized portions of the MLS database (Section 22.5)
- Use of MLS data for other than intended/permitted purposes (Section 22.5)
- Sharing usernames and passwords for others to log into or use the SEFMLS (Section 24.23)

DATA – MANIPULATION OF MLS LISTING CONTENT OR DATA FIELDS

1st Violation: \$2500 | **2nd Violation:** \$5000 | **3rd Violation:** \$7500

- Failure to properly specify correct property type and/or intentional manipulation of listing/location and/or use of any data field for a purpose other than its intended use, including but not limited to (Section 15.6):
 - County
 - City
 - Address
 - MLS Area / MLS GEO Map
 - Folio number
 - 5-digit zip code
 - Square Footage
 - Owner Agent (Y/N)
- Manipulation of property status affecting history and/or “Days-On-Market” (this includes cancelling and relisting properties) (Section 15.6)
- Entering incorrect Sale / Rental Information

MISUSE OF MLS REMARKS

1st Violation: \$2500 | **2nd Violation:** \$7500 | **3rd Violation:** \$15,000

- Compensation, if any, is NOT to be communicated in any manner, or in any location on the MLS (Sections 13.1 to 13.6)

BUYER BROKER AGREEMENT

1st Violation: \$1000 | **2nd Violation:** \$2500 | **3rd Violation:** \$5000

- Failure to have a buyer broker agreement in writing where required (Section 15.12.1)
- Failure to provide a copy of written buyer agreement within 2 business days when requested by MIAMI (Section 15.2.3)

COMING SOON LISTINGS

1st Violation: \$1000 | 2nd Violation: \$2500 | 3rd Violation: \$5000

- Listing being shown or hosting Open House (Section 4.5)
- Failure to attach required Coming Soon Authorization Form to the listing (Section 4.5)
- Failure to update status within 1 business day of accepting offer (Section 4.5)

SHOWING AND NEGOTIATION

1st Violation: \$500 | 2nd Violation: \$750 | 3rd Violation: \$1500

- Failure to share information on listed property or to show the property within a reasonable period of time (e.g. failure to respond to inquiries regarding compensation, if any) (Sections 3.18, 8.3.5)
- Failure to respond to written Request for Affirmation of Presentation of Offer within 2 business days (Section 15.2.4)
- Failure to secure seller(s), broker, or office manager signature on MLS Status Change Form
- Failure to attach required Auction Information Form to Auction Listings (Section 15.1.3)
- Failure to provide requested documents within two (2) business days after requested by MIAMI Staff (Sections 15.1.1, 15.1.3, and 15.1.25)

DATA INTEGRITY: ENTERING LISTING, SUBMITTING PHOTOS OR MAKING CHANGES

1st Violation: \$500 | 2nd Violation: \$750 | 3rd Violation: \$1500

- Failure to enter and maintain complete accurate listing information (including but not limited to agent contact info, current listing status and date fields, including ECD) within 2 business days (Section 15.6)
- Loading or updating a listing without signed agreements and/or change forms (Section 15.1.11)
- Failure to submit valid office Exclusive/Exempt Listing or Syndication opt-out form within 2 business days of signed Listing Agreement (Section 6.6)
- Not following "OK to Advertise instructions" included within the listing (Section 15.5)
- Listing entered in the MLS that are already Under Contract or have Sold (Section 4.1)
- Placing URLs, showing instructions, open house information, access codes, lockbox combinations, contact information in remarks, directions, or internet remarks. This includes but not limited to names, phone numbers, email address, hashtags or websites/social media addresses (Section 15.1.26)
- Failure to provide requested documents within 2 business days after requested by MIAMI Staff (Section 15.1.25)
- No Photo: Minimum of 1 photo (representation of the front of the property) is required for RE1, RE2, RIN and RNT property types for all Status (Section 15.1.12)
- Use or reuse of photograph(s) or remarks without written authorization (Section 15.1.12)
- Inappropriate, inaccurate, or branded photos, virtual tours and videos containing text, embedded links, watermarks, logos, graphics, QR codes (Section 15.1.12)
- Entering a duplicate listing under the same property type (except rentals) (Section 15.1.27)
- Agent solicitation/recruitment in any field (including Remarks) or MLS integrated services

IDX

1st Violation: \$2000 | 2nd Violation: \$2500 | 3rd Violation: \$5000 plus Possible Termination of Feeds

- Failure to provide quarterly reports
- Failure to adhere to IDX Rules for Data Display
- Failure to execute IDX licensing agreements
- Inadequate protection against Data Misappropriation
- Unauthorized distribution of MLS database

