

IDX RULES AND REGULATIONS (REVISED 2003)

- Section 18 **IDX Defined:** IDX affords MLS Participants the option of authorizing display of their active listings on other Participants' Internet Web sites.
- Section 18.1 **Authorization:** Participants' consent for display of their active listings by other Participants pursuant to these rules and regulations must be established in writing. If a Participant withholds consent on a blanket basis to permit the display of that Participant's listings, that Participant may not download or frame the aggregated MLS data of other Participants.
- Section 18.2 **Participation:** Participation in IDX is available to all MLS Participants who are REALTORS® and whose principal business is real estate brokerage and who consent to display of their listings by other Participants. This requirement can be met by maintaining an office or Internet presence from which Participants are available to represent real estate sellers, buyers or both.
- Section 18.3 **Display:** Display of listing information pursuant to IDX is subject to the following rules:
- Section 18.3.1 The right to display other Participants' listings pursuant to IDX shall be limited to a Participant's office(s) holding participatory rights in Realcomp.
- Section 18.3.2 An Internet republication of another Participants listing shall correspond to the publication display requirements defined in the Default IDX Extract Field List available for download from Realcomp's FTP site. This list specifies the fields available in the daily IDX FTP download and identifies those that are mandatory for display in a summary view, mandatory for display in a detail view. Display of all other fields is prohibited.
- Section 18.3.2.1 The IDXP must make their IDX Site directly accessible to the MLS for purposes of monitoring/ensuring compliance with applicable rules and policies.
- Section 18.3.3 Participants need not display the entire IDX Database but may choose to display only listings in a particular price range, geographical area or property type. This option is available only to those that choose to receive the data via the FTP site.
- Section 18.3.4 Participants shall not modify or manipulate information relating to other Participant's listings.
- Section 18.3.5 A summary display must include the required text data about the property and the logo of the listing broker or the Realcomp approved logo, and may include a photo of the property and links for additional information. If the Participant has chosen to provide links for additional information, i.e., a detailed view of a listing, then a detail view must be available for every listing on that Participant's Web site. A Participant may, however, display more fields for their own listings in the detail view as defined in the Default IDX Extract Field List available for download from Realcomp's FTP site. If the Participant has chosen not to provide links for additional information, then the Listing Office Name must be displayed in the summary display for every listing.
- Section 18.3.6 Search results producing a detailed display of another Participant's listing shall include that Participant's office name, the Realcomp approved logo, and the Realcomp copyright notice immediately following the property information. The Participant's name, Realcomp approved logo, and copyright notice shall be at least as large as the largest type size used to display the listing data. Each detail listing display must include "Provided through IDX through Realcomp II Ltd. Courtesy of ABC Realty" "Copyright 2004 Realcomp II Ltd. Shareholders" with the current year being displayed in the copyright.

- Section 18.3.7 Listing information downloaded and/or otherwise displayed pursuant to IDX shall be limited to properties listed on an exclusive right to sell basis.
- Section 18.3.8 Any search result identifying another Participant's listing in the summary format shall bear the Realcomp approved icon or be present adjacent to the property information to identify the listing as a Realcomp listing.
- Section 18.3.9 The Realcomp approved logo and an explanation of those properties marked with the logo are provided courtesy of Realcomp. The term "IDX" must appear on the first page where any listing data is displayed.
- Section 18.3.10 The Participant choosing to access the IDX Database through the FTP download option shall update the information on its Internet Web site at least weekly.
- Section 18.3.11 Participants (and their affiliated licensees, if applicable) shall indicate on their Web sites that IDX information is provided exclusively 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.
- Section 18.3.12 The data consumers can retrieve or download in response to any inquiry shall be limited to 250 listings per search.
- Section 18.3.13 The IDX Database may be co-mingled with any other MLS listings on the Participant's Internet Web site. Non-MLS listings shall not be co-mingled with MLS listings on the Participant's Internet Web site.
- Section 18.3.14 The IDX display will include a link to a virtual tour if available on the property. The virtual tour must be a non-branded version in order to be linked through IDX. A Participant participating in Realcomp's IDX FTP program may display branded virtual tours for their own listings.
- Section 18.3.15 A summary display of another Participant's listing may not include any contact information or branding of the IDXP who owns the Web site or any of its agents.
- Section 18.3.16 A detailed display of another Participant's listing may not include any contact information or branding of the Participant who owns the Web site or any of its agents within the body of the listing data. The body is defined as the rectangular space whose borders are delimited by the utmost extent in each direction of the listing text and photo data.
- Section 18.3.17 Any result identifying another Participant's listing shall include the disclaimer "The accuracy of all information, regardless of source, is not guaranteed or warranted. All information should be independently verified." In practice, all Brokers will want to display this disclaimer on their own listings as well, unless their legal counsel advises otherwise.
- Section 18.3.18 A Participant displaying the IDX Database or any portion thereof shall make reasonable efforts to avoid "scraping" of the data by third parties or displaying of that data on any other Web site. Reasonable efforts shall include but not be limited to: Monitoring the Web site for signs that a third party is "scraping" data and Prominently posting notice that "Any use of search facilities of data on the site, other than by a consumer looking to purchase real estate, is prohibited."
- Section 18.4 No portion of the IDX database shall be used or provided to a third party for any purpose other than those expressly provided for in these rules.

Section 18.5

In order to participate in IDX, a site must be marketed and branded as a brokerage site and must be controlled by a Participant. If a Participant chooses to display the IDX data for each branch office that also participates in Realcomp by using a separate Web site, they may do so only by framing the Participant's corporate site. If brokers choose to use a third party to build their Web sites, they may, as long as the Web sites are most prominently identified as belonging to the brokerage firm. It's acceptable for the third party company to have a notice at the bottom of every page that says "Powered by (Vendor Name)". But, the Vendor Name must not brand any of these Web sites in such a way as to suggest that they control it. For example, a big banner across the top of the page with Realestate.com's name is a problem, even if it identifies the brokerage underneath.

Section 18.6

IDX is available to Participants that are full subscribers to Realcomp's services. A Participant may make framing of the IDX database available to individual non-principal brokers and sales licensees through the Participant's Web site.

Section 18.7

Agents may frame their broker's IDX site or may frame Realcomp's IDX framing site with that broker's permission. An Agent shall not create their own IDX site with the raw IDX data downloaded from Realcomp's FTP site nor may they use the raw IDX data downloaded by their broker as that agent IDX site would then not be under the control of the Participant.

Section 18.8

A Participant must make changes to its behavior or to its Internet site necessary to cure a violation of Realcomp's rules within five business days of notice from Realcomp of the violation. Any Participant found to be in violation of the MLS/IDX Rules and Regulations faces the following sanctions:

- i. 1st offense – Written warning requiring for immediate remedy to offense;
- ii. 2nd offense - \$2,500 fine along with written notice requiring immediate remedy to offense;
- iii. 3rd offense - \$5,000 fine along with written notice requiring immediate remedy to offense;
- iv. 4th offense – Thirty (30) day suspension of MLS privileges for entire office along with written notice warning of termination of MLS privileges should offense be found again;
- v. 5th offense – Termination of MLS privileges.

Section 18.9

Any Participant using a third party to develop/design its Web site will have a written agreement with Realcomp and that third party in the form prescribed by Realcomp.