

April 19, 2007

Board of Director Minutes

Multiple Listing Service of the Wilmington Regional Association of REALTORS®
1444 S. 17th Street

Attending	Tom Adam	Jonathan Barfield	Bob Jamieson	Dottie Kilpatrick
	Susan Lacy	Mary Martin	Russ May	April McDavid
	Bob McKoy	Karen Parkin	Deb Quaranta	Vance Young
Absent:	Dan Kibler	Jeff Cunningham		
Staff:	Jerry Panz			

President Susan Lacy called the meeting to order at 8:35 AM. All members of the Board of Directors received notice of the meeting. Jonathan Barfield gave the invocation and April McDavid led in the Pledge of Allegiance to the Flag.

By Consent the following was approved:

1. The Consent Agenda (attached).
2. Change to the MLS Rule 7.7 (attached)
3. Change to MLS Rule 7.3 (attached)
4. Adding MLS Rule 1.16 (attached)
5. Amending MLS Rule 1.2 Except for land, the first photo must to be an exterior shot of the property.

The meeting recessed at 9:27 AM. The meeting reconvened at 10:37.

6. The following with regard to the Rapattoni conversion:
 - a) Remove the ability to add listings in Ambiance effective on Friday, June 15, at 5 PM. Listings entered into Ambiance between June 13 and cutover: June 19 will have to be entered into Rapattoni on June 19 (See Executive Roundtable notes)
 - b) Require license number (or place for it) to appear on all MLS created Reports
 - c) Not permitting an email export of all users' email addresses
 - d) The cost for tokens will be cost plus 20% to cover the cost of sales tax and shipping (Example: token – (\$25 + tax) x 120%=33.30 - \$33)
7. Changes to the KeyBox allocation policy (attached)
8. Moving to the ActiveKey when available
9. Fining a MLS Subscriber \$250 and the BIC \$100

There being no further business the meeting adjourned at 11:53 AM.



Jerry S. Panz, CAE, e-PRO, RCE
Secretary

Consent Agenda

Multiple Listing Service of the Wilmington Regional Association of REALTORS®

April 19, 2007

Approval of:

- 1) **MLS Rules & Regulations: Section 12 Distribution:** Participants shall, at all times, maintain control over and responsibility for each copy of **and access to** any Service compilation leased to them by the WRAR, and shall not distribute any such copies **or access** to persons other than Subscribers who are affiliated with such Participant as licensees, those individuals who are licensed or certified by an appropriate state regulatory agency to engage in the appraisal of real property, and any other Subscribers as authorized pursuant to the governing documents of the Service. **Participants and their affiliated subscribers and staff may not transmit, retransmit, or provide any Service compilation or means of accessing any Service compilation in any manner to any other individual, office, or firm, except as expressly provided in these Rules. This section prohibits the sharing of all access methods, including without limitation user IDs, passwords, and physical authentication means (such as one-time password key fobs).** Use of information developed by or published by the Service is strictly limited to the activities authorized under a Participant's licensure(s) or certification, and unauthorized uses are prohibited. Further, none of the foregoing is intended to convey "Participation" or "Membership" or any right of access to information developed or published by the Service where access to such information is prohibited by law.
- 2) Confirming the email vote to require Rapattoni Training before access is granted.
- 3) **(New) Section 1.9 Duplicate listings.** When a property satisfies the definition for more than one eligible property type, the listing broker Participant may (but need not) submit the listing in each appropriate property type, provided that each listing record is complete and accurate in itself and each is cross-referenced by listing number with any other listing of the same property. If the property is sold, the listing broker Participant must submit the sale against one listing record and notify the MLS staff to delete any others. **(See Rule and Gunther emails and end of Brian Larson's email)**
- 4) **Section 2.5 Reporting "Pending" And Sold Sales to The Service:** "Pending" and sold sales shall be reported immediately to the Multiple Listing Service by the Listing broker unless the negotiations were carried on under Section 2 (a) or (b) hereof in which case the cooperating broker shall report, sending a copy of the sales contract to the listing broker within 24 hours after acceptance. The cooperating broker may notify the MLS using a change form indicating that the Listing broker is out of town and that the listing status should be changed to "Pending." (See BofD Minutes 01/20/05)

~~If the contract created by the parties is contingent upon the buyer selling a property not currently under contract the status remains Current but the sub-status must be changed to "Contingent." If the contract created by the parties uses Alternative 2 of the NCAR/NCBA Standard Form 2, the status remains Current but the sub-status must be changed to "Alternative 2." The status of all other listings where the parties have created a contract must be changed to "Pending." (See MLS BofD Minutes 7-22-04)~~

The listing Participant must report any pending sale subject to a contingency according to the following requirements:

- a) **If the contract is contingent upon the buyer selling a property not currently under contract, the status remains Current, but the sub-status must be changed to**

- “Contingent,” and subsections (b) and (c) of this Section 2.5 shall not apply; or**
b) **If the contract created by the parties uses Alternative 2 of the NCAR/NCBA**
Standard Form 2, the status remains Current, but the sub-status must be changed
to “Alternative 2,” and subsection (c) of this Section 2.5 shall not apply; or
c) **The status of the listing must be changed to “Pending”**

Acknowledgement of:

Financial statements from January, February and March 2006

MLS Waivers Granted by Staff

12/14/06	Martha Justice
12/28/06	Michelle Petosky
1/10/07	Lisa Ashby
1/10/07	Angela Brown
1/12/07	Michelle Hildreth
1/18/07	Shannon Friedrichs
2/14/07	Morgan McKoy
2/14/07	Sarah Dumschat
2/21/07	Kristie Holbrook
3/1/07	Tara Singleton
4/5/07	JoAnne Fox

7.7 Unauthorized use of Key: The loaning of Keys for any reason is prohibited. Key holders must secure their Key to prevent anyone from discovering their PIN number. Key Holders who violate this Rule shall be subject to fine subject to the following:

1. Where a Keyholder loans a Key to remove a KeyBox, staff shall communicate again the Policy in writing to the Keyholder explaining that any person who needs a Key may have one after completing the necessary Agreements and that each office may have a loaner Key. The communication shall also include a notice that a second violation will result in automatic suspension of use for one week and a \$100 fine. A third violation shall result in suspension of use for one month and a \$500 fine. A fourth violation shall result in suspension of use for one year and a \$1,000 fine. Although the Keyholder's use of the system is suspended, the obligation to pay fees continues during the period of any suspension.
2. Where a Keyholder loans a Key and their PIN code, staff shall immediately deactivate the device, place a \$100 fine on the members account, communicate again the Policy in writing to the Keyholder explaining that any person who needs a Key may have one after completing the necessary Agreements; that each office may have a loaner device; that payment in full must be made for all charges on the account; and, that their Key must be programmed with a new PIN. The communication shall also include a notice that a second violation will result in automatic loss of use for one month and a \$500 fine. A subsequent violation shall result in loss of use for one year and a \$1,000 fine. Although the Keyholder's use of the system is suspended, the obligation to pay fees continues during the period of any suspension.
3. An appeal may be made to the Board of Directors provided that the Keyholder has paid all charges on their account including any fine levied.

MLS Rule 7.3 b. Staff Provided PIN Codes: Staff must verify the identity of a Keyholder before providing an update/authorization code or PIN code to an existing Keyholder. Where the staff does not recognize the voice of the person calling, the staff may speak with someone else in the caller's office whose voice the staff would recognize to verify the identity of the person calling. When the staff is uncertain as to the identity of the caller, the Keyholder is required to bring their device to the MLS office. Once staff has verified the identity of the Keyholder by photo ID or otherwise, the staff is authorized to provide an update/authorization code or PIN code and update the device.

Section 1.16 Listings of properties previously listed by other Participants. In the event a Participant takes a listing on a property previously listed by another Participant in the Service, the new listing Participant may not copy or otherwise duplicate the photographs(s) or descriptive text fields from the previous listing record in the Service's system without the previous listing Participant's **written** permission. "Descriptive text fields" include remarks, directions, and other "free-form" fields where the Participant has discretion regarding the contents of the field. This restriction does not apply to purely factual fields (number of bedrooms, address, etc.).

MLS Rule 1.2 (part dealing with photos) Photos are mandatory for every property type. **Except for land, the first photo must be an exterior shot of the property. Photos** shall not have: **any for sale or lease sign; any** information that identifies the agent or the company; **any** business card images or the like **be added to the photo fields**. The MLS Staff is authorized to remove any photo from the MLS that **is not in compliance**. (See BofD Minutes 11-18-05 & 01-19-2006). The Service incorporates [Exhibit 3](#) "*A Guideline for MLS Photos*" attached to these Rules and Regulations.

Change to KeyBox Allocation Rule

KeyBoxes will be allocated as follows: firms with at least three listings but no more than 50 listings will be permitted to have two KeyBoxes in reserve; firms with 51 ~~or more~~ listings but no more than 199 will be allocated KeyBoxes at 104% of the total listings; **Firms with at least 200 listing but no more than 399 will be allocated at 105%; Firms with more than 400 listings will be allocated at 106%.**

(NOTE: any fraction will be rounded up to the next whole number. Example: A firm has 51 listings. $51 \times 104\% = 53.04$ so they are entitled to have 54 KeyBoxes). Listings as used above means eligible listings (current and under contract single family and multifamily excluding under construction properties). (Revised: See BofD minutes 06-22-06)