

## Important FAQs to Consider Regarding the Clear Cooperation Policy

**Does the Clear Cooperation Policy require a broker to turn in every listing to the MLS within 1 business day of signing the listing?**

No, if a listing is taken and is not yet ready to be publicly marketed the required submission time of within forty-eight (48) hours after all necessary signatures on the listing Agreement has been received by the listing broker. If a listing is marketed to the public, however, the Clear Cooperation Policy<sup>1</sup> business day turn-in timeline goes into effect.

**What is the meaning of “business day”?**

“Business days exclude Saturdays, Sundays and holidays. The NAR MLS Advisory Board specifically revised the policy’s timeframe due to concerns with enforcement to provide greater flexibility for days when submitting the listing to the service could be a challenge. For consistency among all REALTOR® Association MLSs, the approved timeframe is 1 business day; “holidays” include all recognized federal and state holidays.

**What does marketed to the public mean?**

A home promoted or displayed to the public could be in the form of a For Sale Sign in front of the home, promoting the property on social media, including it on a flyer, or even mentioning it to someone you know that is not the homeowner. Basically, any type of communication that does not provide access to all potential buyers.



**What property types are applicable under the Clear Cooperation Policy?**

MLSs can continue operating under existing local policy, which may provide for voluntary submission of different property types, like commercial, rentals, and new construction; also referred to as non-mandatory property types. The obligations of the Clear Cooperation were specifically adopted to address concerns with residential properties. In alignment with and for the purposes of the Clear Cooperation Policy the RLCAR MLS mandatory property type will apply to:

For more Clear Cooperation Policy FAQs visit: <https://www.nar.realtor/about-nar/policies/mls-clear-cooperation-policy>

- Single Family Residence
- Townhouse/Condominium
- Manufactured
- Mobile Homes

### **Can a seller or the listing broker “opt out” of the policy’s obligations?**

No. The new policy does not include an “opt out.” Any listing that is “publicly marketed” must be filed with the service and provided to other MLS Participants for cooperation within (1) one business day.

### **Does the Clear Cooperation Policy prohibit office exclusives?**

No. "Office exclusive" listings are an important option for sellers concerned about privacy and wide exposure of their property being for sale. In an office exclusive listing, direct promotion of the listing between the brokers and licensees affiliated with the listing brokerage, and one-to-one promotion between these licensees and their clients, is not considered public advertising.

Common examples include divorce situations and celebrity clients. It allows the listing broker to market a property among the brokers and licensees affiliated with the listing brokerage. If office exclusive listings are displayed or advertised to the general public, however, those listings must also be submitted to the MLS for cooperation.

### **What does marketed to the public mean?**

A home promoted or displayed to the public could be in the form of a For Sale Sign/Coming Soon sign in front of the home, promoting the property on social media, including it on a flyer, or even mentioning it to someone you know that is not the homeowner. Basically, any type of communication that does not provide access to all potential buyers.

### **What if I promote the property at a private networking group?**

Networks that include brokers at different offices is considered a form of public advertising. Listings shared in multi-brokerage networks by participants must be submitted to the MLS.