



CAPE COD & ISLANDS
MULTIPLE LISTING SERVICE, INC

THE CLEAR COOPERATION RULE

NEW MLS RULE STARTING MAY 1

CLEAR COOPERATION

Within one (1) business day of marketing a property to the public, the listing broker must submit the listing to the MLS for cooperation with other MLS participants.

**CAN BE IN THE ACTIVE OR
COMING SOON STATUS**



BACKGROUND OF NEW RULE

NAR MANDATE TO COMPLY WITH AS OF MAY 1

COMPLAINTS GENERATED FROM THOSE WHO WERE PUBLICIZING LISTINGS (THROUGH SIGN IN THE YARD, SOCIAL MEDIA, ETC) AND THE LISTING WAS NOT YET IN THE MLS

CONCERNS AROUND VIOLATING SPIRIT OF MLS & FAIR HOUSING



EXISTING RULES

THESE RULES DO NOT CHANGE

WITHIN 48 HOURS OF GETTING AN EXCLUSIVE LISTING AGREEMENT, THE MLS MUST BE NOTIFIED

IF THE PROPERTY IS TO BE DELAYED ENTRY IN THE MLS FOR A TIME PERIOD (EX: TO COMPLETE PHOTOS, STAGE, ETC.)

**SAVE AS DRAFT LISTING OR
EMAIL LISTING AGREEMENT TO
MLSSUPPORT@CCIAOR.COM**



EXISTING RULES

THESE RULES DO NOT CHANGE

ALL EXCLUSIVE LISTINGS TAKEN MUST BE INPUT INTO TO THE SERVICE EXCEPT IF THE SELLER SIGNS AN AGREEMENT FOR A BROKER EXCLUSIVE

MANDATE TO ENTER ONLY APPLIES TO RESIDENTIAL, MULTI-FAMILY, AND LAND



MANDATORY SERVICE AREA

ALL OF THESE RULES ONLY APPLY TO LISTINGS TAKEN IN BARNSTABLE, DUKES, NANTUCKET COUNTIES AND THE TOWN OF WAREHAM



NEW RULE TIMELINE

SEPTEMBER 2019 - NAR MLS COMMITTEE RELEASES PROPOSAL

OCTOBER 2019 - CCIMLS DISCUSSES PROPOSAL AT BROKER ROUNDTABLES GATHERING
FEEDBACK; CCIMLS SUBMITS FEEDBACK

NOVEMBER 2019 - NAR BOD PASSES NEW RULE WITH MAY 1ST IMPLEMENTATION

JANUARY 2020 - CCIMLS LAUNCHES CLEAR COOPERATION TASK FORCE

FEBRUARY 2020 - CCIMLS BOARD REVIEWED TASK FORCE RECOMMENDATIONS

MARCH 2020 - CCIMLS BOARD APPROVES RECOMMENDATION FOR COMING SOON STATUS

APRIL 2020 - CCIMLS BOARD APPROVES CLEAR COOPERATION POLICY

MAY 1, 2020 - IMPLEMENTATION OF NEW RULE



COMING SOON STATUS

- **MAY STAY IN COMING SOON FOR UP TO 21 DAYS***
- **MAY NOT SHOW THE PROPERTY TO OTHER AGENTS OR CONSUMERS**
- **ALLOWS THE LISTING AGENT TO 'PUBLICLY MARKET' THE PROPERTY**

***During the Massachusetts Stay at Home Order, a listing may stay in 'Coming Soon - No Showings' status for up to 21 days when after the Stay at Home order ends**



GUIDANCE ON PUBLIC MARKETING

Public marketing includes, but is not limited to, flyers displayed in windows, yard signs, digital marketing on public facing websites, brokerage website displays, digital communications marketing (email blasts), multi-brokerage listing sharing networks, and applications available to the general public. This includes the use of any language to solicit showings about a property.

At all times, showing the property to brokers outside the listing firm or to the clients of brokers outside of the listing firm is considered public marketing. Absent an office exclusive agreement, showing the property to clients or other agents in your brokerage is considered public marketing.

YOU CAN DO ANY OF THESE ACTIVITIES AS LONG AS THE LISTING IS AVAILABLE IN THE MLS

GUIDANCE ON PUBLIC MARKETING

PUBLIC MARKETING IS NOT JUST THE LISTING AGENT/BROKERAGE DOING MARKETING ACTIVITIES

BUT ALSO THE SELLER, PHOTOGRAPHER, ETC.

Example: Seller posts on Next Door, Facebook, etc. they are selling their house and to contact you for all information. Listing must be available as Coming Soon or Active within 1 business day.



**THIS RULE DOES NOT PROHIBITING YOU FROM
DOING ANY MARKETING ACTIVITIES**

**JUST IF YOU DO, THE PROPERTY MUST BE
AVAILABLE IN THE MLS WITHIN 1 BUSINESS DAY**



WHAT IF THE SELLER DOES NOT WANT THE PROPERTY ON THE MLS?

THAT WOULD BE CONSIDERED AN OFFICE EXCLUSIVE LISTING

SELLER HAS ABILITY, IF YOUR BROKERAGE POLICY ALLOWS, FOR AN OFFICE EXCLUSIVE LISTING FOR REASONS THE SELLER CHOOSES (i.e. PRIVACY)



OFFICE EXCLUSIVE LISTING

NEW FORM AVAILABLE FOR USE

SELLER CERTIFIES THEY WANT TO DO THE FOLLOWING:

- NOT LIST HOUSE IN MLS
- IF PUBLICLY MARKETED, WILL BE IN MLS WITHIN 1 BUSINESS DAY
- BELIEVES LISTING BROKER COOPERATION WITH OTHER REALTORS IS NOT IN CLIENT BEST INTEREST
- NOT DOING THIS TO SKIRT FAIR HOUSING LAW
- MLS HAS ALL AVAILABLE CONTROLS TO MAINTAIN PRIVACY (IE: ADDRESS WITHHELD FROM INTERNET, NOT DISTRIBUTED TO IDX OR PUBLISHERS (R.COM, ZILLOW, ETC))



TAKEAWAY

IF YOU MARKET, SHOW, OR SHARE YOUR LISTING AFTER MAY 1ST

MUST BE IN THE MLS WITHIN 1 BUSINESS DAY

EVEN IF YOU & SELLER DECIDED TO ENTER INTO MLS AT LATER DATE



[CCIAOR.COM/CLEARCOOPERATION](https://cciaor.com/clearcooperation)



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