Data Distribution Guidelines

Updated October 2022

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ARTICLE I BROKER RECIPROCITY (BR) & INTERNET DATA EXCHANGE (IDX)

Section 1.1   BR & IDX

Broker Reciprocity (BR) - is the Martha's Vineyard Multiple Listing Service (MVMLS) Internet Data Exchange (IDX) program. IDX affords MLS Participants the ability to authorize electronic display and delivery of their listings by other Participants via the following authorized Use Locations under the Participant's control: websites, mobile apps, and audio devices. This allows Participants and Subscribers to gather and display listing data from the MLS to assist clients/consumers in their search for real estate on the Internet.

Section 1.2   Listing Data

For this document, 'listing data' shall include, but is not limited to, photographs, virtual tours and videos, remarks, pricing information, and other details or information related to the public display of listed property.

ARTICLE II   CONFIDENTIAL DATA FEEDS

Section 2.1   Virtual Office Website (VOW)

A Virtual Office Website (VOW) is a Participant's website, or a feature of a Participant's website through which the Participant can provide real estate brokerage services to consumers with whom they have established a broker-consumer relationship.

Participants and Subscribers may obtain a VOW data feed from the MLS in the same manner as IDX access. However, VOW data feeds contain private data fields that are only available for broker back office use by a Participant and may not be used for public display.

Section 2.2   Broker Valuation

Broker Valuation feeds allow Participants and Subscribers to use and display portions of the licensed data, possibly including other data, for an Automated Valuation Model (AVM), Broker Price Opinion (BPO), Comparative or Comparable Market Analysis (CMA) or other similar products or services.

Section 2.3 Broker Back Office (BBO)

Participants are entitled to use, and MVMLS will provide to Participants, the BBO Data, for BBO Use subject to the Terms below:

 "BBO Data" means all real property listing and roster information in the MLS database, including all listings of all Participants, but excludes (i) MLS only fields (those fields only visible to MLS staff and the listing Participant), and (ii) fields and content to which MLS does not have a sufficient license for use in the Brokerage Back Office Feed.

"BBO Use" means use of BBO Data by Participant and Subscribers affiliated with the Participant for the following purposes:

- Brokerage management systems that only expose BBO Data to Participant and Subscribers affiliated with Participant.
- Customer/consumer relationship management (CRM) and transaction management tools that only expose the BBO Data to Participant, Subscribers affiliated with Participant, and their bona fide clients as established under state law.

- Agent and brokerage productivity and ranking tools and reports that only exposes BBO Data to Participant and Subscribers affiliated with Participant.
- Marketplace statistical analysis and reports in conformance with the MLS Rules and Regulations "Limitations on Use of MLS Information" Section, which allows for certain public distribution.

BBO Use may only be made by Participants and Subscribers affiliated with the Participant, except that at the request of a Participant, MLS must provide BBO Data to that Participant's designee. The designee may use the BBO Data only to facilitate the BBO Use on behalf of that Participant and its affiliated Subscribers.

There is no option for Participants to opt-out their listings from the Brokerage Back Office Feed Use as defined.

 "Terms" mean the following:

- MLSs may impose reasonable licensing provisions and fees related to Participant's license to use Brokerage Back Office Feed Data. MLSs may require the Participant's designee to sign the same or a separate and different license agreement from what is signed by the Participant. Such provisions in a license agreement may include those typical to the MLS's data licensing practices, such as security requirements, rights to equitable relief, and dispute resolution terms. (The foregoing examples are not a limitation on the types of provisions an MLS may have in a license agreement.)
- Use of roster information may be limited by the MLS participation agreement and license agreements.
- Brokerage Back Office Feed Use is subject to other NAR MLS policies and local rules.
- MLSs in their reasonable discretion may expand the definition of Brokerage Back Office Feed Use in conformance with other NAR MLS policies.

Section 2.4   Participant Data Return

Participant Data Return is the language referring to use of the MLS data that relates only to data and listings submitted, contributed, or input by the Participant or Subscriber affiliated with the Participant.

ARTICLE III   USE OF MULTIPLE LISTING SERVICE (MLS) INFORMATION

Section 3.1   Social Media

MVMLS's IDX policy does not automatically give Participants and Subscribers permission to share listings on social media sites that are not their own or without prior consent from the listing broker.

In addition, any postings of listings on social media sites must follow all applicable State and Federal laws and regulations as well as the REALTOR® Code of Ethics. In addition to laws, regulations, and the REALTOR® Code of Ethics, there are polices set forth by each private social media company for which you must comply.

The Cape Cod & Islands Association of Realtors® provides a resource on social media which can be found by visiting https://cciaor.com/social-media.

Section 3.2   Physical Distribution

Participants and Subscribers must maintain control over any listing information, statistical information, and any information that can be considered a part of the MLS compilation. Physical distribution is covered in the MLS Rules & Regulations "Distribution" Section which states:

Participants shall, at all times, maintain control over and responsibility for each copy of any MLS compilation leased to them by the MLS, and shall not distribute any such copies to persons other than Subscribers who are affiliated with such Participant as licensees, those individuals who are licensed or certified by an appropriate state regulatory agency to engage in the appraisal of real property, and any other Subscribers as authorized pursuant to the governing documents of the MLS. Use of information developed by or published by an association multiple listing service is strictly limited to the activities authorized under a Participant's licensure(s) or certification, and unauthorized uses are prohibited. Further, none of the foregoing is intended to convey participation or membership or any right of access to information developed or published by an association multiple listing service where access to such information is prohibited by law.

Section 3.3   Reproduction of MLS Data

Reproduction of MLS data from the MLS compilation is covered in the "Reproduction" Section of the MLS Rules & Regulations. The purpose of this rule is to guide Participants in taking the correct actions regarding when they can reproduce this data and understand when they cannot. In general, Participants shall not reproduce MLS data except in the limited and defined circumstances summarized below:

Participants may reproduce a reasonable number of reports of property listing data from the MLS compilation for which perspective purchasers may be interested. This policy does not preclude Participants from listing compilation for display, utilization, distribution or reproducing property reports and other compilation data exclusively of their own active listings. Any MLS information that is reproduced or accessed in any form is for the exclusive use of the Participant and those licensees affiliated with the Participant who are authorized to have access to the information. No information may be accessed or given to any unauthorized parties.

Section 3.3.1

In addition to the above information, a partial excerpt of this Section states that:

None of the foregoing shall be construed to prevent any individual legitimately in possession of current listing information, sold information, comparables, or statistical information from utilizing such information to support valuations on particular properties for clients and customers. Any MLS content in data feeds available to Participants for real estate brokerage purposes must also be available to Participants for valuation purposes, including automated valuations. MLSs must either permit use of existing data feeds, or create a separate data feed, to satisfy this requirement. MLSs may require execution of a third-party license agreement where deemed appropriate by the MLS. MLSs may require Participants who will use such data feeds to pay the reasonably estimated costs incurred by the MLS in adding or enhancing its downloading capacity for this purpose. Information deemed confidential may not be used as supporting documentation. Any other use of such information is unauthorized and prohibited by these rules and regulations.

Section 3.4   Property Types & Statuses

Section 3.4.1 Property Types

Participants and Subscribers may publicly display the following property types:

- Residential
- Land
- Multi-Family

- Commercial

Any public display of the Comparable Sale property type is prohibited.

Section 3.4.2 Statuses

Participants and Subscribers may publicly display the following statuses:

- Active
- Active w/Contingency
- Pending
- Closed

Any public display of the Temp. Off Market, Cancelled, Expired, or Deleted property types is prohibited.

ARTICLE IV   ACCESS TO DATA

Section 4.1   Access to Data

The MLS offers various ways for Participants and Subscribers to obtain listing data both public and confidential by use of an API or the listing software provider (IDX Only). Members may choose from the following options:

- Partner with one of MVMLS's existing third-party vendors
- Use the company of their choice, that is willing to agree to a contractual relationship using our Participant Data License
- Take advantage of the free or paid options available from the MVMLS listing software provider (IDX Only)

Participants and Subscribers looking to obtain a data feed should have their vendor contact data@cciaor.com. Our typical turn-around time is usually less than one (1) business day.

Agents who are on a fee waiver may not use any Participant data other than what is provided by their own firm.

Section 4.1.1 AVM

A confidential data feed may be obtained for an AVM product or service. Per the MLS Rules & Regulations any data feed provided by the MLS may be used for an AVM product or service. However, pursuant to the MLS Rules & Regulations, a listing agent at the request of their seller shall have the ability to disallow the use of their listing for AVM purposes. This can be accomplished on the individual listing upon input or through the Broker Distribution tab.

Section 4.2   Application Program Interface (API)

Application Program Interface (API) is a data transfer method that eliminates the need to copy listings between servers. API technology creates efficiencies in the collection and use of MLS data by Participants, vendors, and MLSs. API's allow for faster updates/results, increased security, and ease of use in displaying property information.

API feeds are offered to approved in-house and third-party vendors for the data feed types previously described in this document. An API may be requested by use of the Participant Data License and with the payment of any fees as set forth and approved by the Board of Directors and which may be amended periodically. Please note that API access may be offered through various platforms provided by the MLS and those platforms may have additional rules and fees that apply.

Section 4.3   In-House Vendor

An in-house vendor is a data recipient who maintains membership with the MVMLS, a Participant's brokerage, or Participant franchise that will utilize a data feed themselves without the use of a third party. In-house data recipients shall adhere to the same practices for obtaining a data feed and the same rules and regulations for use and display. There may still be fees that apply for an in-house vendor as set forth and approved by the Board of Directors and which may be amended periodically.

A franchise pulling a data feed on behalf of a member Participant brokerage may pull feeds for multiple approved Participant brokerages, which may incur additional fees as approved by the Board of Directors and which may be amended periodically.

For information regarding the current fees for data access, please contact data@cciaor.com.

Section 4.4   Third-Party Vendor

A third-party vendor is the data recipient, typically described as a real estate service or technology provider that offers various products and services to agents, offices, or companies that are members of MVMLS. Third-party vendors must adhere to our MLS Rules & Regulations, the current Participant Data License, the Data Distribution Guidelines and any additional rules or policies described within the data feed platforms. A third-party vendor with access to an MLS data feed must only provide services to those approved members from which a Participant Data License has been executed. Any MVMLS member, office, or company that discontinues membership either by going inactive, being suspended, or terminated must stop receiving services provided by a third-party vendor who is utilizing a data feed on their behalf. Vendors shall be required to submit a copy of their client list at minimum on a quarterly basis. Additionally, if a third-party product or service is found to be in violation of the MLS Rules & Regulations, a fine may be imposed as in accordance with the MLS Citation Policy as well as the possible termination of the data feed.

For information regarding the current fees for data access, please contact data@cciaor.com.

Section 4.5   One Data Source

MVMLS offers Participants a single data feed in accordance with a Participant's licensed authorized uses. At the request of a Participant, MVMLS will provide a single data feed for that Participant's licensed uses to that Participant's data recipient. The data recipient may use the single data feed only to facilitate that Participant's licensed uses on behalf of that Participant.

Section 4.6   Use Location

Use Location refers to any website URL, mobile application, or audio device (a means of audio delivery of IDX data authorized by MLS Policies) specified in the Participant Data License and does not include mass-media display of any portion of MLS Data.

Participants and Subscribers may display or deliver listing content to the Use Location(s) expressly indicated in the Participant Data License. If the Use Location is not available at the time of execution of the Participant Data License, the Participant, Subscriber, or vendor will be required to provide this information immediately upon its availability.

ARTICLE V   REAL ESTATE STANDARDS ORGANIZATION

Section 5.1   Real Estate Standards Organization (RESO)

RESO actively develops, adopts, and implements open and accepted data standards and processes across all real estate transactions. RESO provides an environment for the development and implementation of data standards and processes that facilitate software innovation, ensures portability, eliminates redundancies, and obtains maximum efficiencies for all parties participating in real estate transactions.

RESO has more than 850 active members, including NAR, multiple-listing services, real estate associations, brokerages, and industry technology providers[1].

MVMLS is a member of the RESO. As the standards are implemented, we work to update information in the MLS to make sure we have the highest level of certification. We focus on keeping the highest certification levels so that our data is accurate and consistent with other RESO certified MLS's and so we remain in compliance with the requirements set forth by the National Association of REALTORS®.

ARTICLE VI   BROKER DISTRIBUTION

Section 6.1   Broker Distribution Defined

Broker Distribution is the transmittal of listings from the MLS compilation to approved publisher sites. The distribution of listings from the MLS compilation is strictly for those who wish to utilize the extended listing exposure and is not a requirement.

Section 6.2   Broker Distribution Options

Participants of MVMLS have the option to choose where their listings are published. Additionally, Participants and Subscribers have the ability to manage the distribution of their listings on an individual basis, as directed by their seller.

The goal of the MVMLS is to put the broker in charge by giving them the knowledge, the tools, and control they need when it comes to the distribution of their listings online. MVMLS accomplishes this by:

- Maintaining a broker distribution tool within the MLS listing software that allows brokers, at the firm level and at the individual listing level, to choose where their data is being distributed
- Training brokers on how to manage their distribution
- Helping brokers and agents with potential issues pertaining to the display of their listings online and provide them with an understanding of where the data is being sourced

The MVMLS publisher partners vary, and certain sites may have additional partner sites for which they distribute listings. By adding a listing to the MVMLS you can be assured that your listing will be exposed to a vast number of websites across the globe. Please note that outside of the residential property type, exposure is up to the individual publisher site.

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[1] https://www.reso.org/about-reso/

Section 6.3 Brokerage Feeds

Brokerage feed is the term used for brokerages who have a previously established relationship with one or more of the publisher partners. These feeds will not be affected by MVMLS's distribution of listings.

APPENDIX A   FREQUENTLY ASKED QUESTIONS

Question (Q): How do I control where my listings are distributed to?

Answer (A): Participants of the MVMLS may control their distribution to the various publisher sites by visiting the appropriate section of the MLS listing software or by contacting the MLS office.

When adding a listing, the MLS provides a section within the input form for members to pick and choose which publisher sites, if any, the listing shall be sent to as agreed upon by their seller.

Q: Do my listings appear on IDX sites as well?

A: The MLS Rules & Regulations allows all listings to be available for IDX use, unless the listing agent and their seller chooses to opt-out of this option or the Participant chooses not to permit display of their listings on a blanket basis. If a Participant chooses not to permit display of their listings on IDX websites, such Participant may not be allowed to display other Participant listings on their website.

Q: I am a third-party company, and I would like to get the process started for utilizing your data feed, who do I contact?

A: Any company looking to obtain access to our data feed may contact the MLS office at data@cciaor.com.

Q: I am a member of MVMLS and I would like to become a client of an already established third-party vendor, where do I start?

A: The MLS maintains a section on their website, https://cciaor.com/marthas-vineyard-mls#data-service-resources, which provides the information for a number of existing third-party vendors.

Q: How am I or my office/company given credit when my listings appear online?

A: The MLS Rules & Regulations has IDX rules that require the display of the listing agent and listing firm in a reasonably prominent location, color, and typeface. However, minimal displays of listings like thumbnails are exempt from this rule as long as the thumbnail listing links directly to a full listing detail with the appropriate disclosures.

Q: My client does not want their address to be displayed online for privacy concerns, can I submit a listing to the MLS but withhold the address from the public display?

A: Upon listing input, there is an option that allows you to exclude the address from internet display. By use of this feature, the address will display in the MLS only, but shall be withheld from public display on IDX and publisher websites, given the data source is MVMLS.

APPENDIX B   SUMMARY OF TERMS

Access to Data: Describes the various ways for a Participant or Subscriber to obtain listing data, both public and confidential to be used in the ways described in this document.

API: Application Program Interface – Data transfer method that eliminates the need to copy listings between servers, therefore, creating efficiencies in the collection and use of the MLS data.

AVM: Automated Valuation Model – A tool used in real estate to determine a property's value. Many AVMS calculate a property's value at a specific point in time by analyzing values of comparable properties.

BBO: Broker Back Office – Data that includes all property listing and roster information from the MLS database, including all listings of all Participants (given they have not opted out of Broker Reciprocity) which Participants may use subject to the terms mentioned in Article II.

BPO: Broker Price Opinion - An estimated value of a property as determined by a real estate professional.

Broker Distribution: The transmittal of listings from the MLS compilation to approved publisher sites.

Brokerage Feeds: Term used for brokerages who have a previously established relationship with one or more publisher partners.

BR: Broker Reciprocity - The sharing of listings online.

CCIAOR: Cape Cod & Islands Association of REALTORS®

MVMLS: Martha's Vineyard Multiple Listing Service, Inc.

CMA: Comparative or Comparable Market Analysis – A tool used by real estate professionals to estimate the value of a property by using off-market comparable ones that are in a relatively close proximity to its subject.

IDX: Internet Data Exchange - Allows for Participants to authorize electronic display of their listings.

In-House Vendor: An in-house vendor is a data recipient who maintains membership with the MVMLS, a Participant's brokerage, or Participant franchise that will utilize a data feed themselves without the use of a third party

Listing Data: Includes, but is not limited to, photographs, virtual tours and videos, remarks, pricing information, and other details or information related to the public display of listed property.

MLS Rules & Regulations: The Rules & Regulations of the MVMLS

One Data Source: A single data feed that may be used in accordance with a Participant's licensed authorized uses.

Participant Data License: The data agreement used for data feed requests and authorization.

Participant Data Return: Language referring to the use of data that relates only to that provided by a Participant or a Subscriber affiliated with the Participant.

RESO: Real Estate Standards Organization – The organization that develops, adopts, and implements open and accepted data standards and processes across all real estate transactions.

Third-Party Vendor: Data recipient that offers products and services to Participants and Subscribers of MVMLS

Use Location: Refers to the location for which data will be displayed or delivered (website URL, etc.).

VOW: Virtual Office Web – Website component which allows Participants to provide brokerage services to consumers with whom they have established a broker-consumer relationship.

APPENDIX C   RESIDENTIAL IDX DATA FIELDS

This section refers to the Residential IDX data fields that are required for display and those that are not allowed on an IDX website. All other fields are allowed unless otherwise specified. Additional requirements may need to be implemented based on the information displayed on the website. Visit the MLS Rules & Regulations to learn more about IDX and its guidelines.

Required Fields for Display

Listing Agent
Listing Agent Office
Buyer's Agent (closed listings only)
Buyer's Agent Office (closed listings only)
Sold Price (closed listings only)
All the following Property Address Information, (unless excluded from display):

- Street #
- Street Modifier (if any)
- Pre-Direction (if any)
- Street Name
- Street Suffix (if any)
- Post-Direction (if any)
- Unit # (if any)
- Town
- State
- Zip Code
- Sub-Area (if any)
- Lot # (if any)
- Additional Parcel #'s (if any)

Status (unless in one of the private, off-market statuses below)
List Price
Annual Taxes
Tax Year
Land Assessments
Building Assessments
Other Assessment
Total Assessments
Property Sub-type
Year Built
Field Card SqFt
Additional Finished Space
Additional SqFt Source
Total Finished Space
Basement
Basement Description (if Basement is Yes)

Private Pool
Private Dock
Acres
Association (if yes)
Association Fee Year (if applicable)
Garage
Of Cars (if Garage is Yes)
Year Round
Bedrooms-Total
Baths-Full
Baths-Half
Total Baths
Sewer
Private Sewer Information
Waterfront
Waterview
Fireplace
Public Remarks
Special Listing Conditions
Foundation Details
Lot Features
Photo(s)

Private Fields (may never be displayed publicly)

Comparable Sale Property Type
Listings in the Following Statuses:

- Temp. Off Market
- Expired
- Cancelled
- Deleted

Terms
Financing Comments
Concessions
Selling Comments
Listing Type
Owner Name
Expiration Date
Private Remarks
Showing Instructions
Private Office Remarks
Showing Requirements

APPENDIX D   MULTI-FAMILY IDX DATA FIELDS

This section refers to the Multi-Family IDX data fields that are required for display and those that are not allowed on an IDX website. All other fields are allowed unless otherwise specified. Additional requirements may need to be

implemented based on the information displayed on the website. Visit the MLS Rules & Regulations to learn more about IDX and its guidelines.

Required Fields for Display

Listing Agent
Listing Agent Office
Buyer's Agent (closed listings only)
Buyer's Agent Office (closed listings only)
Sold Price (closed listings only)
All the following Property Address Information, (unless excluded from display):

- Street #
- Street Modifier (if any)
- Pre-Direction (if any)
- Street Name
- Street Suffix (if any)
- Post-Direction (if any)
- Unit # (if any)
- Town
- State
- Zip Code
- Sub-Area (if any)
- Lot # (if any)
- Additional Parcel #'s (if any)

Status (unless in one of the private, off-market statuses below)
List Price
Annual Taxes
Tax Year
Land Assessments
Building Assessments
Other Assessments
Total Assessments
Property Sub-type
Year Built
Field Card SqFt
Additional Finished Space
Additional SqFt Source
Total Finished Space
Private Pool
Private Dock
Acres
Association (if yes)
Association Fee Year (if applicable)

Garage
Of Cars (if Garage is Yes)
Year Round
Bedrooms-Total
Baths-Full
Baths-Half
Sewer
Private Sewer Information
Waterfront
Waterview
Fireplace
Public Remarks
Special Listing Conditions

Private Fields (may never be displayed publicly)
Comparable Sale Property Type
Listings in the Following Statuses:

- Temp. Off Market
- Expired
- Cancelled
- Deleted

Terms
Financing Comments
Concessions
Selling Comments
Listing Type
Owner Name
Expiration Date
Private Remarks
Showing Instructions
Private Office Remarks
Showing Requirements

APPENDIX E   LAND IDX DATA FIELDS

This section refers to the Land IDX data fields that are required for display and those that are not allowed on an IDX website. All other fields are allowed unless otherwise specified. Additional requirements may need to be implemented based on the information displayed on the website. Visit the MLS Rules & Regulations to learn more about IDX and its guidelines.

Required Fields for Display
Listing Agent

Listing Agent Office
Buyer's Agent (closed listings only)
Buyer's Agent Office (closed listings only)
Sold Price (closed listings only)
All the following Property Address Information, (unless excluded from display):

- Street #
- Street Modifier (if any)
- Pre-Direction (if any)
- Street Name
- Street Suffix (if any)
- Post-Direction (if any)
- Unit # (if any)
- Town
- State
- Zip Code
- Sub-Area (if any)
- Lot # (if any)
- Additional Parcel #'s (if any)

Status (unless in one of the private, off-market statuses below)
List Price
Annual Taxes
Tax Year
Land Assessments
Total Assessments
Property Sub-type
Private Dock
Acres
Association (if yes)
Association Fee Year (if applicable)
Waterfront
Waterview
Public Remarks
Special Listing Conditions

Private Fields (may never be displayed publicly)

Comparable Sale Property Type
Listings in the Following Statuses:

- Temp. Off Market
- Expired
- Cancelled
- Deleted

Terms

Financing Comments
Concessions
Selling Comments
Listing Type
Owner Name
Expiration Date
Private Remarks
Showing Instructions
Private Office Remarks
Showing Requirements