

OFFERS OF COMMISSION IN MLS

To comply with the NAR Settlement, CincyMLS removed the compensation fields and prohibited compensation offers in the MLS and all downstream products on August 6, 2024, to allow sufficient time to address potential issues.

NEW RULES:

10.23 CincyMLS prohibits the terms concession(s), compensation, commission; and disallow any % or \$ amount when used in reference to concessions, compensation, or commission in any MLS fields (i.e. Marketing Remarks, Agent Remarks, Directions, etc.) or third-party multi-broker software that receives MLS data.

17.1 The MLS must not accept listings containing an offer of compensation in the MLS to other MLS Participants and Subscribers. Further, the MLS may not create, facilitate, or support any non-MLS mechanism (including by providing listing information to an internet aggregator's website for such purpose) for Participants, Subscribers, or sellers to make offers of compensation to buyer brokers or other buyer representatives.

Do not use creative terms that insinuate compensation (i.e. credits, settlement fees, or other synonyms) in MLS or any downstream product, including uploaded documents and products like ShowingTime. There is ongoing monitoring by lawsuit attorneys, the Department of Justice (DOJ), and consumers to ensure compliance. Attempts to find loopholes or creatively circumvent the intent of the requirements will lead to additional lawsuits and harm to our industry.

Violations of any settlement requirements will incur fines starting at \$1,000, and fines will not be waived under any circumstances. These measures are in place to protect our organization, industry, brokers, and agents. By adhering to these guidelines, we can help prevent additional legal actions and promote a fair and transparent industry.



TUESDAY TIP
08/13/2024