

The National Association required the following rule changes for 2021 (changes highlighted):

Section 3.6 PARTICIPANT RESPONSIBLE FOR ACCURACY: The information published and disseminated by the Service is communicated, without change by the Service, as filed with the Service or directly placed into the computer by the Participant. (The Service may correct the form of listing addresses to comply with applicable standards.) The Service does not verify such information and disclaims any responsibility for its accuracy. Each Participant agrees to hold the Service harmless against any liability arising from any inaccuracy or inadequacy of the information such Participant provides. Each Participant is responsible for the accuracy of listing data. In case of error, the Participant shall immediately make the correction into the computer or submit a change form to the MLS office so that the error can be corrected. Participants and subscribers are required to submit accurate listing data and required to correct any known errors. A listing broker/agent/office staff person may not make changes to MLS listing data so that it is misleading to other MLS Participants.

Section 7.1 COMPLIANCE WITH RULES/ AUTHORITY TO IMPOSE DISCIPLINE: By becoming and remaining a participant or subscriber in this MLS, each participant and subscriber agrees to be subject to the rules and regulations and any other MLS governance provision. The MLS may, through the administrative and hearing procedures established in these rules, impose discipline for violations of the rules and other MLS governance provisions. Discipline that may be imposed may only consist of one or more of the following:

- a. Letter of warning.
- b. Letter of reprimand.
- c. Attendance at MLS orientation or other appropriate courses or seminars which the participant or subscriber can reasonably attend taking into consideration cost, location and duration.
- d. Appropriate, reasonable fine not to exceed \$5,000.
- e. Suspension of MLS rights, privileges and services for not less than thirty (30) days nor more than one year.
- f. Termination of MLS rights, privileges and services with no right to reapply for a specified period not to exceed three (3) years.

The following additional actions may be taken for noncompliance with the rules:

- a. For failure to pay any service charge, fee, or fine under the terms established by the association/board from which the Participant purchases multiple listing services, services to the Participant shall be suspended until service charges, fees or fines are paid in full. The board/association may also impose other obligations on the Participant before services are restored.
- b. For failure to comply with any other rule, the provisions of Section 8 shall apply.

Note: A participant (or user/subscriber, where appropriate) can be placed on probation. Probation is not a form of discipline. When a participant (or user/subscriber, where appropriate) is placed on probation the discipline is held in abeyance for a stipulated period of time not longer than one (1) year. Any

subsequent finding of a violation of the MLS rules during the probationary period may, at the discretion of the Board of Directors, result in the imposition of the suspended discipline. Absent any subsequent findings of a violation during the probationary period, both the probationary status and the suspended discipline are considered fulfilled, and the individual's record will reflect the fulfillment. The fact that one or more forms of discipline are held in abeyance during the probationary period does not bar imposition of other forms of discipline which will not be held in abeyance.

Note 2: MLS participants and subscribers can receive no more than three (3) administrative sanctions in a calendar year before they are required to attend a hearing for their actions and potential violations of MLS rules, except that the MLS may allow more administrative sanctions for violations of listing information provided by participants and subscribers before requiring a hearing. The MLS must send a copy of all administrative sanctions against a subscriber to the subscriber's participant and the participant is required to attend the hearing of a subscriber who has received more than three (3) administrative sanctions within a calendar year. (Adopted 11/20) M

Section 8.2 CONSIDERATION OF ALLEGED VIOLATIONS: All written complaints having to do with violations of these Rules and Regulations will be considered by the RMLS in accordance with the Service's Compliance Guidelines as adopted by the Board of Directors and amended from time to time. By becoming and remaining a participant, each participant agrees to be subject to these rules and regulations, the enforcement of which are at the sole discretion of the Board of Directors.

When requested by a complainant, the MLS will process a complaint without revealing the complainant's identity. If a complaint is subsequently forwarded to a hearing, and the original complainant does not consent to participating in the process, the MLS will appoint a representative to serve as the complainant. (Amended 11/20) M