

**JACKSON MULTIPLE LISTING SERVICE, INC.
POLICY & PROCEDURES MANUAL**

-A-

ABSENCES:

11/7/2012 Absence by a Director for three (3) regular meetings of the JMLS Directors in any given
Amended 8/3/16 calendar year without an excuse deemed valid and approved by the JMLS Directors or
six (6) total absences shall be construed as a resignation. The director can request a
review by the Board of Directors if that director wishes to fulfill his or her term. Any
request for an excused absence must be stated in writing or via telephone to the staff
prior to the Board of Directors meeting. The JMLS Directors (exclusive of the Directors
whose absence is under consideration) shall determine the validity of the reason for the
absence. Directors are allowed to Facetime/Skype into a meeting while on vacation.

AFFILIATES:

8/04 Affiliate lenders of JAAR can receive access to Paragon online for mortgage rate entry
and maintenance. This access does not include access to listing data.

AGENDAS:

7/09/03 The JMLS Director agendas and meeting minutes are to be made available if
requested by a Designated REALTOR[®] and can be sent via email.

APPLICATION:

Adopted 7/92 The application fee for a new office, or for a current member office principal
Amended 1/96 ownership change, is \$275. This is not to be construed that multiple owners have to
Amended 12/12 pay the fee to join the JMLS.

01/07/04 The office name submitted on an Office Application for JMLS membership must
reflect what name is on the actual license provided, unless the licensee can provide
proof of a DBA.

5/2/12 The application fee for Secondary MLS membership will be \$25 for Great Lakes
Repository partners and \$40 for non Great Lakes Repository partners.

6/7/17 The application fee for a JMLS Only User will be \$25.

APPRAISERS:

Adopted 9/94 Allow licensed Non-MLS Appraisers who belong to another Board or Association
Amended 1/96 access to the MLS system. Only certain functions of the system will be allowed for
them to access, (such as: searches on solds only, statistics, general information,
mail, office/member inquiry, intax and setup functions). The cost will be an MLS
application of \$150 and a \$25 per month access fee.

ASSUME IDENTITY:

10/3/12 A \$5 per month fee will be charged to 'assume identity' for secretary/staff to agent
access and no charge for agent to agent access.

AUDIT:

Adopted 2/1993 The Jackson Multiple Listing Service shall receive annual reviews by the
Amended 1/2006 accountants until a full audit is necessary.

10/12/16 The Treasurer will be given the login and password for online banking in order to view cancelled checks.

-B-

BALLOTS:

5/92 Original ballots sent out for a vote must be the ballots that are returned (no photocopies will be accepted). The ballots will be color-coded.

-C-

COMPENSATIONS:

10/93 All listings submitted to the MLS shall state at least one type of compensation that is being offered. (sub-agency, buyer agency or transaction coordinator)

CONVENTIONS:

3/96 Officers of JMLS must supply a written report substantiating their activities of the State meetings any time that their attendance is being in part or in whole paid for by JMLS.

3/96 MAR Committee Members registration fee of personal mileage for attendance at the State convention meetings, up to three times a year, must file a typed report ready for publication to the Executive Vice President within seven days after the meeting in order to be reimbursed. This is for attendance at the three MAR convention meetings only.

2/06 The JMLS President and President-elect may attend the NAR Annual Convention on behalf of JMLS with travel, hotel and meal expenses to be paid by JMLS, if approved in the annual budget. (revised 5/14)

-D-

DATA SHARING:

NOTE: Refer to the 'Reciprocal / Non-Member Listing Agreement' section of this manual.

DEED TRANSFERS:

NOTE: Refer to the 'Listings' section of this manual.

DIRECTORS:

9/91 Refer to **Vacancies** for Board of Directors vacancy.

5/98 The JMLS Executive Committee is to also serve as the Nominating Committee.

6/98 All JMLS Leadership correspondence must be on JMLS corporation stationery.

1/01 If three people from the same office are positioned in serving on the Directorship together, one of the people not serving on the Executive Committee would need to resign from the Directorship and those parties involved need to decide amongst themselves who will resign.

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ELECTION PROCEDURES:

- 11/92 Any Designated REALTOR® who wishes to run as a JMLS Director shall submit in writing his/her name at least 24 hours prior to ballots and/or announcements being mailed.
- 11/92 No write-in names on the ballot shall be counted.
- 12/92 Election of JMLS Officers shall take place subsequent to the Annual DR's meeting and prior to end of the year, with incoming and outgoing Directors having voting rights.

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FEES:

- 1993 MLS fees shall be paid until the time when service waivers are approved.
- 1/92 No listing input fee for JMLS users.
- 3/93 A Broker may open a totally separate office and have two Associate Broker's licenses. In order for the Broker to place a listing into both systems, he/she would have to be recognized in the MLS with two separate ID numbers.
- 4/01 If any individual is already paying MLS fees through one company they can sign a waiver to avoid paying double MLS fees through another member office. Therefore, the licensed individual will remain on both rosters of the member offices. The billing will only need to be modified to accommodate for non-duplicate MLS fees.
- 8/05 A \$100 fine shall be assessed to the MLS Participant if found in violation for not reporting licensees to the JMLS office within 30 days.
- 4/08 A quarterly MLS user fee billing option is available for an additional \$25 per quarter payment assessment. All payment terms including late fees as stated in the bylaws remain in effect for the quarterly billing option.
- 4/08 Refunds of MLS user fees for unused quarters may be requested in writing to the JMLS Board of Directors if they were paid in full annually.
Amended 12/13
Amended 4/10 Requests for MLS fee refunds must be received by close of the last business day of the current billing quarter.
- 8/08 The Annual MLS Billing will be assessed a 10% late fee on the balance due on the account.
Amended 9/08
- 4/01/09 Allow new members the option of quarterly MLS payments at the same cycle as current members.
- 5/06/09 A \$85 public records annual fee will be assessed to all MLS users during the annual MLS billing cycle.
- 1/05/11 A monthly billing option (following the JAAR monthly payment rules) with a \$5 fee for the first time a payment is declined and a \$25 fee each time after that a payment is declined in a billing cycle. Effective with the June 2011 billing cycle, monthly payments will be available to renewing members. New members may use the monthly payment option now. All monthly billing options must be signed by the DR. There will be a \$10/per month fee for the monthly billing option.
Amended 9/08

Amended 10/13 One (1) warning will be given after the initial credit card decline, after the second (2nd) decline the member will be required to pay the remaining balance for the year in full and will not be allowed any more monthly payments until the next billing cycle with cash only accepted.

Amended 12/14 The remaining quarter of MLS fees will be due for resigning members on the monthly payment plan.
Members that call to request that their card not be ran on the due date for monthly payments will be charged the credit card decline fees.

Amended 3/15 Beginning June 1, 2015 monthly payments will be eliminated for MLS fees.

FILING:

1995 After **non-online** offices profile sheets, change forms, etc. has been processed by the MLS staff they will be returned to the listing broker.

FORMS:

1988 The Standard Forms Committee is a joint committee for JAAR and JMLS.

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IDX:

Adopted 9/00 Internet Data Exchange (“IDX”) Policy. **Refer to Addendum B**
Amended 5/10/06

3/10 Great Lakes Repository - IDX feeds to the other MLS' members in the repository will be allowed.

J-K-L-

LISTINGS:

Adopted 1989 Listings taken from out of town sellers must have the envelope attached for the
Amended 10/04 purpose of verification of the 72 hours and extensions. Offices may need it in case of
Amended 3/15 a JMLS quality control check.

Adopted 10/95 Listing Extensions & Price Changes - Offices have 48 hours to make the changes in
Amended 1/99 the multiple listing system with formal owner authorization (non-verbal).
Amended 8/14

Adopted 6/91 Office Exclusive - The Broker is allowed to place on the Listing Contract under
Amended 10/04 additional remarks a request from the seller to not place a listing in the MLS and
would have 72 hours to submit a copy of the listing contract to the JMLS office.
A note from the seller fulfills the requirement of an office exclusive.

10/95 All Change Forms must have the seller's and broker/sales agent's signatures and
Amended 1/15 seller's date of signature. All cancellations and withdrawals must be sent to the JMLS
office for processing.

Adopted 10/95 If JMLS staff contacts an office regarding incomplete data and/or
Amended 10/04 photo/sketch of a listing, the office will have 48 hours to make the change in the
Amended 09/14 multiple listing system.

12/91 If a listing expires before being extended in the system, it should be re-entered with
the listing date being the date the sellers signed the extension form.

- 3/92 Offices are expected to input their own listings and make their access changes available.
- 3/10 JMLS staff may input a member listing into the multiple listing system at a cost of \$10/per listing.
Amended 1/15
- 2/93 Reporting Expired Listings Sold - The JMLS office will accept a change form to report expired listings sold information under the expired MLS number.
Amended 2/15
- 9/93 Business Opportunity listings are not required to be entered in the MLS system. If entered in the MLS system, it may be with or without complete information.
Amended 2/15
- 7/95 Licensed Non-REALTORS® have the ability to place a listing in JMLS' ML system at the cost of \$500 per listing for a 30 day period, beginning at the time of input.
- Adopted 8/95 A property may be placed in the multiple listing system under the same class
Amended 6/04 twice. Once the property is sold, only one of the ML numbers are to be reported
Amended 5/08 sold and the other must be canceled. If the duplicate listing is not canceled when sold,
Amended 12/15 sanctions of \$10 per day up to \$300 will be assessed for not properly changing the status of a listing.
- 8/95 Homestead and Non-Homestead statuses are required for all new and current listings of categories: 1 and 2.
- Adopted 10/95 Offices do not need to send the profile sheets or change forms to the JMLS
Amended 10/04 office for confirmation. However, in case of a quality control check on a listing, offices
Amended 4/15 will need to have the proper information on file.
- 7/96 Commercial/Industrial listing category is allowed to have two ML numbers of the same property, one of the ML numbers must be marked "For Sale" and the other "For Lease".
- 10/96 The appropriate area must be used for each listing in the MLS. The proper area is determined by a list set by the Board of Directors in groups of townships.
- 11/98 JMLS Staff may periodically spot check listing extensions validity of listing office's in-house records.
Amended 5/15
Amended 10/13 *A fine of \$25 will be imposed for a first offense of an invalid extension, with the agent having the option to appeal the fine to the Board of Directors.*
- 9/99 Staff and the Executive Committee have the authority to research member-listing inquiries within reason and report back to the Board of Directors.
- 12/99 Any person who hasn't complied 100% with the listing spot check request by submitting a listing status change form and a copy of the original listing contract will have a letter sent to his/her Broker allowing him/her a second chance of three business days to comply. If he/she does not comply, then the information is to be forwarded to the JMLS Directors and on to the Grievance Committee for a possible ethics violation.
- 6/01 SEV, Taxable Value and the Total Tax fields on non-assessed properties (*all categories*) are to be estimated at half the list price with an explanation in the remarks that the SEV, TV and Taxes are estimated. 'TBD' (*to be determined*) is acceptable for only the Tax Id field.

- 6/01 SEV, Taxable Value and the Total Tax fields on non-assessed properties (*all categories*) are to be estimated at half the list price with an explanation in the remarks that the SEV, TV and Taxes are estimated. 'TBD' (*to be determined*) is acceptable for only the Tax Id field.
- 10/03 All sold listings (*previously known as deed transfers*) are only permitted in the MLS system with all required fields complete along with a photo/sketch except where sellers expressly direct that photographs of their property not appear in the MLS.
- 01/07/04 Contact information is not allowed in any listing data field other than the 100 character 'Additional Contact Information'. Co-branding in the public or private remarks is not allowed; ex: "Call listing agent for showing."
Amended 8/14
Amended 10/14
- 8/14 Co-branding in the public remarks; ex: "Call listing agent for showing" is not allowed.
- 6/15 Showing instructions are allowed to be posted in the private remarks.
- Adopted 02/04 The data for the owner(s) name field must not include 'member office name'.
Amended 03/04 'Known to listing office' is acceptable with a letter signed by the owner(s). The owner's letter must be filed with the JMLS office. If the listing is found to be in violation, then staff is required to process as missing information and apply the \$10 per day sanction fee.
- 8/04 A Unit # along with the name of the development in the legal description is acceptable in order to confirm a condo site development listing with the 'type' field marketed as residential.
- 8/04 Allow the proposed closing date of an expired listing be used for the extension date in order to take the listing out of expired status and back into pending or contingent status. This information must be submitted to the MLS on a listing status change form.
- 1/05 A withdrawn listing is defined as at the seller's request the listing has been withdrawn from the market and all other MLS listing agreement obligations remain in effect. A cancelled listing represents that all parties, seller(s) and broker, agree to release the contract.
- 7/05 The room sizes are not required in the MLS system.
- 9/05 Both list and co-list agents must be users of JMLS or pay the reciprocity input fee in order to market a listing in the MLS database.
- 1/06 The sold amount should be the entire amount of the lease and the term must be disclosed in the concessions/lease term field. Reporting a Lease with an Option to Buy should also be reported the same.
Amended 9/08
- 3/06 All fields are required for a 'leased' Commercial/Industrial class property.
- 6/06 Deletion of listings from the MLS system is not allowed regardless of who requests the listing be deleted; brokers, sellers, buyers, agents, etc. However, a seller can request removal of a listing as described in Section 1.5 Withdrawal/Cancellations of Listings Prior to Expiration.
Amended 1/16
- 12/13/06 Seller concession descriptions must be described in a clear and factual manner; undisclosed is not acceptable.

- 3/07
Amended 10/08 An email, electronic page printout or proof of change of ownership is acceptable to submit to the MLS office in place of requiring seller's signature on a foreclosure or bank owned property on all listing status changes. *(cross reference – 4/11/07 Listings policy)*
- 4/11/07 Duplicate listings in the MLS system are allowed by different brokers if they both have a valid listing contract. JMLS staff may email the most recent listing broker/agent to inform them of the duplication.
- 05/06/09 Listings entered in the MLS system with list prices less than \$1,500 are to be approved by staff, unless they are in the rental class.
- 05/06/09 Residential properties for “rent only” are required to be input in the Rental class of the MLS system and no longer allowed in any other property class.
- 06/03/09 All property classes with listings for “rent only”, **except** for the Residential class listings, may be input in either the class that it is and/or the rental property class.
- 06/02/10 Homes attached to another dwelling must be considered ‘condos’ and placed in the Condo residential type in the MLS. Only single family detached condos can be listed in both the ‘residential’ and ‘condo’ classes.
- 01/05/11 Listings in ‘Withdrawn’ status will auto-expire.
- 03/02/11
Amended 4/16 All listings input in the MLS must include square footage and the source of the data.
All square footage below grade shall be listed in the ‘SqFt Basement’ field only, and not included in the ‘Above Grade SqFt’.
Legal bedrooms in the lower level as defined by the municipality the property is located in, may be included in the total bedroom count but MAY NOT be included in the ‘Above Grade SqFt’.
The additional living space in a room over the garage, if it is attached to and directly accessible from the main dwelling, may be included in the above grade square footage. If detached and/or not directly accessible from the main dwelling, then it may not be included in the above grade square footage but can be noted in the ‘Remarks’ field.
The square footage of multiple below grade levels should be added and put in the ‘SqFt Basement’ field.
- 09/05/12
Amended 11/12 A basement is defined as anything partially or entirely below grade. **Refer to Addendum E** Non-compliance listings will be consistent with JMLS Sanction policy. **Refer to Addendum A.**
- 07/06/11 The effective date of a listing contract is the date to be used as the MLS listing date.
- 8/13 If the estimated year built is unknown, ‘0000’ is allowed.
- 2/14 The MLS may accept exclusively listed property that is subject to auction.
 1. Auction properties must be posted in “Public Remarks”. This property will be offered at auction or sold at absolute auction and may be purchased with the representation of any licensed REALTOR®.
 2. “Auction” must be selected as the ‘type’ of listing.

3. Information about the time, date and place of sale MUST be posted in “Private Remarks” and may not be posted in “Public Remarks”.
4. To post an auction property as “Sold” in the MLS “Auction” must be selected under ‘how sold’.
5. Sale price MUST be recorded as indicated on deed. The listing price may be entered as \$1 as long as it is clearly marked as an auction property and the seller is agreeable

- 2/16
Amended 4/16
- 2/16
- 3/17
- 9/17
- 9/17
- The first photo of a Proposed Construction listing must be a sketch or rendering and must have a banner or watermark stating ‘Proposed Construction’. Also, the first line in remarks must state “Proposed Construction” or “This House is Not Yet Built”.
- Rental sold data is not allowed in residential reporting – it must be reported in the ‘Rental’ class only. The ‘Residential’ listing must be withdrawn and a ‘Rental’ listing must be entered with rental sold data.
- Verbiage that restricts split closings is not allowed in the MLS.
- Listings will be sent to the internet prior to being confirmed.
- The only watermarks allowed on JMLS photos is the JMLS watermark.

- M -

MAIL MESSAGE:

- 6/04
- Prohibit advertising and promoting of any listings including rentals on the Paragon message module. The only Paragon messages that can be posted must be board related (member illness, deaths, community messages, events, etc.)

MEETINGS:

- 7/98
- 1/99
- The cost of the meal (if provided) will be billed to the Designated REALTOR[®] who pre-register for DR meetings and neglect to attend.
- Designated REALTOR[®] are allowed to send in a proxy vote to the JMLS office prior to a semi-annual and an annual Designated REALTOR[®] meeting. The proxy will give the JMLS President the vote on behalf of the Designated REALTOR[®] submitting the proxy.

MEMBERSHIP:

- The Designated REALTOR[®] will be billed for licensees whose names appear on the Department of Licensing Report.
- 1/13/97
- 7/98
- 2/12/03
9/10/03
- On an annual basis each Designated REALTOR[®] will be required to acknowledge in writing their duties of membership to the most current bylaws, rules and regulations and policy manual.
- Agent photos are allowed to be input in the membership module of the ML system at no cost if the photo is provided by the agent/brokers.
- Any Individual member of an association of REALTORS[®] who holds an appraiser license is NOT eligible for participant application or access to the MLS, unless they hold a full REALTOR[®] membership with an association.

- 02/11/04 Allow a two-week deadline for the DR's to return their annual office participation agreement. If the required annual agreement is not filed by that year's deadline, then those offices not responding to the annual agreement is to have their MLS access turned off until it is properly filed. If IDX Participation is not acknowledged in writing, then JMLS will have no other choice but to automatically consider that the office will participate in IDX.
- 5/2/12 A Secondary MLS Membership with "look & view" search capabilities is available to individuals that hold a full MLS membership through another MLS.
- 6/6/12 The DR of an office must join first for Secondary MLS Membership. The DR of a Secondary MLS office will not have voting privileges.

MULTIPLE LOGIN:

- 2/2005 Multiple logins are not allowed in Paragon.

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OUTSTANDING DEBTS:

- 3/91 If monies are owed from an office that is no longer in business, then the Designated REALTOR[®] at the time the money was due is responsible for the fees provided there was a name change of the office. If the office is still in business and the name has not been changed, then the new Designated REALTOR[®] would be responsible.

OPEN HOUSES:

- 5/96 Open Houses are no longer to be announced through the MLS system e-mail. Members are required to use the multiple listing system open house module available to them.
- 12/07 In order to use the open house module in Paragon, there must be a residential structure on the property being marketed in the MLS.

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PASSWORDS:

- 9/09 See Addendum D

PAYMENTS:

- 3/98 MLS payments can be made by credit card and is limited to one charge card, so that bills cannot be split up using several cards.
- 3/05 Only payments from the MLS Participant can be applied to an MLS account (*MLS statements*). Partial payments from agents within an MLS office will NOT be accepted.
- 5/07 A licensee/agent will be suspended if the annual agent MLS billing payment is not received by the due date. The office will be suspended for any unpaid licensee/agent dues not paid within 30 days after the due date. Which at that time the licensee/agent will have to be transferred or the dues paid or office will be suspended. If the issue with any unpaid licensees is not resolved within 60 days after the due date, then the office will be terminated from the MLS.

PHOTOS/SKETCHES (*property and self portraits*):

- 1/00 Any MLS agent using a studio portrait will be responsible for any copyright issues.
- 1/07 If a photo in the MLS is not the actual property/house, a disclaimer is required in remarks explaining that it is a rendering or sketch of the actual property.
- 8/10 At least one (1) photo and/or sketch of the house or land is required on every listing in order for the listing to be input in the MLS.
Amended 10/13
- 7/13 Only JMLS watermarks, not company watermarks, will be allowed on photos in the MLS.
- 7/14 Office and/or agent branding will not be allowed in any MLS photos.

PURGING:

- 2/2007 All listing statuses will purge out of the search functions of the multiple listing system and into the history of a listing after 60 months.

-Q-R-

RECIPROCAL / NON-MEMBER LISTING AGREEMENTS:

- Adopted 1986 Reciprocal Agreement approved between Ann Arbor Area Board of REALTORS®
Amended 6/03 and JMLS. Data Sharing approved for MLS database viewing purposes at no cost.
Amended 12/09 There is no timeframe limit on the reciprocal listings. Data Sharing with Ann Arbor is discontinued.
- 9/91 Reciprocal Agreement approved between Hillsdale County Board of REALTORS® and JMLS.
- 10/94 Reciprocal Agreement approved between Battle Creek Association of REALTORS® and JMLS.
- 11/98 Jackson Multiple Listing Service Members have access to South Western Michigan Regional Information Center MLS for viewing purposes at no cost; however cooperation and compensation are only offered on Branch County and Battle Creek Association listings.
- 7/09/03 No listings are allowed in the Jackson MLS from any individual/office that owe back fees or penalties or are not in good standing with JAAR/JMLS and/or with other boards/MLS'.
- 9/2003 Data Sharing Agreement approved between Down River Association of REALTORS® and JMLS. This agreement includes MLS database access for viewing purposes at no cost. Also, there is a no timeframe limit on the reciprocal listings.
- 6/2005 REALTOR® Listing Agreement for Non-JAAR/JMLS Members. Along with the MLS Rules and Guidelines. (*Refer to Addendum C*)
- 5/10/06 Reciprocal Agreement approved between Lenawee County Association of REALTORS® and JMLS. Data Sharing approved for MLS database viewing purposes at no cost. There is a no timeframe limit on the reciprocal listings.
- 12/13/06 Data Sharing Agreement approved between Flint Association of REALTORS® and

JMLS. This agreement includes MLS database access for viewing purposes at no cost. Also, there is a no timeframe limit on the reciprocal listings.

- 4/13/11 Data Sharing Agreement approved between Shiawassee Association of REALTORS® and JMLS. This agreement includes MLS database access for viewing purposes at no cost.
- 4/13/11 Great Lakes Repository (GLR) secondary members are not required to input their listings into the Jackson MLS as long as they are in the primary MLS.
- 4/13/11 Non – member GLR listing input is not allowed in the MLS (previously reciprocity listings) due to duplication of the listings.

RENTAL:

- 05/06/09 Listings entered in the MLS system with list prices less than \$1,500 are to be approved by staff, unless they are in the rental class.
- 05/06/09 Residential properties for “rent only” are required to be input in the Rental class of the MLS system and no longer allowed in any other property class.
- 06/03/09 All property classes with listings for “rent only”, **except** for the Residential class listings, may be input in either the class that it is and/or the rental property class.
- 8/13 Tax information is not required on rentals.

REPORTING OF SALE PRICES OF LISTINGS TO MLS:

- 2/94 If requested from the Buyer or Seller for the sale price to be kept confidential, a letter/affidavit is to be signed by the parties requesting the confidentiality and must be submitted to the MLS office. Then \$1.00 could be reported. In addition to the letter/affidavit, the buyer or seller is to give approval for the agent to allow the actual sale price to be used for the MLS Production Award Program and for appraisers requests.

RESOLUTION FOR CHECKING ACCOUNT:

- 1/90 Two signatures are required on all of JMLS' checks. Authorized signers are the President, Vice President, Treasurer and the Executive Vice President.

RESERVE POLICY:

- 8/99 Three (3) months of operating reserves are to be maintained to cover debt or \$50,000 whichever is greater in order to cover operating expenses.

S-

SANCTION POLICY:

- 3/94 Sanction Policy Manual. **Refer to Addendum A.**
- 6/95 Sanctions are not to be waived in cases of withdrawals, cancellations or deletions. Once the sanction is implemented and approved by the JMLS Directors it will remain in place unless the appeal process is requested, and the appeal is granted to waive the imposed sanctions.

SECRETARY ACCESS:

3/2/11 A one time set-up fee of \$20 and \$15 per month will be billed for secretary/staff (non-licensed) logins.

SUSPENSION:

Adopted 8/96 Amended 5/03 Suspended office's listings are to be withdrawn from the ML system for non-payment of MLS fees, and placed back on market once the suspended fees are paid, along with a reactivation fee of \$100.

9/96 The "delinquency amount" past due is to be interpreted as the outstanding balance of the current MLS statement which is to be paid in full prior to the suspension being lifted (Effective October 1, 1996).

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THIRD PARTY AGREEMENT:

Adopted 02/11/04 Amended 12/09 A third party agreement drafted by legal counsel requires a \$250 application fee and a \$500 per year user fee to access JMLS' listing data through Paragon for their own purpose of using the data collected. The corporation cannot give the information to individuals. The Board of Directors must also approve this agreement.

12/09 A third party agreement, drafted by legal counsel, for RETS access with sold information and a \$200 per year vendor fee and \$50 per year fee to the individual to access JMLS' data will be required. (ie: Top Producer, etc.)

TRAINING:

6/15/06 MLS system training is available for data sharing participants at a cost of \$15.00 per person with the class size to be at the discretion of the MLS staff. This training will be held at the location of the Jackson Multiple Listing Service.

U-V-W-

VACANCIES:

9/91 JMLS Board of Director vacancies by resignation or otherwise, shall be filled by the JMLS Board of Directors until the next election of Participants.

VIRTUAL TOURS:

4/11/07 Virtual Tour *branding* is acceptable.

VIRTUAL OFFICE WEBISTE (VOW) POLICY: refer to Addendum F

WAIVER OF MLS USER FEES:

Adopted 12/90 Amended 2/01 Amended 7/02 Amended 10/03 Amended 6/05 Amended 8/05

Criteria: Upon approval, a REALTOR® Participant of any Broker's office shall not pay MLS user fees for any individual salesperson employed by or affiliated as an independent contractor for any of the following reasons:

- a) medical conditions limiting the salesperson from listing, showing and selling real estate

- b) has membership in another Board, Association or MLS and does not use the JMLS listing service
- c) works as a non-salesperson such as clerical/secretary for the Participant, without access to, nor uses the JMLS.

Neither the REALTOR® Participant nor any vacation time of an individual agent will qualify for the waiver.

Application: At least 15 days prior to the end of each calendar year, or upon subsequent qualification of an individual agent, the Designated REALTOR® (DR) shall submit an application on a form prescribed by the JMLS, setting forth the individual(s) qualifying for an MLS waiver.

Upon approval by the JMLS Board of Directors, the waiver is immediately effective for each approved individual for the ensuring year or balance of the current year. If any individual with a waiver utilizes the JMLS, directly, indirectly, through another broker, agent, or firm, purposely omits to take action or uses any method to circumvent this policy, the Board of Directors shall revoke the waiver, effective retroactive to the date of utilization or policy violation for such agent.

Waiver Requests: Requests for medical reasons are required to include written proof of the medical reasons from the treating doctor. If the medical reason pertains to an immediate family member (spouse, parent, or child), JMLS will accept a letter from the Designated REALTOR®, individual agent, or treating doctor. For members of another MLS provider, the MLS provider representative shall confirm the qualifying individuals on the signature line of the application, which may also be issued by the treating physician, or either may submit a separate letter. Written confirmation is not necessary for clerical/secretary requests.

Sanctions: If JMLS is not notified of the reinstatement of any individual user, or there is a violation of this policy, the JMLS Board of Directors, shall impose the following sanctions, acting at a duly called meeting or by unanimous written consent of the Board, which sanctions shall be retroactive to the date of violation:

- a) The Participant (DR) shall be fined \$5,000.00 and each individual agent in violation shall be fined \$200.00 for each violation, including the MLS user if applicable and for each separate listing.
- b) The DR or individual agent shall pay the monthly user fees for the first month of violation through the month the violation is corrected.
- c) If the sanctions are not paid and/or violations corrected within 30 days of imposition or notice of violation, or 30 days after any appeal hearing becomes final, the Board of Directors shall suspend access to all individuals in the violating office.
- d) For good cause shown through an appeal, or direct correspondence to the JMLS, that is verified, the JMLS directors have discretion to waive all, or part, of the imposed sanctions, at the time that the DR requests that an existing waiver be reinstated.

10/05 Staff shall verbally explain the service waiver penalties to all MLS office applicants inquiring on service waivers.

12/09 A \$10 service waiver fee will be billed to the DR for each agent approved for a service waiver.

Revised 9/12/17

- Enclosures:
- Addendum A – Sanction Policy Manual
 - Addendum B – Internet Data Display Policy
 - Addendum C – REALTOR® Listing Agreement for Non-JAAR/JMLS Members and
MLS Rules and Guidelines
 - Addendum D – Password Policy
 - Addendum E – Square Footage Policy
 - Addendum F – VOW Policy