



New York State Association of REALTORS®, Inc.

## Multiple Listing Issues and Policies Virtual Meeting Report

Thursday, September 21, 2020  
Virtual Zoom Meeting  
9:00am-10:30am

**Jacqie Rose**  
**Chair**

**Don Radke**  
**Vice Chair**

After welcome and introductions, the committee purpose was discussed.

A motion was made, seconded and carried to approve the report of the February 2020 meeting of the ML Issues and Policy Committee

Anthony Gatto, Esq., provide an update on Real Estate MLSs, Real Estate Brokers, Real Estate Licensees w/Public Facing Websites and complying with the Americans with Disability Act (ADA). Article can be found on NYSAR's website under second quarter 2019.

He also addressed New York State's new advertising regulations that will require identification of the listing broker, and one of seven phrases that must accompany the advertised listing. More information can be found under Title 19Section 175.25(d)(6), as follows:

“(i) No real estate broker, associate real estate broker, or real estate salesperson shall advertise in any manner or make reference to in any advertisement property that is subject to an exclusive listing agreement of another broker, without authorization from the exclusive listing broker. Such advertisements must clearly and conspicuously disclose the name of the exclusive listing broker immediately after one of the following phrases:

‘Listing Provided by [insert name of the exclusive listing broker]’,

‘Listing by [insert name of exclusive listing broker]’,

‘Listing Broker Contact [insert name of exclusive listing broker]’,

‘Listing of [insert name of exclusive listing broker]’,

‘Listing Provided Courtesy of [insert name of exclusive listing broker]’,

‘Listing Courtesy of [insert name of exclusive listing broker]’, or

‘Listing Agent Contact [insert name of exclusive listing broker]’.”



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Rene Galicia, Director of provided an update on NAR MLS topics. MLS engagement at NAR

Including:

RESO (Real Estate Standards Organization),

Clear cooperation policy

Boards/MLSs need to enforce rules

All listings are to be submitted.

Data Sharing, currently no standardized language nationally.

He reminded the committee, that MLSs are not marketing platforms. MLSs are broker cooperatives.

MLS rules result in market fairness.

A question was asked about a change in listing information from using “master bedroom” to a primary or principle bedroom. No change in policy but the CMLS group and RESO is looking at a possible change.

NAR’s grant program for MLS consolidations and mergers/absorptions are still available. Grants are available for this year but may not continue in 2021. The deadline is either the end of this week or the end of next.

He told the committee that it looks like MLSs will be able to self-certify compliance with NAR’s mandatory policies similar to the way Boards and Associations do. Must be approved in November.

Finally, he addressed the new NAR mandatory MLS policy which goes into effect on January 1, 2021, allowing MLS participants to access their own listing content.

**“A Multiple Listing Service must, upon request, promptly provide an MLS Participant (or the Participant’s designee) a data feed containing, at minimum, all active MLS listing content input into the MLS by or on behalf of the Participant and all of the Participant’s off-market listing content available in the MLS system.”**

With no additional business the Chair adjourned the meeting