



MULTIPLE LISTING SERVICE OF SOUTHERN ARIZONA

MEETING AGENDA

Committee: MLSSAZ Board of Directors
Meeting Date: February 21, 2020
Chair: Sue Cartun, President

I.	Call to Order 3:00pm	
II.	Rules of the Day	
III.	Consent Agenda*	
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	1. Standards, February 5, 2020	7
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	H. Meeting Dates and Event Announcements	
	3. MLS Standards Committee, 3/4/2020 – 1:30pm	
	4. MLS Technology Committee, 3/3/2020 - 2:30pm	
	5. MLSSAZ Executive Committee, 3/9/2020 – 11:30am	
	6. MLSSAZ Board of Directors, 3/30/2020 – 3:00pm	
	7. Clear Cooperation Policy Task Force, 2/21/2020 – 10am	
IV.	Treasurers Report: Cheryl Terpening	
	A. Balance Sheet	
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	C. Equity & Reserves	
V.	Unfinished Business	
	A. Technology Committee Meeting Report	27
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VII.	New Business	
	A. SCCBR Service Agreement	
	B. Vice President Election*	

*= Items that may require action.



MULTIPLE LISTING SERVICE OF SOUTHERN ARIZONA

Committee: MLSSAZ Board of Directors
Meeting Date: January 23, 2020
Chair: Sue Cartun, President
Call to Order: 3:03PM

Attendance: Jim Adams Lori Adamson Annie Barmore (conference Call) Jim Bowman
Sue Cartun Kim Clifton Susan Derlein David Dynes
Cathy Erchull Diane Marzonie Louis Parrish Joette Schenck
Cheryl Terpening

Legal Counsel: Kay Nelson
Staff: Sean Murphy Christine Sanchez Randy Rogers

Action Items:

- M/S/C: Move to approve the Consent Agenda as discussed.
- M/S/C: Move to approve the Technology Committee and Standards Committee Members, Chairs and Vice Chairs as discussed.
- M/S/C: Move to approve the Residential and Rental Profile Sheets as presented.

Information Items:

- A consent agenda was added to the meeting agenda and will contain reports with no action items.
 - President Cartun requested to be notified of any items in the consent agenda that should be discussed or may require action prior to the meeting to ensure the agenda is amended.
- President Cartun presented board members with an iPad to access board packets, governing documents and other pertinent information.
- The Technology Committee meeting report was removed from the consent agenda as there were board action items.
- The Technology Committee meeting report will be revised to include a Showing Time Task Force was created and will be chaired by Henry Zipf.
- Review of the Strategic Plan document that will be updated for each Board Meeting.
- A 2020 Business Planning session has been scheduled for February 12, location to be determined and will be a morning ½ day session. Jim Bowman will not be in attendance.
- Review of the December Financials.
 - Cheryl Terpening, Annie Barmore, Sue Cartun and David Dynes met with Luke Bruin of Bruin & Associates to review the financials. The financials were revised to remove the Miscellaneous Income line item and the TAR Cooperative Agreement December Actual amount was adjusted to \$105,740 and the Total Actual was adjusted to \$905, 674.
 - MLSSAZ is at a 10.1-month reserve, 4 months above what is recommended.
- Legal Counsel Kay Nelson conducted a board responsibility presentation on fiduciary duties and the NAR antitrust lawsuits.
- All board members were presented with Director Affirmation documents to review and sign.
- A meeting will be scheduled for the Showing Time Task Force to review their packages and make a recommendation to the Technology Committee. Task Force members include Henry Zipf, Jim Adams and Kelly Hand.
- Eric Gibbs is chairing the Clear Cooperation Task Force.
 - Company name for Patrick Sedillo will be updated on the meeting report.
 - The Commissioner Connection agenda on January 27 includes “Coming Soon”; Sean Murphy will be attending to provide an update.
- Review and approval of the 2020 MLSSAZ Committees, Members, Chairs and Vice Chairs. Lisa Sullivan will be added to the Standards Committee.
- Sean Murphy provided an update of the FBS mobile survey results. Over 500 participants which included just over 400 that utilize the app. Tentative plans include training on the app and identifying individuals for a usability testing on the app. He also reported the Technology

Committee will be reviewing 3 other mobile vendors. A recommendation is expected at the March meeting.

- TAR and MLS are partnering in reviewing and exploring various Commercial Information Exchange options. A Catalyst demo was conducted earlier today. Demos will be scheduled for Brevitas and CREXi.
- President Cartun will be creating a Communications task force or workgroup to review the website and various communication items.
- Additional revisions are being made to the Policy Statements; approval moved to the February meeting.
- Review and approval of the Residential and Rental Profile Sheets.
- Kim Clifton mentioned she is hosting a RAPAC Fundraiser event on March 26 at 5pm.
- Kim Clifton and Cathy Erchull will be recognized as RPAC Hall of Fame members in 2021; President Cartun is currently a RPAC Hall of Fame member.

Meeting Adjourned at 3:25pm



New Subscribers

1/1/2020 through 1/31/2020

Last Name	First Name	Office	Type	Association
Acton	Sarah	Tierra Antigua Realty	R	TAR
Adler	Thomas	OMNI Homes International	R	TAR
Alder	Janet	Forest Properties Inc	R	TAR
Anderson	Howard	Robson Ranch Quail Creek, LLC	NML	TAR
Anguiz	Lindsey	Tierra Antigua Realty	R	TAR
Appel	Britta	Keller Williams Southern AZ	MAB	Other
Arana	Erin	Realty Executives Arizona Territory	R	TAR
Arida	Maria	United Real Estate Southern Arizona	R	TAR
Bartels	Rodica	Century 21 Northwest	MBB	Other
Benigno	Dean	Realty Executives	MAB	Other
Beuvink	Nicole	Keller Williams Southern Arizona	R	TAR
Brekan	Ralph	Ralph J. Brekan	MBB	Other
Bryson	Philip	West USA Realty	MAB	Other
Burrola	Jennifer	Manova Realty LLC	R	TAR
Campbell	Aisling	Realty Executives Arizona Territory	R	GVSAR
Campos	Leslie	Tierra Antigua Realty	R	TAR
Castaneda	Sergio	Long Realty Company	R	GVSAR
Castillon Rocha	Enrique	OMNI Homes International	R	TAR
Clem	Karen	Tierra Antigua Realty	R	TAR
Conley	Tamara	Realty Executives Arizona Territory	R	TAR
Daniels	Christopher	Long Realty Company	R	TAR
Dole	Rocky	Royal International Realty	MBB	Other
Downey	Robin	Tierra Antigua Realty	R	TAR
Duarte	Louie	Long Realty Company	MAB	Other
Duran	Kristian	Tierra Antigua Realty	R	TAR
Eck	Danna	eXp Realty	R	TAR
Ellsworth	William	Keller Williams Southern Arizona	R	TAR
Feliciano	Nancy	Long Realty Company	R	TAR
Fitzgerald	Kellie	Chiricahua Real Estate	MBB	Other
Franco	Theresa	North & Co	MAB	Other
Gates	Vera	Long Realty -Green Valley	R	GVSAR
Gavartin	Leon	Jason Mitchell Real Estate Arizona	MBB	TAR
Gibson	Scott	My Home Group Real Estate	R	TAR
Gillis	Eunice	Realty One Group Integrity	R	TAR
Glenn	Caleb	Keller Williams Southern Arizona	NML	TAR
Gonzalez	Melinda	1st Heritage Realty	R	TAR
Goodrow	Seth	Long Realty Company	R	TAR
Grabber	Richard	Revelation Real Estate 01	MAB	Other
Gregory	Teresa	Realty Executives Arizona Territory	R	TAR
Griego	Natalie	My Home Group Real Estate	MAB	Other
Guardiola	Daniela	Coldwell Banker Residential Br	R	TAR

R=REALTOR, DR=Designated REALTOR, MAB=MLS Only Agent, MBB=MLS Only Broker, APR=Appraiser



New Subscribers

1/1/2020 through 1/31/2020

Haines	Kortney	My Home Group Real Estate, LLC	R	TAR
Hart	Nicolette	Realty Executives Arizona Territory	R	TAR
Herrera	Daniel	Long Realty Company	R	TAR
Hobbs	William	My Home Group Real Estate	MAB	Other
Hoeffs	Bill	West USA Realty	MAB	TAR
Holmberg	Lani	Tierra Antigua Realty	MAB	Other
Jankowski-Gallo	Lindsey	Realty One Group Integrity	R	TAR
Jiampetti	Carol	Robson Ranch Quail Creek, LLC	NML	TAR
Johnson	Raymond	West USA Realty - 05	MAB	Other
Jones	Lisa	Long Realty Company	R	TAR
Juell	Paul	eXp Realty	R	TAR
Keith	Richard	Long Realty Company	R	TAR
Kobylynski	Michael	Homesmart Advantage Group	R	TAR
Lawson	Jennifer	Copper View Realty, LLC	R	GVSAR
Lee-Schoenborn	Tina	ProSmart Realty - 01	MAB	Other
Levinson	Mike	HomeSmart	MAB	Other
Lopez	Jose	HomeSmart	MAB	TAR
Lundquist	Logun	Century 21 Northwest	MAB	Other
Madero Hinojosa	Reyna	Tierra Antigua Realty	R	TAR
Madrigal	Dominic	Rincon Ventures, Inc.	R	TAR
Mahlmann	Albert	Long Realty Company	MAB	Other
Maier	Randy	Arizona Eagle Realty	R	TAR
Martinez	Carmen	Absolute Realty, LLC	R	TAR
McBride	Jeanine	Forest Properties Inc	R	TAR
McBroom	Wendy	Keller Williams Southern Arizona	R	TAR
McClary-Lopez	Brenda	Tierra Antigua Realty	R	TAR
McCraw	Chris	Realty Executives Arizona Territory	R	TAR
McFarland	Shannon	HomeSmart Pros Real Estate	R	GVSAR
Medina	Guadalupe	Realty Executives Arizona Territory	R	Other
Miller	Jermaine	My Home Group Real Estate	MAB	Other
Moore	Katerina	RISING Real Estate Services	R	TAR
Morales	Catherine	Luxe Real Estate Group	R	TAR
Norwood	Robert	Sunset View Realty, LLC	R	GVSAR
Nyberg	Patricia	Tombstone Real Estate - Pearce	MAB	Other
Olvera	Angelina	Paniolo Realty	R	TAR
Owens	Melody	Keller Williams Southern Arizona	R	TAR
Page	Renee	ProSmart Realty - 01	MAB	Other
Patterson	JoAnn	Cobb Realty LLC	R	TAR
Paz	Alejandro	Century 21 Success Realty	R	SCCBOR
Peck	Dawn	Tierra Antigua Realty	R	TAR
Purcell	William	Coldwell Banker Residential	R	TAR
Roberts	Tianna	Lennar Sales Corp	NML	TAR
Robinson	Lucia	My Home Group Real Estate, LLC	R	TAR
Rodriguez	Carlos	Long Realty Company	R	TAR

R=REALTOR, DR=Designated REALTOR, MAB=MLS Only Agent, MBB=MLS Only Broker, APR=Appraiser



New Subscribers

1/1/2020 through 1/31/2020

Roleke	Victoria	Tierra Antigua Realty	R	TAR
Roosevelt	Mark	Tierra Antigua Realty	R	TAR
Ryan	Katheryn	Match Realty	R	TAR
Salzwedel	Samuel	Tierra Antigua Realty	R	TAR
Schaeffer	Marsha	Revelation Real Estate 01	MBB	Other
Schollmeyer	Shirley	West USA Realty	MAB	Other
Shaw	Theresa	United Broker's Group	MAB	Other
Shephard	Theodore	Realty Executives Arizona Territory	R	TAR
Spignor	Michael	My Home Group Real Estate	R	Other
Sprunger	Judith	Long Realty Company	R	TAR
Sturm	Jessica	Valucentric LLC	APPR	TAR
Suarez	Norma	eXp Realty LLC	MAB	Other
Terrell	William	eXp Realty	R	TAR
Thacker	Jacklynn	Copper View Realty, LLC	R	GVSAR
Thompson	Michael	Royal International Realty	MAB	Other
Tune	Sherry	Coldwell Banker Residential Br	R	TAR
Valentine	Amber	Keller Williams Realty Phx 01	MBB	Other
Velarde	Marco	Morado Canyon Realty	R	TAR
Waller	Deborah	HomeSmart	MAB	Other
Williams	Amanda	Advantage, REALTORS«	R	TAR
Yaney	Tiffany	Tiffany L Yaney	APPR	TAR
Young	Robert	Keller Williams Southern Arizona	R	TAR

New Subscriber Count - 107



MULTIPLE LISTING SERVICE OF SOUTHERN ARIZONA

Committee: MLSSAZ Standards
Meeting Date: February 5, 2020
Chair: Sterling Bancroft
Called to order: 1:33 PM

Present: Sterling Bancroft, Henry Zipf, Patrick Devine, Jacob Friedman, Melinda Maddock, Ken Nelson, Michele Ream, Michael Smith, Shirazali Peera, Lisa Sullivan.

Absent: Amanda Elmer, Annie Barmore.

Staff: Sean Murphy, Andrew Castillo.

Guests: Complainant, Respondent.

Action Items:

M/S/C: Move to fine Listing Agent \$500.00 and to issue Letter of Concern for failure to secure the property.

Information Items:

- Sterling Bancroft the 2020 Chairman chaired this meeting.
- Minutes of the January meeting were approved.
- Hearing Results
 - The committee found the respondent accessed the property keybox and failed to replace the keys. The respondent departed from the property while a Home Inspector remained in the premises. It was the determination of the committee the Respondent was in violation of MLSSAZ Rules & Regulations Section 23.4 – Securing Property
 - Failure to secure a property and/or replace the property key(s) into the Keybox may be subject to a fine.
- Unfinished Business
 - Open House as defined as advertised in the MLS.
 - Recommend to take no action. The committee discussed defining the Open House Field in the MLS. It was decided the adoption of an open house regulation would limit the ability for participant advertising. It was recommended to take no action until precedent is established by the State Real Estate Department or until issues merit action.
- Administrative Sanctions Issued.
 - Two Letters of Concern – (2) Non-Correction of a violation.



MULTIPLE LISTING SERVICE OF SOUTHERN ARIZONA

Meeting Type: Clear Cooperation Participant Meeting
Meeting Date: February 4, 2020
Location: Green Valley Sahuarita Association of Realtors ®
Called to order: 9:00 AM

Present: Sue Jones, John Malozsak, Jim Callery, Jerry Sander, Barb Southards, Martha Koslowsky, Lynn Robinson, Diane Williams, Susan Derlein, Matthew Tennyson, Joette Schenck.
Staff: Sean Murphy, Andrew Castillo.

Objective: An explanation of the Clear Cooperation Policy intended to gather Broker participant feedback for the consideration of developing policy & procedures.

Information Items:

- Sean Murphy gave the Clear Cooperation Policy presentation.
- The following was presented for consideration:
 - The ability to identify when a Coming Soon Status is scheduled to expire.
 - Capability to search listings in the Coming Soon Status and ability to link to advertisements outside of the MLS.
 - Modify existing Exempt/Delay Form to incorporate Coming Soon Status additional seller disclosures & acknowledgements.
- General questions included:
 - Need for clarification on the Office Exclusive Listings. What are the appropriate conditions for the advertising of Office Exclusive Listings. An emphasis was made for educational guidelines outlining the proper advertising procedures for Office Exclusives.
 - Is the placement of a keybox considered public marketing?
 - According to the Clear Cooperation Policy and State Law the act is placing a keybox is not recognized as marketing to the public.
 - What mandatory fields will be required for the entry a listing under the Status of Coming Soon?
 - DOM - When will days on market accumulate?



MULTIPLE LISTING SERVICE OF SOUTHERN ARIZONA

Meeting Type: Clear Cooperation Participant Meeting
Meeting Date: February 4, 2020
Location: Santa Cruz County Board of Realtors ®
Called to order: 12:09 PM

Present: Steve Marino, Karen Miller, Aracely Stout, Paris Constance, Yvette Palmer, Dorathy Duarte, Virginia Bristol, Maria Esther Solis, James Ross, Gary Pottinger, Carmen Pottinger.

Staff: Sean Murphy, Andrew Castillo.

Objective: An explanation of the Clear Cooperation Policy intended to gather Broker participant feedback for the consideration of developing policy & procedures.

Information Items:

- Sean Murphy gave the Clear Cooperation Policy presentation.
- The following was presented for consideration:
 - The ability to identify when a Coming Soon Status is scheduled to expire.
- General questions included:
 - Need for clarification on Office Exclusive Listings. What are the appropriate conditions for advertising of Office Exclusive Listings.
 - What is public marketing and what actions prompt the one business day listing entry requirement.
 - Compliance obligations for public advertising a property without an active listing agreement.
 - How to address listings beginning Office Exclusive submitted to the MLS after an offer is accepted.
 - Photo requirements for Coming Soon Status.
 - Type of acknowledgement forms required for Coming Soon Status.



MULTIPLE LISTING SERVICE OF SOUTHERN ARIZONA

Meeting Type: Clear Cooperation Participant Meeting
Meeting Date: February 6, 2020
Location: Tucson Association of Realtors ®
Called to order: 2:03 PM

Present: Jim Adams, Rebecca Badruddoja, Walt Beecher, Sue Cartun, Vici DeMarsico, Martin Eggers, Clemente Fernandez, Ellen Golden, Laura Grijalva, Melissa Herrera-DiPeso, Ginny Huffman, Michele Keely, Rick Kinonen, Gary Kipnis, Lupita Mitz, Billy Morris, Linda Nelson, Bill Norris, Georgina Plante, Lawrence Potter, Farley Rosenstein, Suzanne Rothman, Sandra Sarah, Michael Shiner, Jerome Spiess, Cheryl Terpening, Robin Willis, Jim Adams, Bill Yarnell, Barry Bridget, Mark Gilliland, Eric Gibbs
Staff: Sean Murphy, Andrew Castillo, Randy Rogers,

Objective: An explanation of the Clear Cooperation Policy intended to gather Broker participant feedback for the consideration of developing policy & procedures.

Information Items:

- Sean Murphy gave the Clear Cooperation Policy presentation.
- The following was presented for consideration:
 - Allow showings of properties during the duration of the Coming Soon Status.
 - Recommend manual status updates. An automated status update upon the expiration of the Coming Soon Status could cause issues for properties not ready for sale.
 - Capability for public search and sharing for listings under the Coming Soon Status
 - Recommend a large fine as a compliance reinforcement.
 - Questions concerning the levy of sanctions assessed to the Broker or Listing Agent.
 - Seller disclosure and acknowledgments. Clearly define seller obligations and permissions.
- General questions included:
 - Concerns with clients showing properties during the term of Coming Soon Status.
 - Compliance obligations for public advertising a property without an active listing agreement.
 - Instructions for offers during the term of Coming Soon Status. What happens if an offer is accepted while the listing is under the status of Coming Soon.
 - For members of multiple MLS, is listing entry required for each separate MLS.
 - Definition of public marketing.
 - What mandatory fields will be required for the entry a listing under the Status of Coming Soon?
 - DOM - When will days on market accumulate?



MULTIPLE LISTING SERVICE OF SOUTHERN ARIZONA

Meeting Type: Clear Cooperation Taskforce
Meeting Date: January 27, 2020
Chair: Eric Gibbs
Called to order: 10:08 AM

Present: Eric Gibbs, Mark Shinn, Robin Willis, Amanda Elmer, Gabriel Nevarez, Sharon Ellsworth, Jim Adams.

Staff: Sean Murphy, Andrew Castillo.

Objective: Review of the Clear Cooperation Policy for the development of MLSSAZ Policy & Procedures

Information Items:

- Eric Gibbs chaired this meeting.
- Clear Cooperation Policy and timeframe for implementation overview.
- Detailed review of MLSSAZ Rules & Regulations Section 1 – Listing Procedures.
 - Detailed examination of Listing Procedures to identify areas impacted by the Clear Cooperation Policy.
 - Recommend Non-Mandatory Types to include New Construction.
 - Recommend Section 1 to include NAR Clear Cooperation language.
- The Taskforce recommended no showings for the duration of the Coming Soon period.
- The Taskforce discussed reducing the number of days required for the submission of the Exempt/Delay to be modified from two business day to one business day. It was decided a reduction of the number of days would cause an undue burden to listing participants.



MULTIPLE LISTING SERVICE OF SOUTHERN ARIZONA

Meeting Type: Clear Cooperation Taskforce
Meeting Date: January 30, 2020
Chair: Eric Gibbs
Called to order: 10:07 AM

Present: Eric Gibbs, Mark Shinn, Robin Willis, Amanda Elmer, Gabriel Nevarez, Sharon Ellsworth.

Staff: Sean Murphy, Andrew Castillo.

Objective: Development of the Coming Soon Status definition and the supporting procedures described in MLSSAZ Rules & Regulation Section 1 – Listing Procedures.

Information Items:

- Eric Gibbs chaired this meeting.
- Review of MLSSAZ Rules & Regulations Section 1 – Listing Procedures.
 - A detailed examination of the Listing Procedures to identify areas impacted by the Clear Cooperation Policy. The Taskforce made the following recommendations:
 - Non-Mandatory Types to include New Construction & Rentals.
 - Incorporate NAR Clear Cooperation language to Section 1.
 - The term of the Coming Soon Status shall not exceed 21 calendar days.
 - Coming Soon Status shall not be distributed through IDX/Syndication feed.
 - Showing guidelines to include no open houses during the term of the Coming Soon status.

2020 Goal for MLSSAZ

To enhance MLSSAZ to be a significant and relevant resource for the benefit of the membership.

The 3 Minor Goals That Keep Me On My Path To My Major Dream

1. To Evaluate The Elements Needed To Begin An Organizational Makeover
 2. Enhance Technology And Tools
-

Small Steps to Achieve Every Goal

Minor Goal #1

Minor Goal #2

To Evaluate The Elements Needed To Begin An Organizational Makeover	Enhance Technology And Tools
4 Small Steps	4 Small Steps
Create An Educational Staff Program “A Day In The Life Of The Real Estate Business”	Q1 and Q2 Outreach to Membership for Desired Deliverables Regarding Technology and Tools
Reevaluate Time, Money and Staff Allocation per Quarter Initiative	Q3 and Q4 Determine Applicable Rollouts of Customer Experience Tools
Set Quarterly Priorities To Implement Changes In Membership Experience	Cooperate With Current Plans That Are In Motion At MLSSAZ
Understand Staff Roles And Responsibilities And Reevaluate and Update Job Descriptions	Increase Accurate Data Availability

MLSSAZ
CEO's Report
February 21, 2020

- 1) Realtor.com Seminar
 - a. New applications presentation
 - b. Consensus is that it is used but not widespread
 - c. Realtor.com would like to present in the area
- 2) MLSSAZ Business Planning Preparation
 - a. Prep & executive of the day
 - b. Follow-up
- 3) Membership dues renewal
 - a. Strong renewal, down to under 250 that have not renewed
 - b. Should present strong MLS fees renewal
- 4) Audit Prep
 - a. Audit team on site March 9-13



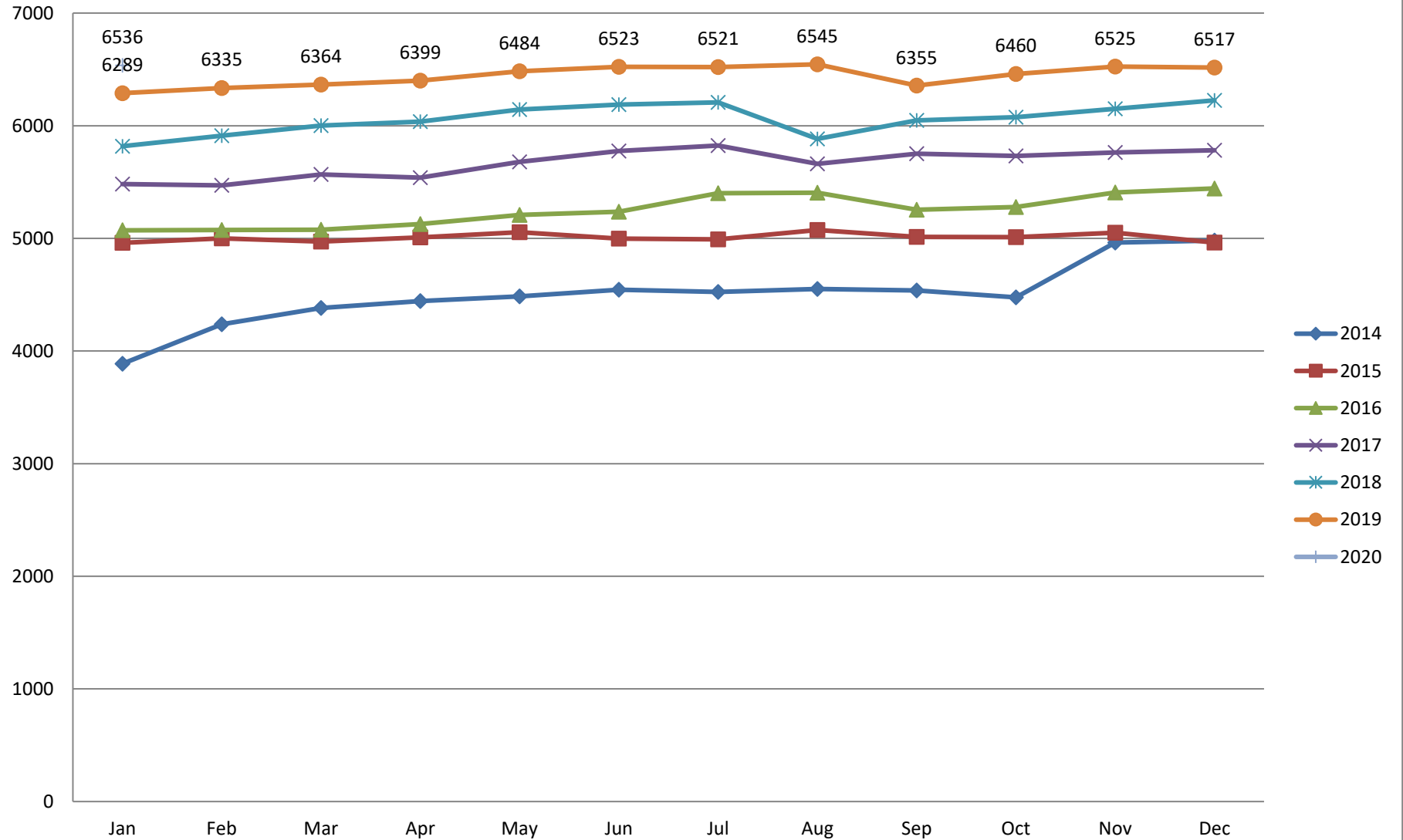
MULTIPLE LISTING SERVICE OF SOUTHERN ARIZONA

Executive Vice President Report

- I. Staff Projects
 - A. MLS Profile Sheet Updates – Updating the profile sheets to accommodate for RESO Standards and changes approved by Tech Committee
 - B. Clear Cooperation Taskforce and implementation
 - C. Flexmls Mobile Focus Groups
 - D. Computer lab upgrades – installing new and repurposed equipment in the computer lab to better accommodate TAR’s testing center.
 - E. Wi-Fi Upgrades – installing additional Wi-Fi access points for better coverage, enhanced security, and better experience for staff and guests.
 - F. Supra activity review – creating a review process of Supra activity for use in board decisions
 - G. Mapping Overlay Update – reviewing map overlays in Flexmls to provide more accurate lines for GVS and SCC areas

- II. Back Burner Projects
 - A. Syndication Taskforce
 - B. Flexmls Configuration Changes
 - C. Mobile Field Order
 - D. Full Search Replacement
 - E. Flexmls API Implementation
 - F. Showing view Implementation
 - G. Association Specific MLS Gateway Dashboards
 - H. MLS Communication Style Guide
 - I. MLS Website

Membership Trends January 2020



Active Participants: 913

All Residential Properties Market Overview

Key metrics by report month and for year-to-date (YTD) starting from the first of the year. Includes all Single Family and Townhouse/Condo listings in the MLS.



Key Metrics	Historical Sparkbars	1-2019	1-2020	% Change	YTD 2019	YTD 2020	% Change
New Listings		1,926	1,851	- 3.9%	1,926	1,851	- 3.9%
Pending Sales		1,287	1,545	+ 20.0%	1,287	1,545	+ 20.0%
Closed Sales		899	1,008	+ 12.1%	899	1,008	+ 12.1%
Days on Market Until Sale		45	38	- 15.6%	45	38	- 15.6%
Median Sales Price		\$225,000	\$235,250	+ 4.6%	\$225,000	\$235,250	+ 4.6%
Average Sales Price		\$267,454	\$289,039	+ 8.1%	\$267,454	\$289,039	+ 8.1%
Percent of List Price Received		98.2%	98.1%	- 0.1%	98.2%	98.1%	- 0.1%
Housing Affordability Index		126	129	+ 2.4%	126	129	+ 2.4%
Inventory of Homes for Sale		3,347	2,367	- 29.3%	—	—	—
Months Supply of Inventory		2.6	1.7	- 34.6%	—	—	—

Classes

Year 2020	January	# of Classes	Attend.
Class One	Fundamentals	4	40
Class Two	Searching	3	30
Class Three	CMA	2	22
Tips and Tricks		1	11
MarketStats		3	19
RPR		1	7
Private Coaching			
Business Hours 1-1			16
Before or After Hours 1-1			2
Brokerage Private Classes		0	
Total Class or PC Attendance		14	147
Video Views			314
Training total touches MLSSAZ			461



Multiple Listing Service of Southern Arizona

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STRATEGIC FRAMEWORK And 2019-2023 Strategic Plan

Updated December 19, 2019



DRAFT MLSSAZ Strategic Framework

MLSSAZ Value Proposition

Mission

The Multiple Listing Service of Southern Arizona is the central source for comprehensive, accurate and timely property and community data to facilitate efficient transactions and drive cooperation throughout the region.

Commitment to Quality

In pursuing its mission, MLSSAZ commits to deliver a quality product and user experience as defined by:

Flexibility: proactive response to changing industry trends and subscriber needs – an MLS that provides value for *the way business is being done*

Service: knowledgeable, professional and prompt customer service across multiple channels

Efficiency: tools and resources that drive efficiency in business practice and enhanced productivity

Connection: a comprehensive ‘hub’ that connects subscribers seamlessly with the data, resources and people needed throughout the real estate transaction

Continuous Improvement: regular evaluation to improve MLS efficiency and data integrity

Communication: regular, open, two-way communication and feedback loop, providing subscribers with a voice to inform MLS decision-making

MLSSAZ Vision Statement

The Multiple Listing Service of Southern Arizona will be the real estate professional’s preferred source to meet the needs of consumers for comprehensive, accurate information and connection to resources.

MLSSAZ Long-term Goals

MLSSAZ Programs, Products and Services

1. To be a hub of data, resources and connections to service providers that continue to evolve to meet the changing needs and expectations of participants, subscribers and consumers.
2. To provide access to MLSSAZ tools, training and support whenever, wherever and however participants prefer.

Data Quality and Technology

3. To provide the most comprehensive and accurate data on the region's real estate marketplace and all forms of real property.
4. To provide an unparalleled user experience through the continued application of advances in technology.

Marketing, Communication and Outreach

5. To be recognized and respected as the trusted source for real estate information in all markets within the region.
6. To commit to continuous improvement through open, two-way communication and engagement.

MLSSAZ Organizational Development and Sustainability

7. To be an efficient and progressive organization with active, committed leadership, the staff and financial resources, and the technology and structure required to fulfill MLSSAZ goals and priorities.

◆

2019-2023 MLSSAZ Strategic Plan

MLSSAZ PROGRAMS, PRODUCTS AND SERVICES

Issue: Continued Product Development ('Hub' concept)

Objective: Connect subscribers seamlessly to the programs, products and services they need to successfully serve clients, as those needs change.

2020 Objective as determined by Executive Committee and Board: Retain outside expertise to help identify technology for a 'plug-and-play' platform

2021 Milestones: By 2021 . . .

- MLSSAZ has evaluated, based on needs, options for applications and has implemented the top three.
- A 'hub' plug-and-play infrastructure has been created.

Issue: Training and Technical Support

Objective: Enhance the accessibility of MLSSAZ training and support.

2019 Objective=Complete: Market Stats training created and implemented. See Attachments for more details.

2020 Objective: Identify training needs Q1

2021 Milestones: By 2021 . . .

- Round-the-clock 'how-to' information and technical support is available to members through multiple channels.

Issue: Robust Market Reports

Objective: Produce a suite of market reports that enhance subscriber professionalism in serving clients and facilitate sound decision-making.

2019 Objective=Complete. Replacement Statistics program researched tested and implemented.

2020 Objectives: Surveying brokers about the need for a "showing service". 12/19. Implementing an association specific container in Gateway Dashboard. 2/20 Process of retiring ActiveKEY and fully implementing eKEY. In Process

2021 Milestones: By 2021 . . .

- A reporting system, together with on-demand training, is in place to meet the needs of changing market conditions.

DATA QUALITY AND TECHNOLOGY

Issue: Application of Advanced Technology

Objective: Stay on the cutting-edge of technological advancement to remain an essential tool that supports the way subscribers are doing business.

2019 Objective=In Process. FlexMLS contract was extended for 36 months.
2020 Objective=In Process. FlexMLS will partner with MLSSAZ to conduct research, surveys, usability studies and focus groups.

2021 Milestones: By 2021 . . .

- MLSSAZ has a robust mobile presence for agent use with multiple integrations.

Issue: Regional Integration and Quality of Data

Objective: Demonstrate the value of MLSSAZ to non-users as the most comprehensive, accurate and timely data platform in the region.

2019 Objective=Complete. Converted and imported historical information from the Green Valley/Sahuarita into the MLSSAZ database. 05/19 Converted and imported historical information from the Santa Cruz County into MLSSAZ database. 07/19.

2021 Milestones: By 2021 . . .

- MLSSAZ will have explored and pursued potential expansion in the region and beyond.

Issue: Data Expansion

Objective: Become the single source for subscribers to address all essential property and related data.

2021 Milestones: By 2021 . . .

- A commercial information exchange will be operational.
- MLSSAZ will be integrated into traditional property management platforms.

MARKETING, COMMUNICATION AND OUTREACH

Issue: Subscriber Customer Service

Objective: Put systems in place so that all subscribers receive excellent customer service and have regular opportunities to express needs and engage in MLSSAZ
2019 Objectives=Complete. Gateway is utilized for Breaking news and important information.

2020 Objectives: Implement hotline Q1. Develop recurring newsletter for non-emergency information. Q1

2021 Milestones: By 2021 . . .

- Information on the MLS is being consistently delivered to all subscribers, regardless of association affiliation.
- All members have an opportunity on a regular basis to express needs, provide feedback, etc.
- All subscribers are met with consistent, prompt, professional response whenever and however they interact with MLSSAZ.
- Subscribers experience ease of use and immediate access on an interactive, responsive platform.

Issue: Communication of the MLSSAZ Value Proposition/Brand

Objective: Raise awareness and recognition by subscribers and consumers of MLSSAZ as the preferred source for property data in the region.

2019 Objective=Complete. MLSSAZ hosted a Participants Meeting at the GVSAR conference center.05/19

2020 Objective In Process. MLSSAZ is creating a membership website. This will be created in conjunction with the new TAR website. Address with new Communications Director.

2021 Milestones: By 2021 . . .

- MLSSAZ is branded as the originating, most credible source for accurate, comprehensive and timely property data.

Issue: Embracing the Range of Needs within the MLSSAZ Reach (2 votes)

Objective: Better reflect the range of needs of subscribers and markets within MLSSAZ data and services.

2019 Objective=Complete. Profile Sheets updated to include dining and breakfast areas, conventional pool.08/19

2020 Objective=In Process. Profile Sheets in the process of being reviewed for address concerns, frustration with Lane/Lot and Rental fields.

2021 Milestones: By 2021 . . .

- MLSSAZ will have evaluated the full range of subscriber data and service needs in the region and will have evolved to accommodate two top priority needs (such as reports for different types of buyers, and definitions and search options for property types).

MLSSAZ ORGANIZATIONAL DEVELOPMENT AND SUSTAINABILITY

Issue: MLSSAZ Business Model (2 votes)

Objective: Adopt an MLSSAZ business model that supports the most efficient and profitable operation possible.

2019 Objectives=Complete. Staff reviewed data and cleaned up of RAMCO

Membership System. Completed 07/19. Staff reviewed accounting procedures and implemented improvements of RAMCO Membership System. 09/19. Staff set up and implemented an automated transmittal of data from the RAMCO Membership System to the Supra/FlexMLS systems. 9/2019. MLSSAZ hosted three strategic planning sessions. Goals and Strategic Priorities were created. 02/19. New methods of communication were utilized for the 2019/2020 billing cycle. These include newsletter/updates, emails, message boards, direct broker messages, and login intercept messages. 11/19. Updated MLSSAZ Policy statements for consistency with the MLS By-laws and rules and regulations.

2021 Milestones: *By 2021 . . .*

- MLSSAZ will have evaluated and evolved to a business model that better supports the future needs and value proposition of the MLS

Issue: Expansion of Scope/Growth Strategy (8 votes)

Objective: Expand the reach of the MLS to provide value for all critical segments of the real estate marketplace.

2020 Goal as determined by BOD and Executive Committee. Develop protocol and procedures for evaluation. Develop standards.

2021 Milestones: *By 2021 . . .*

- MLSSAZ will have defined new strategic categories for expansion.

Issue: MLSSAZ Leadership and Governance (5 votes)

Objective: Develop a system and structure to ensure continuous engagement of subscribers from all parts of the region, and development of competent, progressive leaders for MLSSAZ.

2019 Objectives=Complete. Addition of Board voting representation by regional associations. 1/19. Developed Board and staff communication protocol, 11/19. Held annual elections for 2020 BOD

2021 Milestones: *By 2021 . . .*

- Pathways to leadership have been defined.
- The MLS governance structure has evolved to represent diverse constituents and the leadership competencies needed to achieve MLSSAZ goals.

Issue: MLSSAZ Resource Capacity (12 votes)

Objective: Ensure that the resources are available to regularly invest in the programs and technology that will position MLSSAZ as a progressive, preferred platform for property data and services.

2019 Objective=Complete. Established strongest financial reserves in recent history, 11/19. Reviewed and adjusted Cooperative Agreement with Shareholder for cleaner numbers monthly, on-going. Established daily financial operations to minimize risk and

provide efficiencies at reduced cost, 5/19 Achieved “clean” audit for 2018. Hired first ever MLSSAZ Legal Counsel

2021 Milestones: *By 2021 . . .*

- MLSSAZ will have a clear understanding of the long-term resources needed and will have pursued both traditional and non-traditional options to build capacity.
-

Committee: 2020 Technology
Meeting Date: February 4, 2020
Chair: Cathy Wolfson
Called to order at: 2:30pm

Attendance: Glenda Grow Kelly Hand Dawn Heinemann
 Jennie James Laurie Lundeen Brad Sensenbach
 Cathy Wolfson

Staff: Lori Wadsack Sean Murphy

Absent: Rebecca Crane Ronald Keeler Henry Zipf

Guests: Jim Adams Sue Cartun

Action Items:

M/S/C: Move to approve Meeting Report of January 15, 2020.

M/S/C: Move to recommend the Board of Directors consider ShowingTime's Premium package service.

Information Items:

- Live demo of ShowingTime.
- Sean presented an overview of the mobile discussion scheduled for the March meeting
 - Flexmls Pro mobile App survey results.
 - Review of some other possible Real Estate Apps.

Adjourned: The meeting was adjourned at 4:00pm

Next Meeting date will be Tuesday March 3rd @ 2:30pm

ShowingTime for MLS Committee Review

The Technology Committee overall was impressed with the product. The committee liked the idea of an all in one showing platform. They found the ability to schedule a showing and get instant approval, mobile app available for agents and sellers, driving order and directions to be the best features of the platform.

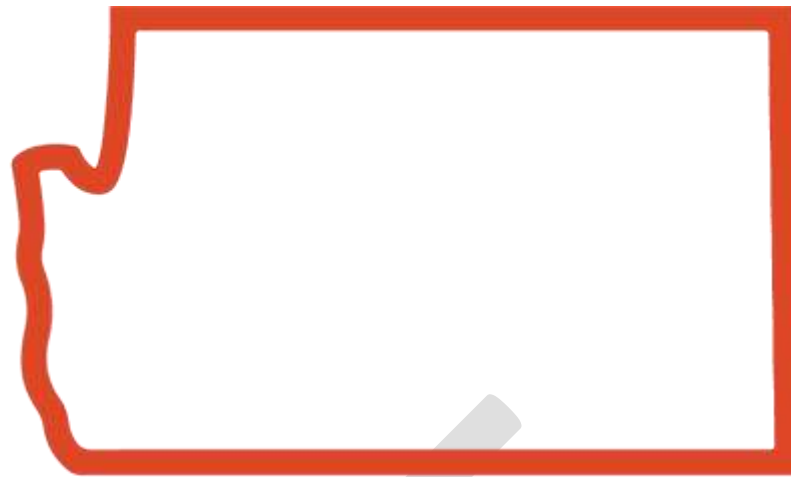
One committee member did think that it would be too complicated for the older agents.

Plan Summary

ShowingTime for MLS Premium

- ShowingTime scheduling feature for listing agents in Flexmls.
 - Scheduling Calendar
 - Approval/Notification Options
 - Feedback Requests
- ShowingTime scheduling feature for buyer agents in Flexmls
- ShowingTime Mobile for Agents
- Supra Integration for detailed showing report
- Consumer App for Sellers
- Optional Seller interaction to receive and approve appointment requests
- In-app messaging between Seller and Listing Agent
- \$1.10/Month/Member, \$5,000 Setup Fee

The committee is recommending to the Board of Directors that MLSSAZ subscribe to ShowingTime for MLS.



MLSSAZ

**MULTIPLE LISTING SERVICE OF
SOUTHERN ARIZONA**

POLICY STATEMENTS

**REVISED: FEBRUARY 21, 2020
APPROVED: FEBRUARY 21, 2020**

Operational Philosophy

Policy #1:	Policy Purpose & Formulation
Policy #2:	Requests for Information
Policy #3:	Anti-Trust Compliance
Policy #4:	Confidentiality
Policy #5:	Smoking Policy
Policy #6:	Products and Services Endorsements/Group Discounts
Policy #7:	Donations and Fund Raising
Policy #8:	Fees Payable
Policy #9:	See Policy #40
Policy #10:	Collection Policy
Policy #11:	Office Initiation Fee
Policy #12:	Establishment of Product or Service Cost
Policy #13:	Operating and Reserve Account Funds
Policy #14:	Reserves
Policy #15:	Access to Legal Counsel
Policy #16:	Contract/Encumbrances
Policy #17:	Bid Policy
Policy #18:	President Travel
Policy #19:	Committee Communications
Policy #20:	Meetings
Policy #21:	Board of Directors Agenda Items
Policy #22:	Staff Liaison/Meeting Schedule
Policy #23:	Coordination of MLS Activities
Policy #24:	Committee Participation
Policy #25:	MLSSAZ Staff Support
Policy #26:	Committee Meeting Report Procedure
Policy #27:	Noise Emitting Devices
Policy #28:	Candidates for MLSSAZ Elected Office
Policy #29:	Voting Procedures
Policy #30:	General Advertising Policy
Policy #31:	MLSSAZ Computer Message Guidelines
Policy #32:	MLS Advertising Guidelines
Policy #33:	Policy Prohibiting Harassment (Including Sexual Harassment)
Policy #34:	Staff Relatives in Leadership Positions
Policy #35:	Conflict of Interest
Policy #36:	Whistleblower Policy
Policy #37:	Employee and Member/Volunteer Relations
Policy #38:	Staff and Member/Volunteer Relations
Policy #39:	Corrections Policy
Policy #40:	Waiver Policy

Operational Philosophy

MLSSAZ is a volunteer driven organization. As such, it relies on the volunteers to determine the strategic direction and collect guidance from the Subscriber base in the form of committees, taskforces, and advisory groups to still provide quality service.

The term "committee" as used in these Policy Statements shall be deemed to include the terms "work group," "sub-committee," "advisory group," "task force," "PAG," or any other group formed under the auspices of MLSSAZ.

It's Our Organization!

Policy #1: Policy Purpose & Formulation

Policy statements are to be used for developing guidelines and standards for internal operations. Policy statements are ongoing and are reaffirmed by the Board of Directors each year. Any new policies must be approved by the Board of Directors sitting at the time of the recommendation of the new policy. Policy recommendations may be made by staff, committee chairs, the Board of Directors, any Participant and/or Subscriber of the Service. Recommended policy changes must be presented, in writing, to the Chief Executive Officer prior to presentation to the Board of Directors for approval/disapproval.

Policy #2: Requests for Information

Requests for information from the general public, written or verbal, shall be referred to the President and Chief Executive Officer. The President or the Chief Executive Officer, or the Chief Executive officer's designee pertinent to a specific occasion, shall be the only authorized spokesperson(s) for the Service. No other individuals shall speak for the Service on matters affecting the Service or its Participants without prior written approval of the President or Chief Executive Officer.

Policy #3: Anti-Trust Compliance

The Multiple Listing Service of Southern Arizona has not and will not establish or maintain fixed or recommended commission rates or fees. Commission rates or fees are a matter of negotiation between the parties (the principal and the broker) and MLSSAZ will not interfere in those negotiations or inhibit in any way the freedom of the parties to negotiate.

Policy #4: Confidentiality

Certain matters discussed by Committees and the Board of Directors are problematic and of a sensitive nature. Such matters are to be worked out and resolved within the confines of the entity where the matter arose. If it cannot be resolved within those confines, the matter should be taken through the following chain of command for resolution: first to the Committee Chair then to the Chief Executive Officer and then to the MLS President. If it cannot be resolved by working through this chain of command, then and only then should the matter be taken to the Board of Directors. In every case, such matters shall remain confidential during the resolution process.

Policy #5: Smoking Policy

In accordance with Arizona law, smoking is strictly prohibited at all MLSSAZ events and in all Association facilities and within 20 feet of entrances to said events or facilities.

Policy #6: Products and Services Endorsements/Group Discounts

All requests to MLSSAZ to endorse products or services or to provide group discounts to Participants shall be referred to the appropriate committee(s) for approval subject to input and approval by the Chief Executive Officer. All requests must meet the following criteria:

- A. Requests/offers shall be made in writing.
- B. Proposed product or service shall fit within the MLSSAZ current Vision and Mission statements.

- C. Participants must receive a pricing structure that is a group discount due their being an MLSSAZ Participant. If the pricing structure offered is readily available to the general public, MLSSAZ shall decline the offer.
- D. Proposed products shall not be in competition with items sold in the MLSSAZ store.
- E. Consideration should include any potential legal or ethical responsibilities and risks for MLSSAZ, its employees and Participants that may be incurred for promoting the product or service.
- F. There shall not be a monetary commitment needed from MLSSAZ to promote the product, service or group discount.
- G. The product or service shall be competitive in quality and cost with similar products and services in the industry.
- H. The product or service must meet the needs of the Participants.
- I. Length of term for the offer must be stated in writing. Provisions for renegotiating the offer at the end of each term should be provided.
- J. The provider must state in writing their procedure for handling customer complaints.

Policy #7: Donations and Sponsorships

MLSSAZ supports charitable efforts and wishes to contribute where appropriate. Donations will be at the discretion of the Board of Directors.

Policy #8: Fees Payable

Fees for all primary subscribers shall be payable annually in advance not later than July 31 of each year. Fees shall be computed from the day a new subscriber is granted access to the system and shall be prorated for the remainder of the year. Collection procedures are outlined in Article V, Section 4 (Nonpayment of Financial Obligations) of the Multiple Listing Service Bylaws.

- A. Fees not received by the posted due date will be subject to a late fee as established in the schedule of fees.
- B. Applicants reapplying after 90 days of termination shall pay the application fee established in the Schedule of Fees in addition to any outstanding monies owed by the Applicant. *(Amended 03/2019)*
- C. Applicants reapplying because of termination for nonpayment of financial obligations shall pay the application fee established in the Schedule of Fees in addition to any outstanding monies owed by the Applicant. *(Amended 03/2019)*

Fees for MLS Only/Board of Choice shall be payable annually in advance not later than June 30 of each year. Subscriptions for MLS Only/Board of Choice subscribers shall automatically end if fees are not paid in full by June 30.

Publication of fees and assessments shall be located on the MLSSAZ Schedule of Fees and Schedule of Fines. All application and annual fees are non-refundable. *(Adopted 01/28/14)*

Policy #9: This policy was combined with policy 40

Policy #10: Collection Policy

MLSSAZ provides services to their Participants and/or Subscribers. Because MLSSAZ has made commitments to outside vendors to provide those services to their Participants and/or Subscribers, the fees charged to the Participants and/or Subscribers must be collected in a fair, consistent and timely fashion to ensure the ability of the MLSSAZ to meet its respective obligations. Collection procedures are outlined in Article V, Section 4 (Nonpayment of Financial Obligations) of the Multiple Listing Service Bylaws.

- A. Any returned checks are subject to a \$35.00 service charge. One attempt will be made to collect on a Non-Sufficient Funds 'NSF' check. Payments not received within 15 calendar days of notice to the member will be submitted to the Pima County Attorney for bad check collection and all MLS Services will be suspended.
- B. Payments not received on the posted due date will be subject to a \$75 late fee.

Policy #11: Office Initiation Fee

The Board of Directors may adopt an Office Initiation Fee in a reasonable amount. Office Initiation Fees are non-refundable. Publication of such fee shall be located on the Schedule of Fees.

Policy #12: Establishment of Product or Service Cost

Products and Services are to be sold to Participants and/or Subscribers at prices to reflect the actual cost to MLSSAZ, including staff, space and operational expenses.

Policy #13: Operating and Reserve Account Funds

Sums placed in checking, savings, money market or Reserve Accounts shall be deposited as per this policy as stated below. All sums placed in designated Reserve Accounts shall be a continuing item placed on the balance sheet, shall be so identified, and shall be utilized only for MLSSAZ operations as determined by the Board of Directors by majority vote.

In the event the Board of Directors determines that Reserve Account Funds are necessary for MLSSAZ operations, said funds shall be strictly utilized for and to the purpose so outlined under the auspices of the name of the account. In no event shall these funds be in any way encumbered or utilized in any other fashion. The Chief Executive Officer shall be responsible for and have authority to invest all MLSSAZ funds, subject to Board approval.

Policy #14: Reserves

At least fifty percent (50%) of net income at the end of the year, as determined by the Annual Audit, shall be placed in an Operating Reserve Fund. In the event that the Operating Reserve Fund reaches an amount equal to six (6) months of operating expenses, any amounts in excess of the reserve requirement shall be paid to the Shareholder in the form of a dividend. Should the MLSSAZ Board of Directors determine a business need for those amounts in excess of the reserve requirement, that business need shall be identified during the annual budget process and approved by the Shareholder Board of Directors in conjunction with the approval of the MLSSAZ Annual Budget. If these requirements are met, funding the identified business need shall supersede the dividend requirement for that calendar year. *(Revised 11/13)*

Policy #15: Access to Legal Counsel

The President, Chief Executive Officer, and appointed Vice Presidents are the only individuals authorized to directly contact MLS Legal Counsel. Should there be a necessity for individuals or committees to meet with legal counsel, prior arrangements must be made through the Chief Executive Officer or the President. Should an unauthorized individual contact legal counsel without prior approval, the individual will be billed in the amount incurred from that contact, and subject to the Collection Policy.

Policy #16: Contract/Encumbrances

The President and the Chief Executive Officer, subject to the approval of the Board of Directors, shall be the only individuals authorized to enter into contracts or agreements, which incur financial or other liabilities to the MLS. When outside facilities are required for use by any committee, approval must be obtained from the President or the Chief Executive Officer.

**Policy #17: Bid Policy
General Products/Services**

The process of seeking and retaining providers of general products/services (such as one-time expenses/upgrades and local utilities) will be as follows:

- A. The Chief Executive Officer and Staff will research providers based on their professional knowledge of necessary requirements.
- B. If a product or service is over \$15,000.00, at least three bids will be presented as part of the recommendation providing there are three providers of equal quality available for required product/service.
- C. Criteria for recommendation of provider will take the following items into consideration: Quality of service and cost.
- D. The Chief Executive Officer and Staff will present recommendations through the following process:
 - 1. Committee responsible, if applicable
 - 2. Executive Committee
 - 3. Recommendation will then go to the Board of Directors for approval.
- E. It will be determined by the Chief Executive Officer, on a periodic basis if the need/benefit of rebidding any product or service either proposed or existing is necessary. In no way (except in the case of a monopolized utility) shall a product or service enjoy an ongoing relationship with MLSSAZ or any subsidiary for more than 3 years from date of latest contract without such a review.

Long Term Products/Services

The process of seeking and retaining long term providers of products/services (such as MLS Database software, lockbox service, etc.) will be as follows:

- A. The Chief Executive Officer and Staff will research providers based on their professional knowledge of necessary requirements.
- B. At least three providers will be reviewed providing there are three providers of equal quality available for required product/service.
- C. Criteria for recommendation of provider will take the following items into consideration: Quality of service and cost.
- D. The Chief Executive Officer and Staff will present recommendations through the following process:
 - 1. Committee responsible, if applicable
 - 2. Executive Committee
 - 3. Recommendation will then go to the Board of Directors for approval.
- E. Prior to the renewal/extension of a contract, the Chief Executive Officer shall review if the need/benefit of rebidding any product or service either proposed or existing is necessary. In no way shall a product or service enjoy an ongoing relationship with MLSSAZ or any subsidiary for more than 6 years from date of latest contract without a review.

Policy #18: President and President-Elect Travel

Budgeted travel expenses and registration fees for the President and President-Elect shall be established in the annual budget for attendance at the following meetings unless funding is received from another funding source:

- NAR Annual Convention
- NAR Mid-Year Meeting & Legislative Conference
- Council of Multiple Listing Services Annual Conference
- NAR iOi (Innovation, Opportunity and Investment) Summit
- NAR Leadership Summit (President-Elect)

And any other travel requirements in line with the responsibilities of carrying out the duties of the office of President and President-Elect, as approved from time to time by the Board of Directors. Reimbursed items will include lodging, coach-air fare, ground transportation, and other actual reasonable expenses. To be reimbursed, the President and President-Elect must attend a minimum of the MLS Association Executives Session, Multiple Listing Issues and Policy Forum & Committee, Multiple Listing Service Forum (1500 + Participants or Regional MLS), AAR Caucus, and the Region 11 Caucus, when applicable. If the President or President-Elect serves as a member of an NAR Committee, attendance at said committee meetings shall supersede the requirement to attend the required meetings if a conflict in scheduling occurs.

(Documentation of expenses must be submitted within thirty (30) days after the expense was incurred.)

All other travel and/or per diem expense requests for the President, President-Elect or delegate of MLSSAZ may be approved by the Chief Executive Officer or at the Chief Executive Officer's recommendation of approval by the Board of Directors. Anyone accepting such funding shall be obligated to attend and represent MLSSAZ at those meetings and/or programs that are the subject of the request.

Policy #19: Committee Communications

Any and all communication from a committee to any individual(s) regarding that committee's functions, responsibilities, programs, activities and meetings shall be coordinated through the Chief Executive Officer or staff liaison designated by the Chief Executive Officer.

Any committee wishing to promote a function through a News or Press Release shall make such requests to the Chief Executive Officer and said release shall be written and released by the Chief Executive Officer. Under no circumstances are any committees allowed to disseminate any information to the public, i.e., print media, radio, TV, or in any other manner.

Policy #20: Meetings

Participants of the MLS and their participating Subscribers may attend meetings of the Board of Directors as a guest. All meetings of MLSSAZ and their respective committees shall be open to the Participants and their participating Subscribers. Exceptions may only be made for executive sessions and hearings, and/or with the express approval of the MLSSAZ Board of Directors for items that may be of a confidential nature.

Policy #21: Board of Directors Agenda Items

Items to be placed on the Board of Directors Agenda shall be submitted to the Chief Executive Officer at least (7) days prior to the meeting. Any item that is not on the agenda will not be discussed unless it is determined by the President or Chief Executive Officer to be of an emergency nature. If any person requesting the placement of an item on the agenda disagrees with the decision of the President or the Chief Executive Officer, the item will require a two-thirds vote of the Directors present to be placed on the agenda.

A Consent Agenda shall be included as part of regular meeting agendas for the Board of Directors of MLSSAZ. It will include items that are informational, routine, or procedural which require no action, such

as, but not limited to: Previous Board meeting reports, Committee meeting reports, Association Liaison reports and Senior Staff reports.

Policy #22: Staff Liaison/Meeting Schedule

The Chief Executive Officer shall assign a staff liaison to all committees. Regularly scheduled committee meetings will be held at the MLS office and the Committee Chair shall make arrangements for meetings through the assigned staff liaison. The staff liaison will be responsible for notifying committee members of meeting dates and times, notices, taking and preparing minutes of meetings and maintaining committee files.

Policy #23: Coordination of MLS Activities

All MLS activities shall be coordinated through the Chief Executive Officer in an effort to avoid conflicts that would greatly affect the participation in the activity.

Policy #24: Committee Participation

Participation on committees will occur by appointment or recommendation of the Chair of that committee and ratified by the Board of Directors as stated in Article XI Section 1.H. Members of standing committees are appointed for specific terms. Each standing committee shall consist of not less than three (3) members. Only those Participants and/or Subscribers who have been appointed and confirmed by the Board of Directors are authorized to vote on issues that come before a committee. Work groups, PAG's, and/or special committees may continue until their project is completed.

Policy #25: MLSSAZ Staff Support

All MLSSAZ staff is directly responsible to and under the direction of the Chief Executive Officer. Any requests for staff time shall be coordinated through the Chief Executive Officer. The Chief Executive Officer is responsible for the hiring, supervision and termination of employment of any and all staff.

Policy #26: Committee Meeting Report Procedure

A copy of the reports and minutes of all committee meetings will be available to the Committee prior to their next regularly scheduled meeting.

A copy of the reports and minutes of all committee meetings will be distributed to the Board of Directors at their next regularly scheduled meeting. Information of a confidential nature (hearing results, etc,) may be redacted from public view, but will be kept in the official records of MLSSAZ.

Policy #27: Noise Emitting Devices

Pagers/beepers, mobile phones and other noise emitting devices must be in either off or in the silent mode in all MLSSAZ meetings or programs.

Policy #28: Candidates for MLSSAZ Elected Office

Candidates for MLSSAZ elected office, except officer positions, may receive one free MLSSAZ email blast for campaign purposes.

Policy #29: Voting Procedures

The Chief Executive Officer of MLSSAZ shall be responsible for implementing the voting procedures.

- A. Creating the Market Share Report e
 1. Select "Statistics" and then select "Inventory and Production"
 2. Select "Saturation Analysis" in the left window
 3. Select all For Sale property types
 4. Select Status: "Closed"

5. Scroll to the bottom
6. Select Saturation Comparison Types: "Market Share"
7. Enter the Begin Date (January 1, year) of the previous year, i.e., 1/1/2011
8. Enter the End Date (December 31, year) of the previous year, i.e., 12/31/2011
9. Click "Next"
10. Select "Rank Companies" then click "Use This Selection"
11. Select Calculation Method: "Number" and Status: "Sold"
12. Select "Listing **or** Selling Companies"
13. Check "Calculate numbers and volume using sides"
14. Enter a large number in the box "Please enter the maximum number of Companies to display:" i.e., 1000
15. Click "Next"

B. Determining Groups

1. Copy the "Market Penetration Report By Companies Report" to a spread sheet
2. Refer to MLSSAZ Bylaws ARTICLE VI, Section 1 B – C
3. All Participants shall be informed of the Group they fall into each election year, and the number of Participants who are eligible to field a candidate for that Group. If there is not an open seat for the Group, the Participants shall be informed who currently represents the Group and their term of office.
4. Candidates for open seats shall be introduced at the Participant meeting.

C. Balloting and Tabulation

1. Elections shall be conducted electronically.
2. Participants eligible to vote will be provided detailed voting instructions with the candidate Information provided in advance of the election period. Participants eligible to vote shall be those Participants in good standing with MLSSAZ. The designated Broker of each eligible Participant shall be the member casting the vote for the Participant. The election period shall be determined by the Chief Executive Officer in compliance with Policies and/or Bylaws.
3. The election site will clearly state "Vote for not more than one (1) Subscriber for each Group."
4. The election site will be a secure site, allowing eligible Participants to vote only during the election period.
5. Participants without internet access may cast their electronic vote at the MLSSAZ office during the election period.
6. If only one candidate is filed for a particular group that candidate shall be elected by acclamation.
7. If there is no candidate running for a particular Group, then the candidates for the next highest group (or failing that, the next lowest group, or failing that by decision of the MLS President) shall be permitted to run for that Group.
8. In the event a candidate running in a Group unopposed receives no votes, the candidate shall be elected by acclamation.
9. In the event multiple candidates running in a Group receive no votes, a written ballot shall be taken at the first appropriate Board of Directors meeting. The candidate receiving the highest number of votes shall be declared elected.
10. At the completion of the election period, the results will be available to the Chief Executive Officer or appointed voting administrator via a password protected website from the electronic voting provider. The reports available will include how many votes were cast and the results of the election. No information is maintained that would indicate who voted for whom.

11. Results of elections shall become part of the permanent records of MLSSAZ. Results of the elections shall be announced to the membership within 5 business days of the end of the election period. Vote results and Group spreadsheet shall be published on the MLSSAZ webpage for 30 days. (Amended 01/2013)

Policy #30: General Advertising Policy

MLSSAZ reserves the right to accept or reject any advertising which it feels may not be in the best interest of MLSSAZ. All advertising through any medium offered by MLSSAZ shall be restricted to affiliate members of the Shareholder and Non-Shareholder Associations of MLSSAZ, , and companies authorized to offer MLS related services to Participants. All advertisers shall indemnify the entire membership of the Shareholder and Non-Shareholder Associations of MLSSAZ and Participants/Subscribers of MLSSAZ, as well as the Shareholder and Non-Shareholder Associations of MLSSAZ and MLSSAZ from advertisements based on any claims that would breach this indemnification, to include but not be limited to advertising that is: defamatory, libelous, obscene, an invasion of privacy or that has been obtained in violation of the proprietary right of any person.

Companies advertising to consumers through MLSSAZ public channels will not offer real estate services (brokerage, mortgage, title, etc.). Advertisements containing political, adult/provocative, alcohol, tobacco/nicotine, religious, or those deemed to be misleading to consumers will not be accepted.

MLSSAZ will not discriminate with respect to race, creed, religion, color, national origin, age, handicap or sexual orientation in accepting advertising and will not accept advertising of services, products or educational ideas which in any way indicates such discrimination by advertisers.

Policy #31 MLSSAZ Computer Message Guidelines

- A. Information regarding computer down times.
- B. Programming changes or system performance messages.
- C. Any wrongdoing or any unethical or dangerous person(s) trying to defraud our industry.
- D. Calls to Action and any appropriate industry functions.
- E. Death of any past or current REALTOR®, who has been active in the organization as a director or committee chair.
- F. Information notices regarding MLSSAZ vendors.
- G. MLSSAZ educational opportunities.
- H. Information regarding MLSSAZ Rules and Policies.

Policy #32: MLS Advertising Guidelines

Participant and/or Subscribers of the MLSSAZ may place advertisements in any media provided through the MLS that contains advertising. The MLSSAZ Board of Directors shall set fees for advertising from time to time. Policies of said advertising are as follows:

- A. Advertising for Participant and/or Subscribers shall be for the purpose of exposing real estate filed with the MLS and promoting scheduled tours of those properties. They may also advertise for sale personal property which may be of benefit to other Participants and/or Subscribers of the REALTOR® community.
- B. Advertising for Affiliates of Shareholder and Non-Shareholder Associations of MLSSAZ shall be for the purpose of exposing products and services which do not relate directly to the sale of properties filed with the MLS, but which have benefit to Participants and/or Subscribers.
- C. MLS announcements are complimentary and for the purpose of promoting Shareholder or Non-Shareholder Association and MLSSAZ educational opportunities, special events, programs, products and services and industry-related information (i.e., grant money, bonds, etc.) for the Participants and/or Subscribers.

- D. A subsidiary company of a company, which is an affiliate of a Shareholder or Non-Shareholder Association of MLSSAZ or Participant of MLSSAZ may not advertise. The parent company must be the advertiser or the subsidiary must join as an affiliate of a Shareholder or Non-Shareholder Association of MLSSAZ.
- E. All advertisements must contain the agent name and the participant company name. Affiliates of a Shareholder or Non-Shareholder Association of MLSSAZ must have company name and contact person on any advertisement.
- F. Real estate advertisements must be for real estate filed with the MLS and must contain the MLS #.
- G. All advertisements must relate to the line of work of the Participant Company or affiliate.
- H. Any advertisement, which is in direct competition with the MLS, will not be allowed.
- I. Advertising is prohibited by Participants and/or Subscribers of other MLSs unless they obtain Participant and/or Subscriber status in MLSSAZ.
- J. Educational courses conducted by non-Participants and/or Subscribers can be advertised only if the course is sponsored by a company, which is a Participant and/or Subscriber of MLSSAZ or an affiliate of a Shareholder or Non-Shareholder Association of MLSSAZ. Sponsorship must be stated.
- K. All ads must comply with ADRE Rules and Fair Housing Laws.
- L. All commission amounts must represent and clearly state that it is the commission to the selling office.
- M. Any incentive (money or anything else of value) offered to a selling agent must say "With Broker's Approval" or "With Broker's Permission."
- N. Any advertising by non-Participant builders must be presented through the MLS Participant who represents the builder. The address and phone number of the builder shall not appear on the advertisement.

Policy #33: Policy Prohibiting Harassment (Including Sexual Harassment)

MLSSAZ is committed to providing a work environment that is free of discrimination and/or harassment. In keeping with this commitment, MLSSAZ will not tolerate verbal or physical conduct by any employee or Participant/Subscriber that harasses, disrupts, or interferes with another's work performance or that creates an intimidating, offensive, or hostile environment.

- A. Employees and Participants/-Subscribers are expected to maintain a productive work environment that is free from harassing or disruptive activity. No form of harassment will be tolerated, including harassment for the following reasons: race, color, religion, sex (including pregnancy), sexual orientation, gender/gender identity, nationality, age (40 or older), physical or mental disability, or genetic information as outlined in Title VII of the Civil Rights Act of 1964. This also include the City of Tucson's Discrimination/Harassment Policy which includes sexual orientation. Special attention should be paid to the prohibition of sexual harassment, which includes harassment by members of the same or of the opposite sex.
- B. Each supervisor has a responsibility to keep the workplace free of any form of harassment, and in particular, sexual harassment. No supervisor, manager or Participant/Subscriber is to threaten or insinuate, either explicitly or implicitly, that an employee's refusal or willingness to submit to sexual advances will affect the employee's terms or conditions of employment.
- C. Other sexually harassing or offensive conduct in the workplace, whether committed by supervisors, managers, non-supervisory employees, or non-employees, is also prohibited. Such conduct includes:
 1. Unwanted or unwelcomed physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions;
 2. Verbal abuse of a sexual nature;
 3. Jokes of a sexual nature;

4. Demeaning, insulting, intimidating, or sexually suggestive comments about an individual's dress or body;
5. The display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects or pictures, including nude photographs; and
6. Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages.

Any of the above conduct, or other offensive conduct, directed at individuals because of their race, national origin, religion, disability, pregnancy, age, or military status is also prohibited.

- D. Any employee who believes that a supervisor's, manager's, other employee's, or non-employee's actions or words constitute unwelcome harassment has a responsibility to report or complain about the situation as soon as possible. The report or complaint should be made to the employee's supervisor, Staff Vice President, to the CEO or to the President of the Board of Directors.
- E. All complaints of harassment are to be referred to the CEO for prompt investigation in as impartial and confidential manner as possible. Employees are required to cooperate in any investigation. A timely resolution of each complaint is to be reached and communicated to the parties involved.
- F. Retaliation against any employee for filing a complaint or participating in an investigation is strictly prohibited.
- G. Any employee, supervisor, manager or Participant/Subscriber who is found to have violated the harassment policy will be subject to immediate and appropriate corrective action, depending on the circumstances, up to and including termination.

Policy #34: Staff Relatives in Leadership Positions

Participants and/or Subscribers related to salaried staff shall not be eligible to hold Chair or Vice Chair or any leadership positions on MLS committees or MLS Board of Directors. If such a relationship develops at the time a Participant and/or Subscriber is serving in any of said leadership positions, either the leadership position or staff position must result in an immediate resignation.

This policy includes:

- A. Spouse
- B. A natural or adopted son, daughter or a descendant of either.
- C. A stepson or stepdaughter
- D. The father or mother or an ancestor of either.
- E. A stepfather or stepmother.
- F. A son-in-law, daughter-in-law, father-in-law, or mother-in-law.

(Revised 6/23/2015)

Policy #35: Conflict of Interest

The purpose of the conflict of interest policy is to protect this organization's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the MLSSAZ or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest.

Definitions:

A. Interested Person

Any director, principal officer, or member of a committee with Board of Directors delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

B. Financial Interest

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

1. An ownership or investment interest in any entity with which the MLSSAZ has a transaction or arrangement,
2. A compensation arrangement with MLSSAZ or with any entity or individual with which the MLSSAZ has a transaction or arrangement, or A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the MLSSAZ is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. Under the Bylaws, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists. *(Revised 6/23/2015)*

Procedures:

A. Duty to Disclose

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors considering the proposed transaction or arrangement.

B. Determining Whether a Conflict of Interest Exists

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the Board of Directors meeting while the determination of a conflict of interest is discussed and voted upon. The remaining Board members shall decide if a conflict of interest exists.

C. Procedures for Addressing the Conflict of Interest

1. An interested person may make a presentation at the Board of Directors meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
2. The Board President shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
3. After exercising due diligence, the Board of Directors shall determine whether the Association can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
4. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the Board of Directors shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Association's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

D. Violations of the Conflicts of Interest Policy

1. If the Board of Directors has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
2. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the Board of Directors determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

Records of Proceedings:

The minutes of the Board of Directors and all committees with board delegated powers shall contain:

- A. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the Board's or committee's decision as to whether a conflict of interest in fact existed.
- B. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

Compensation:

- A. A voting member of the Board of Directors who receives compensation, directly or indirectly, from the Multiple Listing Service for services is precluded from voting on matters pertaining to that member's compensation.
- B. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Multiple Listing Service for services is precluded from voting on matters pertaining to that member's compensation.
- C. No voting member of the Board of Directors or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Association, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

Annual Statements:

Each director, principal officer and member of a committee with Board of Directors delegated powers shall annually sign a statement which affirms such person:

- A. Has received a copy of the conflicts of interest policy
- B. Has read and understands the policy
- C. Has agreed to comply with the policy

Periodic Review:

To ensure the Multiple Listing Service operates in a manner consistent with its purposes and does not engage in activities that could jeopardize its status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- A. Whether compensation arrangements and benefits are reasonable, based on competent survey information and the result of arm's length bargaining.
- B. Whether partnerships, joint ventures, and arrangements with management organizations conform to the Multiple Listing Service's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further its purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

Use of Outside Experts:

When conducting the periodic reviews as described above, the Multiple Listing Service may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the Board of Directors of its responsibility for ensuring periodic reviews are conducted.

Policy #36: Whistleblower Policy:

MLSSAZ: (1) encourages staff and volunteers to come forward with credible information on illegal practices or serious violations of adopted policies of the Multiple Listing Service; (2) specifies that the Multiple Listing Service will protect the person from retaliation; and (3) identifies where such information can be reported.

- A. **Encouragement of reporting.** The Multiple Listing Service encourages complaints, reports or inquiries about illegal practices or serious violations of the Multiple Listing Service’s policies, including illegal or improper conduct by the Multiple Listing Service itself, by its leadership, or by others on its behalf. Appropriate subjects to raise under this policy would include financial improprieties, accounting or audit matters, ethical violations, or other similar illegal or improper practices or policies. Other subjects on which the Multiple Listing Service has existing complaint mechanisms should be addressed under those mechanisms, such as raising matters of alleged discrimination or harassment via the Multiple Listing Service’s human resources channels, unless those channels are themselves implicated in the wrongdoing. This policy is not intended to provide a means of appeal from outcomes in those other mechanisms.
- B. **Protection from Retaliation.** The Multiple Listing Service prohibits retaliation by or on behalf of the Multiple Listing Service against staff or volunteers for making good faith complaints, reports or inquiries under this policy or for participating in a review or investigation under this policy. This protection extends to those whose allegations are made in good faith but prove to be mistaken. The Multiple Listing Service reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints, reports or inquiries or who otherwise abuse this policy.
- C. **Where to report.** Complaints, reports or inquiries may be made under this policy on a confidential or anonymous basis. They should describe in detail the specific facts demonstrating the basis of the complaints, reports or inquiries. They should be directed to the Multiple Listing Service’s Chief Executive Officer or President of the Board of Directors; if both of those persons are implicated in the complaint, report or inquiry, it should be directed to the Vice President of the Board of Directors. The Multiple Listing Service will conduct a prompt, discreet, and objective review or investigation. Staff or volunteers must recognize that the Multiple Listing Service may be unable to fully evaluate a vague or general complaint, report, or inquiry that is made anonymously.

Policy #37: Employee and Subscriber/Volunteer Relations:

MLSSAZ establishes the following Employee and Subscriber/Volunteer Relations policy in order to promote a cordial, pleasant and legally compliant working environment between MLSSAZ employees and its’ subscribers.

Since MLSSAZ is a subscriber services organization with revolving terms in the Board of Directors and Committees, this policy is established to preserve continuity of authority and responsibility within the work environment.

Policies, Programs and Services

- A. The Board of Directors shall establish the scope of MLSSAZ policies, programs and services. The Chief Executive Officer is responsible to carry out the policies, programs and services established by the Board of Directors.
- B. No subscriber shall be provided with services beyond the scope of services provided to all subscribers. Any request by a subscriber for services outside the scope of an employee’s authorization must be forwarded to the Chief Executive Officer. This request must contain information on the unique circumstances of the situation which prompted the subscriber to request the extraordinary measures be considered for their benefit. The Chief Executive Officer may then determine if an exception should be made, with input from the appropriate MLSSAZ officer, or if the request should be brought to the attention of the Board of Directors for resolution.

Committee Support

- A. An MLSSAZ employee should render all possible technical and administrative assistance to the committees and work groups to which he/she is assigned. The MLSSAZ employee is involved so as

to answer questions, offer suggestions or raise questions, when appropriate, and to conduct research or carry out tasks as assigned by the committee chair and/or Chief Executive Officer.

- B. A MLSSAZ employee is expected to be knowledgeable on MLSSAZ policy, committee scope and the subject under discussion.

Staff and Subscriber/Volunteer Relations

- A. The Chief Executive Officer is responsible to and takes his/her instructions from the Board of Directors (as a collective body). All other MLSSAZ employees are responsible to and take instruction from the Chief Executive Officer.
- B. Interaction between MLSSAZ employees and subscribers/volunteers shall be maintained at a professional level characterized by mutual respect, courtesy, effort and cooperation to resolve issues. Under no circumstances should MLSSAZ employees or Subscribers/volunteers engage in discourteous or unprofessional behavior (i.e., use of profanity, disparagement of another employee or subscriber, use of physical force, etc.)
- C. Any behavior by a Subscriber/volunteer, which interferes with or compromises a MLSSAZ employee's job performance, is not acceptable. A MLSSAZ employee may, at their sole discretion, terminate any conversation with a subscriber/volunteer that may be considered to be offensive. All such incidents should be reported to the Chief Executive Officer or President for appropriate action.
- D. Subscribers/volunteers are not responsible for and may not discipline a MLSSAZ employee. Any unprofessional behavior or unacceptable performance by a MLSSAZ employee, which is observed by a subscriber/volunteer, should be reported to the Chief Executive Officer or President for appropriate action.

Policy #38 This policy was combined with Policy 37

Policy #39 Corrections Policy

MLSSAZ Corrections Policy is available in Appendix 1

Policy #40 Waiver Policy

MLSSAZ Waiver Policy is available in Appendix 2

Appendix 1

MLSSAZ Corrections Policy

Policy Adopted March 21, 2017

Policy Effective May 1, 2017

To ensure the integrity of the MLS and the MLS database, this Corrections Policy has been established in accordance with Section 7 of the MLS Rules & Regulations. Sanctions will be issued in accordance with this policy. This policy is subject to change upon approval of the Board of Directors. This policy is not all-inclusive, does not reflect violations of the Code of Ethics, and does not replace Professional Standards Enforcement through your local Association of REALTORS®. The Board of Directors understands that the MLS database is an integral part of your day-to-day business and has instituted this Corrections Policy to make a focused effort to increase the accuracy and protect the integrity of the MLS.

Definitions

Complainant – A Participant or Subscriber who files a complaint against another Participant or Subscriber.

Days – Unless otherwise noted, all references to Days shall mean calendar days.

Firm – An office or group of offices filed as a single corporate entity. For the purpose of this policy, a firm refers to the main office and any branch offices.

Participant – The Designated REALTOR® for any MLSSAZ Brokerage Firm.

Participant as an Individual – An individual who holds the title of Designated REALTOR® but is referenced as an individual and not the responsible member of their company.

Subscriber – Non-principal brokers, sales associates, and licensed and certified appraisers affiliated with Participants.

Schedule of Fines – A list of monetary fines to be used as a guide for assessment of monetary sanctions by MLS Staff or the MLS Standards Committee. List is not all-inclusive and is available in Section 26 of the MLSSAZ Rules and Regulations.

Sanctions – a monetary or non-monetary penalty for violations of the MLS Rules and Regulations, including Letter of Concern, Letter of Warning, monetary fine, or mandatory education.

Respondent – A Participant or Subscriber who is to respond to a complaint filed by another Participant or Subscriber.

Section 1 – Reporting a Potential Violation

1.1 How Violations Originate

Violations are reported to the MLS in a variety of ways. The most common methods of reporting violations to the MLS are:

- Reported to MLS Staff
- Random checks of the database
- Result of listing audit. MLS Rules/Regulations allow MLS staff to request copies of listing forms and change orders
- Reporting of concerns from the general public

Violations reported to the MLS are confidential. MLS staff will not disclose the name of the individual who reported the violation.

1.2 Reporting Violations

Violations are to be reported to the MLS by using “Report Error” option in the MLS or by sending a direct e-mail to MLS staff at errors@mlssaz.com.

1.3 Required Information When Reporting

When reporting violations, the following information is required for verifying and processing of violations:

- Name and office of the alleged responsible Participant or Subscriber
- Nature of the violation (be as specific as possible, i.e., when it occurred, the MLS #, etc.).

1.4 Types of Violations

There are three main types of violations, Correctable Violations, Non-Correctable Violations, and Behavioral Violations. Correctable violations are typically listing input violations involving incorrect information, agent/brokerage branding, and remarks violations which can be corrected in the MLS system. Non-Correctable violations are those where there is no opportunity for correction of the violation and include, but are not limited to, late listing input, failure to complete required forms, statistical manipulation, Lockbox Key sharing, and MLS access sharing. Behavioral violations are focused on a Subscriber's actions and include but are not limited to security violations and showing violations.

Section 2 – Correction Process

2.1 – Notice of Correction

When a violation is reported, MLS staff will verify the validity and send a Notice of Correction to the Participant and Subscriber indicating the MLS listing, nature of the violation, and timetables for a resolution or response. All notices are sent via e-mail only. Notices are sent to the primary e-mail address of the listing Subscriber and the primary e-mail address of the Participant that are listed in the MLS system.

A notification sent by MLSSAZ to a Subscriber and/or Participant will be presumed received on the date e-mailed unless a delivery failure message has been received (Receipt Date).

2.2 Notice of Administrative Sanctions

If the requested correction has not been appropriately addressed within two business days of the receipt of the Notice of Correction, a reminder message will be sent. If the violation is not corrected within 24 hours of when the reminder message is sent, appropriate sanctions will be issued according to the escalation scale in Section 3.a.2 of this policy.

The Participant or Subscriber may request a review of the administrative sanctions by submitting a Review Request Form to the MLS within five business days. The review will be conducted by the MLS Standards Committee. The MLS Standards Committee may approve a waiver of the sanctions issued by the MLS with a majority vote. If the waiver is not granted, the Subscriber may request an appeal by the MLS Board of Directors within 20 calendar days.

2.3 Notice of Review

If a violation of the MLS Rules & Regulations is a Non-Correctable Violation or a Behavioral Violation, the initial Notice of Correction indicating two business days for correction will not be sent. The Subscriber and his/her Participant will only receive a Notice of Review indicating that the MLS Standards Committee will review the violation.

The MLS Standards Committee will review the violation and determine if sanctions are to be issued. Following the MLS Standards Committee Meeting, a notification will be sent to the Participant and Subscriber and will include an invoice for the amount of the fine if one was issued. Refer to MLSSAZ Rules and Regulations Section 26 for a schedule of fine amounts.

2.4 – Standards Committee Review – Correctable and Non Correctable Violations

The MLSSAZ Standards committee is charged with reviewing alleged violations of the MLS Rules and Regulations and determining the sanctions to be issued. During the review process, the Respondent and their Participant will have the opportunity to address the Standards Committee regarding the alleged violation. After all relevant information has been presented, the MLS Standards Committee will rule whether or not an MLS Rule has been violated and what sanctions are to be issued.

2.5 Standards Committee Review – Behavioral Violations

Behavioral Violations are reported to the MLS by submitting the Rules and Regulations Violation Form complete with all statements, evidence, and names of witnesses to the MLS. The Complainant must submit the form within 30 calendar days from the date of the alleged violation or 30 calendar days from the conclusion of the transaction between the Complainant and Respondent, whichever is later. Alleged Behavioral Violations will be initially reviewed by MLS Staff within 10 calendar days to confirm it meets the requirements for a Behavioral Violation or if it applies as a REALTOR® Code of Ethics violation. If the review determines that the alleged violation is a violation of the REALTOR® Code of Ethics, the Complainant will be advised to file a Code of Ethics complaint.

If the review determines that alleged violation is not a violation of the REALTOR® Code of Ethics and meets all of the requirements of a Behavioral Violation, the MLS will send a copy of the complaint to the Respondent where the Respondent may respond to the allegations with a written statement, evidence, and names of witnesses. The Respondent has 15 calendar days to respond to the notice.

A review by the MLS Standards Committee will be scheduled during the next meeting of the committee and will be communicated to both the Complainant and Respondent with the Notice of Review. The Notice of Review will outline the process to the Complainant and Respondent. During the review, the Complainant and Respondent will individually and separately have the opportunity to testify to the evidence presented to the Standards Committee and present any witnesses. After both the Complainant and Respondent have addressed the committee, the committee will rule on the alleged violation and if/what sanctions will be appropriate. The review will be recorded and made available to the MLS Board of Directors if an appeal is necessary.

MLSSASZ will communicate the decision and any sanctions to the Complainant and Respondent within 10 calendar days of the decision.

2.6 – Confidentiality

MLSSAZ Staff will make every attempt to keep the identity of all parties confidential. If the identity of any party is to be made known to the committee, whether it is material to the process or because of attendance at the committee meeting, all committee members who belong to the same firm or may have a conflict will be excluded from hearing and ruling on the case.

2.7 – Communications of Results

If at any time during the process, it is determined that the reported violation was not a violation of the rules, that fact will be communicated to the Complainant. For Correctable and Non-Correctable violations, any sanctions issued by the committee will only be made known to the Respondent and his/her Participant. For Behavioral Violations, both the Complainant, Respondent and his/her respective Participant will be notified of the decision of the Standards Committee.

Section 3 – Repeat Offender/Offense Policy

The MLSSAZ Repeat Offender/Offense Policy (Repeat Policy) is a set of guidelines used by the MLS Standards Committee and MLS Staff regarding repeat violations of the MLSSAZ Rules and Regulations. One of the primary purposes of the MLS is to provide accurate and up to date information for the facilitation of cooperation and compensation between MLS Participants. With this in mind, the Repeat Policy is designed to escalate potential sanctions placed on Participants and Subscribers for repeat violations of the Rules and Regulations.

Repeat Offender/Offense Policy Defined

- A. Repeat Offense

1. Definition:

A repeat offense is defined as any Participant as an Individual or Subscriber who has had a total of three (3) or more violations of a specific rule, and where the total violation count is greater than 10% of the Subscriber's current Active inventory, within one consecutive year from the most recent violation.

2. Repeat offenses shall be subject to the following escalation scale:

- a. First, a Letter of Concern will be issued to the Subscriber and their Participant as an educational opportunity.
- b. Next, automatic issuance of the appropriate fine as listed in Section 26 of the Rules and Regulations.
- c. If the offenses continue, fine amounts will continue to increment by a factor of 1 for each subsequent violation of the same type, and shall not exceed \$15,000, until no subsequent violations of the same type occur for one year. (1x\$50, 2x\$50, 3x\$50, etc.)

B. Repeat Offenders

1. Definition:

A repeat offender shall be defined as any Participant as an Individual or Subscriber who has had a total of ten (10) or more violations of the MLSSAZ Rules and Regulations within one consecutive year from the most recent violation.

2. Repeat offenders shall be subject to the following escalation scale:

- a. A Letter of Concern will be issued to the Subscriber and their Participant as an educational opportunity.
- b. Automatic issuance of the appropriate fine as listed in Section 26 of the Rules and Regulations.
- c. Fine amounts will continue to increment by a factor of 1 for each subsequent violation of the same type, and shall not exceed \$15,000, until no subsequent violations of the same type occur for one year. (1x\$50, 2x\$100, 3x\$50, etc.)

C. If any Participant as an Individual or Subscriber reaches a total of twenty (20) total violations in one calendar year, the Participant or Subscriber, with his/her Participant, shall attend a mandatory hearing by the Board of Directors for additional sanctions as described in Section 7 - Compliance with Rules/Authority to Impose Discipline.

D. If any Participant as an Individual or Subscriber has committed the same offense on the same listing, they shall automatically escalate to the repeat offense status and be subject to the provisions in section A.2.b above.

E. If any individual Participant as an Individual or Subscriber has reached Repeat Offender or Offense status, the Participant or Subscriber may opt for a one-time buy down of one violation by attending an MLS training class suitable for the offense. The individual must submit a request for a buy-down within 5 business days of the issuance of the sanction and complete the MLS training class within 90 calendar days of the buy-down request.

Section 4 – Calculation of Time Periods

4.1 Receipt of Notices

A notification sent by MLSSAZ to a Subscriber and/or Participant will be presumed received on the date e-mailed unless a delivery failure message has been received. Final dates for receipt of replies from the Subscriber or Participant will be included in all correspondence from MLSSAZ.

4.2 Initial Notification and Response

In calculating time periods, calculation of time begins on the day after notification.

Section 5 – Due Date for Payment of Fines

Fines will be placed on the Subscriber's billing account upon assessment. Should an appeal request be submitted in accordance with current policy, the amount will be removed from the Subscriber's account pending final determination. If the fine is upheld, the amount will be placed back on the Subscriber's account and payment will be subject to current MLSSAZ billing policies.

Section 6 – Right to Appeal Standards Committee Sanctions

6.1 Initial Request for Appeal

All Subscribers have the right to request an appeal of any sanction/fine issued by MLSSAZ. The MLS Board of Directors may uphold the sanctions issued from the MLS Standards Committee, overturn or modify the decision from the MLS Standards Committee, or send the decision back to the MLS Standards Committee for reconsideration.

For Behavioral Violations, the Complainant may appeal the decision of the MLS Standards Committee based on a procedural deficiency or lack of due process only. The Respondent may appeal based on misinterpretation or misapplication of a Rule, procedural deficiency or lack of due process, or may appeal the sanctions issued.

6.2 Requesting an Appeal

Requests for an appeal must be submitted on the Appeal Request form no later than 20 calendar days after the date the notice of sanction/fine was issued and be accompanied by all supporting documentation for review at the appeal. Any required corrections must be made prior to requesting an appeal of a sanction. A request for Appeal will not be considered "received" until all required information is complete and properly signed (if applicable). No additional documents or evidence can be presented after the request has been submitted.

For Behavioral Violations, no additional evidence or witnesses may be presented during the appeal. The Board of Directors will receive a copy of the audio recording or a transcript of the recording and all written statements and evidence presented at the initial review.

6.3 Types of Appeal

The Subscriber will have the option of selecting either a "Documents Only" appeal or to appear in person at the MLS Board of Directors Meeting. A "Documents Only" appeal will consist of any documents submitted with the Request for Appeal. For Behavioral Violations, no additional evidence or statements relating to the alleged violation may be submitted during the appeal process.

6.4 Make Up of an Appeal Panel

A panel will consist of all members of the MLS Board of Directors present at the scheduled meeting. If a quorum is not established at the meeting, the appeal will be rescheduled for the next MLS Board of Directors meeting. Directors employed by the same firm as the Subscriber or any director that may have a conflict of interest will be excused from the Appeal Panel.

6.5 Appeal Dates

Appeals will be scheduled in conjunction with the MLS Board of Directors meetings.

6.6 Receipt of Documentation

Receipt of documentation or correspondence sent by MLSSAZ to a Subscriber and/or Participant will be presumed received on the date e-mailed unless a delivery failure notice has been received. Final dates for receipt of replies will be included in all correspondence.

6.7 Decision of Appeal Panel

The responsible Subscriber and/or Participant will be notified of the results of the Appeal within 10 calendar days of the final decision of the Appeal Panel. The decision of the Appeal Panel is considered final, unless the respondent believes they were denied Due Process.

6.8 Right to Appeal the Decision of the Appeal Panel

Upon notification of the decision of the Appeal Panel, the Subscriber shall have the right to appeal the decision based only on "Due Process" as defined in the National Association of REALTORS® Code of Ethics and Arbitration Manual (COEAM). A request for appeal must be filed within twenty (20) calendar days of the date on the decision of the Appeal Panel. Appeals based on due process will be referred to the Arizona Association of REALTORS®.

Section 7 – Failure to Complete Sanctions

Failure of an MLS Subscriber to pay fines levied by the MLS Standards Committee or MLS Board of Directors shall be subject to the terms of the MLSSAZ Collection Policy.

Failure of any Participant or Subscriber to abide by the non-monetary sanctions issued by the MLS Standards Committee shall be reviewed by the MLS Board of Directors for possible Suspension of MLS Services until sanctions are satisfied. Failure of any Participant or Subscriber to abide by any sanctions issued or confirmed by the MLS Board of Directors will result in an immediate suspension of MLS Subscription until sanctions have been fulfilled or until the end of the current MLS Subscription period. If, at the end of the current MLS Subscription period, any Participant as an Individual who has not satisfied sanctions issued, Participation shall be terminated. At the start of the next MLS Subscription period, suspended Subscribers shall become Non-Member Licensees with no access to MLS services and subject to the Non-Member Licensee fees and application fees to re-instate as a full MLS Subscriber

Appendix 2

MLSSAZ Waiver Policy

Policy Adopted January 16, 2018

Policy Effective July 1, 2018

MLSSAZ provides no cost waivers to real estate licensees (Licensees) employed by an MLS Participant who meet the qualifications of one or more of the Types of Waivers. Licensees who qualify and are on waiver shall be exempt from payment of MLS fees and shall not have access to the MLS or receive any benefits of an MLS Subscription.

Types of Waivers

Property Management

For Licensees who work solely in the field of Property Management and do not utilize the MLS for any purpose including but not limited to the solicitation of properties available for lease or the valuation of rental properties.

Commercial

For Licensees who work solely in the field of Commercial Real Estate and do not utilize the MLS for any purpose including but not limited to the offer of commercial listings for sale or for lease or the valuation of commercial properties.

Active/Reserve Military on Deployment

For Licensees who have an active real estate license and are currently deployed with the United States Armed Services and will not be performing duties as a real estate licensee. Licensees who are deployed may have their Designated REALTOR® submit the waiver application on their behalf without the Licensees signature.

Illness

Licensees who are afflicted with a serious illness which prevents him/her from actively performing duties as a real estate licensee.

Alternate MLS Subscription

The Alternate MLS Subscription waiver is for Licensees whose license is registered at an office within the Service Area of MLSSAZ but who has an active MLS Subscription at a different MLS where their Designated REALTOR® has Participation rights.

Waiver Application Process

All Licensees wishing to apply for a waiver must do so with the MLS Waiver Application form. Waiver applications must be authorized by the Participant (Designated REALTOR®). Waivers, if granted, are valid until the end of the current MLS Billing Cycle. The waiver is valid only for the Participant's Licensee listed on the application. If the Licensee transfers to different Participant, this waiver becomes void and he/she is required to reapply for the waiver under the new Participant.

Before any waiver is granted, Licensee must return any and all equipment that may be issued by MLSSAZ. Office secretaries and personal assistants who hold an active real estate license do not qualify for a waiver.

Applicants of the Alternate MLS Subscription waiver must provide MLSSAZ with a certification from the MLS organization where he/she holds his/her alternate Subscription and must re-certify annually. Licensees on waiver are not eligible to participate in transactions with listings listed in MLSSAZ and may not be associated with a team whose members have an active Subscription to MLSSAZ.

Services Provided

Licenses on waiver shall receive no services from MLSSAZ. Licensees are not eligible to possess an MLS Issued Lockbox Key.

Violation of Waiver Terms

Licenses found to be in violation of the terms of the waiver shall have their exemption automatically revoked and will be subject to a fine in the amount of \$1000 plus any MLS fees previously waived in the previous five years.

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