

NAR

Recurring MLS fees, dues, and charges may be based upon the total number of real estate brokers, sales licensees, and licensed or certified real estate appraisers affiliated with or employed by an MLS participant ~~when related to the operation of a computerized MLS system that provides information and services in addition to the compilation of current listing information.~~

However, an MLS participant may not be assessed any charges or subscription fees for printed MLS sheets/cards/books with respect to any individual who is engaged solely and exclusively in a specialty of the real estate business separate and apart from listing, selling, leasing, or appraising the type of properties which are required to be filed with the MLS.

However, MLSs must provide participants the option of a no-cost waiver of MLS fees, dues and charges for any licensee or licensed or certified appraiser who can demonstrate subscription to a different MLS where the principal broker participates. MLSs may, at their discretion, require waiver recipients and their participants to sign a certification for nonuse of its MLS services, which can include penalties and termination of the waiver if violated.

Approved 5/24/18

- 7.3 Participants have the option of a no-cost waiver of MLS fees, dues and charges for any licensee or licensed or certified appraiser who can demonstrate subscription to a different MLS where the principal broker/office participates by submitting a Waiver Application for certification of nonuse of MLS services. The Waiver can include penalties and termination of the Waiver if violated.
- a. Waiver Applicant may not use MLS system, its data or its services.
 - a. Listings may not be advertised under, or include in remarks, a Waived Applicant in the MLS or using MLS distribution services.
 - b. If one member of a team subscribes to MLS, then all team members must subscribe.
 - a. OAC § 1301:5-1-21 defines Team as: “Any group of two or more associated licensees affiliated with the same brokerage and/or other non-licensed professionals (i.e., administrative assistants) & other real estate professionals that advertise as a group.”
 - b. Any group of two or more associated licensees affiliated with the same brokerage and/or other non-licensed professionals (i.e., administrative assistants) & other real estate professionals that operate as a group.
 - c. Listings of Waiver Applicants in the MLS service area must be entered in the MLS under the broker’s name only and may not be advertised under, or include in remarks, a different contact name in the MLS or using MLS distribution services.
 - d. Waivers must be renewed 45 days prior the end of the dues period (Feb 15 and Aug 15).
 - e. Principal broker must notify MLS within ten (10) calendar days of changes to the eligibility status of a Waiver Applicant.