

Adoption of NEW Ojai Valley Board of Realtors MLS Policies as of 5/1/20

Section 4 - Listings and Change Orders

Add Section 4.1

MANDATORY SUBMISSION RULES:

Within 1 business day of marketing or advertising a property to the public on any exclusive right to sell or seller reserved listing agreement for the sale of one to four unit residential property and vacant lots located within the service area of the MLS, Broker Participants must input the listing to the service for cooperation with other Participants. Public marketing or advertising includes, but is not limited to, conveying or displaying any information about the property or its availability for sale through or on any: windows, signs, public facing websites, social media, brokerage or franchise operated websites (including IDX and VOW), verbal or written communications (ex: phone, email, text, social media messaging), multi-brokerage or franchise listing sharing networks, flyers or written material or on any applications or through conducting an open house available to the general public. The public would include anyone outside the broker(s) and agent(s) licensed within a single listing brokerage and their internal clients. Only those listings that are within the service area of the MLS must be input. Open listings, rental listings or listings of property located outside the MLS's service area are not required by the service, but may be input at the Broker Participant's option.

Add Section 4.2

PRIVACY WAIVER SUBMISSION RULES:

If seller's listing is the type that would otherwise be subject to mandatory submission as set forth in Section 4.1, but the seller refuses to permit the listing to be disseminated by the service, the listing broker may obtain an exemption from submission as long as listing broker conducts no public marketing or advertising as further defined in Section 4.1, and shall submit to the service an exemption certification signed by the seller within 1 business day after all necessary signatures of the seller(s) have been obtained on the listing agreement or at the

beginning date of the listing as specified in the contract, whichever is later. The certification shall state that the seller instructs listing broker to do no public marketing or advertising of any type set forth in Section 4.1, that the only scope of permissible promotion of the property will occur internally within the brokerage and consist of direct one-on-one communication between the listing broker and licensees affiliated with the listing brokerage and their respective clients (i.e. “office exclusive”) and that seller refuses to authorize the listing to be disseminated by the service. C.A.R. Standard Form SELM may be used for this certification.

Privacy Waiver Rule

- No Marketing
- Not Displayed in MLS
- No Commission Offered
- No DOM/CDOM
- No Distribution through MLS
- Showings only to listing broker client

What’s required for PRIVACY WAIVER Status:

- Sending fully executed SELM to OVBR, following the Clear Cooperation Guidelines on that form. Please consult your broker if you have questions on this.

Add to Section 4 - Item (r)

Coming Soon Status: A valid listing contract exists, and no offer has been accepted. The Listing Broker is in possession of a seller signed instruction to submit the listing as “Coming Soon”. Marketing and Advertising as defined in Rule 4.1 is permitted and shall include language that property is “Coming Soon” and shall include the date for which property will become Active. The property is not available for showings.

Coming Soon Rule

- Marketing Allowed

- Displayed in MLS
- Commission Offered
- No DOM/CDOM
- Limited Distribution through MLS
- No Showings
- 21 Days Only then it changes into Active status

Add to Section 4 - Item (s)

Hold Status: The Listing Broker is in possession of a seller written instruction to submit the listing as “Hold”. Marketing and Advertising as defined in Rule 4.1 is permitted. The property is not available for showings.

Hold Rule

- Marketing is allowed
- Inactive, Off Market Status No DOM/CDOM
- No Distribution through MLS
- Showings are not allowed
- Active listings can be put into Hold status and Hold status can be changed to Active, Contingent Show and Contingent No Show
- Listings within this status will expire on the expiration date

Section 3 - DUES, FEES and FINES

Add to Section 3 - Item (n)

Violation of the MLS Clear Cooperation Policy (Rule 4.1), the first (1) Agent/Broker violation offense will consist of a Verbal and Written warning.

Second (2) Agent/ Broker violation offense will consist in a fine of either 1% of the sale listing price or \$500 whichever is greater, but not to exceed \$2,500.