

The background of the slide is a collage of three office-related images. On the left, two women are in conversation; one is partially visible in profile, and the other is a woman with blonde hair wearing a grey turtleneck. In the center, a woman with dark hair is sitting at a desk, looking at a laptop. On the right, a man with blonde hair and glasses is shown in profile, talking on a mobile phone. A semi-transparent blue horizontal band is overlaid across the middle of the collage, containing the title text.

CLEAR COOPERATION POLICY RULES

NAR APPROVED CLEAR COOPERATION POLICY 8.0



Within one (1) business day of marketing a property to the public, the listing broker must submit the listing to the MLS for cooperation with other MLS participants. Public marketing includes, but is not limited to, flyers displayed in windows, yard signs, digital marketing on public facing websites, brokerage website displays (including IDX and VOW), digital communications marketing (email blasts), multi-brokerage listing sharing networks, and applications available to the general public.

Property types affected by this policy are:

Residential, Residential Vacant Lot and Residential 1-4 Unit Properties

CRMLS RULE 7.9

MANDATORY SUBMISSION

Mandatory Submission upon Marketing: Within one (1) business day of marketing or advertising a property to any member of the public the Listing Broker must submit the property into the MLS for cooperation with other MLS participants. Marketing and advertising includes, but is not limited to, any information about the property or its availability for sale displayed on any: signs, websites, social media, brokerage or franchise operated websites, communications (verbal or written), multi-brokerage or franchise listing sharing networks, flyers or written material, on any applications, or by conducting an open house. Any individual or entity that has signed within the previous year a Disclosure Regarding Real Estate Agency Relationship form in compliance with CA Civil Code section 2079.16 that identifies the Listing Broker shall not be considered a “member of the public” under this rule.

MARKETING DEFINED

1 WHO? The Public

Public:

Anyone who has not signed the AD Form with the Listing Broker within the last year, or is not an agent underneath the same designated Broker

2 WHAT?



**DISCLOSURE REGARDING
REAL ESTATE AGENCY RELATIONSHIP**
(As required by the Civil Code)
(C.A.R. Form AD, Revised 12/18)

To: Home Buyer Leads
From: Jane Agent
Subject: See the latest listings!
Copy: Hi [Lead Name],
Curious to see what's new on the [market name] market? Check out the latest homes for sale to list in the area by clicking here, where I routinely update the most recent listings and offer comprehensive details for each one: everything from asking price, to home dimensions, to property history.



THE CURRENT PROCESS AS OF TODAY

1

Seller signs listing contract



2

- Listing broker has **two (2) business days** from the listing contract date to either:
 - **Enter listing** into MLS as **ACTIVE** status
 - Submit **listing exclusion form** (e.g. C.A.R. SELM or CRMLS Listing Exclusion Form)
- Listing broker may **only** exclude listing from MLS if instructed by seller **and** seller signs listing exclusion form

THE NEW PROCESS

1

Seller signs listing contract



2a

Listing broker has two (2) business days from the listing contract date to Input the Listing into the MLS as:

REGISTERED/WAIVER
or COMING SOON
or ACTIVE

AND

2b

Within one (1) business day of marketing the property, the Listing Broker must ensure the listing is in the Coming Soon or Active status.

If the property is never marketed, then the listing does NOT need to be placed into Coming Soon or Active.

DIFFERENCES IN STATUSES

REGISTERED/ WAIVER

No Marketing
Not Displayed in MLS
No Commission Offered
No DOM
No Distribution
through MLS
Showings Only to
Listing Broker Client

What's Required for **Registered**?

Address
Listing Contract Date
Price
Expiration Date
Marketing Start Date

COMING SOON

Marketing Allowed
Displayed in MLS
Commission Offered
No DOM
Limited Distribution
through MLS
No Showings
21 Days Only

Who can see **Registered** listings?

Listing Agent, Listing Broker, Office Managers and MLS Staff

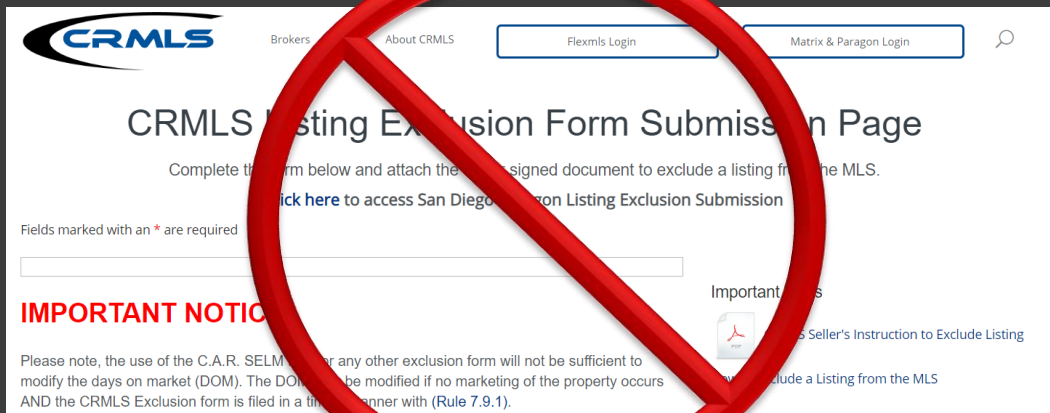
Who can see **Coming Soon** listings?

ACTIVE

Marketing Allowed
Displayed in MLS
Commission Offered
DOM Counts
Full Distribution
through MLS
Showings Allowed

REGISTERED REPLACES CRMLS EXCLUSION PROCESS ON/BEFORE JUNE 1*

If CAR confirms planned changes to the CAR SELM form, the separate CRMLS Exclusion form may be retired.



The screenshot shows the CRMLS Listing Exclusion Form Submission Page. The page includes the CRMLS logo, navigation links for Brokers, About CRMLS, Flexmls Login, and Matrix & Paragon Login. The main heading is "CRMLS Listing Exclusion Form Submission Page". Below the heading, it says "Complete the form below and attach the signed document to exclude a listing from the MLS." and "Click here to access San Diego Region Listing Exclusion Submission". There is a text input field and a note "Fields marked with an * are required". An "IMPORTANT NOTICE" section is visible, stating: "Please note, the use of the C.A.R. SELM or any other exclusion form will not be sufficient to modify the days on market (DOM). The DOM may be modified if no marketing of the property occurs AND the CRMLS Exclusion form is filed in a timely manner with (Rule 7.9.1)." A large red 'X' is drawn over the entire screenshot.

REGISTERED

No Marketing
Not Displayed in MLS
No Commission Offered
No DOM
No Distribution through MLS
Showings Only to Listing Broker Client

What's Required for Registered?

Address
Listing Contract Date
Price
Expiration Date
Marketing Start Date

ADDITIONAL LISTING MEASURES

- **Days Not Active (DNA)**: The days in any status other than Active, Active Under Contract or Pending.
- **Days on Market (DOM)**: The days Active or Active Under Contract without that deal closing.
- **Days in Pending (DIP)**: The days in Pending or Active Under Contract not in DOM.
- **Days Listed (DL)**: List Contract Date until List Finalization. No days removed for any status or condition.

$$DL = DNA + DOM + DIP$$

RULE 9.3 - SHOWINGS

9.3 Availability to Show or Inspect. Listing Brokers shall not misrepresent the availability of access to show or inspect a listed property. For any property in which Listing Broker selected a status of **Coming Soon** or **Hold**, Listing Broker represents that the property shall have no showings or tours, by Listing Broker or otherwise, until such a time as the Property is placed in the Active or Active Under Contract status.

Rule 10.1 - COMING SOON

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 7.9 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 consistent with Rule 9.3

COMING SOON IN MATRIX

The Status tab will be updated to include Coming Soon as an option.

The screenshot displays the CRMLS MATRIX web application. At the top, a navigation bar includes the logo and tabs for Home, Search, My Matrix, Add/Edit, Finance, Roster, Stats, Realist Tax, and Links. Below this is a search bar. The main content area is titled '+ Residential'. A sub-navigation bar contains tabs for Status, Basics, Description, Features, Land/Terms, Office/MLS, and State License - Listing Agent. The 'Status' tab is highlighted with a red box, and a red arrow points to a dropdown menu. This menu has 'Coming Soon' selected and highlighted with a red box, with 'Active' visible below it. To the right of the dropdown, there are two lines of text: 'Coming Soon - <Instructions about Coming Soon>' and 'Active - <Instructions about Active>'.

CRMLS
MATRIX

Home Search My Matrix Add/Edit Finance Roster Stats Realist Tax Links

+ Residential

Status Basics Description Features Land/Terms Office/MLS State License - Listing Agent

Status

Coming Soon ▲
Active ▼

Coming Soon - <Instructions about Coming Soon>
Active - <Instructions about Active>

COMING SOON IN MATRIX

A new, required field under the Office/MLS tab will appear if Coming Soon is chosen. The date must be within 21 days of the listing input date.

The screenshot displays the Matrix software interface with the 'Office/MLS' tab selected. The 'Current Status' is set to 'Coming Soon'. The 'Listing Information' section includes fields for 'Buyer Agency Comp', 'Buyer Agency Comp Type', 'Dual/Variable Compensation?', 'Buyer Agency Comp Remarks', 'Listing Contract Date', 'Expiration Date', 'Listing Service', 'Start Showing Date', and 'On Market Date'. The 'Start Showing Date' field is highlighted with a red box, and a red arrow points from the 'Office/MLS' tab to it.

Office & MLS

Current Status is: **Coming Soon**

Listing ID:

Address:

Listing Information:

Buyer Agency Comp: Buyer Agency Comp Type: Dual/Variable Compensation?:

Buyer Agency Comp Remarks:

Listing Contract Date: Expiration Date: Listing Service:

Start Showing Date: On Market Date:

Rule 10.1 - HOLD

Hold (H):

The Listing Broker is in possession of a seller written instruction to submit the listing as “Hold”.

Marketing and Advertising as defined in Rule 7.9 is permitted.

The property is not available for showings consistent with Rule 9.3.

CITATION POLICY



Citation Fine for violation of 7.8, 7.9, 7.9.1, 9.3 to be in the amount of:

**1% of the list price or \$500
whichever is greater not to exceed
the amount of \$2,500.**

Each Violation will receive a
WARNING and opportunity to
correct before any fine is issued.

NEXT STEPS

May 1, 2020

Rule implementation

May 4, 2020

Enforcement begins

Summer 2020

Registered status available

The Registered status will become available at a later date in summer of 2020.

Until then, the current waiver process will remain in place.

QUESTIONS or FEEDBACK?

Email ClearCooperation@crmls.org

Visit CRMLS.org to access the
Clear Cooperation Policy Resources page

