
National Association of Realtors (NAR)

Clear Cooperation (MLS Policy Statement 8.0) FAQ

Q1. *What is the Clear Cooperation Rule?*

A1. Within one (1) business day of marketing a property to the public, the listing broker must enter the listing into 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.

Q2. *What is one (1) business day?*

A2. 24 business hours (excludes Saturday, Sunday, and Federal Holidays). If a sign goes up at 9:00 am on Tuesday morning, the listing must be entered by 8:00 am Wednesday morning.

Q3. *I want to market the listing, but it is not ready to be shown. Can I move it to the Withdrawn status and publicly market it?*

A3. No, if the property is being publicly marketed, it must be in MLS as Active or Coming Soon.

Q4. *How does Clear Cooperation change the Delayed Entry rule?*

A4. Delayed Entry is the most impacted process as a result of Clear Cooperation. Previously, you were permitted to have a sign in the yard and advertise on PRIVATE social media. Clear Cooperation removes those permissions. Once Clear Cooperation is implemented, you may not have any public advertising (the new NAR definition of public advertising). Sellers will be required to sign a Delayed Entry disclosure similar to the Coming Soon Seller's Authorization form.

Q5. *How does Clear Cooperation change Coming Soon rules?*

A5. Clear Cooperation does not change the Coming Soon rules. The listing must be entered into MLS as Coming Soon prior to any public marketing, and all public marketing must include the statement, "Coming Soon. No Showings until mm/dd/yyyy (the agreed upon Showing Start Date)."

Q6. *My seller doesn't want the world to know they are moving but still wants me to market to other REALTORS®. How can I market to other agents but not the public?*

A6. Properties can be listed in MLS but NOT accessible to the general public by marking Internet = No when entering the listing. Other members will see the property, but it will not be syndicated to 3rd party portals or included in IDX feeds. The listing will be sent to prospects set up in Rapattoni that match the listing criteria.

Q7. *Can I still take an Office Exclusive listing?*

A7. Yes. However, if Office Exclusive Listings are displayed or advertised outside the brokerage, they must be entered into MLS within 1 business day to comply with Clear Cooperation.

Q8. *What is the definition of "brokerage" as it relates to advertising outside the brokerage?*

A8. The same office or offices with the same broker of record operating under the same corporate license.

Q9. *Can my seller or the listing broker 'opt-out' of the policy's obligations?*

A9. No. The policy does not include an "opt-out." Any required listing being publicly marketed must be entered into MLS.

Q10. *I've entered the listing as active so I can advertise. Must it be available to be shown?*

A10. Yes. Listings entered as Active must be available immediately for showings (MLS Rule 14.6). If the property is not ready to be shown, but will be ready within ten (10) calendar days, you may utilize the Coming Soon status.

Q11. *Can I advertise a pocket listing in a closed Facebook Group?*

A11. No. Any advertisement outside of the listing brokerage is considered public advertising.

Q12. *I have a seller who asked me to find a buyer but I have no Listing Agreement. How can I advertise?*

A12. Be sure that all advertising includes a statement that you do not have a Listing Agreement and that the property is a FSBO.

Q13. *Does Clear Cooperation change any of the timelines for submitting New Listing documentation to MLS?*

A13. Submission of listing documentation is still required within three (3) business days. If you choose to publicly advertise the property, you must enter it in the MLS within 1 business day.

Q14. *Does this mean that I must enter my Commercial listing before advertising?*

A14. No. Clear Cooperation applies to listings **required** to be entered in MLS: Residential For Sale (Single Family, Condo, and Farm) and Multi Family For Sale (2 to 4 units).

Q15. *I am the owner of the property. Are Realtor-owned properties subject to this policy?*

A15. If the listing agreement is with your brokerage, the policy does apply. If you are a realtor doing a FSBO, it does not apply. Please check with license law advertising requirements for disclosure of licensure and with your Broker for specific agent/FSBO policies.

Q16. *Ohio law allows me to put a For Sale sign in a yard, but now I can't?*

A16. NAR's definition of Public Marketing includes yard signs. You may place a sign in the yard with the owner's permission; however, it must be entered in the MLS within one (1) business day.

Q17. *How can I market an 'Office Exclusive' listing to agents outside of my brokerage or consumers that I know would be interested?*

A17. You may reach out to consumers on an individual / one-on-one basis. If you market to any agent outside of your brokerage, it must be entered into MLS within one business day.

Q18. *If my seller posts on Facebook their house is for sale, do I have to enter it in MLS?*

A18. If you have a listing agreement, yes. If there is any public advertising, the listing must be entered in MLS. If this is a Delayed Entry listing, the seller will have signed a disclosure notifying them of the advertising restrictions.

However, if it is not under contract they may not reference an agent/broker. Stating an agent/broker implies representation. NAR clarified the intent in their FAQ and stated: Policy Statement 8.0 applies to any listing that is or will be available for cooperation.

Links to:

[New Listing Validation Form 3-20-20](#)

[Coming Soon Sellers Authorization Form](#)

[Delayed Entry Sellers Authorization Form](#)