

MINUTES

CHAIR Greg Zadel (Firestone, CO)
COMMITTEE LIAISON Rick Harris (Medford, OR)
STAFF EXECUTIVE Rodney Gansho (Chicago, IL)

I. CALL TO ORDER / OPENING REMARKS:

The meeting of the MLS Technology and Emerging Issues Advisory Board was called to order at 3:00 P.M. CT by Advisory Board Chair Greg Zadel.

Minutes from the prior meeting were previously approved by Advisory Board Members through unanimous written consent and authorized to be made public. A copy of the minutes was provided to Advisory Board members for their information.

Advisory Board Chair, Greg Zadel, and Legal Counsel, Charlie Lee, shared information about NAR's anti-trust and confidentiality policies.

II. REQUIRING DISCLOSURE OF BUYER AGENT COMPENSATION:

It was moved, seconded, and carried.

Motion: That the following be adopted as new MLS Policy Statement 8.8:

MLSs must include the listing broker's offer of compensation for each active listing displayed on its consumer-facing website(s) and in MLS data feeds provided to participants and subscribers, and must permit MLS participants or subscribers to share such information through IDX and VOW displays or through any other form or format provided to clients and consumers. The information about the offer of compensation must be accompanied by a disclaimer stating that the offer is made only to participants of the MLS where the listing is filed.

Rationale: Disclosure of the offer of compensation to buyer agents (including non-agency relationships defined by state law) will reinforce transparency for the clients and consumers working with MLS participants and subscribers in a real estate transaction.

III. ENSURING ACCESS TO LISTING PROPERTIES WITH THE SELLERS' OR OWNERS' AUTHORIZATION:

Advisory Board Chair Greg Zadel discussed establishing a new joint Work Group with the Professional Standards Committee to review the ethical obligations and MLS policies, including reinforcing the duties set forth in Article 3 of the Code of Ethics, and further ensuring that all brokers have access to listed properties consistent with the sellers' or owners' authorization.

IV. MLS DATA ACCESS AND USE

The Advisory Board discussed a request they received to amend its recommendation to establish new MLS Policy 8.6.

It was moved, seconded, and carried.

Motion: That the recommendation from the Advisory Board's last meeting to establish a new MLS Policy Statement 8.6 be amended as follows.

(underlining indicates additions)

Policy Statement 8.6: That MLSs must offer a Participant, or their designee, a single data feed in accordance with the Participant's licensed authorized uses.

Rationale: This amendment will accurately reflect the application of a single data feed when authorized to use MLS data for multiple purposes.

The Advisory Board discussed a suggestion they received to amend its recommendation to establish new MLS Policy 8.7.

It was moved, seconded, and carried.

Motion: That the recommendation from the Advisory Board's last meeting to establish a new MLS Policy Statement 8.7, Brokerage Back Office Feed, be amended as follows (in pertinent part):

(underlining indicates additions; strikethrough text indicates deletions)

Participants are entitled to use, and MLSs must provide to Participants a Brokerage Back Office Feed per the Data, Use and Terms established below:

"Data" means all real property listing and roster information in the MLS database, including all listings of all statuses available to all Participants in the MLS, but excludes (i) MLS only fields (those fields only visible to MLS staff and the listing Participant), and (ii) fields and content to which the MLS does not have a sufficient license for use in the Brokerage Back Office Feed.

Rationale: This amendment further defines and explains the listing information that is to be available as part of the Brokerage Back Office Feed.

V. CATEGORIZATION OF MLS DATA FIELDS

The Advisory Board discussed the appointment of a new Work Group to explore guidance and the categorization of MLS data fields with assistance from RESO.

VI. ADJOURNMENT

There being no other business, the Advisory Board meeting was adjourned at 5:10 p.m. CT.

MEMBERS PRESENT:

Miguel Berger
Brad Bjelke
Chris Carrillo
Art Carter
Jon Coile (Committee Chair)
Merri Jo Cowen
Sam DeBord
Carl DeMusz
Kathy Elson
Tina Grimes
Rick Harris (Liaison)
Jeffery Levine
Nicole Murray
Robert Strickland
Christopher Tausch
Deborah Wey
Julie Moore
Greg Zadel (Advisory Board Chair)

ABSENT:

Tom Berge Jr.
Brian Donnellan
Stan Martin

STAFF:

Nick Blair
Henry Digacomo
Rodney Gansho
Ashley Labanics
Charlie Lee