



MiamiRealtors.com



TOP THREE VIOLATIONS and ISSUES IN THE MLS 3rd Quarter 2023

www.MiamiRealtors.com/MLS



#1

Contact information in Remarks Fields

3rd Quarter: 419 ← Fines: \$500/\$750/\$1500*

Contact Info in Internet Remarks; Contact Info in Remarks; URL or Email in Remarks; URL or Email in Internet Remarks

Best Practice to avoid committing 1 of these 4 Violations is to keep Remarks and Internet Remarks strictly about describing the listing, if it pertains to anything other than the description of the Property it **DOES NOT** belong there. No Contact Information of ANY kind.

NOTE: In the 3rd Quarter 289 of the 419 Violations were resolved on their own without MLS involvement, of the remaining: 98 were solved by the MLS Department within 1 business day and 32 were resolved within 2-3 business days. None required extra follow-up.



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DATA INTEGRITY: ENTERING LISTING, SUBMITTING PHOTOS OR MAKING CHANGES

1st Violation: \$500 | 2nd Violation: \$750

3rd Violation: \$1500 plus MLS Review Panel

- Placing URL's, showing instructions, Open House information, access codes, Lockbox combinations, commission/Bonus information or contact information in Remarks, Directions, or Internet Remarks. This includes but is not limited to Names, Phone Numbers, Email addresses, Hashtags or websites / social media addresses

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#2 Active Status Listing with “NO Showings”/Future Showings 3rd Quarter: 349 ← Fines:\$500/\$750/\$1500*

Best Practice to avoid committing this Violations is to remember that Active properties are subject to a listing contract in which the Participant has been directed by the Seller to set appointments for showings and seek agreements of sale to present to the Seller.

NOTE: In the 3rd Quarter 35 of the 349 Violations were resolved on their own without MLS involvement, of the remaining: 213 were resolved by the MLS Department within 1 business day and 101 were resolved within 2-3 business days.
None required extra follow-up.

(does not apply to Tenant Occupied Rentals)

*Plus MLS Review Panel



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DATA INTEGRITY: ENTERING LISTING, SUBMITTING PHOTOS OR MAKING CHANGES

1st Violation: \$500 | 2nd Violation: \$750

3rd Violation: \$1500 plus MLS Review Panel

■ Listings entered as Active with future availability dates (does not apply to Tenant Occupied Rentals)

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#3

No Photo

3rd Quarter: 264

Fines:\$500/\$750/\$1500*

Remember, as per MLS Rules and Regulation only 1 photo frontal view of the property is required to be in **Compliance**. Best practice is to make sure you at least have that 1 photo available when entering your listing. If your listing is not yet ready to show, remember we have the Status “*Coming Soon*” (CSL). *Coming Soon* allows members to know you have a listing almost ready to hit the market, it can provide an extra 21 days to get the listing ready and allow your photographer enough time to get those professional photos ready to go. That way when the listing hits the market it has those Beautiful Photos and Virtual Tours uploaded making your listing stand out!

NOTE: In the 3rd Quarter 197 of the 264 Violations were resolved on their own without MLS involvement, of the remaining: 49 were resolved by the MLS Department within 1 business day and 18 were resolved within 2-3 business days. None required extra follow-up.





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DATA INTEGRITY: ENTERING LISTING, SUBMITTING PHOTOS OR MAKING CHANGES

1st Violation: \$500 | 2nd Violation: \$750

3rd Violation: \$1500 plus MLS Review Panel

- No Photo: Minimum of one (1) photo (representation of the front of the property) is required for RE1, RE2, RIN and RNT property types, including Coming Soon

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2023 MLS FINE SCHEDULE

For failure to abide by MLS Policies and Procedures, the Participant will be assessed in the following manner: Fines are cumulative on a per listing basis. Subsequent violations within a 2 year period are subject to the escalated fines listed herein. These items and fines are subject to change as directed by the Residential Board(s) of Governors.

* Fines not paid within 30 days will be subject to additional fees and/or suspension of MLS services.

NOTE: The MLS is required to send a copy of all administrative sanctions against a subscriber (Agent) to the subscriber's participant (Broker) and the participant is required to attend the MLS hearing of a subscriber who has received three (3) or more administrative sanctions within a calendar year. Brokers are responsible for all agents/teams and office admins and for any and all unpaid fines. Listing agents are responsible for unlicensed assistants or authorized team members who add/edit listings on their behalf.



UNAUTHORIZED ACCESS – MISUSE OF MLS INFORMATION

\$5000 plus MLS Review Panel

- Providing ANY Password or Lockbox access to any unauthorized party
- Submitting falsified Membership Application
- Reproducing and Distributing unauthorized portions of the MLS database
- Use of MLS data for other than the intended / permitted purposes
- Violating lockbox or electronic key regulations will result in termination of all Supra service for duration of MIAMI membership

DATA INTEGRITY – MANIPULATION OF MLS CONTENT OR DATE FIELDS

\$5000 plus MLS Review Panel

- Failure to properly specify correct property type and/or intentional manipulation of listing/location information, included but not limited to:
 - County
 - Address
 - Folio number
 - Square Footage
 - City
 - MLS Area / MLS GEO map
 - 5 digit zip code
- Manipulation of property status affecting history and/or Days-On-Market - **includes Canceling & Relisting properties.**

**Members found in violation of the above are subject to fines and loss of listing add/edit capability for 30 to 90 days.*

CLEAR COOPERATION

1st Violation: \$2500 | 2nd Violation: \$5000
3rd Violation: \$7500 plus MLS Review Panel

- Failure to submit listing to the MLS within one business day after Publicly Marketing the property
Refer to www.MiamiRealtors.com/ClearCooperation for definition of Public Marketing and FAQs.

COMING SOON LISTINGS

1st Violation: \$1000 | 2nd Violation: \$2500
3rd Violation: \$5000 plus MLS Review Panel

- Listing being shown or offer accepted before Go Live/Active date
- Failure to provide required Coming Soon Authorization Form

...Continued on reverse side

SHOWINGS AND NEGOTIATIONS

1st Violation: \$500 | 2nd Violation: \$750
3rd Violation: \$1500 plus MLS Review Panel

- Failure to respond within 24 hours to **Showing Requests** per showing instructions and/or Broker Remarks
- Failure to respond to written **Request for Affirmation of Presentation of Offer** within two (2) business days
- Failure to secure seller(s), broker, or office manager signature on MLS Status Change Form
- Failure to attach required Auction Information Form to Auction Listing
- Failure to provide requested documentation within two (2) business days after requested by MIAMI staff

DATA INTEGRITY: ENTERING LISTING, SUBMITTING PHOTOS OR MAKING CHANGES

1st Violation: \$500 | 2nd Violation: \$750
3rd Violation: \$1500 plus MLS Review Panel

- Failure to enter and maintain complete and accurate listing information (including agent contact info, current listing status and date fields, including ECD) within two (2) business days
- Loading or updating a listing without signed agreements and/or change forms
- Failure to submit valid office Exclusive/Exempt Listing, Syndication opt-out or Coming Soon Authorization form within two (2) business days of signed Listing Agreement
- Failure to disclose: Owner/Agent, Variable/Dual Rate and/or Valid/Correct Brokerage Representation
- Not following "Ok to Advertise" instructions included within the listing
- Listings entered as Active with future availability dates (does not apply to Tenant Occupied Rentals)
- Placing URL's, showing instructions, Open House information, access codes, Lockbox combinations, commission/Bonus information or contact information in Remarks, Directions, or Internet Remarks. This includes but is not limited to Names, Phone Numbers, Email addresses, Hashtags or websites / social media addresses
- Not specifying a compensation value greater than Zero or including a condition to offer of compensation
- Bonus or incentives entered in any field other than Broker Remarks
- Use of any data field for a purpose other than its intended use
- Inaccurate or outdated fees, if required (Entering ALL Zeroes (\$0.00) not acceptable)
- No Photo: Minimum of one (1) photo (representation of the front of the property) is required for RE1, RE2, RIN and RNT property types, including Coming Soon
- Use or Reuse of Photograph(s) or Remarks without written authorization
- Inappropriate or inaccurate photos, virtual tours and videos containing , text, embedded links, or watermarks
- Entering inaccurate or non-text information, i.e.: watermarks, logos or graphics anywhere in a listing, including photos
- Branded slide shows, virtual tours, videos (containing Agent, Office, or Company information) and VT link must contain "MLS" or "unbranded" in the URL
- Entering a duplicate listing under the same property type (except Rentals)
- Entering incorrect Selling Agent or Sale Price information when closing a listing
- Failure to correctly record "Buyers Country of Origin" or if USA, "Buyers State"
- Entering any data in a knowingly and willful manner to subvert the MLS automated data checker
- Agent solicitation/recruitment in any Field (including Remarks) or MLS integrated service
- Failure to notify MIAMI Membership Department of termination, transfer, or addition of an associate under the participant's license within two (2) business days



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<https://bit.ly/MLSFineSchedule2023>



2023 Year-to-Date Total Fines Collected
\$28,750.00

This slide Deck is available as an
Office Meeting on
www.MiamiRealtors.com/Brokers