



CLEAR COOPERATION POLICY RULES

NAR APPROVED CLEAR COOPERATION POLICY 8.0



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. Public marketing includes, but is not limited to, flyers displayed in windows, yard signs, digital marketing on public facing websites, brokerage website displays (including IDX and VOW), digital communications marketing (email blasts), multi-brokerage listing sharing networks, and applications available to the general public.

Property types affected by this policy are:

Residential, Residential Vacant Lot and Residential 1-4 Unit Properties

CRMLS RULE 7.9

MANDATORY SUBMISSION

Mandatory Submission upon Marketing: Within one (1) business day of marketing or advertising a property to any member of the public the Listing Broker must submit the property into the MLS for cooperation with other MLS participants. Marketing and advertising includes, but is not limited to, any information about the property or its availability for sale displayed on any: signs, websites, social media, brokerage or franchise operated websites, communications (verbal or written), multi-brokerage or franchise listing sharing networks, flyers or written material, on any applications, or by conducting an open house. Any individual or entity that has signed within the previous year a Disclosure Regarding Real Estate Agency Relationship form in compliance with CA Civil Code section 2079.16 that identifies the Listing Broker shall not be considered a “member of the public” under this rule.

MARKETING DEFINED

1 WHO? The Public

Public:

Anyone who has not signed the AD Form with the Listing Broker within the last year, or is not an agent underneath the same designated Broker

2 WHAT?



**DISCLOSURE REGARDING
REAL ESTATE AGENCY RELATIONSHIP**
(As required by the Civil Code)
(C.A.R. Form AD, Revised 12/18)

To: Home Buyer Leads
From: Jane Agent
Subject: See the latest listings!
Copy: Hi [Lead Name],
Curious to see what's new on the [market name] market? Check out the latest homes for sale to list in the area by clicking here, where I routinely update the most recent listings and offer comprehensive details for each one: everything from asking price, to home dimensions, to property history.



THE PROCESS PRIOR TO 5/4/20

1

Seller signs listing contract



2

- Listing broker has **two (2) business days** from the listing contract date to either:
 - Enter listing into MLS as **ACTIVE** status
 - Submit **listing exclusion form** (e.g. C.A.R. SELM or CRMLS Listing Exclusion Form)
- Listing broker may only exclude listing from MLS if instructed by seller and seller signs listing exclusion form

THE NEW PROCESS AS OF 5/4/20

1

Seller signs listing contract



2a

Listing broker has two (2) business days from the listing contract date to Input the Listing into the MLS as:

REGISTERED

or COMING SOON

or ACTIVE

AND

2b

Within one (1) business day of marketing the property, the Listing Broker must ensure the listing is in the Coming Soon or Active status.

If the property is never marketed, then the listing does NOT need to be placed into Coming Soon or Active.

DIFFERENCES IN STATUSES

REGISTERED

No Marketing
Not Displayed in MLS
No Commission Offered
No DOM
No Distribution
through MLS
Showings Only to
Listing Broker Client

What's Required for **Registered**?

Address
Listing Contract Date
Price
Expiration Date
Marketing Start Date

COMING SOON

Marketing Allowed
Displayed in MLS
Commission Offered
No DOM
Limited Distribution
through MLS
No Showings
21 Days Only

Who can see **Registered** listings?

Listing Agent, Listing Broker, Office Managers and MLS Staff

Who can see **Coming Soon** listings?

All CRMLS users

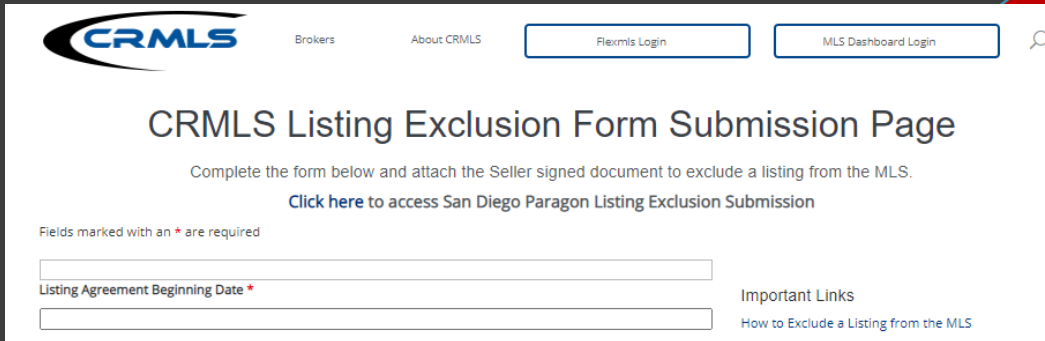
ACTIVE

Marketing Allowed
Displayed in MLS
Commission Offered
DOM Counts
Full Distribution
through MLS
Showings Allowed

THE REGISTERED STATUS REPLACED THE CRMLS EXCLUDE LISTING PROCESS

CAR has made changes to the CAR SELM form

The CRMLS-specific Exclusion form has been retired.



The screenshot shows the CRMLS Listing Exclusion Form Submission Page. At the top, there is a navigation bar with the CRMLS logo, links for Brokers, About CRMLS, Flexmls Login, and MLS Dashboard Login. The main heading is "CRMLS Listing Exclusion Form Submission Page". Below this, a note states: "Complete the form below and attach the Seller signed document to exclude a listing from the MLS." A link is provided: "Click here to access San Diego Paragon Listing Exclusion Submission". A note indicates: "Fields marked with an * are required". The form includes a text input field for "Listing Agreement Beginning Date *". To the right of the form, there are links for "Important Links" and "How to Exclude a Listing from the MLS". A red arrow points from the "Click here" link to the "REGISTERED" box.

REGISTERED

No Marketing
Not Displayed in MLS
No Commission Offered
No DOM
No Distribution through MLS
Showings Only to Listing Broker Client

What's Required for **Registered**?

Address
Listing Contract Date
Price
Expiration Date
Marketing Start Date

ADDITIONAL LISTING MEASURES

- **Days Not Active (DNA)**: The days in any status other than Active, Active Under Contract or Pending.
- **Days on Market (DOM)**: The days Active or Active Under Contract without that deal closing.
- **Days in Pending (DIP)**: The days in Pending or Active Under Contract not in DOM.
- **Days Listed (DL)**: List Contract Date until List Finalization. No days removed for any status or condition.

$$DL = DNA + DOM + DIP$$

RULE 9.3 - SHOWINGS

9.3 Availability to Show or Inspect. Listing Brokers shall not misrepresent the availability of access to show or inspect a listed property. For any property in which Listing Broker selected a status of **Coming Soon** or **Hold**, Listing Broker represents that the property shall have no showings or tours, by Listing Broker or otherwise, until such a time as the Property is placed in the Active or Active Under Contract status.

Rule 10.1 - COMING SOON

A valid listing contract exists, and no offer has been accepted.

The Listing Broker is in possession of a seller signed instruction to submit the listing as “Coming Soon”.

Marketing and Advertising as defined in Rule 7.9 is permitted and shall include language that property is “Coming Soon” and shall include the date for which property will become Active.

The property is not available for showings consistent with Rule 9.3

COMING SOON IN MATRIX

The Status tab has been updated to include Coming Soon as an option.

The screenshot displays the CRMLS MATRIX web application interface. At the top, a navigation bar includes the CRMLS MATRIX logo and several menu items: Home, Search, My Matrix, Add/Edit, Finance, Roster, Stats, Realist Tax, and Links. Below this is a search bar. The main content area is titled '+ Residential'. Underneath, there is a horizontal navigation bar with tabs: Status, Basics, Description, Features, Land/Terms, Office/MLS, and State License - Listing Agent. The 'Status' tab is highlighted with a red box, and a red arrow points from it to a dropdown menu. This dropdown menu is also highlighted with a red box and contains two options: 'Coming Soon' and 'Active'. To the right of the dropdown, there are two lines of text: 'Coming Soon - <Instructions about Coming Soon>' and 'Active - <Instructions about Active>'.

CRMLS MATRIX

Home Search My Matrix Add/Edit Finance Roster Stats Realist Tax Links

+ Residential

Status Basics Description Features Land/Terms Office/MLS State License - Listing Agent

Status

Coming Soon Active

Coming Soon - <Instructions about Coming Soon>
Active - <Instructions about Active>

COMING SOON IN MATRIX

The new field, Start Showing Date, under the Office/MLS tab will appear if Coming Soon is chosen. The date must be within 21 days of the listing input date.

The screenshot displays the Matrix software interface with the 'Office/MLS' tab selected. A red box highlights the 'Office/MLS' tab, and a red arrow points from it to the 'Start Showing Date' field. The 'Start Showing Date' field is also highlighted with a red box. The 'Current Status' is set to 'Coming Soon'. The 'Listing Information' section includes fields for Buyer Agency Comp, Buyer Agency Comp Type, Dual/Variable Compensation?, Buyer Agency Comp Remarks, Listing Contract Date, Expiration Date, Listing Service, On Market Date, and the highlighted 'Start Showing Date'.

Office & MLS

Current Status is: **Coming Soon**

Listing ID:

Address:

Listing Information:

Buyer Agency Comp: Buyer Agency Comp Type: Dual/Variable Compensation?:

Buyer Agency Comp Remarks:

Listing Contract Date: Expiration Date: Listing Service:

Start Showing Date:

On Market Date:

COMING SOON FORM

The Coming Soon form is also available for download at:
crmls.org/clear-cooperation-policy

The screenshot displays the CRMLS website interface. At the top, the CRMLS logo is on the left, and navigation links for 'Brokers', 'About CRMLS', 'Flexmls Login', and 'MLS Dashboard Login' are on the right. Below this is a dark navigation bar with links for 'IDX Resources', 'Listing Input Forms', 'CRMLS Association Product Co-op', 'Marketplace', and 'CRMLS Vendor Request Form'. The main content area features a large banner for 'CLEAR COOPERATION POLICY' with a background image of hands signing a document. Below the banner, a grey box contains the text 'Helpful information to keep you informed.' Underneath this is a 'Helpful Resources' section with two boxes. The first box, labeled 'Report Off-MLS Marketing', contains a megaphone icon. The second box, labeled 'Coming Soon Form', contains a clipboard icon and is highlighted with a red rectangular border. A large red arrow points from the right side of the image towards the 'Coming Soon Form' box.

CRMLS

Brokers About CRMLS Flexmls Login MLS Dashboard Login

IDX Resources Listing Input Forms CRMLS Association Product Co-op Marketplace CRMLS Vendor Request Form

CLEAR COOPERATION POLICY

Helpful information to keep you informed.

Helpful Resources

Report Off-MLS Marketing

Coming Soon Form

Rule 10.1 - HOLD

Hold (H):

The Listing Broker is in possession of a seller written instruction to submit the listing as “Hold”.

Marketing and Advertising as defined in Rule 7.9 is permitted.

The property is not available for showings consistent with Rule 9.3.

CITATION POLICY



Citation Fine for violation of 7.8, 7.9, 7.9.1, 9.3 is in the amount of:

**1% of the list price or \$500
whichever is greater not to exceed
the amount of \$2,500.**

Each Violation will receive a
WARNING and opportunity to
correct before any fine is issued.

TIMELINE

May 1, 2020

Rule implemented

May 4, 2020

Enforcement began

Summer 2020

Registered status became available

The Registered status the previous exclusion process.

QUESTIONS or FEEDBACK?

Email ClearCooperation@crmls.org

Visit CRMLS.org to access the
Clear Cooperation Policy Resources page

