

GREENWICH ASSOCIATION OF REALTORS®

# GMLS Clear Cooperation Policy and Coming Soon Status Implementation

April 24, 2020





# NAR Clear Cooperation Policy

Adopted by NAR November 2019

Created to bolster broker cooperation and advance the positive, procompetitive impacts that cooperation fosters for consumers.

## Listing Procedure Compliance with existing GMLS Rules and Regulations

### 5. LISTING PROCEDURES.

A. The following types of listings of properties in the Town of Greenwich, Connecticut and properties outside of the Town of Greenwich but in the State of Connecticut may be submitted by Participants of the MLS, and shall be delivered to the MLS office within 48 hours after all necessary signatures have been obtained:

- (1) Exclusive right to sell or lease listing contracts.
- (2) Exclusive agency listing contracts to sell or lease.
- (3) Other forms of contracts which make it possible for the listing broker to offer cooperation and compensation to other Participants of the MLS acting as subagents, buyer agents, or both.

#### **Required Listing Types for Submission to GMLS Office by GMLS Participants:**

- **MANDATORY:** Exclusive Right or Exclusive Agency to Sell or Lease Listing Agreements for properties located in the Town of Greenwich
  - This applies to ALL Property Types: Residential, Rental, Multifamily, Land, and Commercial
- **OPTIONAL:** Exclusive Right or Exclusive Agency to Sell or Lease Listing Agreements for properties located outside of Greenwich, within the State of Connecticut

*Note: Submission of Listing Documents to GMLS Office vs. Adding Listing to FlexMLS*

The NAR Clear  
Cooperation Policy  
states...

Within one (1) business day of marketing a property to the public, the listing broker must submit the listing to the 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. (Adopted 11/19)



## Listing Procedure Compliance with the Clear Cooperation Policy

B. Clear Cooperation: Within one (1) business day of marketing a property to the public, the listing broker must submit the listing to the 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. (Adopted 3/2020, Effective 5/1/2020)

(1) Commercial Listings of any type are exempt from the Clear Cooperation Policy.

### Under Clear Cooperation beginning 5/1:

- All Exclusive Right or Exclusive Agency to Sell or Lease Listing Agreements for Residential, Rental, Multifamily, or Land properties located in the Town of Greenwich **must be submitted to the GMLS Office AND entered into FlexMLS within 1 Business Day of publicly marketing the listing.**

# Non-MLS/Office Exclusive Listings Compliance with Clear Cooperation

**CERTIFICATION TO WITHHOLD PROPERTY LISTING FROM MLS**

\_\_\_\_\_  
Property Address

\_\_\_\_\_  
Owner(s) of Property Address

\_\_\_\_\_  
Listing Office/Firm Name

\_\_\_\_\_  
Listing Agent Name

**Owner(s) - Please read each line and initial that you understand:**

\_\_\_\_\_ I understand that my property will not be placed in the Multiple Listing Service.

\_\_\_\_\_ I understand that the Multiple Listing Service is the largest most comprehensive source for sharing information with other REALTORS® so REALTORS® can bring Buyers to my property.

\_\_\_\_\_ I understand that the Multiple Listing Service provides information on my property to more than 1,000 REALTORS® working with Buyers and Sellers in the local area.

\_\_\_\_\_ I understand that the National average of listings sold by other REALTORS® is 87%.

\_\_\_\_\_ I understand that my property cannot be publicly marketed. *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.*

\_\_\_\_\_ I confirm that my Agent has not induced me to withhold my property from the MLS.

**The undersigned Owner(s) of the above property, and the undersigned participant(s) of the Greenwich Multiple Listing Service hereby acknowledge and agree that in the event the property is publicly marketed by anyone, the listing will need to be submitted to the GMLS within one business day per the National Association of REALTORS® Clear Cooperation Policy.**

The undersigned participant of the Multiple Listing Service also hereby acknowledges that the above Owner(s) of property have listed with the undersigned. The said Owner(s) have been advised by the participant of the benefits of the MLS, and that the Undersigned had not acted in any manner so as to induce said Owner(s) to withhold their property from the Multiple Listing Service.

\_\_\_\_\_  
Owner(s) Signature(s) Date

\_\_\_\_\_  
Listing Agent Signature Date

\_\_\_\_\_  
Listing Broker Signature Date

- The [Certification to Withhold Property Listing from MLS](#) Form has been updated to inform the owner of restrictions to public marketing, and the requirement to add the listing to FlexMLS in the event the listing is publicly marketed.
- Required for any Non-MLS/Office Exclusive Listing, and must be submitted to GMLS Office along with the valid listing agreement within 48 hours of obtaining all authorized signatures.
- Updated Form will be Available in TransactionDesk on 5/1

## Violations of the Clear Cooperation Policy

*In any violation, there is always an obligation for the agent or broker to remove the public marketing (if possible), OR to enter the listing into the Greenwich MLS to comply with the clear cooperation policy.*

*Payment for any fines assessed must be processed and/or delivered to the Greenwich MLS within 3 business days. Offenses are tracked and recorded for each individual subscriber.*

- **First Offense:** A written warning will be sent to the Listing Agent and Broker. The Listing Agent or Broker must remedy the violation by removing the public marketing (if possible), or by entering the listing to the GMLS within one business day of the warning being issued.
- **Second offense:** A written notification of the violation to the Listing Agent and Broker, plus a \$1,000 fine assessed to the Listing Broker payable to the GMLS. The Listing Agent or Broker must remedy the violation by removing the public marketing (if possible), or by entering the listing to the GMLS within one business day of the violation being issued.
- **Third offense:** A written notification of the violation to the Listing Agent and Broker, plus a \$5,000 fine will be assessed to the Listing Broker payable to the GMLS. Additionally, the Listing Agent may be suspended from the MLS. The Listing Agent or Broker must remedy the violation by removing the public marketing (if possible), or by entering the listing to the GMLS within one business day of the violation being issued.
- **Any additional offenses will be reviewed by the GMLS Board of Directors for further action.**

**Appeals for violations** and associated fines can be made in writing within 3 business days of notice of the violation, and will be reviewed by the Board of Directors.





## Coming Soon

New listing status adopted by the Board of Directors on a recommendation from the MLS Committee

Implementation on Friday, 5/1



## Coming Soon Status

The “Coming Soon” status (available for all property types) indicates that the Listing Brokerage and the Owner(s) are preparing the property for sale/lease.

Coming Soon provides a method for the Listing Broker/Agent to notify other cooperating brokers of the listing property that will be made fully available for showings after preparations have been completed.

Coming Soon listings will display in the ‘Coming Soon’ category of the Hotsheet.

## Marketing of Coming Soon Listings

Coming Soon Status listings are permitted for display on Brokerage/Agent IDX Websites as allowed by the Listing Broker/Agent on behalf of the owner(s). Listing Brokers/Agents may also opt-in to display their Coming Soon listings on GreenwichRealtors.com.

Coming Soon Status listings will not feed through FlexMLS Email Subscriptions to clients, and are not permitted for syndication to 3rd Party Portals.

Showings, Broker Tours, and/or Open Houses are not permitted while a listing is Coming Soon.

## Inputting a Coming Soon Listing on the GMLS

The listing agent, broker, and owner will need to complete the [Coming Soon Status Listing Addendum](#) in addition to a valid listing agreement, both of which are required to be submitted to the GMLS Office (info@greenwichrealtors.com) for approval and activation of the listing in FlexMLS.

The listing property can be entered to the GMLS as usual. Under the Main Fields tab, “Coming Soon” can be chosen as the value for the Status. When the listing is set as Coming Soon, a Start Showing Date field will be displayed.



## Setting the Start Showing Date

**A Start Showing Date can be set for up to seven (7) days from the List Date, indicating a Start Showing Date at which the listing becomes fully available for showings.**

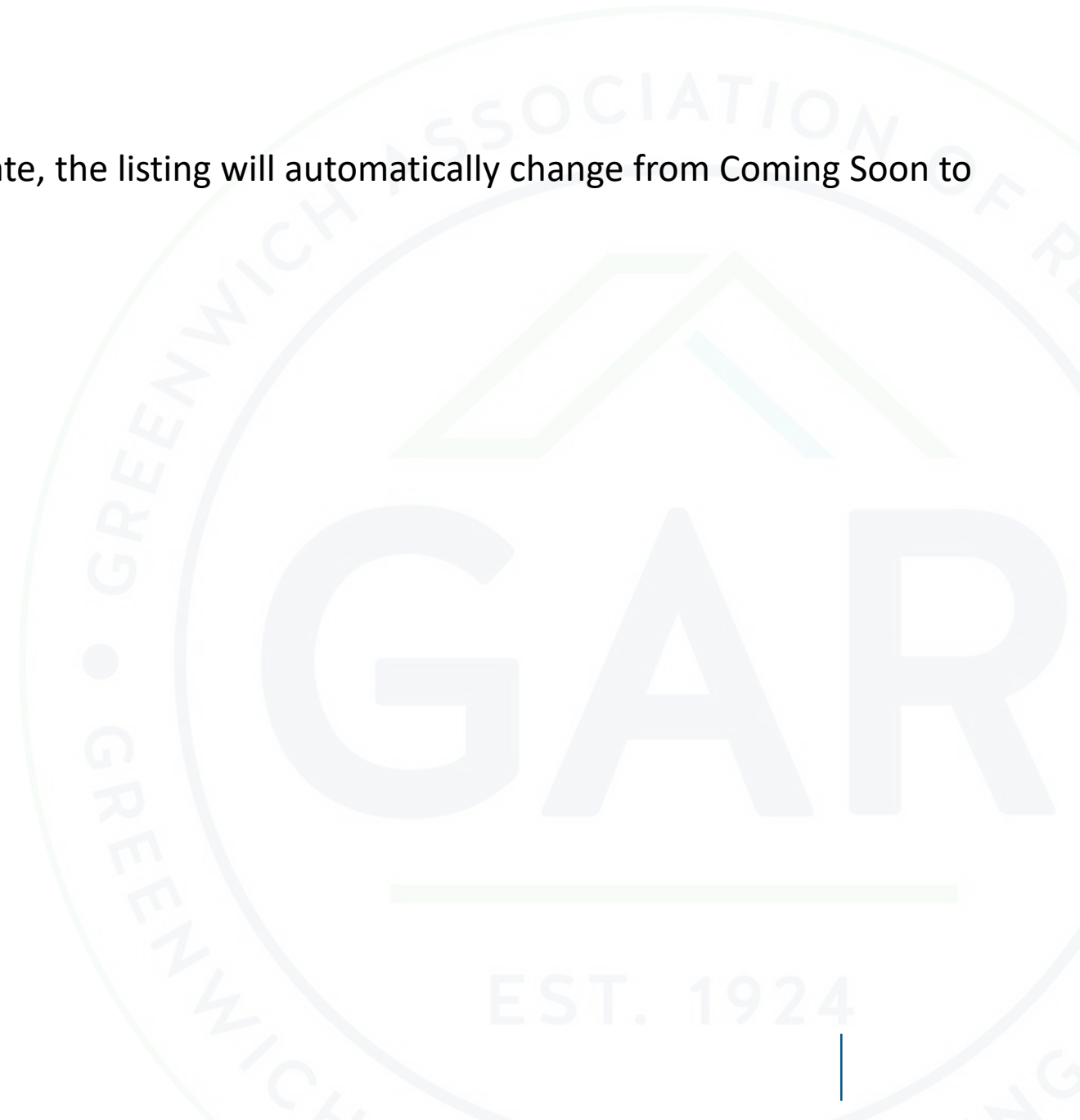
Please note that this Start Showing Date cannot be shortened once the listing has been approved and is live on the MLS.

The Start Showing Date may only be extended with written authorization from the owner(s) to a maximum of 7 days total from the list date if the original Start Showing Date was less than 7 Days from the list date.

In the event a listing is still not available to be shown upon the Start Showing Date, the listing needs to be Withdrawn, by definition. As always, temporarily withdrawing a listing requires written owner(s) authorization.

## Changing a Coming Soon Listing to Active

On a listing's Start Showing Date, the listing will automatically change from Coming Soon to Active.



## Days on Market

A listing will not accrue days on market while it is in the Coming Soon status.





## Violations of the Coming Soon Listing Status Policy

[Payment for any fines assessed must be processed and/or delivered to the Greenwich MLS within 3 business days. Offenses are tracked and recorded for each individual subscriber.](#)

[Appeals for violations and associated fines can be made in writing within 3 business days of notice of the violation, and will be reviewed by the Board of Directors.](#)

### **Potential Violations Include (but are not limited to):**

- Scheduling a showing to occur prior to the Start Showing Date for a listing
- Hosting a Showing, Broker Tour, or Open House prior to the Start Showing Date for a listing
- Listing Broker submitting an offer to their client
- Signing a purchase or lease contract before the Start Showing Date
- Conducting a closing prior to the Start Showing Date

**First Offense:** A written warning will be sent to the Listing Agent and Broker.

**Second offense:** A written notification of the violation to the Listing Agent and Broker, plus a \$1000 fine assessed to the Listing Broker payable to the GMLS.

**Third offense:** A written notification of the violation to the Listing Agent and Broker, plus a \$5000 fine will be assessed to the Listing Broker payable to the GMLS. Additionally, the Listing Agent may be suspended from the MLS.

***Any additional offenses will be reviewed by the GMLS Board of Directors for further action.***

## GMLS Listing Status Definitions



### Listing Status Definitions

<b>COMING SOON</b>	No showings until Start Showing Date. Property will be available to show and sell within seven (7) days. Can feed via IDX. Not available for Syndication to 3rd Party Portals.
<b>ACTIVE</b>	Fully available to show and sell. Can feed via IDX, and can be Syndicated to 3rd Party Portals.
<b>CONTINGENT CONTRACT</b>	Contracts signed by both parties with contingencies that have not been fulfilled. Property is still considered on-market, and can continue to feed via IDX and Syndication to 3rd Party Portals.
<b>PENDING</b>	All contingencies met. Property is no longer available to show. Will not feed via IDX or Syndication to 3rd Party Portals.
<b>WITHDRAWN</b>	Temporarily unavailable to be shown. Will not feed via IDX or Syndication to 3rd Party Portals. Listing contract between seller and listing agent is still valid and in effect. May be returned to Active status prior to listing expiration date.
<b>CANCELLED</b>	Listing contract between seller and listing broker terminated.
<b>CLOSED</b>	Property has closed and title has changed hands, or leases are fully executed and property is no longer available to market.
<b>EXPIRED</b>	Listing agreement between seller/landlord and listing broker expired.

*Last Updated: 4/20/20*

# Listing Type/Status Guide for New Listings

## Listing Type/Status Guide for New Listings

	Active	Coming Soon	Office Exclusive/Non-MLS
<b>When is the listing submitted to the MLS?</b>	Within 48 hours of a signed listing agreement, and within 1 business day if the listing is marketed publicly.	Within 48 hours of a signed listing agreement, and within 1 business day if the listing is marketed publicly.	Within 48 hours of a signed listing agreement.
<b>When can listing go Active on the MLS?</b>	Within 48 hours of signed listing agreement, or within 1 business day if the listing is marketed publicly.	No more than 7 days after submitting the listing to the MLS. After the Coming Soon listing is entered to the MLS, the Start Showing Date cannot be shortened.	N/A
<b>When is public marketing allowed?</b>	Upon submitting the listing to the MLS.	Upon submitting the listing as Coming Soon to the MLS. Showings, Broker Tours, and Open Houses are not permitted while the listing is Coming Soon.	Public marketing is not allowed for Office Exclusive/Non-MLS listings.
<b>When can a showing and/or Open House be scheduled?</b>	Upon submitting the listing to the MLS.	Showings, Broker Tours, and Open Houses may be scheduled for the Start Showing Date or beyond.	Not through the MLS.
<b>When are showings and/or Open Houses allowed?</b>	Upon submitting the listing to the MLS.	Showings are not allowed until the Start Showing Date.	Not through the MLS.
<b>Days on Market Calculation Time</b>	DOM begins counting on the date the listing is activated in the MLS.	DOM begins counting on the Start Showing Date.	N/A
<b>Required Paperwork (with all required authorized signaures)</b>	Exclusive Right/Agency Listing Agreement	Exclusive Right/Agency Listing Agreement, Coming Soon Status Listing Addendum	Exclusive Right/Agency Listing Agreement, Certification to Withhold Property from the MLS

Last Updated: 4/20/20



**In other coming soon news...**

Join us next week for a virtual sneak peek at the NEW Greenwich REALTORS® Website (GreenwichRealtors.com) and two BRAND NEW tools for GAR Members and GMLS Subscribers!



Thank you!

