

Rules and Regulation Changes

Section 1.0 - Listing Procedures:

Listings of real or personal property of the following types, which are listed subject to a real estate broker's license, and which are located within the service area of the Berkshire County Board of REALTORS® Inc., taken by Participants on Exclusive Right-To-Sell or Exclusive Agency Contracts shall be delivered to the Multiple Listing Service within two (2) business days after all necessary signatures of seller(s) have been obtained, or within one (1) day of marketing, whichever comes first.

Section 1.01 Clear Cooperation:

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. (Adopted 11/19)

Note: Exclusive listing information for required property types must be filed and distributed to other MLS Participants for cooperation under the Clear Cooperation Policy. This applies to listings filed under Section 1 and listings exempt from distribution under Section 1.3 of the NAR model MLS rules, and any other situation where the listing broker is publicly marketing an exclusive listing that is required to be filed with the service and is not currently available to other MLS Participants.

Section 1.3 - Exempted Listings:

If the seller refuses to permit the listing to be disseminated by the Service, the Participant may then take the listing ("office exclusive") and such listing shall be filed with the Service but not disseminated to the Participants. Filing of the listing should be accompanied by certification signed by the seller that they do not desire the listing to be disseminated by the Service.

Note 1: Section 1.3 is not required for *Commercial, Business Opportunity, Commercial Lease* listings, as they are not required to be submitted by a participant to the service.

Note 2: MLS Participants must distribute exempt listings within (1) one business day once the listing is publicly marketed. See Section 1.01, Clear Cooperation.