

**Effective August 8, 2017** the following changes will be made to bridgeMLS rules and regulations:

1. **AUTHORITY.** bridgeMLS ~~shall~~ **may** maintain for the use of licensed real estate brokers and salespersons and licensed or certified Appraisers, a Multiple Listing Service (hereinafter also referred to as “MLS” or “service”), which shall be subject to the bylaws of bridgeMLS and such rules and regulations as may be hereinafter adopted.
  
2. **PURPOSE.** ~~A Multiple Listing Service is a means by which authorized MLS Broker Participants establish legal relationships with other Participants by making a blanket unilateral contractual offer of compensation and cooperation to other Broker Participants; by which information is accumulated and disseminated to enable authorized Participants to prepare appraisals and other valuations of real property; by which Participants engaging in real estate appraisal contribute to common databases; and is a facility for the orderly correlation and dissemination of listing information among the Participants so that they may better serve their clients and the public. Entitlement to compensation is determined by the cooperating broker’s performance as a procuring cause of the sale or lease.—A Multiple Listing Service is a means by which authorized Participants make blanket unilateral offers of compensation to other Participants (acting as subagents, buyer agents, or in other agency or nonagency capacities defined by law); by which cooperation among participants is enhanced; by which information is accumulated and disseminated to enable authorized Participants to prepare appraisals, analyses, and other valuations of real property for bona fide clients and customers; by which Participants engaging in real estate appraisal contribute to common databases; and is a facility for the orderly correlation and dissemination of listing information so participants may better serve their clients and the public. Entitlement to compensation is determined by the cooperating broker’s performance as a procuring cause of the sale (or lease).~~

**4.3 Clerical Users.** Clerical users are individuals (whether licensed or unlicensed) under the direct supervision of an MLS Participant or Subscriber that perform only administrative and clerical tasks that do not require a real estate license or an appraisers certificate or license. Clerical Users may join the MLS through their employing Participant or Subscriber. The Participant shall be responsible for the conduct of the Clerical User. Clerical Users shall be linked in the system to at least one Participant. They may also be linked to a particular Subscriber. Each Participant and Subscriber shall provide the MLS with a list of all Clerical Users employed by or affiliated as independent contractors with the Participant or Subscriber and shall immediately notify the MLS of any changes, additions or deletions from the list. Clerical Users shall also be subject to the following requirements:

- a. Clerical Users are given a unique passcode;
- b. Clerical Users must have any fees paid in full;
- c. Participant or Subscriber linked to the Clerical User may be fined, disciplined or terminated for Clerical User’s misconduct;
- d. Clerical Users shall sign a written agreement to abide by the rules and regulations of the MLS; and
- e. Clerical Users may complete any required orientation program of no more than eight (8) classroom hours within sixty (60) days after access has been provided.

**5.1 Service Fees and Charges.** The bridgeMLS Board of Directors shall ~~establish a schedule of MLS fees applicable to the MLS, which may include set~~ the following service fees and charges: (see 5.1.1 – 5.1.8)

**11.4 Authority to Put Listings in MLS Compilation.** By submitting any property listing data form to the MLS or inputting listing information into the MLS compilation, ~~the~~ Broker Participants and real estate Subscriber represent and warrant that they have been authorized to grant license and also thereby ~~does do~~ grant authority for and license bridgeMLS to include the property listing data in its copyrighted MLS compilation. By submitting any property listing data form to the bridgeMLS, the Broker Participant and real estate Subscriber represent and warrant that they have been authorized to report information about the sales, price and terms of a listing, have authority to grant and also thereby does grant authority for bridgeMLS to include the sold information in its copyrighted MLS compilation, except where excluded under section 8.1.1. **Listing content includes, but is not limited to, photographs, images, graphics, audio and video recordings, virtual tours, drawings, descriptions, remarks, narratives, pricing information, and other details or information related to listed property.**

**11.5 Photographs/Images on the MLS.** By submitting photographs to the MLS, the participant and/or subscriber represents and warrants that ~~he or she~~ either owns the right to reproduce and display such photographs or has procured such rights from the appropriate party, and has the authority to grant and hereby grants the MLS and the other Participants and Subscribers the right to reproduce and display the photographs in accordance with these rules and regulations. Except by the MLS for purposes of protecting its rights under Section 11.6, branding of photographs, virtual tours or any photographic representation with any information or additional images, including but not limited to photos displaying “for sale” signs posted on the property, is prohibited. **However, branded virtual tours will be permitted in the Branded Virtual Tour field for the sole purpose of transmittal to 3rd party vendors only.**

**12.7 "Sold" Signs, ~~and~~ Use of the Term "Sold:" and Advertising Sold Listings.** Only Broker Participants or R.E. Subscribers who participated in the transaction as the listing broker or cooperating broker may claim to have “sold” the property. Prior to closing, a cooperating broker may post a “sold” sign on a property only with the consent of the listing broker. This section does not, however, prohibit any broker from advertising ~~the addresses and prices of~~ a permissible subset of allowable listing content regarding the properties that have sold in a neighborhood after the information regarding the properties has been published as long as the advertisement does not imply the agent was involved in the transaction unless such is the case and as long as the advertisement otherwise presents a “true picture” as is meant under Article 12 of the N.A.R. Code of Ethics, its Standards of Practice and its Case Interpretations. **Allowable listing content may include only those portions of the MLS compilation consisting of the following: property address (and whether attached or detached), status, price, number of bedrooms, number of bathrooms, number of garages (and whether attached or detached), square footage, lot size, year built, tract or development name, and if there is a pool. Display of other fields, as well as confidential information and photographs, is prohibited.**

**14.4 Fines.** All fines will be paid to bridgeMLS. bridgeMLS ~~Shareholder's Associations~~ may charge up to \$500 Administrative Fees to conduct hearings and grievances consistent with the California Code of Ethics and Arbitration Manual.