

IDX RULES AND REGULATIONS

- Section 18 **IDX Defined:** IDX affords MLS participants the option of authorizing display of their listings on other participants' Internet websites **or other IDX applications not to include social media sites.** *(Amended 6/2011rc)*
- Section 18.1 **Authorization:** Participants' consent for display of their 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. Even where participants have given blanket authority for other participants to display their listings on IDX sites, such consent may be withdrawn on a listing-by-listing basis as instructed by the seller. *(Amended 11/09)*
- Section 18.2 **Participation:** Participation in IDX is available to all MLS Participants who are REALTORS® who are engaged in real estate brokerage and who consent to display of their listings by other Participants. *(Amended 11/09)*
- Section 18.2.1 Participants must notify the MLS of their intention to establish an IDX **display** and must make their site directly accessible to the MLS for purposes of monitoring/ensuring compliance with applicable rules and policies.
- Section 18.2.2 MLS participants may not use IDX-provided listings for any purpose other than **the approved** display. This does not require participants to prevent indexing of IDX listings by recognized search engines. *(Amended 11/09)*
- Section 18.2.3 Listings or property addresses of sellers who have directed their listing brokers to withhold their listing or property address from display on the Internet (including, but not limited to, publicly-accessible Web sites or VOWs) shall not be accessible via IDX **display.** *(Amended 11/09)*
- Section 18.2.4 Except as provided in these rules, an IDX **display** or a participant or user operating an IDX site may not distribute, provide, or make any portion of the MLS database available to any person or entity.
- Section 18.2.5 Participants must refresh all MLS downloads and refresh all MLS data at least once every three (3) days. *(Amended 11/09)*
- Section 18.2.6 When displaying listing content, a participant's or user's IDX site must clearly identify the name of the brokerage firm under which they operate in a readily visible color and typeface.
- Section 18.2.7 Any IDX site that
- a. allows third-parties to write comments or reviews about particular listings or displays a hyperlink to such comments or reviews in immediate conjunction with particular listings, or
 - b. displays an automated estimate of the market value of the listing (or hyperlink to such estimate) in immediate conjunction with the listing,
- shall disable or discontinue either or both of those features as to the seller's listings at the request of the seller. The listing broker or agent shall communicate to the MLS that the seller has elected to have one or both of these features disabled or discontinued on all participants' **displays.** Except for the foregoing and subject to Section 18.2.9, a participant's IDX site may communicate the participant's professional judgment concerning any listing. Nothing shall

prevent an IDX site from notifying its customers that a particular feature has been disabled at the request of the seller. *(Adopted 11/09)*

Section 18.2.8 Participants shall maintain a means (e.g., e-mail address, telephone number) to receive comments about the accuracy of any data or information that is added by or on behalf of the participant beyond that supplied by the MLS and that relates to a specific property displayed on the IDX site. Participants shall correct or remove any false data or information relating to a specific property upon receipt of a communication from the listing broker or listing agent for the property explaining why the data or information is false. However, participants shall not be obligated to remove or correct any data or information that simply reflects good faith opinion, advice, or professional judgment. *(Adopted 11/09)*

Section 18.2.9 Participants may provide IDX information to their respective real estate franchise organizations (“franchisors”) to be indexed for display on such franchisors’ websites, subject to the following requirements and limitations. Failure of a franchisor to comply with the following requirements and limitations can, at the discretion of the MLS, result in suspension or termination of the participant’s(s’) authority to provide IDX information to the franchisor.

- a. Initial search results that provide minimal information (e.g., “thumbnails”) are exempt from MLS-required disclosures (e.g., listing firm, listing agent, source of information, notice that information is deemed reliable but is not guaranteed accurate) provided that a direct link to a detailed (“full view”) display that includes all required disclosures is provided.
- b. Consumers can link directly to a detailed (“full view”) display that complies with disclosure/display rules of the source MLS.
- c. IDX information cannot be used for any unauthorized purpose.
- d. Inaccurate or incomplete information related to any listing must be promptly corrected by the franchisor at the request of the source MLS.
- e. No advertising may appear on pages displaying IDX information.
- f. IDX listing information cannot be modified, manipulated, or permanently retained.

Note: For purposes of this policy, “real estate franchisor” is defined as a company granting real estate brokerage franchises under the franchisor’s trademarks pursuant to a franchise disclosure document meeting applicable Federal Trade Commission rules. *(Adopted 11/10)*

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 and limited to those Participants licensed as real estate brokers.

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 or Realcomp’s corporate website. 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 18.3.3 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 participants' listings. (This is not a limitation on site design but refers to changes to actual listing data.) MLS data may be augmented with additional data not otherwise prohibited from display so long as the source of the additional data is clearly identified. This requirement does not restrict the format of MLS data display or display of fewer than all of the available listings or fewer authorized data fields.
- 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 **display**. 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 **All IDX displays must include the Participant's office name.** **IDX** 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 **2011** Realcomp II Ltd. Shareholders".
- On other approved IDX applications (such as mobile apps), there is no requirement to post logos or the Realcomp approved icon, and the following language shall suffice for Realcomp's copyright notice: "this listing is part of the Realcomp data exchange program provided courtesy of [the listing office's name]." This language will be delivered via text or voice as part of the data being delivered to the mobile device for each listing.**
- ~~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. (deleted 2010)~~
- Section 18.3.7 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 18.3.8 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 18.3.9 Participants (and their affiliated licensees, if applicable) shall indicate on their **display** 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 18.3.10 The data consumers can retrieve or download in response to any inquiry shall be limited to 250 listings per search.
- Section 18.3.11 The IDX Database may be co-mingled with any other MLS listings on the Participant's **display**. Non-MLS listings shall not be co-mingled with MLS listings on the Participant's Internet **display**.
- Section 18.3.12 Display of expired, withdrawn, and pending listings is prohibited.
- Section 18.3.13 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 program may display branded virtual tours for their own listings. This requirement does not apply to other approved IDX displays (such as mobile IDX apps).
- Section 18.3.14 A summary display of another Participant's listing may not include any contact information or branding of the IDXP who owns the **IDX display** or any of its agents.
- Section 18.3.15 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 18.3.16 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 18.3.17 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 **display**. Reasonable efforts shall include but not be limited to:
- i. Monitoring the **display** for signs that a third party is "scraping" data and
 - ii. 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."
 - iii. IDX operators must maintain an audit trail of consumer activity on the IDX site and make that information available to the MLS if the MLS believes that the IDX site has caused or permitted a breach in the security of the data or a violation of the MLS rules related to use by consumers.
- 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 **displays**, 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 **displays** 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.

Section 18.7 Agents may frame their broker's IDX site or display IDX data by using their broker's IDX Vendor as long as the IDX Application is branded and controlled by the Broker. Agents may alternatively use a solution provided by the MLS with their broker's permission. An Agent cannot apply for their own raw IDX data downloaded from Realcomp's FTP or RETS site. All IDX data displayed on the agent site must be approved by the Broker before it can be displayed on the agents site and provided thru the Brokers IDX vendor. (Revised 5/2011)

Section 18.8 A Participant must make changes to its behavior or to its **display** 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 **display** will have a written agreement with Realcomp and that third party in the form prescribed by Realcomp.