

A background image of the Miami skyline with palm trees and a blue sky, partially obscured by a green geometric shape in the top right corner.

# MIAMI MLS NEW & Updated Rules And NEW Fines

Effective August 2, 2021

Rules – Violations – Fines - Required Documentation for Reporting

**Availability of Listing.** An Active listing shall be made available for showing to cooperative members unless it is under contract, even during contract negotiations which include counter offers. Requests for showings: Appointments are not on demand or at the buyer agent schedule, but within reasonable period of time and availability of property. (7/21)

### **Showings and Negotiations**

1st Violation: \$500 | 2nd Violation: \$750 | 3rd Violation: \$1000 plus MLS Review Panel

- Failure to respond within 24 hours to **Showing Requests** per showing instructions and/or Remarks/Broker Remarks in listing
- Failure to respond to written **Request for Affirmation of Presentation of Offer** within 2 business days

## Per Showing Instructions and/or Remarks/Broker Remarks in listing

### **R** Occupancy Info. :

*Select One*

- Call Listing Agent
- Owner Occupied
- Tenant Occupied
- Vacant

### **R** Showing Instructions

- 24 Hour Notice
- Alarm On
- Appointment Only
- See Broker Remarks
- Call Listing Agent
- Call Listing Office
- Call Owner
- Call Tenant
- Courtesy Key
- Elect Lockbox – Call List Agent
- Elect Lockbox – Call List Office
- Elect Lockbox – No Appointment
- Elect Lockbox – Call Owner
- Gate Code
- Key In Listing Office
- List Agent Must Accompany
- Lockbox - Call List Agent
- Lockbox - Call List Office
- Lockbox – No Appointment
- Model Call List Office
- No Sign
- Notify Guard
- Other Show Instructions
- Pet On Premises
- Showing Assist

## Examples of Showing Instructions and/or Broker Remarks

**Show Instr:** Call Listing Agent, Elect Lockbox-Call List Agent, Text Agent Phone Number, Vacant

**Show Instr:** 24 Hour Notice, See Broker Remarks

**Show Instr:** Call Listing Office

**Show Instr:** See Broker Remarks, Showing Assist

**Broker Remarks:** Vacant and Easy to show. PLEASE, TEXT OR CALL ALY ANYTIME 561- -3: 0 for showings and info.

**Broker Remarks:** Tenant occupied until August 1 2021. Please allow 48 hours notice for showings.

**Broker Remarks:** Prior to requesting a showing, please submit a pre-approval letter or proof of funds to showin .com. For weekend showings, please schedule through Showing Time by 4:00 PM on Friday

# Required Documentation to Report a Possible Violation

Provide one of the following:

- Copy of no response to Showing Request (per instructions)
- Copy of notice - Showing Assist not enabled (per instructions)
- Copy of text messages with no replies (per instructions)
- Agent name/date/time of phone call – no reply (per instructions)
- Broker/Office name/date/time of phone call – no reply (per instructions)

And ALWAYS:

- Provide MLS Number

Report to [MLSstatus@miamire.com](mailto:MLSstatus@miamire.com)

Must include required documentation

**Section 2.2: Submission of Written Offers:** The listing broker must submit to the seller all written offers until closing unless precluded by law, government rule, regulation, or agreed otherwise in writing between the seller and the listing broker. If such written agreement is in place and Listing Broker refuses to present an offer, a copy of the written agreement must accompany the offer not being submitted to the seller or a rejected offer. Or unless the subsequent offer is contingent upon the termination of an existing contract, the listing broker shall recommend that the seller obtain the advice of legal counsel prior to acceptance of the subsequent offer. Cooperating Broker can include Request for Affirmation of Presentation of Offer Form with written offer to provide a written affirmation as to the presentation of the purchase offer to the seller/landlord, or written notification that seller/landlord has waived the obligation to have the offer presented. (Pursuant to Code of Ethics Article 1 and Standard of Practice 1-7)  
Request for Affirmation of Presentation of Offer Form can be found at [www.MiamiRealtors.com/MLS](http://www.MiamiRealtors.com/MLS)

### Showings and Negotiations

1st Violation: \$500 | 2nd Violation: \$750 | 3rd Violation: \$1000 plus MLS Review Panel

- Failure to respond within 24 hours to **Showing Requests** per showing instructions and/or Remarks/Broker Remarks in listing
- Failure to respond to written **Request for Affirmation of Presentation of Offer** within 2 business days

# Required Documentation to Report a Possible Violation

Provide one of the following:

- Copy of *MLS Offers* system confirmation (integrated with MLS)
- Copy of Request for Written Affirmation Form and Read Receipt from email
- Copy of Request for Written Affirmation Form and Text Message(s) to agent
- Copy of Request for Written Affirmation Form and Text Message(s) to broker
- Copy of Request for Written Affirmation Form and Agent name/date/time of phone call
- Copy of Request for Written Affirmation Form and Broker name/date/time of phone call

And ALWAYS:

- Provide MLS Number



Report to [MLSstatus@miamire.com](mailto:MLSstatus@miamire.com)

Must include required documentation

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### LOADING LISTINGS AND REPORTING CHANGES BY DEADLINE

1st Violation: \$500 or No Fine – If corrected within days of notification | 2nd Violation: \$750 | 3rd Violation: \$1500 plus MLS Review Panel

- Failure to attach required Auction Information Form to Auction Listing
- No Photo. Minimum one photo (representative of the front of property) is required for RE1, RE2, RIN & RNT Property Types includes **Coming Soon**
- Active Listing entered with future availability to show date – does not include Tenant Occupied Rentals
- Failure to provide documentation within **two business days** after requested by MIAMI staff

*\*Members found in violation of the above may have loss of listing add/edit capability for 30 to 90 days.*

Please NOTE: Does not include Tenant Occupied Rentals – Reasonable appointment accommodation(s) should be made with tenants (listing agent) and prospective tenants (buyer agent)

# Required Documentation to Report a Possible Violation

Provide one of the following:

- Copy of text message(s)/email with not available to show until future date
- Reference Broker Remarks if future date is stated
- Agent name/date/time of phone call and stated future date
- Broker name/date/time of phone call and stated future date

And ALWAYS:

- Provide MLS Number

Report to [MLSstatus@miamire.com](mailto:MLSstatus@miamire.com)

Must include required documentation

Section 2.7: Advertising of Listing Filed with the Service: A listing shall not be advertised by any Participant other than the listing broker without the prior consent of the listing broker.

Broker may opt in to required field Ok to Advertise: NO; YES – Attribution Required; YES – Attribution NOT Required; With Written Broker Approval

PLEASE NOTE: If OK to Advertise is Blank – Permission is NOT Granted

#### LOADING LISTINGS AND REPORTING CHANGES BY DEADLINE

1st Violation: \$500 or No Fine – If corrected within two days of notification,  
2nd Violation: \$750, 3rd Violation: \$1500 plus MLS Review Panel

- Failure to maintain current, accurate, listing agent email address
  - Failure to notify the MIAMI Membership Department of termination, transfer or addition of an associate under the Participant's license within **two business days**
  - Listings not loaded within **two business days** of listing start date - including "Coming Soon" Listings (Effective. 5/27/2020)
  - Listing status changes not reported within **two business days**
  - Failure to enter accurate information in a required data field
  - Entering any data in a knowingly and willful manner to subvert the MLS automated data checker
  - Failure to submit valid office Exclusive/Exempt Listing, Syndication Opt-Out or Coming Soon Authorization form within 2 business days of signed Listing Agreement date
  - Advertising a listing NOT authorized as **YES Ok to Advertise** in the actual listing OR failure to obtain permission when **Only with Written Permission** is required within the listing or failure to provide listing company attribution when required
- NOTE: Does not include IDX or Syndication

# Required Documentation to Report a Possible Violation

Provide one of the following:

- Screen capture of listing ( provide website address)
- Direct url of website listing
- Copy of social media marketing (provide agent social media identity)
- Copy or link to email marketing of listing
- Copy of print marketing of listing

And ALWAYS:

- Provide MLS Number

Report to [MLSstatus@miamire.com](mailto:MLSstatus@miamire.com)

Must include required documentation