
MLS Citation Policy & Schedule of Fines

Greater Southern MLS



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The purpose of this citation policy is to ensure the integrity of the MLS including the currency and accuracy of its information. Fines will be issued and processed in accordance with this Citation Policy. The citable offenses and fines are subject to change upon approval of the GSMLS Board of Directors. The Citation Policy is in addition to and does not replace the provisions of Section 7 & 9 of the GSMLS MLS Rules and Regulations.

- 1) A violation of the rules must be corrected within two (2) business days of receipt of a Warning Notice of violation sent to the Violator and/or Responsible Participant. Failure to timely correct a noted violation will result in the issuance of a Citation. Failure to correct a violation within two (2) business days of receipt of the Citation is a violation of MLS Section 7 and will result in an additional Citation for failure to correct. A non-conforming listing may be subject to removal by the MLS from active display.
- 2) Receipt of notices referenced in this Policy is presumed to be the sooner of three (3) business days after mailing or one (1) business day after an email has been sent. GSMLS will utilize the email address provided by the Participant/Subscriber as contained within the MLS Platform. Every MLS Participant and Subscriber shall be required to maintain a current, accurate, and active email address at which they may be contacted.
- 3) Fines are due within twenty (20) calendar days of receipt of a Citation.
- 4) If a violator wishes to contest a Citation, the violator may, within twenty (20) calendar days of receipt of a Citation, request a review in accordance with the procedures set forth below. Failure to request a review in writing within twenty (20) calendar days of receipt of the citation, according to these procedures, will result in the opportunity for a review being waived. A request for review will not be processed unless the violation at issue has been corrected.
- 5) The amount of the fines is set by the GSMLS Board of Directors, and as a result GSMLS Staff does not have the authority to waive or reduce any fine.
- 6) Citation Review Procedures:
 - a) A request for a Citation Review must be filed online at <https://greatersouthernmls.com/compliance/> within twenty (20) calendar days of receipt of a Citation.
 - b) Supervisor level Compliance staff shall conduct an internal audit of the case taking into consideration any additional evidence provided by the Violator. GSMLS Supervisors may either withdraw the Citation, or process the Citation Review by compiling relevant facts and evidence, including all evidence provided by the Violator, and forwarding to the Violator's local AOR/BOR.
 - c) The Violator's AOR/BOR shall process all aspects of the Citation Review once presented with the Citation Review from GSMLS.
 - d) The Citation Review by the AOR/BOR shall be managed by a Panel of 3 members of the AOR/BOR Professional Standards Committee. The review Panel shall evaluate the documentary evidence presented by both GSMLS and the Violator. No verbal testimony or in-person hearing shall be permitted. The review Panel shall either confirm or withdraw the Citation.

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No additional MLS rule violations or Code of Ethics charges may be added to the case. GSMLS may charge an additional \$100 Citation Review Processing Fee in addition to any fine amount for any Citation Review that results in the review Panel confirming the violation.

- e) Notwithstanding item (d) above, at the time of submission of a Citation Review request the Violator may instead elect to have a full disciplinary case, including a full evidentiary hearing consistent with the N.A.R Code of Ethics and Arbitration Manual. If a full hearing process is chosen:
 - i) The Citation Review will be sent to the Violator's AOR/BOR for review by the Grievance Committee, which may add additional MLS Rule or Code of Ethics Violations. It is the role of the Grievance Committee to determine if there is sufficient evidence present to justify a Professional Standards Review Hearing. The Grievance Committee will consider both the violators written statement in the request for review and the evidence presented by GSMLS. The Grievance Committee may dismiss the Citation if it finds that there is insufficient evidence of a violation.
 - ii) If the Grievance Committee finds sufficient evidence of the rule being violated, a Professional Standards Hearing will be scheduled at the Violators local AOR/BOR. The local Association's Professional Standards Committee will conduct a full evidentiary hearing and will render a final decision. That decision may include additional MLS Rule or Code of Ethics Violations in addition to the original citation. GSMLS may charge an additional \$200 Citation Review Processing Fee in addition to any fine amount for any Citation Review that results in the professional standards panel confirming the violation. Depending on the policies of the local association, the Violator may be subject to administrative fees in addition to the fines assessed.
- f) Failure to either pay a fine or request a review within twenty (20) calendar days of receipt of a Citation may subject the violator to suspension from the MLS.
- 7) The GSMLS and/or governing Association Board of Directors reserves the right and discretion to charge a Participant or Subscriber with rules violations by virtue of the Professional Standards hearing process, including the possibility of additional fees or fines, suspension or expulsion, rather than utilizing the citation process. Thus, the below fines may not be all inclusive.
- 8) Any Participant or Subscriber who accumulates more than 3 (three) Citations in one calendar year, will be referred to the governing Association for review and consideration of additional discipline and/or termination of MLS Services.
- 9) GSMLS may apply this Policy and the provisions of the GSMLS Rules and Regulations with reasonable discretion, including but not limited to, issuing single Warning or Citation Notices for multiple violations by a single Violator, issuing separate Warning or Citation Notices for co-Violators, or otherwise attempting to accurately assign responsibility for violations.

The violation fine schedule is set forth as follows:

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Rule	Warning	Summary	Fine
1.01	Yes	Failure to submit a listing within 3 days of all necessary signatures.	\$250
1.0.1 & 1.2	Yes	Failure to submit accurate listing data	\$100
1.02	No	Failure to submit listing upon Marketing (Clear Cooperation Policy)	\$500-\$2500*
1.03	Yes	Failure to comply with No Cooperation Listing	\$250
1.1.2	Yes	A participant cannot enter a property more than once under the same property type	\$100
1.1.4	No	Showing a Property in Coming Soon Status	\$1,000**
1.0.2.1	Yes	Misuse of Public Remarks	\$100
1.2.0 A	Yes	Failure to pin the listing to the map	\$100
1.2.0.2	Yes	Use of Media without Prior Written authorization	\$250
1.2.0.2	Yes	Failure to submit required number of photos	\$100
1.2.0.3	Yes	Failure to provide property disclosure within 24 hours of listing entry	\$100
1.2.1	Yes	Failure to comply with Limited Service Listings	\$500
1.4	Yes	Failure to Change Status of Listing – within 3 days	\$100
1.5.1	Yes	Failure to wait 14 days before re-entering a listing	\$500
1.6	Yes	Failure to report Contingencies	\$100
2	No	Failure to comply with Showings and Negotiations	\$1000
2.5	Yes	Failure to comply with Reporting Sales to the Service – within 3 days	\$250
4.5	No	Penalty for Sharing MLS Login Credentials	\$1,000
9.5	Yes	Failure to provide documentation requested by the MLS	***
16	No	Failure to follow Standards of Conduct for MLS Participants	\$500

* 1% of list price, no less than \$500 and not to exceed \$2,500

** \$1,000 fine to BOTH the showing and listing agent.

***Right of the MLS to remove the listing from the database