

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
No Statement	<p>Defining a Multiple Listing Service</p> <p>A Commercial Multiple Listing Service (CMLS) is:</p> <ul style="list-style-type: none"><li>• A facility for the orderly correlation and dissemination of listing information so Participants may better serve their clients and customers and the public.</li><li>• A means of enhancing cooperation among Participants.</li><li>• A means by which information is accumulated and disseminated to enable authorized Participants to prepare appraisals, analyses, and other valuations of real property for bona fide clients and customers.</li><li>• A means by which Participants engaging in real estate appraisal contribute to common databases.</li></ul>	<p>To clearly define NAR's definition of the CMLS in the post-settlement environment.</p>

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
No Statement (continued)	<p>What is an CMLS Participant:</p> <p>A CMLS Participant (Broker) is defined as an individual principal or qualifying broker of a brokerage/firm as identified by the state regulatory agency. It shall not be construed to include individuals other than a principal or principals who are REALTOR members of this or any other association, or who are legally entitled to participate without association membership. However, under no circumstances is any individual or firm, regardless of membership status, entitled to CMLS membership or participation unless they hold a current, valid real estate broker's license and cooperate or are licensed or certified by an appropriate state regulatory agency to engage in the appraisal of real property. Cooperation is the obligation to share information on listed property and to make property available to other Participants for showing to prospective purchasers and tenants when it is in the best interest of their clients. Use of information developed by or published by an association's CMLS is strictly limited to activities</p>	<p>To clearly define NAR's definition of the CMLS in the post-settlement environment.</p>

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
No Statement (continued)	<p>authorized under a Participant's licensure(s) or certification(s) and unauthorized users are prohibited.</p> <p>What is an CMLS Subscriber:</p> <p>An CMLS Subscriber is defined as an individual salesperson who holds a current and valid real estate license, is registered with the CMLS' state, and is employed/contracted to practice under the current and valid real estate license of an CMLS Participant.</p>	<p>To clearly define NAR's definition of the CMLS in the post-settlement environment.</p>
<p>Membership in the Gulf Coast Commercial Multiple Listing Service (GCCMLS)</p> <p>... broker's license and offer or accept compensation to and from other Participants who are licensed or certified by an appropriate state regulatory agency to engage in the appraisal of real property. Use of information...</p>	<p>Membership in the Gulf Coast Commercial Multiple Listing Service (GCCMLS)</p> <p>... broker's license and cooperate, or are certified by an appropriate state regulatory agency to engage in the appraisal of real property. Cooperation is the obligation to share information on listed property and to make property available to other brokers for showing to prospective purchasers and tenants when it is in the best interest of their clients. Use of information...</p>	<p>To meet the requirements of removing commission and compensation language from the MLS are required by NAR's 2024 settlement.</p>

# Gulf Coast CMLS July 2024 Rules & Regs Update

## December 2018

Membership in the Gulf Coast Commercial Multiple Listing Service (GCCMLS) (continued)

...or firm offers or accepts cooperation and compensation means that the participant actively endeavors during the operation of its real estate business to list real property of the type listed on the CMLS and/or to accept offers of cooperation and compensation made by listing brokers or agents in the CMLS. “Actively” means...

Membership in the Gulf Coast Commercial Multiple Listing Service (GCCMLS) (continued)

...potential participant actively endeavors to make or accept offers of cooperation and compensation with respect to properties of the type that are listed on the CMLS in which participation is sought. This requirement does not permit an CMLS to deny participation to a participant or potential participant that operates a “Virtual Office Website” (VOW) (including a VOW that the participant uses to refer customers to other participants) if the participant or potential participant actively endeavors to make or accept offers of cooperation a

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Membership in the Gulf Coast Commercial Multiple Listing Service (GCCMLS) (continued)

...or firm cooperates means that the participant actively endeavors during the operation of its real estate business to list real property of the type listed on the CMLS, shares information on listed property, and makes property available to other brokers for showing to prospective purchasers and tenants when it is in the best interest of their clients, and to cooperate. “Actively” means...

Membership in the Gulf Coast Commercial Multiple Listing Service (GCCMLS) (continued)

...potential participant cooperates with respect to properties of the type that are listed on the CMLS in which participation is sought. Cooperation is the obligation to share information on listed property and to make property available to other brokers for showing to prospective purchasers and tenants when it is in the best interest of their client(s). This requirement does not permit an CMLS to deny participation to a participant or potential participant that operates a “Virtual Office Website” (VOW) (including a VOW that the participant

## Reason for Change

To meet the requirements of removing commission and compensation language from the MLS are required by NAR’s 2024 settlement.

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# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
<p>Membership in the Gulf Coast Commercial Multiple Listing Service (GCCMLS) (continued)</p> <p>and compensation. A CMLS may evaluate whether a participant or potential participant actively endeavors during the operation of its real estate business to offer or accept cooperation and compensation only if the CMLS has a reasonable basis to believe that the participant or potential participant is in fact not doing so. The membership requirement shall be applied in a nondiscriminatory manner to all participants and potential participants. <b>[M]</b> (Adopted 11/08)</p>	<p>Membership in the Gulf Coast Commercial Multiple Listing Service (GCCMLS) (continued)</p> <p>uses to refer customers to other participants) if the participant or potential participant actively endeavors to cooperate. A CMLS may evaluate whether a participant or potential participant actively endeavors during the operation of its real estate business to cooperate only if the CMLS has a reasonable basis to believe that the participant or potential participant is in fact not doing so. The membership requirement shall be applied in a nondiscriminatory manner to all participants and potential participants. <b>[M]</b></p>	<p>To meet the requirements of removing commission and compensation language from the CMLS are required by NAR's 2024 settlement.</p>
<p>Section 1: Listing Procedures</p> <p>Listings of real or personal property of the following types, which are listed subject to a real estate broker's license, and are located within the territorial jurisdiction of the Commercial Multiple Listing Service...</p> <p>No Note</p>	<p>Section 1: Listing Procedures</p> <p>Listings of real or personal property of the following types, which are listed subject to a real estate broker's license, and are located within the territorial jurisdiction (Appendix A) of the Commercial Multiple Listing Service...</p> <p><i>NOTE 2:</i> The CMLS shall not establish or maintain any rule or policy prohibiting inclusion of exclusive agency listings that would be otherwise acceptable for inclusion in the compilation of current listing information. <b>[M]</b></p>	<p>For clarification of GCCMLS' territorial jurisdiction and to meet the requirements of removing commission and compensation language from the CMLS are required by NAR's 2024 settlement.</p>

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
<p>Section 1: Listing Procedures (continued)</p> <p>...Open listings are not accepted, except where required by law, because of the inherent nature of an open listing. is such as to usually not include the authority to cooperate and compensate other brokers and inherently provides a disincentive for cooperation. (Amended 4/92).</p> <p>The exclusive right to sell listing is the conventional form of listing submitted to the Multiple Listing Service in that the seller authorizes to the listing broker to cooperate with and to compensate other brokers. (Amended 4/92)</p> <p>The exclusive agency listing also authorizes the listing broker, as exclusive agent, to offer cooperation and compensation on blanket unilateral bases, but also reserves to the seller the...</p>	<p>Section 1: Listing Procedures (continued)</p> <p>...Open listings are not accepted, except where required by law, because of the inherent nature of an open listing. Cooperation is the obligation to share information on listed property and to make property available to other brokers for showing to prospective purchasers and tenants when it is in the best interest of their clients.</p> <p>The exclusive right to sell listing is the form of listing where the seller exclusive authorization to the listing broker to cooperate with other brokers in the sale of the property. (Amended)</p> <p>The exclusive agency listing also authorizes the listing broker as exclusive agent, to cooperate with other brokers in the sale of the property, but also reserves to the seller the...</p>	<p>To meet the requirements of removing commission and compensation language from the CMLS are required by NAR's 2024 settlement.</p>
<p>No Rule</p>	<p>Section 4.5: No Filtering of Listings</p> <p>MLS participants and subscribers must not filter out or restrict MLS listings that are communicated to customers or clients based on the existence or level of compensation offered to the cooperating broker or the name of a brokerage or agent.</p>	<p>To meet the requirements of removing commission and compensation language from the CMLS are required by NAR's 2024 settlement.</p>

# Gulf Coast CMLS July 2024 Rules & Regs Update

## December 2018

### Section 5: Division of Commissions and Compensation

Compensation Specified on Each Listing: The listing broker shall specify, on each listing filed with the Service, the compensation offered to other Participants for their services in the sale or lease of such listing. Such offers are unconditional except that entitlement to compensation is determined by the cooperating broker's performance as the procuring cause of the sale (or lease) or as otherwise provided for in this rule. The listing broker's obligation to compensate any cooperating broker as the procuring cause of the sale (or lease) may be excused if it is determined through arbitration that, through no fault of the listing broker and in the exercise of good faith and reasonable care, it was impossible or financially unfeasible for the listing broker to collect a commission pursuant to the listing agreement. In such instances, entitlement to cooperative compensation offered through CMLS would be a question to be determined by an arbitration

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### Section 5: Division of Commissions and Compensation

Participants, Subscribers, or their sellers may not make offers of compensation to buyer brokers and other buyer representatives in the CMLS. **[M]**

Use of CMLS data or data feeds to directly or indirectly establish or maintain a platform to make offers of compensation from multiple brokers to buyer brokers or other buyer representatives is prohibited and must result in the CMLS terminating that Participant's access to any CMLS data and data feeds. **[M]**

*NOTE 1:* The GCCMLS must not have a rule requiring the listing broker to disclose the amount of total negotiated commission in his listing contract, and the GCCMLS shall not publish the total negotiated commission on a listing which has been submitted to the Service by a Participant. The GCCMLS must prohibit disclosing in any way the total commission negotiated between the seller or lessor and the listing

## Reason for Change

To meet the requirements of removing commission and compensation language from the CMLS are required by NAR's 2024 settlement.

# Gulf Coast CMLS July 2024 Rules & Regs Update

## December 2018

### Section 5: Division of Commissions and Compensation (continued)

hearing panel based on all relevant facts and circumstances including, but not limited to, why it was impossible or financially unfeasible for the listing broker to collect some or all of the commission established in the listing agreement; at what point in the transaction did the listing broker know (or should have known) that some or all of the commission established in the listing agreement might not be paid; and how promptly had the listing broker communicated to cooperating brokers that the commission established in the listing agreement might not be paid. (Amended 11/98)

In filing a property with the Gulf Coast CMLS, the Participant of the Service is making blanket unilateral offers of compensation to the other Participants, and shall therefore specify on each listing filed with the Service, the compensation being offered to the other Participants. Specifying the compensation on each listing is necessary, because the cooperating broker has the right to know what his compensation shall be prior to his endeavor to find a

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### Section 5: Division of Commissions and Compensation (continued)

broker, or total broker compensation (i.e. combine compensation to both listing broker and buyer broker).

[M]

*NOTE 2:* The CMLS shall make no rule on the division of commissions between Participants and nonparticipants. This should remain solely the responsibility of the listing broker. [M]

*NOTE 3:* Commercial multiple listing services must give participants the ability to disclose to other participants any potential for a short sale. As used in these rules, short sales are defined as a transaction where title transfers, where the sale price is insufficient to pay the total of all liens and costs of sale, and where the seller does not bring sufficient liquid assets to the closing to cure all deficiencies. Commercial multiple listing services may, as a matter of local discretion, require participants to disclose potential short sales when participants know a transaction is a potential short sale. [M]

## Reason for Change

To meet the requirements of removing commission and compensation language from the CMLS are required by NAR's 2024 settlement.



# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 5: Division of Commissions and Compensation (continued)	Section 5: Division of Commissions and Compensation (continued)	
purchaser or lessee.* (Amended 11/96)		
<i>*The compensation specified on listings filed with the multiple listing service shall appear in one of two forms. The essential and appropriate requirement by an association multiple listing service is that the information to be published shall clearly inform the participants as to the compensation they will receive in cooperative transactions, unless advised otherwise by the listing broker, in writing, in advance of submitting an offer to purchase. The compensation specified on listings published by the MLS shall be shown in one of the following forms:</i>	REMOVED	To meet the requirements of removing commission and compensation language from the CMLS are required by NAR's 2024 settlement.
<i>1. by showing a percentage of the gross selling price.</i>		
<i>2. by showing a definite dollar amount (Amended 05/10)</i>		
<i>Note: MLSs may also, as a matter of local discretion, allow participants to offer cooperative compensation as a percentage of the net sales price, with the net sales price defined as the gross</i>		

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 5: Division of Commissions and Compensation (continued)	Section 5: Division of Commissions and Compensation (continued)	
<i>sales price minus buyer upgrades (new construction) and seller concessions (as defined by the MLS unless otherwise defined by state law or regulation). (Adopted 5/08)</i>	REMOVED	To meet the requirements of removing commission and compensation language from the CMLS are required by NAR's 2024 settlement.
<i>While MLSs are not required to authorize participants to offer cooperative compensation based on net sales price, those that do permit such offers must define "seller concessions" for purposes other than new construction, unless that term is defined by applicable state law or regulation. The following definition of "seller concessions" is suggested by not required for adoption:</i>		
<i>Points paid by seller on behalf of buyer, seller-paid buyer closing costs, cash or cash allowances not escrowed, down payment assistance, additions or</i>		

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 5: Division of Commissions and Compensation (continued)	Section 5: Division of Commissions and Compensation (continued)	
<i>alterations not considered deferred maintenance, and personal property not usual and customary to such transactions conveyed from seller to buyer having an agreed upon monetary value. (Adopted 5/12)</i>	REMOVED	To meet the requirements of removing commission and compensation language from the CMLS are required by NAR's 2024 settlement.
The listing broker retains the right to determine the amount of compensation offered to other Participants (acting as subagents, buyer agents, or in other agency or nonagency capacities defined by law) which may be the same or different. (Amended 11/96)		
This shall not preclude the listing broker from offering any Participant compensation other than the compensation indicated on any listing published by the Gulf Coast CMLS, provided the listing broker informs the other broker, in writing, in advance of submitting an offer to purchase, and provided that the modification in the specified compensation is not the result of any agreement among all or any other Participants in the Service. Any superseding offer of compensation must be		

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 5: Division of Commissions and Compensation (continued)	Section 5: Division of Commissions and Compensation (continued)	
expressed as either a percentage of the gross sales price or as a flat dollar amount.	REMOVED	To meet the requirements of removing commission and compensation language from the CMLS are required by NAR's 2024 settlement.
<p><i>NOTE 1:</i> The Board GCCMLS shall not have a rule requiring the listing broker to disclose the amount of total negotiated commission in his listing contract, and the Board CMLS shall not publish the total negotiated commission on a listing which has been submitted to the Service by a Participant. The Board GCCMLS shall not disclose in any way the total commission negotiated between the seller or lessor and the listing broker. [M]</p> <p><i>Note 2:</i> The listing broker may, from time to time, adjust the compensation offered to other Participants for their services with respect to any listing by advance published notice to the Service so that all Participants will be advised. (Amended 4/92)</p> <p><i>NOTE 3:</i> The CMLS shall make no rule on the division of commissions between Participants and nonparticipants. This should remain solely the</p>		

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 5: Division of Commissions and Compensation (continued)	Section 5: Division of Commissions and Compensation (continued)	
responsibility of the listing broker. [M]		
<i>Note 4:</i> Commercial Multiple Listing Services, at their discretion, may adopt rules and procedures enabling listing brokers to communicate to potential cooperating brokers that gross commissions established in listing contracts are subject to court approval; and that compensation payable to cooperating brokers may be reduced if the gross commission established in the listing contract is reduced by a court. In such instances, the fact that the gross commission is subject to court approval and either the potential reduction in compensation payable to cooperating brokers or the method by which the potential reduction in compensation will be calculated must be clearly communicated to potential cooperating brokers prior to the time they submit an offer that ultimately results in a successful transaction. (Adopted 5/10)	REMOVED	To meet the requirements of removing commission and compensation language from the CMLS are required by NAR's 2024 settlement.
<i>Note 5:</i> Nothing in these CMLS rules precludes a listing Participant and a		

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 5: Division of Commissions and Compensation (continued)	Section 5: Division of Commissions and Compensation (continued)	
cooperating participant, as a matter of mutual agreement, from modifying the cooperative compensation to be paid in the event of a successful transaction. (Adopted 11/05) M		To meet the requirements of removing commission and compensation language from the CMLS are required by NAR's 2024 settlement.
<i>NOTE 6:</i> Commercial multiple listing services must give participants the ability to disclose to other participants any potential for a short sale. As used in these rules, short sales are defined as a transaction where title transfers, where the sale price is insufficient to pay the total of all liens and costs of sale, and where the seller does not bring sufficient liquid assets to the closing to cure all deficiencies. Commercial multiple listing services may, as a matter of local discretion, require participants to disclose potential short sales when participants know a transaction is a potential short sale. In any instance where a participant discloses a potential short sale, they, may as a matter of local discretion, also be permitted to communicate to other participants how any reduction in the gross commission established in the listing contract required	REMOVED	

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
<p>Section 5: Division of Commissions and Compensation (continued)</p> <p>by the lender as a condition of approving the sale will be apportioned between listing and cooperating participants. All confidential disclosures and confidential information related to short sales, if allowed by local rules, be communicated through dedicated fields or confidential “remarks” available only to participants and subscribers. (Amended 5/09) [M]</p>	<p>Section 5: Division of Commissions and Compensation (continued)</p> <p>REMOVED</p>	<p>To meet the requirements of removing commission and compensation language from the CMLS are required by NAR’s 2024 settlement.</p>
<p>Section 5.0.0: Required Consumer Disclosure of Compensation</p>	<p>Section 5.0.0: Required Consumer Disclosure of Compensation</p>	
<p>No Rule</p>	<p>CMLS Participants and Subscribers must:</p> <ul style="list-style-type: none"> <li>• Disclose to prospective sellers and buyers that broker compensation is not set by law and is fully negotiable. This must be included in conspicuous language as part of any listing agreement, buyer written agreement, and pre-closing disclosure documents (if any). <b>[M]</b></li> <li>• Conspicuously disclose in writing to sellers, and obtain the seller’s authority, for any</li> </ul>	<p>To meet the requirements of the 2024 NAR settlement.</p>

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 5.0.0: Required Consumer Disclosure of Compensation (continued)	Section 5.0.0: Required Consumer Disclosure of Compensation (continued)	
No Rule	<p>payments or offer of payment that the listing Participant or seller will make to another broker, agent, or other representative (e.g. real estate attorney) acting for buyers. This disclosure must include the amount or rate of any such payment and be made in writing in advance of any payment or agreement to pay.</p> <p><b>[M]</b></p>	To meet the requirements of the 2024 NAR settlement.
Section 5.0.1: Written Buyer Agreement	Section 5.0.1: Written Buyer Agreement	
No Rule	<p>Unless inconsistent with state or federal law or regulation, NAR has stated that the requirement for Written Buyer Agreements <b>do not</b> apply to commercial transactions or leases.</p>	To meet the requirements of the 2024 NAR settlement.
Section 5.0.1: Disclosing Potential Short Sales	Section 5.0.2: Disclosing Potential Short Sales	
...other participants and subscribers. (Amended 5/09)	...other participants and subscribers. (Amended 5/09)	
When disclosed, participants may, at their discretion, advise other participants whether and how any reduction in the gross commission	REMOVED	To meet the requirements of removing commission and compensation language from the CMLS are required by NAR's 2024 settlement.



# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 5.0.1: Disclosing Potential Short Sales	Section 5.0.1: Disclosing Potential Short Sales	
established in the listing contract, required by the lender as a condition of approving the sale, will be apportioned between listing and cooperating participants. (Adopted 5/09)	REMOVED	To meet the requirements of removing commission and compensation language from the CMLS are required by NAR's 2024 settlement.
Section 5.3: Dual or Variable Rate Commission Arrangements	Section 5.3: Dual or Variable Rate Commission Arrangements	
The existence of a dual or variable rate commission arrangement (i.e., one in which the seller/landlord agrees to pay a specified commission if the property is sold/leased by the listing broker without assistance and a different commission if the sale/lease results through the efforts of a cooperating broker; or one in which the seller/landlord agrees to pay a specified commission if the property is sold/leased by the listing broker either with or without the assistance of a cooperating broker and a different commission if the sale/lease results through the efforts of a seller/landlord) shall be disclosed by the listing broker by a key, code, or symbol as required by the CMLS. The listing broker shall, in response to inquiries from potential cooperating brokers, disclose the differential that would result in either a cooperative transaction or, alternatively,	REMOVED	To meet the requirements of removing commission and compensation language from the CMLS are required by NAR's 2024 settlement.

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
<p>Section 5.3: Dual or Variable Rate Commission Arrangements (continued)</p> <p>in a sale/lease that results through the efforts of the seller/landlord. If the cooperating broker is a buyer/tenant representative, the buyer/tenant representative must disclose such information to their client before the client makes an offer to purchase or lease. (Amended 5/01)</p>	<p>Section 5.3: Dual or Variable Rate Commission Arrangements (continued)</p> <p>REMOVED</p>	<p>To meet the requirements of removing commission and compensation language from the CMLS are required by NAR's 2024 settlement.</p>
<p>Section 6: Service Fees and Charges B</p>	<p>Section 6: Service Fees and Charges B</p>	
<p>No Rule</p>	<p>...working business day of the month.</p> <p>However, CMLSs must provide participants the option of a no-cost waiver of CMLS fees, dues, and charges for any licensee or licensed or certified appraiser who can demonstrate subscription to a different CMLS or CIE where the principal broker participates.(non-user waiver) CMLSs may, at their discretion, required that broker participants sign a certificate of nonuse of its CMLS services by their licensees, which can include penalties and termination of the waiver if violated.* (Amended 5/18 and 8/18 [Leadership Team])</p> <p><b>[M]</b></p> <p><i>NOTE 1:</i> A CMLS may elect to have such fees payable on a quarterly or even on a monthly basis. However...</p>	<p>NAR Required Update</p>

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 6: Service Fees and Charges B	Section 6: Service Fees and Charges B	To meet the requirements of removing commission and compensation language from the CMLS are required by NAR's 2024 settlement.
No Rule	<p>added administrative services are necessitated by the increased frequency of such payments.</p> <p><i>NOTE 2:</i> CMLSs that choose to include affiliated unlicensed administrative and clerical staff, personal assistants, and/or individuals seeking licensure or certification as real estate appraisers among those eligible for access to and use of Exchange information as “subscribers” may, at their discretion, amend Sections 6(b) and 6(d) as necessary to include such individuals in the computation of CMLS fees and charges. (Amended 11/17)</p>	
Section 6: Service Fees and Charges C	Section 6: Service Fees and Charges C	Updated for clarification.
Recurring Office Fee: A Participant (Broker), for participation in the Service shall pay an office fee of \$30.00 per month. Payment of such fees shall be made on or before the last working business day of the month.	Recurring Office Fee: A Participant (Broker) who does not hold Association membership with the Pensacola Association of REALTORS®, Emerald Coast Association of REALTORS®, Navarre Area Board of REALTORS®, Central Panhandle Association of REALTORS®, Baldwin County Association of REALTORS® or Mobile Area Association of	

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 6: Service Fees and Charges C (continued)	REALTORS®, for participation in the Service shall pay an office fee of \$30.00 per month. Payment of such fees shall be made on or before the last working business day of the month.	Updated for clarification.
Section 6.2: Subscriber Fee Waivers	Section 6.2: Subscriber Fee Waivers	
Section 6.2 - <u>Subscriber Fee Waivers</u> : CMLS provides participants the option of a no-cost waiver of CMLS 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. CMLS requires waiver recipients and their participants to sign a certification for nonuse of its CMLS services, which can include penalties and termination of the waiver if violated. (Adopted 11/17)	REMOVED	Removed for clarification as the Gulf Coast CMLS does not require all agents/appraisers under a Participant of the GCCMLS to be members.
Under Section 6 any per-subscriber fee is calculated based on each salesperson and licensed or certified appraiser affiliated with a participating office. The effect of fee waiver is that the number of subscribers in a participating office for purposes of any recurring per-subscriber fees paid by		

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 6.2: Subscriber Fee Waivers (continued)	Section 6.2: Subscriber Fee Waivers (continued)	
<p>a participant under Section 6 shall be reduced by the number of licensees and certified appraisers who are subject to waiver under this Section 6.2. For purposes of this Section 6.2 and all rule provision referring to it, “licensee” refers to non-principal salesperson and licensed and certified appraisers. Section 6.2.1 sets out the condition for fee waiver, Section 6.2.2 the process for obtaining and maintaining waivers, Section 6.2.3, circumstances under which waiver is revoked and consequences of revocation, and Section 6.2.4 the consequences of repeated violations of these policies.</p> <p>Section 6.2.1 <u>Conditions for Waiver</u>: Fee waivers are available for non-principal broker and non-principal appraiser licensees in offices participating in CMLS, provided the participant and any fee-waived licensee(s) meet all the following requirements:</p> <p>a. Any fee-waived licensee must be a subscriber in another multiple listing service that will certify this information to the</p>	REMOVED	Removed for clarification as the Gulf Coast CMLS does not require all agents/appraisers under a Participant of the GCCMLS to be members.

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December 2018	July 2024	Reason for Change
Section 6.2: Subscriber Fee Waivers (continued)	Section 6.2: Subscriber Fee Waivers (continued)	
CMLS on the frequency established by this CMLS.		
b. During any period for which a licensee's fees are waived, the licensee shall refrain from using any of the following services of this CMLS:	REMOVED	Removed for clarification as the Gulf Coast CMLS does not require all agents/appraisers under a Participant of the GCCMLS to be members.
1. Using this CMLS's systems, databases. This does not include accessing listing information of the licensee's own broker or of other brokers through the participant's IDX site or elsewhere. It does include accessing such information on the participant's VOW (which is for consumers'		

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 6.2: Subscriber Fee Waivers (continued)	Section 6.2: Subscriber Fee Waivers (continued)	
personal use).		
2. Being identified as a listing agent on an active or pending property listing in this CMLS.	REMOVED	Removed for clarification as the Gulf Coast CMLS does not require all agents/appraisers under a Participant of the GCCMLS to be members.
3. Working as the selling agent on a property listed in this CMLS by a firm other than participants, unless the listing appears in an MLS to which the selling agent is a subscriber. This does not apply to the fee-waived participant's own listings, because the participant is free to share then within		

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 6.2: Subscriber Fee Waivers (continued)	Section 6.2: Subscriber Fee Waivers (continued)	
its firm (and anywhere else) without CMLS consent or involvement.	REMOVED	Removed for clarification as the Gulf Coast CMLS does not require all agents/appraisers under a Participant of the GCCMLS to be members.
4. Use of any data feed from this CMLS (except one that includes listings only of the licensee's broker).		
5. Using this CMLS's data on an IDX or VOW website identified as the fee-waived subscriber's site or page.		
6. Using CMLS's data in an automated valuation product or tool in any product or service identified as		



# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 6.2: Subscriber Fee Waivers (continued)  coming from the fee-waived subscriber.	Section 6.2: Subscriber Fee Waivers (continued)  REMOVED	Removed for clarification as the Gulf Coast CMLS does not require all agents/appraisers under a Participant of the GCCMLS to be members.
Section 6.2.2: Process for Obtaining and Maintaining Waivers  The participant must at all times provide to CMLS up-to-date information on all licensees, whether they are subscribers or fee-waived licensees, in each participating office. The participant must identify which licensees are subject to fee waivers and for each waived licensee the other MLS in which he/she is a subscriber on the waiver certification form. In order to obtain a waiver for a licensee in the participant's office, the participant must execute the CMLS's form for listing fee-waived licensees and the certification on it. Each fee-waived licensee must also execute a certification. The participant must procure from another MLS, a certification (i.e. a letter of good standing) that each fee-waived subscriber is an active subscriber in that MLS. (The other MLS may have a one-time or periodic charge for providing these certifications.)	Section 6.2.2: Process for Obtaining and Maintaining Waivers  REMOVED	Removed for clarification as the Gulf Coast CMLS does not require all agents/appraisers under a Participant of the GCCMLS to be members.

# Gulf Coast CMLS July 2024 Rules & Regs Update

## December 2018

## July 2024

## Reason for Change

### Section 6.2.3: Revocation of Waiver

The fee waiver for a licensee may be revoked under various circumstances, and the consequences of the revocation vary depending on its circumstances, as provided in the section.

- a. The participant or fee-waived licensee may revoke the waiver at any time upon notice to the CMLS. In that case, the fee-waived licensee immediately becomes a subscriber and any fees due to CMLS under its normal fee schedule for the current period for the subscriber (including pro-rated fees for any partial service period and any application fees if none have previously been paid for the subscriber) shall immediately become due and payable. In the event a Section 6.2.1 fee-waived licensee appear as a listing agent on an active or pending listing in the CMLS, the participant and fee-

Removed for clarification as the Gulf Coast CMLS does not require all agents/appraisers under a Participant of the GCCMLS to be members.

REMOVED

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
<p>Section 6.2.3: Revocation of Waiver</p> <p>waived licensee shall be deemed to have revoked the waiver under this subsection (a).</p> <p>b. If this CMLS determines that the fee-waived licensee has violated Section 6.2.1(b) or Section 6.2.2(b) during a fee-waiver period, CMLS may terminate the fee waiver upon notice to the participant and subscriber. In this case, the consequences of subsection (a) apply, and in addition to them, CMLS may recover from participant all the fees CMLS would have collected had the fee-waived licensee been a subscriber during the entire period of the waiver and a fine of \$1,500. After six months, the participant and subscriber can re-certify the subscriber to be a fee-waived licensee.</p>	<p>REMOVED</p>	<p>Removed for clarification as the Gulf Coast CMLS does not require all agents/appraisers under a Participant of the GCCMLS to be members.</p>

# Gulf Coast CMLS July 2024 Rules & Regs Update

## December 2018

## July 2024

## Reason for Change

### Section 6.2.4: Consequences of Repeated Violations

A pattern of repeated violations of this policy exists when a participant allows any combination of three or more violations of Section 6.2.1(b) or of Section 6.2.2(b), whether the participant is aware of the violations and whether committed by one fee-waived licensee or more; or when a subscriber commits three or more violations of Section 6.2.1(b), or of Section 6.2.2(b). In the event that a participant or subscriber exhibits a pattern of repeated violations of Section 6.2.1(b), or of Section 6.2.2(b), CMLS may suspend all fee waivers for the participant or subscriber (or both) for a period of up to three years. If, after such a period of suspension, a participant or subscriber again exhibits a pattern of repeated violations, MLS may permanently terminate fee waivers for the participant or subscriber (or both). In the event a participant or subscriber subject to suspension or termination of waivers moves to a new office as a participant, that office shall be ineligible for waivers during the pendency of its participant's Gulf Coast

Removed for clarification as the Gulf Coast CMLS does not require all agents/appraisers under a Participant of the GCCMLS to be members.

REMOVED

# Gulf Coast CMLS July 2024 Rules & Regs Update

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## Reason for Change

Section 6.2.4: Consequences of Repeated Violations (continued)

CMLS Rules and Regulations Page 16 suspension or termination. In the event a participant or subscriber subject to suspension or termination of waivers moves to a new office as a non-principal licensee, that non-principal licensee shall be ineligible for waivers during the pendency of his or her suspension or termination.

REMOVED

Removed for clarification as the Gulf Coast CMLS does not require all agents/appraisers under a Participant of the GCCMLS to be members.

Section 7: Compliance with Rules and Authority to Impose Discipline

...Participant and Subscriber agrees to be subject to the rules and regulations and any other Gulf Coast CMLS governance provision. The Gulf Coast CMLS may, through the administrative...

Section 7: Compliance with Rules and Authority to Impose Discipline

...Participant and Subscriber agrees to be subject to the rules and regulations and any other GCCMLS governance provision. All Participants and Subscribers are required to maintain a valid email address recorded in the CMLS system. It is the responsibility of the Participant and Subscriber to ensure that they are able to receive email messages from the CMLS or any third-party vendor representing the CMLS. Electronic communication to this email address and/or through the electronic memo system of the CMLS shall be considered official notice as used in these rules and regulations. The GCCMLS

Added to state that the GCCMLS considers emails and system messages/notices as official correspondence.

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 7: Compliance with Rules and Authority to Impose Discipline (continued)	Section 7: Compliance with Rules and Authority to Impose Discipline (continued)	
	may, through the administrative...	Added to state that the GCCMLS considers emails and system messages/notices as official correspondence.
No Note	<i>NOTE 2:</i> CMLS Participants, or Subscribers, where appropriate, can receive no more than three (3) administrative sanctions in a calendar year before they are required to attend a hearing for their actions and potential violations of CMLS rules, except that the CMLS may allow more administrative sanctions for violations of listing information provided by Participants and Subscribers before requiring a hearing. The CMLS must send a copy of all administrative sanctions against a Subscriber to the Subscriber's Participant and the Participant is required to attend the hearing of a Subscriber who has received more than three (3) administrative sanctions within a calendar year. (Adopted 11/20) <b>[M]</b>	Required NAR Update to Section 7.

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 7.3: Assistants	Section 7.3 Assistants	
No Rule	<p>Assistants are individuals under the direct supervision of a CMLS participant or subscriber that perform only administrative and clerical tasks that do not require a real estate license or an appraiser's certificate or license. Assistants may request an CMLS login through their employing Participant or Subscriber. The Participant shall be responsible for the conduct of the Assistant.</p> <p>Assistants shall be linked in the system to at least one Participant. They may also be linked to a particular Subscriber. Each participant and subscriber shall notify the CMLS of all Assistants employed by or affiliated as independent contractors with the participant or subscriber and shall immediately notify the CMLS of any changes, additions, or deletions from the list. Assistants shall also be subject to the following requirements:</p> <ul style="list-style-type: none"><li>• Assistants must <u>not</u> hold an active real estate license.</li><li>• Assistants must only login to the CMLS with their unique username and password.</li></ul>	<p>Added to establish procedures for assistants in the GCCMLS.</p>

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 7.3: Assistants (continued)	Section 7.3 Assistants (continued)	
No Rule	<ul style="list-style-type: none"><li>• Assistants shall sign a written agreement to abide by the rules and regulations of the CMLS.</li><li>• Assistants are not allowed to give unauthorized dissemination of system access.</li></ul> <p>In order to protect the integrity of the GCCMLS content, the CMLS reserves the right to refuse Assistant-level access to requesting parties if the CMLS determines they will not be using such access for its intended administrative or clerical purposes.</p>	<p>Added to establish procedures for assistants in the GCCMLS.</p>
Section 7.3.1: Assistant/CMLS Release of Liability	Section 7.3.1: Assistant/CMLS Release of Liability	
No Rule	<p>By completing the CMLS Assistant request form provided in the GCCMLS, the Broker/Agent acknowledges that the assistant named may/or may not already be employed by another Brokerage, Broker or Agent and that the responsibility of confirming this information falls solely on the Broker/Agent of the hiring Brokerage.</p>	<p>Added to clarify that the GCCMLS does not hold the responsibility to verify that assistants are not employed by other Participants or Subscribers.</p>



# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
<p>Section 8: Meetings of the Gulf Coast CMLS Governing Committee</p> <p>The CMLS is governed by the Gulf Coast CMLS Governing Committee. This committee shall meet for the transaction of its business at a time and place to be determined by the Committee or at the call of the Chairperson.</p>	<p>Section 8: Meetings of the Gulf Coast CMLS Governing Committee</p> <p>The GCCMLS is governed by the Gulf Coast CMLS Governing Committee which is made up of two Pro-Level members from each of the partnering associations. This committee shall meet for the transaction of its business at a time and place to be determined by the Committee or at the call of the Chairperson.</p>	<p>Added to establish to fulfill the requirement of the REALTOR associations partnership agreement with the GCCMLS.</p>
<p>Section 9: Enforcement of Rules or Disputes and Consideration of Alleged Violations</p> <p>The Gulf Coast Governing Committee shall give consideration to all written complaints having to do with violations of the rules and regulations. (Amended 2/98)</p>	<p>Section 9: Enforcement of Rules or Disputes and Consideration of Alleged Violations</p> <p>The Gulf Coast CMLS Governing Committee shall give consideration to all written complaints having to do with violations of the rules and regulations. (Amended 2/98)</p> <p>When requested by a complainant, the CMLS will process a complaint without revealing the complainant's identity. If a complaint is subsequently forwarded to a hearing, and the original complainant does not consent to participating in the process, the CMLS will appoint a representative to serve as the complainant. (Amended 11/20) <b>[M]</b></p>	<p>Required NAR Update to Section 9.</p>

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
<p>Section 9.1: Violations of Rules and Regulations</p> <p>...sanction may request a hearing before the Professional Standards Committee of the Board in accordance with the bylaws and rules and regulations of the Gulf Coast Commercial Multiple Listing Service within twenty (20) days following receipt of the Committee's decision. (Amended 11/96)</p> <p>...the decision of the Gulf Coast CMLS Governing Committee may be appealed to the Board of Directors of the Pensacola Association of REALTORS® within twenty (20) days of the tribunal's decision being rendered.</p>	<p>Section 9.1: Violations of Rules and Regulations</p> <p>...sanction may request a hearing before the Professional Standards Committee of the Board in accordance with the bylaws and rules and regulations of the GCCMLS within twenty (20) <i>calendar</i> days following receipt of the Committee's decision. (Amended 11/96)</p> <p>...the decision of the Gulf Coast CMLS Governing Committee may be appealed to the Board of Directors of the Pensacola Association of REALTORS® within twenty (20) <i>calendar</i> days of the tribunal's decision being rendered.</p>	<p>Update to match NAR Code of Ethics and Arbitration policy.</p>
<p>Section 9.1.2: Failure to Adhere to NAR/GCCMLS No Cooperative Compensation on the CMLS Listing Policy</p>	<p>Section 9.1.2: Failure to Adhere to NAR/GCCMLS No Cooperative Compensation on the CMLS Listing Policy</p>	<p>To meet the requirements of the NAR's 2024 settlement.</p>
<p>No Rule</p>	<p>If a Participant or Subscriber enters an offer of cooperative compensation or commission in any field or remark section in the GCCMLS, uploads documents or pictures with</p>	

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 9.1.2: Failure to Adhere to NAR/GCCMLS No Cooperative Compensation on the CMLS Listing Policy (continued)	Section 9.1.2: Failure to Adhere to NAR/GCCMLS No Cooperative Compensation on the CMLS Listing Policy (continued)	To meet the requirements of the NAR's 2024 settlement.
No Rule	<p>compensation or commission information, or shares a website, link, QR Code, or any other form of media to display, discover, or direct other REALTORS, Real Estate professionals, or the public to compensation or commission information, the following penalties will apply:</p> <p>Procedures:</p> <ul style="list-style-type: none"><li>• The listing in question is placed on an immediate Administrative Hold, removing it from public access and the GCCMLS search features.</li><li>• Participant, or Subscriber if authorized, must pay the assessed fine (noted below) within seven (7) calendar days via phone, by mail, or in person during normal office hours.</li><li>• If the fine is not paid within seven (7) calendar days, a \$200.00 fee is applied along with an Official Notice of Termination of CMLS Services in</li></ul>	

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 9.1.2: Failure to Adhere to NAR/GCCMLS No Cooperative Compensation on the CMLS Listing Policy (continued)	Section 9.1.2: Failure to Adhere to NAR/GCCMLS No Cooperative Compensation on the CMLS Listing Policy (continued)	To meet the requirements of the NAR's 2024 settlement.
No Rule	<p>ten (10) calendar days being sent out to the Participant if the fine is not paid.</p> <ul style="list-style-type: none"><li>Once the fine has been paid, GCCMLS Staff will correct and release the listing from its Hold Status and place it in its original status only during normal business hours.</li></ul>	
	<p>Fines:</p> <ul style="list-style-type: none"><li>1<sup>st</sup> Violation – Participant (Broker) is fined \$500.00, Listing Agent is placed on a six (6) month <b>probationary</b> period.</li><li>2<sup>nd</sup> Violation – Participant is fined \$2,000.00 and Listing Agent is <b>suspended</b> from the MLS for ninety (90) days.</li><li>2<sup>nd</sup> Violation (under probationary period) – Participant is fined \$3,000.00 and the Listing Agent is <b>suspended</b> from the</li></ul>	

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 9.1.2: Failure to Adhere to NAR/GCCMLS No Cooperative Compensation on the CMLS Listing Policy (continued)	Section 9.1.2: Failure to Adhere to NAR/GCCMLS No Cooperative Compensation on the CMLS Listing Policy (continued)	To meet the requirements of the NAR's 2024 settlement.
No Rule	<p>MLS for ninety (90) days.</p> <ul style="list-style-type: none"><li>3<sup>rd</sup> Violation (and any thereafter) – Participant is fined \$5,000.00 and Listing Agent is <b>suspended</b> from the MLS for six (6) months.</li></ul> <p><b>NOTE:</b> The procedures in this rule <b>supersede</b> the time frame set under <b>Section 9.8</b> of the GCCMLS Rules and Regulations. In addition, this rule, although adhering to Section 9.10 of the GCCMLS Rules and Regulations, does amended and <b>reduce</b> the twenty (20) calendar day payment requirement to <b>seven (7) calendar</b> days.</p>	

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
<p>Section 9.2.1: Correctable Violations Include</p> <p>...(c) Failure to correctly report all required fields on a listing.</p> <p>(d) Entries in the cooperative commission field other than a specific dollar amount, percentage, or combination thereof.</p> <p>(e) Entering status changes relating to amendments...</p>	<p>Section 9.2.1: Correctable Violations Include</p> <p>...(c) Failure to correctly report all required fields on a listing.</p> <p>(d) Entering status changes relating to amendments...</p> <p>...(n) Failure to notify the CMLS Administrator of an Assistant leaving the Participant's or Subscriber's employment.</p> <p>(o) Failure to notify the CMLS Administrator of a Subscriber leaving the Participant's employment.</p>	<p>To meet the requirements of removing commission and compensation language from the CMLS are required by NAR's 2024 settlement.</p>
<p>Section 9.3: Failure to Correct a Listing Minor Violations</p> <p>If a CMLS Listing Complaint Notification has been sent to the Participant, the correction must be made within 48 hours (excluding weekends and holidays) of the notification. If the listing is not corrected within 48 hours, the Participant shall be sent a CMLS Listing Complaint &amp; Fine Notification. The minimum fine for failure to correct a listing with a Minor Violation is \$100.00.</p>	<p>Section 9.3: Failure to Correct a Listing Minor Violations</p> <p>If a CMLS Listing Complaint Notification has been sent to the Participant, the correction must be made within two (2) business days of the notification. If the listing is not corrected within the two (2) business days, the Participant shall be sent a CMLS Listing Complaint &amp; Fine Notification. The minimum fine for failure to correct a listing with a Minor Violation is \$100.00. If the listing agent has not corrected the violation in the CMLS within the allotted two (2) business days, the listing will</p>	<p>Updated to provide a clearer understanding of the rule.</p>

# Gulf Coast CMLS July 2024 Rules & Regs Update

## December 2018

Section 9.3: Failure to Correct a Listing Minor Violations (continued)

Section 9.5: Failure to Correct a Prohibited Activity

If a CMLS Listing Complaint Notification has been sent to the Participant, the correction must be made within 48 hours (excluding weekends and holidays) of the notification. If the listing is not corrected within 48 hours, the Participant shall be sent a CMLS Listing Complaint & Fine Notification. The minimum fine for Failure to correct a Prohibited Activity is \$100.00. There will be a \$100.00 additional fee added to the fine for each instance a member violates the same Prohibited Activity within a calendar year.

## July 2024

Section 9.3: Failure to Correct a Listing Minor Violations (continued)

be placed in a hold status and the listing agent must contact the GCCMLS to correct the violation in order for the listing to be taken out of a hold status. An additional \$100.00 fine will be assessed every two (2) business days until the violation has been corrected.

Section 9.5: Failure to Correct a Prohibited Activity

If a CMLS Listing Complaint Notification has been sent to the Participant, the correction must be made within two (2) business days of the notification. If the listing is not corrected within the two (2) business days, the Participant shall be sent a CMLS Listing Complaint & Fine Notification. The minimum fine for Failure to correct a Prohibited Activity is \$200.00. There will be a \$100.00 additional fee added to the fine for each instance a member violates the same Prohibited Activity within a calendar year.

## Reason for Change

Updated to provide a clearer understanding of the rule.

Updated to provide a clearer understanding of the rule and to establish an appropriate fine for the Prohibited category violations.

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
<p>Section 9.6: Serious Violations</p> <p>...(d) failure to input a price change within the required period of time,</p> <p>(e) failure to include an offer of compensation expressed as a flat dollar amount or a percentage of sale price.</p> <p>(f) failure to disclose within agent notes compensation offered by a listing broker may be subject to court or lender approval (e.g.: foreclosure or short sale)</p> <p>(g) failure to disclose his/her Participation...</p>	<p>Section 9.6: Major Violations</p> <p>...(d) failure to input a price change within the required period of time,</p> <p>(e) failure to disclose his/her Participation...</p> <p>...(m) A Participant or Subscriber transfers to a new brokerage without notifying the GCCMLS and rebrands themselves with the new brokerage information while remaining in the former brokerage.</p>	<p>Updated to remove commission/compensation vocabulary in support of the NAR Settlement and to add a new enforcement rule to ensure the CMLS follows Florida and Alabama real estate regulations.</p>
<p>Section 9.7: Failure to Correct a Serious Violation</p> <p>If a Gulf Coast CMLS Listing Complaint Notification &amp; Fine Notification has been sent to the Participant, the correction must be made within 48 hours (excluding weekends and holidays) of the notification. The Participant or his/her affiliate must contact the Gulf Coast CMLS staff to remove the HOLD status at the time the correction is to be made. If the Serious Violation is not corrected within the 48 hours, the Participant shall be sent a second CMLS Listing Complaint &amp; Fine Notification. The minimum fine for failure to correct a Serious Violation is \$100.00</p>	<p>Section 9.7: Failure to Correct a Major Violation</p> <p>If a Gulf Coast CMLS Listing Complaint Notification &amp; Fine Notification has been sent to the Participant, the correction must be made within two (2) business days of the notification. If the Major Violation is not corrected within the two (2) business days, the Participant shall be sent a second CMLS Listing Complaint &amp; Fine Notification. The minimum fine for failure to correct a Major Violation is \$300.00. If the listing agent has not corrected the violation in the CMLS within the allotted two (2) business days, the listing</p>	<p>Updated to provide a clearer understanding of the Major violation rules.</p>



# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 9.7: Failure to Correct a Serious Violation (continued)	Section 9.7: Failure to Correct a Major Violation (continued)  will be placed in a hold status and the listing agent must contact the GCCMLS to correct the violation in order for the listing to be taken out of a hold status. An additional \$100.00 fine will be assessed every two (2) business days until the violation has been corrected.	Updated to provide a clearer understanding of the Major violation rules.
Section 9.9: Unauthorized Dissemination of System Access  ...This includes disclosure of the following confidential fields of data/content:  a. The compensation offered to other MLS Participants.  b. The type of listing agreement, i.e., exclusive right to sell...	Section 9.9: Unauthorized Dissemination of System Access  ...This includes disclosure of the following confidential fields of data/content:  a. The type of listing agreement, i.e., exclusive right to sell...	Updated to remove commission/compensation vocabulary in support of the NAR Settlement.
Section 9.10: Hearing Request  Any Participant having reason to believe that wishing to dispute the fine imposed on that Participant or listing agent by the Service is without merit, may file a CMLS Compliance Hearing Request Form with The Gulf Coast CMLS by email, fax,	Section 9.10: Hearing Request  Any Participant or Subscriber, wishing to dispute the fine imposed on that Participant or Subscriber, may file a CMLS Compliance Hearing Request Form with The Gulf Coast CMLS by email, fax, and/or mail to the attention of the	Updated to provide a clearer understanding on the member's right to contest a violation and align the process with NAR's Code of Ethics and Arbitration policy.

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
<p>Section 9.10: Hearing Request (continued)</p> <p>and/or mail. The request for a Hearing must:</p> <ul style="list-style-type: none"> <li>• Include Proof of correction where applicable.</li> <li>• Include copies of any relevant documents.</li> <li>• Be received within twenty (20) calendar days after the CMLS Listing Complaint &amp; Fine Notification.</li> <li>• If the request is filed after twenty (20) calendar days, the fine stands and no hearing or appeal of the violation will be heard.</li> <li>• All Hearings are to be conducted by a panel of 3 Gulf Coast CMLS Governing committee members.</li> <li>• All Hearings and procedures shall be conducted in accordance with the Code of Ethics and Arbitration Manual for the National Association of REALTORS and such Rules as promulgated hereunder.</li> </ul>	<p>Section 9.10: Hearing Request (continued)</p> <p>Administrator of the GCCMLS along with a refundable \$200 filing fee. Although the fine is being challenged, it is still the responsibility of the Participant or Subscriber to pay the assessed fine within twenty (20) calendar days of the first monetary fine date to avoid additional fines/fees. The request for a Hearing must:</p> <ul style="list-style-type: none"> <li>• Include Proof of correction where applicable.</li> <li>• The Hearing Request form must state the specific grounds for the hearing and include all facts and/or reasons for the request. The grounds for a hearing are one or more of the following: <ul style="list-style-type: none"> <li>○ Factual dispute regarding the alleged violation(s) such as a misapplication of the CMLS Rule(s) cited.</li> </ul> </li> </ul>	<p>Updated to provide a clearer understanding on the member's right to contest a violation and align the process with NAR's Code of Ethics and Arbitration policy.</p>

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 9.10: Hearing Request (continued)	Section 9.10: Hearing Request (continued)	
	<ul style="list-style-type: none"><li>○ Contention that there has been a violation of procedural due process.</li><li>○ NOTE: Failure to receive any notice is NOT grounds for a hearing. (See Section 7 regarding notice obligations of Participants/ Subscribers.</li></ul>	Updated to provide a clearer understanding on the member's right to contest a violation and align the process with NAR's Code of Ethics and Arbitration policy.
	<ul style="list-style-type: none"><li>● Include copies of any relevant documents.</li><li>● Documents must be received within twenty (20) calendar days after the initial monetary CMLS Listing Complaint &amp; Fine Notification and include the \$200 refundable filing fee.</li><li>● If the request is filed after twenty (20) calendar days, the fine stands and no hearing or appeal of</li></ul>	

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 9.10: Hearing Request (continued)	<p>Section 9.10: Hearing Request (continued)</p> <p>the violation will be heard.</p> <ul style="list-style-type: none"><li>• All Hearings are to be conducted by a panel of 3 Gulf Coast CMLS Governing committee members.</li><li>• All Hearings and procedures shall be conducted in accordance with the Code of Ethics and Arbitration Manual for the National Association of REALTORS and such Rules as promulgated hereunder.</li><li>• In the event the hearing panel determines that no violation(s) occurred, the \$200 filing fee will be returned, along with any fines paid.</li><li>• In the event the hearing panel determines that there has been a procedural due process violation, the hearing panel may refund the \$200 filing fee and</li></ul>	<p>Updated to provide a clearer understanding on the member's right to contest a violation and align the process with NAR's Code of Ethics and Arbitration policy.</p>

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 9.10: Hearing Request (continued)	<p>Section 9.10: Hearing Request (continued)</p> <p>either return the matter to CMLS staff for correction or dismiss the citation and refund any fines paid.</p> <ul style="list-style-type: none"><li>• In the event the hearing panel determines that the violation(s) occurred, the \$200 filing fee will be retained as a cost for administration of the hearing and will not apply toward the payment of any fines. The fine specified, OR SUCH INCREASED FINE AS IS IMPOSED BY THE HEARING PANEL AS CITED IN SECTION 7(D), will be payable in full by the date noticed in the decision, and the violator may be required to comply with ADDITIONAL DISCIPLINE AND SANCTIONS AS MAY BE IMPOSED BY THE HEARING PANEL in accordance with Section 7 of the</li></ul>	<p>Updated to provide a clearer understanding on the member's right to contest a violation and align the process with NAR's Code of Ethics and Arbitration policy.</p>

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 9.10: Hearing Request (continued)	Section 9.10: Hearing Request (continued)  GCCMLS Rules and Regulations, and the NAR Code of Ethics and Arbitration Manual. <ul style="list-style-type: none"><li>• If the Participant or Subscriber wishes to appeal the CMLS Hearing Panel's decision, they may appeal to the Pensacola Association of REALTORS Board of Directors within fifteen (15) calendar days of the ruling by notifying the Administrator of the GCCMLS via email and must pay a non-refundable \$150 filing fee.</li></ul>	Updated to provide a clearer understanding on the member's right to contest a violation and align the process with NAR's Code of Ethics and Arbitration policy.
Section 11: Ownership of the Gulf Coast CMLS Compilation and Copyright  By the act of submission of any property listing content to the CMLS, the Participant represents that he has been authorized to grant and also thereby grant authority to the CMLS to include the property listing content in its	Section 11: Ownership of the Gulf Coast CMLS Compilation and Copyright  By the act of submission of any property listing content to the CMLS, the Participant represents and warrants that he or she is fully authorized to license the property listing content as contemplated by and in compliance with	

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 11: Ownership of the Gulf Coast CMLS Compilation and Copyright (continued)	Section 11: Ownership of the Gulf Coast CMLS Compilation and Copyright (continued)	
copyrighted CMLS compilation* and also in any statistical report on comparables. Listing content includes, but is not limited to, photographs, images, graphics, audio and video recordings, virtual tours, drawings, descriptions, remarks, narratives, pricing information, and other details or information related to listed property. (Amended 5/18) <b>[M]</b>	this section and these rules and regulations, and also thereby grant authority to the CMLS to include the property listing content in its copyrighted CMLS compilation* and also in any statistical report on comparables. Listing content includes, but is not limited to, photographs, images, graphics, audio and video recordings, virtual tours, drawings, descriptions, remarks, narratives, pricing information, and other details or information related to listed property. (Amended 5/18) <b>[M]</b>	Required NAR update.
	...Each Participant who submits listing content to the CMLS agrees to defend and hold the CMLS and every other Participant harmless from and against any liability or claim arising from any inaccuracy of the submitted listing content or any inadequacy of ownership, license, or title to the submitted listing content. (Adopted 5/18) <b>[M]</b>	

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 13 – Use of Gulf Coast CMLS Information – Limitations on Use of Gulf Coast CMLS Information	Section 13 – Use of Gulf Coast CMLS Information – Limitations on Use of Gulf Coast CMLS Information	For clarification showing the Gulf Coast Governing Committee and not a “board” provides statistical information.
Use of information from the Gulf Coast CMLS compilation of current listing information, from the Board’s statistical report, or from...	Use of information from the GCCMLS compilation of current listing information, from the GCCMLS’ statistical report, or from...	
Section 16.3	Section 16.3	
Gulf Coast CMLS Participants acting as subagents or as buyer/tenant representatives or brokers shall not attempt to extend a listing broker’s offer of cooperation and/or compensation to other brokers without the consent of the listing broker. (Amended 1/04)	REMOVED	Updated to remove commission/compensation vocabulary in support of the NAR Settlement.
Section 16.11	Section 16.11	
In cooperative transactions, Gulf Coast CMLS Participants shall compensate cooperating Gulf Coast CMLS Participants (principal brokers) and shall not compensate nor offer to compensate, directly or indirectly, any of the sales licensees employed by or affiliated with other CMLS Participants without the prior express knowledge and consent of the cooperating broker.	REMOVED	Updated to remove commission/compensation vocabulary in support of the NAR Settlement.



# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
<p>Section 16.15</p> <p>On unlisted property, Gulf Coast CMLS Participants acting as buyer/tenant representatives or brokers shall disclose that relationship to the seller/landlord at first contact for that buyer/tenant and shall provide written confirmation of such disclosure to the seller/landlord not later than execution of any purchase or lease agreement. (Amended 1/04)</p> <p>Gulf Coast CMLS Participants shall make any request for anticipated compensation from the seller/landlord at first contact.</p>	<p>Section 16.15</p> <p>On unlisted property, Gulf Coast CMLS Participants acting as buyer/tenant representatives or brokers shall disclose that relationship to the seller/landlord at first contact for that buyer/tenant and shall provide written confirmation of such disclosure to the seller/landlord not later than execution of any purchase or lease agreement. (Amended 1/04)</p>	<p>Updated to remove commission/compensation vocabulary in support of the NAR Settlement.</p>
<p>Section 16.18</p> <p>Gulf Coast CMLS Participants, acting as subagents or buyer/tenant representatives or brokers, shall not use the terms of an offer to purchase/lease to attempt to modify the listing broker's offer of compensation to subagents or buyer/tenant representatives or brokers, or make the submission of an executed offer to purchase/lease contingent on the listing broker's agreement to modify the offer of compensation. (Amended 1/04)</p>	<p>Section 16.18</p> <p>REMOVED</p>	<p>Updated to remove commission/compensation vocabulary in support of the NAR Settlement.</p>

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 16.21  These rules are not intended to prohibit ethical, albeit aggressive or innovative business practices, and do not prohibit disagreements with other Gulf Coast CMLS Participants involving commission, fees, compensation, or other forms of payment or expenses.	Section 16.21  REMOVED	Updated to remove commission/compensation vocabulary in support of the NAR Settlement.
Section 18.1  Participants' consent for display of their listings by other Participants pursuant to these rules and regulations is presumed unless a Participant affirmatively notifies the CMLS that the Participant refuses to permit display (either on a blanket or on a listing-by-listing basis). If a Participant refuses on a blanket basis to permit the display of that Participant's listings, that Participant may not download or frame the aggregated CMLS data of other Participants. <b>[M]</b>	Section 18.1  Participants' consent for display of their listings by other Participants pursuant to these rules and regulations is presumed unless a Participant affirmatively notifies the CMLS that the Participant refuses to permit display (either on a blanket or on a listing-by-listing basis). If a Participant refuses on a blanket basis to permit the display of that Participant's listings, that Participant may not download or frame the aggregated CMLS data of other Participants. Even where participants have given blanket authority for other participants to display their listings through IDX, such consent may be withdrawn on a listing-by-listing basis where the seller has prohibited all internet display or other electronic forms of display or distribution. (Amended 5/17) <b>[M]</b>	Updated to meet NAR requirements.

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
<p>Section 18.2.4</p> <p>Participants may select the listings they choose to display IDX based only on objective criteria including, but not limited to, factors such as geography or location (“uptown,” “downtown,” etc.), list price, type of property (e.g., condominiums, cooperatives, offices, multi-family), cooperative compensation offered by listing brokers, type of listing (e.g., exclusive right-to-sell, or exclusive agency), or the level of service being provided by the listing firm. Selection of listings displayed through IDX must be independently made by each participant. (Amended 11/21) <b>[M]</b></p>	<p>Section 18.2.4</p> <p>Participants may select the listings they choose to display IDX based only on objective criteria including, but not limited to, factors such as geography or location (“uptown,” “downtown,” etc.), list price, type of property (e.g., condominiums, cooperatives, offices, multi-family), type of listing (e.g., exclusive right-to-sell, or exclusive agency), or the level of service being provided by the listing firm. Selection of listings displayed through IDX must be independently made by each participant. (Amended 11/21) <b>[M]</b></p>	<p>Updated to remove commission/compensation vocabulary in support of the NAR Settlement.</p>
<p>Section 18.3.1</p> <p>Listings displayed pursuant to IDX shall contain only those fields of data designated by the CMLS. Display of all other fields (as determined by the CMLS) is prohibited. Confidential fields intended only for other CMLS participants and users (e.g., cooperative compensation offers, showing instructions, property security information, etc.) may not be displayed. (Amended 11/21)</p>	<p>Section 18.3.1</p> <p>Listings displayed pursuant to IDX shall contain only those fields of data designated by the CMLS. Display of all other fields (as determined by the CMLS) is prohibited. Confidential fields intended only for other CMLS participants and users (e.g., showing instructions, property security information, etc.) may not be displayed. (Amended 11/21)</p>	<p>Updated to remove commission/compensation vocabulary in support of the NAR Settlement.</p>

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
<p>Section 18.3.3</p> <p>All listings displayed pursuant to IDX shall show the CMLS as the source of the information. Displays of minimal information (e.g., “thumbnails”, text messages, “tweets”, ect., of two hundred [200] characters or less) are exempt from this requirement but only when linked directly to a display that includes all required disclosures. (Amended 5/17)</p>	<p>Section 18.3.3</p> <p>All listings displayed pursuant to IDX shall show the CMLS as the source of the information. Displays of minimal information (e.g., “thumbnails”, text messages, “tweets”, etc., of two hundred [200] characters or less) are exempt from this requirement but only when linked directly to a display that includes all required disclosures. For audio delivery of the listing content, all required disclosures must be subsequently delivered electronically to the registered consumer performing the property search or linked to through the device’s application. (Amended 5/17)</p>	<p>Updated to meet NAR requirements.</p>
<p>Section 18.3.9</p> <p>The data consumers can retrieve or download in response to an inquiry shall be determined by the CMLS but in no instance shall be limited to fewer than one hundred (100) or five percent (5%) of the listings available for IDX display, whichever is fewer. (Amended 11/09)</p>	<p>Section 18.3.5</p> <p>The data consumers can retrieve or download in response to an inquiry shall be determined by the CMLS but in no instance shall be limited to fewer than five hundred (500) listings or fifty percent (50%) of the listings available for IDX display, whichever is fewer. (Amended 11/17)</p>	<p>Updated to meet NAR requirements.</p>

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 18.3.7	Section 18.3.7	
No Rule	<p>Listings obtained through IDX feeds from REALTOR® Association CMLSs where the CMLS Participant holds participatory rights must be displayed separately from listings obtained from other sources. Listings obtained from other sources (e.g., from other CMLSs, from non-participating brokers, etc.) must display the source from which each such listing was obtained. (Amended 5/17)</p> <p><i>NOTE:</i> An CMLS Participant (or where permitted locally, an CMLS Subscriber) may co-mingle the listings of other brokers received in an IDX feed with listings available from other CMLS IDX feeds, provided all such displays are consistent with the IDX rules, and the CMLS Participant (or CMLS Subscriber) holds participatory rights in those CMLSs. As used in this policy, “co-mingling” means that consumers are able to execute a single property search of multiple IDX data feeds resulting in the display of IDX information from each of the CMLSs on a single search results page; and that Participants may display listings from each IDX feed on a single webpage or display. (Adopted 11/14)</p>	<p>Updated to meet NAR requirements.</p>

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
<p>Section 18.4</p> <p>Service fees and charges for participation in IDX may shall be as established annually by the Board of Directors.</p>	<p>Section 18.4</p> <p>Service fees and charges for participation in IDX may be established annually by the Gulf Coast Governing Committee if it is not already a contracted service provided by the CMLS platform provider.</p>	<p>Updated to clarify that the Gulf Coast Governing Committee, not a Board of Directors has the authority to handle IDX fees and charges.</p>
<p>Section 19.12</p> <p>A Participant's VOW may exclude listings from display based only on objective criteria, including, but not limited to, factors such as geography, list price, or type of property, and cooperative compensation offered by listing broker. (Amended 11/21)</p>	<p>Section 19.12</p> <p>A Participant's VOW may exclude listings from display based only on objective criteria, including, but not limited to, factors such as geography, list price, or type of property. (Amended 11/21)</p>	<p>To meet the requirements of removing commission and compensation language from the CMLS are required by NAR's 2024 settlement.</p>
<p>Section 19.15</p> <p><i>NOTE:</i> If sold information is publicly accessible in the jurisdiction of the CMLS, Subsection 19.15(e). must be omitted. (Revised 11/15) <b>[M]</b></p>	<p>Section 19.15</p> <p><i>NOTE 1:</i> Due to the 2015 changes in IDX policy and the requirement that Participants be permitted to make CMLS listing information available to Registrants of VOW sites where such information may be made available via other delivery mechanisms, MLSs can no longer prohibit the display of pending ("under contract") listings on VOW sites.</p> <p><i>NOTE 2:</i> If sold information is publicly accessible in the jurisdiction of the CMLS...</p>	<p>Updated to meet NAR requirements.</p>

# Gulf Coast CMLS July 2024 Rules & Regs Update

December 2018	July 2024	Reason for Change
Section 19.19	Section 19.19	
<i>NOTE 1:</i> The number of listings that may be viewed, retrieved, or downloaded should be specified by the CMLS in the context of this rule (Section 19.19), but may not be fewer than one hundred (100) listings or five percent (5%) of the listings in the CMLS, whichever is less. (Amended 11/17)	<i>NOTE 1:</i> The number of listings that may be viewed, retrieved, or downloaded should be specified by the CMLS in the context of this rule (Section 19.19), but may not be fewer than five hundred (500) listings or fifty percent (50%) of the listings in the CMLS, whichever is less. (Amended 11/17)	Updated to meet NAR requirements.
Appendix A	Appendix A	
No Appendix	<p>The Gulf Coast Commercial Multiple Listing Service is compiled of the Partnering Associations counties where MLS services are offered.</p> <p>The following counties are considered the territorial jurisdiction of the Gulf Coast CMLS:</p> <ul style="list-style-type: none"><li>• Florida<ul style="list-style-type: none"><li>○ Bay</li><li>○ Calhoun</li><li>○ Escambia</li><li>○ Holmes</li><li>○ Jackson</li><li>○ Okaloosa</li><li>○ Santa Rosa</li><li>○ Walton</li><li>○ Washington</li></ul></li><li>• Alabama<ul style="list-style-type: none"><li>○ Baldwin</li><li>○ Choctaw</li><li>○ Clarke</li><li>○ Conecuh</li><li>○ Escambia</li><li>○ Mobile</li><li>○ Monroe</li><li>○ Washington</li><li>○ Wilcox</li></ul></li></ul>	