

# CRMLS Rule Changes

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California Regional Multiple Listing Service, Inc.



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CRMLS.ORG | 800.925.1525

Effective January 1, 2021

## CRMLS RULE CHANGES – Effective JANUARY 1, 2021

### Citation Policy Changes:

**Citation Review Process-** The citation review procedure will be revised to the extent that an administrative/written review will become the default process. A full hearing can still be requested, but unless such a request is made, the Professional Standards Committee will review the request based on the written evidence. The text of the Citation Policy will be revised to include the following:

#### 6) Citation Review Procedures.

a) A request for a Citation Review must be filed online at <https://go.crmls.org/crmls-citation-review-request> within twenty (20) calendar days of receipt of a Citation.

b) Supervisor level Compliance staff shall conduct an internal audit of the case taking into consideration any additional evidence provided by the Violator. CRMLS Supervisors may either withdraw the Citation, or process the Citation Review by compiling relevant facts and evidence, including all evidence provided by the Violator, and forwarding to the Violator's local AOR/BOR.

c) The Violator's AOR/BOR shall process all aspects of the Citation Review once presented with the Citation Review from CRMLS.

d) The Citation Review by the AOR/BOR shall be managed by a Panel of 3 members of the AOR/BOR Professional Standards Committee. The review Panel shall evaluate the documentary evidence presented by both CRMLS and the Violator. No verbal testimony or in-person hearing shall be permitted. The review Panel shall either confirm or withdraw the Citation. No additional MLS rule violations or Code of Ethics charges may be added to the case. CRMLS may charge an additional \$100 Citation Review Processing Fee in addition to any fine amount for any Citation Review that results in the review Panel confirming the violation.

e) Notwithstanding item 4 above, at the time of submission of a Citation Review request the Violator may instead elect to have a full disciplinary case, including a full evidentiary hearing consistent with the C.A.R Code of Ethics and Arbitration Manual. If a full hearing process is chosen:

i) The Citation Review will be sent to the Violator's AOR/BOR for review by the Grievance Committee, which may add additional MLS Rule or Code of Ethics Violations. It is the role of the Grievance Committee to determine if there is sufficient evidence present to justify a Professional Standards Review Hearing. The Grievance Committee will consider both the violators written statement in the request for review and the evidence presented by CRMLS. The Grievance Committee may dismiss the Citation if it finds that there is insufficient evidence of a violation.

ii) If the Grievance Committee finds sufficient evidence of the rule being violated, a Professional Standards Hearing will be scheduled at the Violators local AOR/BOR. The local Association's Professional Standards Committee will conduct a full evidentiary hearing and will render a final decision. That decision may include additional MLS Rule or Code of Ethics Violations in addition to the original citation. CRMLS may charge an additional \$200 Citation Review Processing Fee in addition to any fine amount for any

*Citation Review that results in the professional standards panel confirming the violation. Depending on the policies of the local association, the Violator may be subject to administrative fees in addition to the fines assessed.*

**New violation for Rule 10.1-** A new violation for Rule 10.1 will be added to the Citation Policy. Specifically, failure to follow the advertising requirements for a Coming Soon listing will now be enforced with an associated fine of \$250.

**Removal of Warnings for Rules 7.9.1 and 7.8-** Violation of the Mandatory Delivery of Listing Agreement and No Cooperation Listing (Office Exclusive) rules will no longer be eligible for a warning.

**Rules and Regulations Changes:**

**Addition of new:**

**7.18.5 Open Listings.** Commission/compensation is not required for open listing agreements in the MLS.

**12.23 (CAR Model Rule 11.13) Participant Access and Entitlement to Their Own Listing Information; Data Portability.**

*The Service must, upon request, promptly provide a Participant (or the Participant's designee) a data feed containing, at minimum, all active MLS listing content input into the MLS by or on behalf of the Participant and all of the Participant's off-market listing content available in the MLS system. The delivery charges for the Participant's listing content shall be reasonably related to the actual costs incurred by the MLS. The data feed must be in compliance with the prevailing RESO (Real Estate Standards Organization) standards required by NAR MLS Policy. The Service will not limit the use of the Participant's listing content by the Participant or Participant's designee.*

**Revisions to:**

**7.3 Listing and Co-Listing Agents/Brokers.** Only the listings of Participants and Subscribers will be accepted by the MLS. Inclusion of co-listings where the co-listing broker/agent is not a Participant or Subscriber in the MLS, **or a Participant or Subscriber of a datashare partner MLS**, is prohibited.