# UPDATES TO MLS RULES & REGS

**Oct. 2015**

New rules go into effect. Warnings will be issued.

**Jan. 2016**

Grace period ends. Fines for violations of NEW rules will now be assessed.

## What's prohibited from my MLS listing's digital media?




Identifiable "For Sale" signs in images



Agent's name or image



Contact information, including: website, phone numbers, e-mail address and social media info




Brokerage, team or agent logo




Promotions for any peripheral service

## What's considered digital media?




HiCentral MLS

**Questions? Call HICentral MLS Tech Support at 791-3789**
**8 a.m. - 5 p.m., Mon. - Fri. or e-mail**
**techsupport@hicentralmls.com**

visit members.hicentral.com/mlsblog for more information

# Highlights of MLS Rules & Regs Changes

| Area of Change | New Rule |
|---|---|
| Jurisdiction (New Listings) | MLS participants must now enter all listings for property located within the State of Hawaii (previously Oahu only). |
| Digital Media | Information contained in digital media (e.g., images, virtual tours, videos, etc.) shall pertain to the listed property only (e.g., agent headshots should not be included in listing photos or videos). |
| Digital Media | Digital media may NOT contain agent or company names, phone numbers, e-mail addresses, website addresses, agent photographs or videos, logos or promotions for a closing service provider or any other peripheral service. |
| Digital Media | All videos (including those hosted on 3rd-party sites, such as YouTube) must be unbranded, meaning the videos and the sites on which they are located, do not contain any of the above named forms of contact information or any other identifying information. |
| Digital Media | Photos will be watermarked with HiCentral MLS (HCMLS) for tracking and data-security purposes. |
| Internet Data Exchange (IDX) | IDX users must refresh all MLS downloads at least once every twelve (12) hours. |
| IDX | 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. |
| IDX | Deceptive or misleading advertising (including co-branding) on pages displaying IDX-provided listings is prohibited. For purposes of these rules, co-branding will be presumed not to be deceptive or misleading if the Participant's logo and contact information is larger than that of any third party. |
| IDX | Display of sold data is no longer prohibited. |

**Questions?** Contact Donna Asino, Director of MLS, at donna.asino@hicentralmls.com or Joanne Ching, MLS Policy Administrator, at joanne.ching@hicentralmls.com, or visit http://members.hicentral.com/mlsblog

# **Updates to MLS Rules & Regs:** FAQs

**Why do we have MLS rules and regulations?** The rules and regulations help to ensure accurate data, which benefits REALTORS® as a whole and the public, whom they serve.

**Why are there changes to the MLS rules & regs?** The changes to the MLS "rules & regs" are a result of recommendations from the MLS Rules & Regs Task Force, as well as mandates from the National Association of REALTORS®, which are necessary to maintain our charter with NAR and our Errors and Omissions insurance eligibility.

**Who decided upon these changes?** The task force was composed of:

- Francine Villarmia-Kahawai (chair)
- Allison Lum, Plum Associates, Inc.
- Darryl Macha, Century 21 All Islands
- David Nash, Sachi HI Pacific Century Prop.
- Joni Ann Shiraishi, Hawaii Realty Professionals
- Joyce Nakamura, Coldwell Banker Pacific Properties
- Kate Braden, Oahu Real Estate Online, LLC
- Lorraine Fukumae, Marcus & Associates, Inc.
- Richard Sterman, Sterman Realty
- Sandra Sakuma, iProperties Hawaii, LLC
- Beth Worrall Daily, List Sotheby's International Realty
- Nathan Aipa, Pitluck, Kido & Aipa (legal counsel)

**When do these changes take effect?** The new rules will be effective on *new listings* as of Oct., 1, 2015. Listings created prior to Oct. 1, 2015, are not subject to the rules change.

**When do fines for these changes take effect?** Fines for violating the *new* rules will be assessed beginning Jan., 1, 2016.

**Where can I review the rules and regulations?** The rules & regs can be viewed at: http://members.hicentral.com/images/Documents/mls/Applications/MLSRR100115Redlined.pdf

**How will photos be watermarked with the HiCentral MLS logo?** MLS will add a watermark to the lower right corner of each photo after it has been uploaded to the MLS. The watermark will appear on all photos in HiCentral MLS and on all photos that are used in the data feed for IDX and other third-party websites.

**Why will the photos be watermarked with the HiCentral MLS logo?** By watermarking its listing photos, HiCentral MLS software can determine if HCMLS listing data has been posted to an unauthorized website (such as Craigslist).

**What types of information is prohibited from my listings?** Digital media may pertain only to the subject property. Contact information, including: names, phone numbers, e-mail addresses, website, agent photographs, logos, promotions for a closing service provider or any peripheral services, is prohibited.

**Who is responsible for ensuring agents follow all MLS rules and regulations?** The broker in charge is responsible for ensuring agents comply with MLS rules & regs.