

# ROAM MLS Violation & Fine Categories

The following fines and penalties have been designated by the ROAM Board of Managers to be handled administratively. The Administrative Sanctions below are automatic and will be added to the Participant or Subscriber's account in accordance with the ROAM Rules & Regulations.

## Administrative Sanctions

### Moderate

Moderate rule violations generally relate to listing information provided by a participant or subscriber, mandatory submission of listings to the service, and the public display of listings and related branding violations. See the Citation Schedule for rules that may result in a moderate sanction.

Sanction Amount: \$100

**Failure to Remedy** a moderate rules violation within two (2) business days of the notification date will result in a doubling of the total Sanction Amount. Each subsequent two (2) business day period of noncompliance will result in an additional doubling of the total Sanction Amount. Failure to cure the violation within ten (10) business days will result in a mandatory hearing for the Subscriber and/or Participant, which may lead to additional fines, required training, suspension, or termination of membership.

**Repeat Violations** are defined as a recurrence of the same or similar violation within a 365-day period. The sanction for a repeat moderate violation is a doubling of the original Sanction Amount, with each successive recurrence resulting in an additional doubling of the Sanction Amount. A fifth (5th) occurrence within a 365-day period will result in a mandatory hearing for the Subscriber and/or Participant, which may lead to additional fines, required training, suspension, or termination of membership.

The MLS retains sole discretion to determine whether violations constitute a recurrence. Violations committed by affiliated individuals may be considered a recurrence.

### Severe

Severe rule violations generally relate to cooperation with fellow participants or subscribers and misuse of the MLS system or data. This may include violations that put the Association, MLS, or the general membership at legal, operational, or physical risk. See the Citation Schedule for rules that may result in a severe sanction.

Sanction Amount: \$500

- **Failure to Remedy** a severe rules violation within two (2) business days of notification will result in a one-time doubling of the total Sanction Amount. Failure to remedy the violation within four (4) business days will result in a mandatory hearing for the Subscriber and/or Participant, which may lead to additional fines, required training, suspension, or termination of membership.

**Repeat Violations** are defined as a recurrence of the same or similar violation within a 365-day period. The sanction for a repeat violation is a one-time doubling of the original Sanction Amount. A third (3rd) occurrence within a 365-day period will result in a mandatory hearing for the Subscriber and/or Participant, which may lead to additional fines, required training, suspension, or termination of membership.

## Additional Sanctions & Information

**Hearings** are a formal peer review and may be voluntary or mandatory. There is a \$300 filing fee for hearings that will be refunded if judgment is found in favor of the participant or subscriber.

**Training** related to the violation may resolve certain citations. Depending on the particular citation, training may be an option instead of a fine, or training may be required. Training options or requirements will be determined by the MLS and may include the participant, subscriber, or both.

**Suspension** is a temporary suspension of MLS services. The duration of suspension will be set by the MLS based on various factors, including but not limited to the level of violation, failure to remedy, recurrence, or other details relevant to the given violation, but not less than thirty (30) days nor more than one (1) year.

**Expulsion** from the MLS is a permanent suspension of MLS services. Expulsion will be determined by the MLS based on various factors, including but not limited to the level of violation, failure to remedy, recurrence, or other details relevant to the given violation.

**Reconnect Fees** are the costs related to the reconnection of services after the violation resulting in a suspension or expulsion of services has been resolved. Fees may include outstanding amounts due and other charges related to reenabling services and system logins.

**Maximum Sanction** is \$15,000, which is the maximum cumulative amount for a given violation. Multiple separate violations are individually subject to the Maximum sanction but do not have a cumulative limit.

**Reporting to Authorities** is the reporting of violations that break with policies, regulations, or law. ROAM Shareholders will report such offenses to the Louisiana Real Estate Commission (LREC) and other applicable authorities.

**Administrative Sanctions** do not prohibit the MLS, or the Association or Board of REALTORS, from imposing additional discipline for violations of the State or the National Association of REALTORS rules and regulations. Any additional findings of violations and discipline administered by the MLS will also be handled in accordance with these rules and regulations and above stated policy.

**Corrections** to remedy the violation must be made by the participant or subscriber. It is the participant's and subscriber's responsibility to seek support from the MLS for any corrections they are unable to make.

**Warnings** will be given by the MLS for first time offenders for violations indicated as Warning on the Citation Schedule. A warning will waive the sanction, however, any recurrence or failure to remedy within two (2) days will resume the sanction schedule.

## Sanction Resolution

Sanctions such as fines and/or training must be resolved (paid or scheduled) or formally contested within thirty (30) calendar days of the Notice of Violation and Fine Assessment. If, within thirty (30) calendar days of the Notice of Violation and Fine Assessment, the fine is not paid or a Request for Hearing (RH) with a \$300 filing fee is not received, the MLS privileges of the Violator and/or the Responsible Participant will be suspended until service charges, fees, fines, reinstatement fees, late fees, and any other applicable fees are paid in full. Failure to resolve the sanction by way of making payment, completing training, or completing a hearing within 90 days may result in suspension or termination of MLS membership.

## Citation Schedule

The following list provides specific guidelines for the named sections from the ROAM Rules & Regulations. As valuable items are identified, they will be added to this list. This list is not an all-inclusive list of possible citations.

Section	Level	Warning	Correctable	Description
1	Moderate	No	No	Failure to submit listings or failure to submit in a timely manner
1.01	Severe	No	No	Failure to comply with Clear Cooperation policy.
1.1	Moderate	Yes	Yes	Listing of a Property Type not named in the Rules and Regulations.

1.1.1	Moderate	Yes	Yes	A participant cannot enter a listing for a property listed by another Participant
1.2	Moderate	Yes	Yes	A listing submitted to the Multiple Listing Service shall be complete in every detail.
1.2	Moderate	Yes	Yes	A participant cannot enter a property more than once into the same property type.
1.2 A-C)	Moderate	Yes	Yes	Contact information may only be placed in fields designated for contact information or REALTOR Remarks.
1.2 C)	Moderate	Yes	Yes	The minimum number and types of photos were not included in the listing. Text or other information was added to a photo or virtual tour.
1.2 D)	Moderate	Yes	Yes	Failure to submit Property Disclosure Documents (PDD's) or failure to submit Property Disclosure Documents three (3) Business Days.
1.2 E)	Moderate	Yes	Yes	Entering the lockbox combination code into the listing.
1.2.0	Moderate	Yes	Yes	Participants and subscribers are required to submit accurate listing data and required to correct any known errors.
1.2.1	Moderate	Yes	Yes	Failure to comply with Limited-Service listing policy.
1.3	Severe	No	Yes	Exempted listings shall be filed with MLS and accompanied by appropriate disclosure & certification.
1.4	Moderate	Yes	Yes	Failure to report status, price or other listing agreement changes within one (1) Business Day.
1.5	Severe	No	No	Cancellation prior to expiration without authorization. Cancellation and Relisting a property.
1.6	Moderate	Yes	Yes	Failure to report any contingency in a listing.
1.7	Moderate	Yes	Yes	Failure to input the full gross listing price.
1.8	Moderate	Yes	Yes	Failure to separately list units which may be sold separately.
1.9				*** Information Only
1.10				*** Information Only
1.11	Moderate	Yes	Yes	Failure to accurately report the termination (expiration or cancellation) date of the listing.
1.12				** Information Only.
1.13				** Information Only.
1.14				** Information Only.

1.15				** Information Only.
1.16	Moderate	Yes	Yes	Failure to submit the property address or other identifying information.
1.A	Moderate	Yes	Yes	Failure to provide requested listing contracts & documentation within one (1) Business Day.
1.B				** Information Only.
1.C	Moderate	Yes	Yes	Broker is unable to produce documentation supporting assignment.
1.D				** Information Only.
1.E.a				** Information Only.
1.E.b	Severe	No	No	Showing or providing access to a Coming Soon listing
1.E.c				** Information Only.
1.E.d				** Information Only.
1.E.e				** Information Only.
1.E.f				** Information Only.
1.E.g	Severe	No	No	Coming Soon listing without written seller authorization
1.E.g	Moderate	Yes	Yes	Participant does not produce supporting documentation within 1 day of request.
1.E.h	Severe	No	No	Relist of a canceled or expired listing within 30 days of leaving Coming Soon status.
2	Severe	No	No	Failure to make listing available for showings as required by the rules and regulations.
2.a				** Information Only.
2.b				** Information Only.
2.c	Severe	No	No	Entering a listed property without authorization.
2.d	Severe	No	No	Licensed Subscriber or Participant not on site with third party.
2.A	Moderate	No	No	Showings of the Listed Property shall be made in accordance with showing instructions as listed in the MLS.
2.B	Severe	No	No	Showing a Hold or Coming Soon listing.
2.5	Moderate	No	No	Failure to report closed sales within one (1) Business Day.
2.6	Moderate	Yes	No	Failure to report the resolution of contingencies or cancellation of the offer within 24 hours.

2.7	Moderate	Yes	Yes	Advertising a listing without the prior consent of the listing broker.
2.8	Moderate	Yes	No	Failure to report sales in process and contingencies within one (1) Business Day.
2.9				** Rule Removed
2.10	Severe	No	No	Misrepresentation of the availability to show or inspect the property.
2.11	Moderate	Yes	Yes	Improper listing of a non-listed sale.
3	Moderate	Yes	Yes	Failure to transmit a sellers refusal to sell.
4	Severe	No	No	Making a listing available to a non-member without consent.
4.1	Moderate	Yes	Yes	Failure to display "Coming Soon" on for-sale sign
4.2	Moderate	Yes	Yes	Unauthorized posting of a cooperating broker sign on the property.
4.3	Severe	No	No	Improper solicitation of a listed property.
4.4	Severe	No	Yes	Misuse of term "MLS" and "Multiple Listing Service"
4.5	Severe	No	No	Advertising services as free.
4.6	Severe	No	No	Improper filtering of listings to customers or clients.
4.A	Severe	No	No	Unauthorized use of listing content
4.B	Moderate	Yes	Yes	Degrading listing content
5	Severe	No	Yes	Making an offer of compensation, commission, bonus or other consideration to the buyer's representation in the MLS.
5.0.0	Severe	No	Yes	Failure to disclose that compensation is negotiable.
5.0.1	Moderate	Yes	Yes	Failure to disclose potential short sale.
5.0.2	Severe	No	No	Failure to enter into a written agreement with the buyer prior to touring a home.
5.1	Severe	Yes	Yes	Failure to disclose Participant as Principal or having ownership interest in listed property.
5.2	Severe	Yes	Yes	Failure to disclose Participant as principal or having ownership interest in the purchased property.
6				** Information Only.
7				** Information Only.
7.1				** Information Only.
7.2				** Information Only.
7.A	Moderate	Yes	Yes	Valid email address required

7.B				** Information Only.
8				** Information Only.
9				** Information Only.
10	Severe	No	Yes	Failure to treat the MLS data as confidential.
11				** Information Only.
12	Severe	No	Yes	Unauthorized Distribution of MLS compilation.
12.1	Severe	No	Yes	Unauthorized Display of MLS compilation.
12.2	Severe	No	Yes	Unauthorized reproduction of MLS compilation.
12.3	Severe	No	Yes	Sharing of MLS login ID or password.
12.4	Severe	No	Yes	Using a shared MLS Login ID or password.
13	Moderate	Yes	Yes	Failure to adhere to limitations of MLS listing information use.
14				** Information Only.
15				** Rule Removed
16				** Rule Removed
17				** Information Only.
18	Moderate	Yes	Yes	Failure to meet IDX requirements
19	Moderate	Yes	Yes	Failure to meet VOW requirements
20	Moderate	Yes	Yes	Failure to meet BBO requirements
21	Moderate	Yes	Yes	Failure to meet AVM requirements