



THE CLEAR COOPERATION POLICY FREQUENTLY ASKED QUESTIONS

FAQ Revised 5-15-2020

The National Association of REALTORS® adopted Rule 8.0, better known as the Clear Cooperation Policy, which states that all multiple listing services will require that a listing is submitted to the MLS within one business day of the listing being publicly marketed. As CDAR is adopting this rule, we wanted to provide a FAQ for this change.

1. When did the Clear Cooperation Policy go into effect?

The policy was implemented on Friday, May 1, 2020 and enforced Monday, May 4, 2020.

2. What property type does this apply to?

Residential, residential 1-4 unit and lots and lands.

3. Does this policy apply to Residential Lease?

No, this does not apply to Residential Lease.

4. My seller doesn't want their property on the MLS at all. Is that still allowed?

Yes. The seller has the ability to exclude the property from the MLS; however, no marketing of the property can be done, and a seller instruction form must be signed. If any marketing does take place, then the property must be entered in the MLS within one business day. By keeping the property off the MLS, the seller is agreeing that the listing broker will only share the property with the listing broker's own clients.





THE CLEAR COOPERATION POLICY FREQUENTLY ASKED QUESTIONS

FAQ Revised 5-15-2020

5. If the seller excludes the property from the MLS, can I still put a For Sale sign on the property?

No. Putting up a sign is public marketing and would trigger the requirement to submit the listing into Active or Coming Soon within one business day.

6. If the seller excludes the property from the MLS, can the seller market the property?

No. The listing brokerage needs to educate the seller on the Clear Cooperation Policy and guidelines that the brokerage must follow under the SELM requirements. If the seller markets the property, that is considered public marketing and would trigger the requirement to submit the listing into Active or Coming Soon within one business day.

7. Is the SELM being updated by C.A.R.?

Yes. C.A.R. is currently working on updating the SELM to address the guidelines for the Clear Cooperation Policy. (CDAR will inform our members when the document has been updated. The SELM is being revised to default to CCP as the primary standard and the revision is expected for June 2020 release.)

8. Where do I send the SELM form?

All SELM forms are to be e-mailed to SELM@CDAROnline.org.

9. Do listings in “Coming Soon” status disseminate to IDX feeds, which are being used for brokers’ websites?

No. The IDX feeds will be available once the listing moves to “Active” status.





THE CLEAR COOPERATION POLICY FREQUENTLY ASKED QUESTIONS

FAQ Revised 5-15-2020

10. What is the meaning of “business day?”

Business days are Monday through Friday, excluding Saturdays, Sundays, and federal and state holidays.

11. What is considered public marketing?

Marketing and advertising includes, but is not limited to, any information about the property or its availability for sale displayed on any: signs, websites, brokerage or franchise operated websites, communications (verbal or written), multi-brokerage or franchising listing sharing networks, flyers or written material, applications available to the public, or open houses or showings.

12. Does a listing in “Coming Soon” status get disseminated by the MLS to 3rd party sites, such as Realtor.com?

No, not while in “Coming Soon status.

13. Does Policy Statement 8.0 require listings to be submitted to the MLS if they are advertised to a select group of brokers outside of the listing broker’s office?

Yes. “Private listing networks” that include more brokers or licensees than those affiliated with the listing brokerage constitute public advertising or display pursuant to Policy Statement 8.0. Listings shared in multi-brokerage networks by participants must be submitted to the MLS for cooperation.

14. May a brokerage advertise a “Coming Soon” listing on their own website?

Yes. The brokerage may upload the listing on their own website and it must include language that the listing is “Coming Soon.” The MLS will not be feeding “Coming Soon” listings through IDX.