

To: REALTOR® Association and MLS Executives

From: Laurene K. Janik, NAR General Counsel

November 20, 2008

This mailing contains important information regarding changes to the NAR MLS policies and model rules that require action by all MLSs no later than February 15, 2009. The actions by MLSs described below are required by the settlement of US v. NAR, the case brought by the Department of Justice challenging NAR's previous VOW policy and MLS rules. Please carefully review and take action on the following documents that are enclosed with this mailing:

**2008 Virtual Website Policy** All MLSs must adopt the 2008 VOW Policy, without modification. If the MLS adopted a prior version of the VOW Policy, or the Internet Listing Display (ILD) Policy of 2005, it must take action to rescind those policies.

**Model VOW Rules for MLSs** All MLSs must adopt sections 19.1 through 19.14 of the Model VOW Rules for MLSs. Additional optional provisions are found in sections 19.15 – 19.25. Review the optional provisions and determine which, if any, the MLS elects to adopt.

**Amendment to Section 3 or 4 of Model Bylaws** All Associations/MLSs must amend their bylaws to incorporate the amendment to the definition of MLS "Participation," including the explanatory note found at the end of that section, as set forth in Section 3 or 4 of the Model Bylaw provisions found in the Handbook on Multiple Listing Policy.

**Certification Form** Each MLS must complete the Certification Form indicating adoption of the 2008 VOW Policy and the MLS Rules and, if necessary, rescission of the 2003 VOW and 2005 ILD policies. Record on the certification form which of the optional provisions were adopted from those set forth in sections 19.15 – 19.25. Sign, date and return the Certification Form to Clifford D. Niersbach at the NAR Chicago headquarters no later than February 15, 2009. Alternatively, the completed certification form can be emailed to [yowcertification@realtors.org](mailto:yowcertification@realtors.org) or faxed to (312) 329-8186. *There is no need to send NAR the VOW Rules adopted by the MLS.*

**Frequently Asked Questions** – This document is informational only and provides detailed background and guidance regarding the VOW policy and MLS rules changes.

All of the documents included in this mailing can be found on the Law & Policy page of NAR's website, Realtor.org.

In addition to adopting the new policy, bylaw provision and rules, it is important that the MLS act consistently with the policy and rules and enforce the rules in a uniform and even-handed manner. It is also important that the MLS not adopt any other policy or practice that governs brokers in their operation of VOWs. When in doubt, please contact NAR's Legal or Board Policy staff for guidance.