

RIM COUNTRY MLS PENALTY POLICY

Alleged violations of the CAAR Rules and Regulations must be made in writing and may be initiated by:

- a. CAAR Participants.
- b. CAAR Subscribers.
- c. CAAR staff.

Violations may also be reported through the on-line system utilizing the tools available there for reporting violations.

There are four (4) distinct categories of violations, each category will be discussed in a separate Section:

- a. Non-Penalty Violations
- b. Penalty Violations
- c. Participation Violations
- d. Lockbox and Electronic Key Violations

Non-penalty violations are primarily factual errors that lead to inaccurate listing data and often affect other fields or calculations within the listing. These violations do not incur a penalty. Some examples of Non-Penalty Violations that may be enforced by CAAR include, but are not limited to, the following:

Issue	Violation
Types of Property	Failure to Enter Listing
Accuracy	Incorrect Square Footage (assessor attributed)
Accuracy	Incorrect Dwelling Type
Accuracy	Incorrect or Missing Assessor Number
Accuracy	Incorrect Lot Size Range
Accuracy	Data Errors (area, sub-code, flood zone, etc.)
Disclosures	Failure to Disclose Owner-Agent or Client status

When a Non-Penalty Violation has been alleged and sustained, the CAAR staff will make the correction immediately where applicable. CAAR staff will send a notice of the correction made to the Subscriber with a copy to the Participant, via email only. If a Failure to Enter Listing violation is sustained, the Subscriber will have one (1) business day to correct the violation.

Penalty Violations involve violations that are more severe than Non-Penalty Violations, which are not as easily corrected and which may have caused some degree of damage, which may be potentially irreversible. Except for the first Penalty Violation against a subscriber, Penalty Violations that are sustained will subject the Violator to an immediate fine. The CAAR Board reserves the right to address each violation independently, or cumulatively, depending on the Violator's conduct or pattern of conduct. Egregious and/or repetitive conduct may result in the immediate revocation of membership. The violations and fines in the following table are guidelines only, and not binding on the CAAR Board.

Issue	Violation	Fines
Access Credentials	Allowing MLS access by unauthorized person(s)	\$500 for first offense
Access Credentials	Unauthorized use of Subscriber's User ID and password	\$500 for first offense
Standards of Conduct	Failure to Adhere to Standards of Conduct	\$50.00 for first offense
Clear Cooperation	Failure to Enter Listing in MLS after marketing the property to the public within 1 additional business day.	\$500.00

Compensation	The MLS Prohibits subscribers of making any type of offers of compensation between listing brokers or sellers to buyer brokers or other buyer representatives on the MLS.	\$5,000.00 Member and \$7,500.00 Broker for 1 st offense. 2 nd offense Member will be suspended. Violators will incur an immediate fine.
Types of Property	Entry of Property not eligible to be placed in MLS	\$200.00
Listing Agreement	Active Listing without Valid Listing Agreement	\$200.00
Accuracy	Manipulation of Days on Market	\$500.00
Accuracy	Incorrect Sales Price Data, or Cooperating Subscriber, etc.	\$500.00
Accuracy	Misuse of data/photographs that misleads	\$500.00
Duplicate Listings	Duplicate Listing by same Agent/Broker	\$50.00
Listing Price Error	Incorrect List Price that remains uncorrected following 24 hours of notification	\$50.00
Media Violation	Incorrect information in any media that remains uncorrected following 24 hours of notification	\$200.00
Media Violation	Unauthorized copied media	\$200.00
Photo Submission	Failure to submit photo when listing is activated	\$50.00
Listing Status Errors	All Incorrect Listing Statuses	\$100.00
Advertising	Advertising Violations, including advertising the listing of another broker without permission or not removing yard sign within 2 days of closing, canceled or expired listing	\$200.00
Unauthorized Disclosures	Unauthorized disclosure of data including commission and/or agent bonus information, access code, conditional offer of compensation, and/or offering a zero-commission amount	\$50.00
Third-Party Requirement	Requiring, or attempting to require, the use of a specific Title Company or other Third Party	\$100.00
Inappropriate Content	Inappropriate Language, violations of fair housing, safety or security issues, or other inappropriate content	\$200.00
Accuracy of Contact Information	Failure to maintain accurate contact information, including, but not limited to, the failure to maintain current email address	\$50.00
Reproduction	Unauthorized duplication or reproduction of any records	\$500.00

CAAR staff will make corrections immediately, wherever applicable. If the violation is not correctable by CAAR staff, notice of violation will be sent with a deadline to correct the violation. If the violation remains after the due date outlined in the notice, a subsequent violation will be deemed to have occurred and the process will repeat.

Participation violations occur when a Participant fails to comply with the requirements for participation as outlined by the CAAR Rules and Regulations. Examples of these violations include, but are not limited to, the following:

Issue	Violation	Fine
Participation	Non-subscribing Licensee Participating in MLS	\$250.00 (per licensee)
Reporting	Failure to report changes of Waiver Applicants	\$500.00 (per applicant)

When a Participation Violation is found, CAAR staff will send a notice of the violation by email only to the firm's Participant. The violation notice will grant the Participant a time period of three (3) calendar days to correct the violation. If the violation is corrected on or before the due date, a fine will not be imposed.

If the violation is not corrected by the due date on the violation notice, a fine will be imposed on the Participant. If the violation remains unresolved, in addition to the original fine assessed, a new violation shall be deemed to have occurred and the process will repeat.

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Violations involving Lockboxes and Electronic Keys are more serious in nature, and fall in a separate category, such that all CAAR members have access.

The CAAR Board reserves the right to impose a higher fine than those listed below. Additionally, repeat violations will incur higher fines, suspension of privileges, or removal from membership and potential referral to ADRE for an ethics violation. Examples of Lockbox and Electronic Key Violations and Fines are as follows:

Issue	Violation	Fine
Lockbox	Authorization to use a Lockbox	\$200.00
Lockbox	Removal of Key/Failure to return Key in a timely manner	\$500.00
Lockbox	Carrying PIN with Lockbox Key, or inside case	\$200.00
Lockbox	Carrying PIN on Lockbox Key	\$200.00
Lockbox	Unauthorized use of Lockbox Key: allowing key to be used by another key subscriber	\$500.00
Lockbox	Unauthorized use of Lockbox Key: allowing key to be used by licensee who is not a key subscriber	\$1000.00 AND thirty (30) day suspension
Lockbox	Unauthorized use of Lockbox Key: allowing key to be used by non-licensee	\$2000.00 AND thirty (30) day suspension
Lockbox	Use of Lockbox Access without permission of Listing Subscriber	\$500.00
Lockbox	Disclosure of Lockbox code(s) to a Non-CAAR Subscriber without written permission of the Listing Subscriber	\$500.00
Lockbox	Failure to remove lockbox within 2 days of listing closed, canceled, or expired.	\$200.00
Lockbox	Failure to have a CAAR Lockbox on a listing when any other Mechanical Box or Lockbox is on the property.	\$200.00