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MLS INTERNET DATA EXCHANGE (IDX) RULES

Use of Active Listing Data on Internet – MLS Internet Data Exchange: Subject to Section 14.1 through Section 14.4 below and notwithstanding anything in these MLS Rules and Regulations to the contrary, participants may display on their public websites aggregated MLS listing data on the MLS participant’s public websites or by framing such information on the Lubbock Association of REALTORS® public access website. For purposes of this policy, “display” refers to consumer-directed search and retrieval of MLS information.

Section 14 IDX Defined: IDX afford MLS participants the ability to authorize limited electronic display of their listings by other participants.

Section 14.1 Authorization: Participants’ consent for display of their listings by other participants pursuant to these rules and regulations is presumed unless a participant affirmatively notifies the MLS that the participant refuses to permit display (either on a blanket or on a listing-by-listing basis). If a participant refuses on a blanket basis to permit the display of that participant’s listings, that participant may not download, frame or display 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have given blanket authority for other participants to display their listings on IDX sites, such consent may be withdrawn on a listing-by-listing basis where the seller has prohibited all Internet display.

Section 14.2 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.

Section 14.2.1 Participants must notify the MLS of their intention to display IDX information and must give the MLS direct access for purposes of monitoring/ensuring compliance with applicable rules and policies.

Section 14.2.2 MLS participants may not use IDX-provided listings for any purpose other than display as provided for in these rules. This does not require participants to prevent indexing of IDX listings by recognized search engines.

Section 14.2.3 Listings, including property addresses, can be included in IDX displays except where a seller has directed their listing brokers to withhold their listing or the listing’s property address from all display on the Internet (including, but not limited to, publicly-accessible websites or VOWs).

Section 14.2.4 Participants may select the listings they choose to display on their IDX sites based only on objective criteria including, but not limited to, factors such as geography or location (“uptown”, “downtown”, etc) list price, type of property, (e.g. condominiums, cooperative, single-family detached, multi-family) cooperative compensation offered by listing brokers, type of listing (e.g. exclusive right to sell or exclusive agency), or the level of service being provided by the listing firm. Selection of listings displayed on any IDX site must be independently made by each participant.

Section 14.2.5 Participants must refresh all MLS downloads and IDX displays automatically fed by those downloads at least once every three (3) days.

Section 14.2.6 Except as provided in the IDX policy and these rules, an IDX site or a participant or user operating an IDX site or displaying IDX information as otherwise permitted may not distribute, provide, or make any portion of the MLS database available to any person or entity.

Section 14.2.7 Any IDX display controlled by a participant must clearly identify the name of the brokerage firm under which they operate in a readily visible color and typeface. For purposes of the IDX policy and these rules, “control” means the ability to add, delete, modify and update information as required by the IDX policy and MLS rules.

Section 14.2.8 Any IDX display controlled by a participant or subscriber 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,

either or both of those features shall be disabled or discontinued for 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 displays controlled by participants. Except for the foregoing and subject to Section 18.2.9, a participant's IDX display may communicate the participant's professional judgment concerning any listing. Nothing shall prevent an IDX display from notifying its customers that a particular feature has been disabled at the request of the seller.

Section 14.2.9 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. 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.

Section 14.2.11 Participants shall not modify or manipulate information relating to other participants' listings. MLS Participants may augment their IDX displays of MLS data with applicable property information from other sources to appear on the same webpage or display, clearly separated from the data supplied by the MLS. The source(s) of the information must be clearly identified in the immediate proximity to such data. This requirement does not restrict the format of MLS data display or display of fewer than all of the available listings or fewer authorized fields.

Section 14.3 Display: Display of listing data pursuant to IDX is subject to the following rules:

Section 14.3.1 Listings displayed pursuant to IDX shall contain only those fields of data designated by the multiple listing service. Display of all other fields (as determined by the MLS) is prohibited. Confidential fields intended only for other MLS participants and users (e.g., cooperative compensation offers, showing instructions, property security information, etc.) may not be displayed on IDX sites.

Section 14.3.3 All listings displayed pursuant to IDX shall identify the listing firm in a reasonably prominent location and in a readily visible color and typeface not smaller than the median used in the display of listing data. Displays of minimal information (e.g. "thumbnails", text messages, "tweets", etc., of two hundred (200) characters or less) are exempt from this requirement but only when linked directly to a display that includes all required disclosures.

Websites of licensees affiliated with a participant's firm shall disclose the firm's name and the licensee's state of licensure in a reasonable and readily apparent manner.

Section 14.3.4 All listings displayed pursuant to IDX shall identify the listing agent.

Section 14.3.5 Non-principal brokers and sales licensees affiliated with Internet Data Exchange participants may display information available through IDX on their own websites subject to their participant's consent and control and the requirements of state law and/or regulation.

Section 14.3.7 All listings displayed pursuant to IDX shall show the MLS as the source of the information. Displays of minimal information (e.g. "thumbnails", text messages, "tweets", etc., of two hundred (200) characters or less) are exempt from this requirement but only when linked directly to a display that includes all required disclosures.

Section 14.3.8 Participants (and their affiliated licensees, if applicable) shall indicate on their websites that IDX information is provided exclusively for consumers' personal, non-commercial use, that it may not be used for any purpose other than to identify prospective properties consumers may be interested in purchasing, and that the data is deemed reliable but is not guaranteed accurate by the MLS. The MLS may, at its discretion, require use of other disclaimers as necessary to protect participants and/or the MLS from liability. Displays of minimal information (e.g. "thumbnails", text messages, "tweets", etc., of two hundred (200) characters or less) are exempt from this requirement but only when linked directly to a display that includes all required disclosures.

Section 14.3.9 The data consumers can retrieve or download in response to an inquiry shall be determined by the MLS but in no instance shall be limited to fewer than one hundred (100) listings or five percent (5%) of the listings available for IDX display, whichever is fewer.

Section 14.3.10 The right to display other Participants' listings pursuant to Internet Data Exchange shall be limited to a Participant's office(s) holding participatory rights in this MLS.

Section 14.3.11 Listings obtained through IDX must be displayed separately from listings obtained from other sources, including information provided by other MLSs. Listings obtained from other sources (e.g., from other MLSs, from non-participating brokers, etc.) must display the source from which each such listing was obtained. Displays of minimal information (e.g. "thumbnails", text messages, "tweets", etc., of two hundred (200) characters or less) are exempt from this requirement but only when linked directly to a display that includes all required disclosures.

Section 14.3.12 Display of expired, withdrawn, and pending listings is prohibited.

Section 14.3.13 No portion of the Internet Data Exchange database shall be used or provided to a third party for any purpose other than those expressly provided for in these rules.

Section 14.3.16 Advertising (including co-branding) on pages displaying IDX-provided listings is prohibited.

Section 14.4 Service Fees and Charges: Service fees and charges for participation in Internet Data Exchange shall be as established by the Board of Directors.

❖ Fees for RETS access are subject to change.

<u>BROKER</u> Broker Name: Office Name(s): Email Address: City, State, Zip: Phone:	<u>VENDOR</u> Constellation Web Solutions 6737 W. Washington Street, Suite 2120 Milwaukee, WI 53214 425-636-6910 brokersolutions@constellationws.com Dan Dlh, Data & Compliance Manager
_____	
BROKER SIGNATURE	VENDOR REPRESENTATIVE SIGNATURE
_____	_____
DATE	DATE
FOR ASSOCIATION MLS USE	
_____	_____
MLS USER NAME	RETS ID
_____	_____
ASSOCIATION STAFF SIGNATURE	DATE