

# **Contra Costa Association of REALTORS®**

## **Multiple Listing Service**

### **IDX Rules and Regulations**

**Effective June 24, 2008**

This document is an excerpt of the CCAR MLS Rules and Regulations document. This excerpt pertains only to the use of MLS IDX data and data displayed on the internet.

Updated 6/24/2008

**TABLE OF CONTENTS**

**12. PROHIBITIONS AND REQUIREMENTS**

- 12.16 Use of Active Listing Information on Internet
  - 12.16.1 Notification by Authorized Broker Participants and Real Estate Subscribers
  - 12.16.2 Right to Charge for Download
  - 12.16.3 Intention of IDX Display
- 12.17 Applicability of Rules to MLS or Association
- 12.18 Listing Broker's Right to Opt-Out of Internet Advertising of MLS Information
- 12.19 Website Name and Status Disclosure

**12.16 Use of Active Listing Information on Internet. [Also known as Internet Data Exchange ("IDX")]** (a) Subject to paragraphs (b) through (l) below, and subject to an executed IDX Access Agreement with the MLS, notwithstanding anything in these rules and regulations to the contrary, broker participants and real estate subscribers may display on their public websites aggregated MLS active listing information through either downloading and placing the data on the participant or subscriber's public access websites or by framing such information on the MLS or association public access website (if such a site is available).

(b) The listing brokers' consent for such internet display is presumed, in satisfaction of Rule 12.8, unless a listing broker affirmatively notifies the MLS that the listing broker refuses to permit display either on a blanket or on a listing-by-listing basis. Listing brokers that refuse to permit other MLS broker participants or real estate subscribers to display their listing information on a blanket basis may not display MLS active listing information of other brokers' listings.

(c) Broker participants and real estate subscribers shall not display confidential information fields, as determined by the MLS in the MLSs' sole discretion, such as that information intended for cooperating brokers rather than consumers.

(d) All listings on a broker participant's or real estate subscriber's site displayed by framing or other electronic means, shall display the name of the listing firm and the name of the listing agent in a manner designed to easily identify such listing firm or agent. Listing firm and listing agent name shall be displayed in a readily visible color and typeface not smaller than the median used in the display of the listing data. Each results screen, including the thumbnail and summary view, shall display the listing firm and listing agent name for each listing.

(e) Broker participants and real estate subscribers shall not modify the information displayed pursuant to these MLS rules.

(f) Information displayed shall indicate the source of the information being displayed and the most recent date updated. Broker participants and real estate subscribers shall update all downloads and refresh all data at least once every seventy-two (72) hours.

(g) Sharing of the MLS compilation with any third party not authorized by the MLS is prohibited. Broker participants and real estate subscribers shall indicate on their websites that the information being provided is for consumers' personal, non-commercial use and may not be used for any purpose other than to identify prospective properties consumers may be interested in purchasing.

(h) Broker participants' and real estate subscribers' websites must protect MLS data from misappropriation by employing reasonable efforts to monitor for and prevent "scraping" and other unauthorized accessing, reproduction or use of the MLS database.

(i) Listings or property addresses of sellers who have directed their listing brokers to withhold their listing or their property address from display on the Internet (including, but not limited to, publicly-accessible websites) shall not be accessible via IDX sites. This does not preclude listing broker participants or real estate subscribers from displaying on their IDX sites or their other website(s) the listing or property address of consenting sellers.

(j) Not all listings from the MLS must be displayed as long as any exclusion from display on broker participants' and real estate subscribers' IDX sites are based on objective criteria, e.g. class of

property, listed price or geographical location.

(k) No portion of the MLS database shall be distributed, provided to or made accessible to any person except as provided for in these rules and/or in the National Association of REALTORS IDX policy.

(l) When displaying listing content, a broker participant's or real estate subscriber's website must clearly identify the name of the brokerage firm under which they operate in a readily visible color and typeface.

**12.16.1 Notification by Authorized Broker Participants and Real Estate Subscribers.**

Broker participants and real estate subscribers partaking in the display of MLS active listing information of other brokers' listings pursuant to Section 12.16 must notify the MLS before displaying said MLS active listing information and must make their website directly accessible to the MLS and other MLS participants for purposes of monitoring/ensuring compliance with applicable rules and policies.

**12.16.2 Right to Charge for Download.** The MLS has the right to charge the costs of adding or enhancing its downloading capacity to broker participants and real estate subscribers who request downloading of listing information pursuant to Section 12.16.

**12.16.3 Intention of IDX Display.** IDX is intended to allow broker participants and real estate subscribers to display limited active MLS data on their public Internet websites. Display of this information is limited to Internet sites accessible by the public. IDX is in no way intended to negate provisions of these Rules that prohibit advertising of another agent's listings without permission, as stated in Section 12.8.

**12.17 Applicability of Rules to MLS or Association.** Nothing in these rules shall limit the right of CCAR or MLS to enter into licensing agreements with third parties for use of the MLS compilations or any portion thereof in accordance with terms approved by the Board of Directors.

**12.18 Listing Broker's Right to Opt Out of Internet Advertising of MLS Information.** If CCAR advertises MLS information on the Internet or licenses MLS information for advertising on the Internet, the listing broker also shall have the right to opt out of such advertising in accordance with the MLS's procedures for opting out. The listing broker shall have the right to refuse to have listings displayed on a blanket basis or on a listing-by-listing basis in accordance with Section 12.16 by affirmatively notifying the MLS in accordance with the MLS procedures for opting out. Notwithstanding anything in these rules and regulations to the contrary, CCAR reserves the right to determine whether to provide Internet advertising services and whether such services are to be made available to non-CCAR members.

**12.19 Website Name and Status Disclosure.** MLS participants' firm websites shall disclose the firm's name and state(s) of licensure in a reasonable and readily apparent manner. Websites of subscribers affiliated with a participant's firm shall disclose the firm's name and the subscriber's state(s) of licensure in a reasonable and readily apparent matter.