

Social Media FAQs

California Regional Multiple Listing Service, Inc.



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Social Media FAQs

1. Q: What is considered social media?

A: Social Media is a form of electronic communication (such as internet or mobile applications) through which users create or join online communities to share information, ideas, personal messages, and other content (such as videos, photos or linked information sites or platforms). The most prominent examples are Facebook, Twitter, Instagram and Snapchat. Note that where information is simply being posted or promoted via the internet apart from a social network or community, such as a public website (e.g. Craigslist), this is not considered social media. Those advertisements outside the scope of social media rules are governed by the MLS' more general advertising rules, such as Rules 12.8 and 12.10, which state that advertising another broker's listing without prior consent is prohibited and any advertisement of another broker's listing cannot be a misrepresentation or misleading to consumers.

2. Q: What is considered advertising in the social media context?

A: Advertising is the promotion of a specific listing via any distribution method or media type. In a social media context, examples would include but not be limited to:

- A link on a page or feed which leads to a site or platform displaying the listing and its attributes;
- A video or photos of the listing uploaded/posted to a social media platform;
- User created content including information about a listing uploaded/posted to a social media platform

3. Q: Can I advertise my listings on social media?

A: Yes, provided your advertisements are truthful (see MLS Rule 12.10).

4. Q: Can I advertise another agent's listing on social media?

A: Only if you have obtained the listing broker's written permission to advertise the property before you post, and you are not presenting the information in a way that is misleading.

5. Q: What constitutes a listing broker's permission to advertise their listing?

A: There are two ways to obtain a listing broker's permission to advertise their listing in a social media context. The first is to get permission *expressly*, directly from the broker via written communication. The other way is to use a compliant IDX feed as the source of your social media post. For example, if you were to post a link on your social media feed that leads back to your broker's IDX website, you would be acting with the permission of the listing broker. Per Section 12.16 et seq of the Rules and Regulations, listing brokers give their permission that their listings may be included in the MLS' IDX feed, including using for social media posts. What you may NOT do, is screen shot or copy a photo into your social media platform and then draft your own post content. The social media post must be created using a link that will take the consumer back to the IDX website from which the post was linked.

6. Q: What constitutes “misleading” or “false” advertising or representations?

A: In large part, Rule 12.10 is concerned with misrepresentations as to the advertising agent’s relationship to the property. Specifically, any advertisement that makes it look as though the advertising agent is the listing agent will be considered a violation of this Rule. This type of misrepresentation is one of the most common problems with social media advertisements and should be carefully guarded against. For a more detailed perspective it is advisable that Rule 12.10 be carefully reviewed prior to any advertising that involved MLS content.

7. Q: Can I post “Coming Soon” information on social media?

A: “Coming Soon” advertisements are the subject to the same rules regardless of platform. For a more detailed review of those relevant rules and procedures, please see our FAQ on the subject located here: <https://go.crmls.org/coming-soon-faqs/>

8. Q: What about social media posts that “disappear” from my feed, timeline, etc.?

A: The CRMLS Compliance Department must be able to access the social media post. Some social media platforms are private, or invitation only. Examples include SnapChat, Instagram, or a private Facebook Group. Posting another agent’s listing on any of these private or invitation only platforms requires the specific written permission of the Listing Broker, as they are not allowed under the IDX rules.

9. Q: What should I do if I see a potential violation of the rules on social media?

A: If you see a potential violation on social media, use a screen shot or other copy of the advertisement and send it to compliance@crmls.org, along with a short explanation of the circumstances. Your report will be assigned to a Compliance analyst for review.