



INTERNET DISPLAY GUIDELINES

IDX & VOW RULES, SAMPLE LEGAL DISCLOSURES, USE OF LOGOS

(from Appendices 3 & 4 of the Data Use Policy v.3.16)

APPENDIX 3: IDX & VOW RULES, SAMPLE LEGAL DISCLOSURES, HANDLING SELLER OPT OUTS, AND USE OF LOGOS

The following definitions are from the MLS Rules. If at any time these definitions are modified in the MLS Rules, the definitions below will be superseded.

RELEVANT DEFINITIONS AND RESTRICTIONS FROM MLS RULES (Section number in Rules)

MLS Content Defined (11.1.1)

“MLS Content” or “Content” as promulgated by the National Association of Realtors (“NAR”) includes, but is not limited to, photographs, images (including maps), graphics, audio and video recordings, virtual tours, drawings, descriptions, remarks, narratives, pricing information, statistics and other details or information related to listed property. MLS Content is protected by the applicable Intellectual Property laws.

MLS Compilation Defined (11.1.2)

“MLS Compilation” is an aggregate set of MLS Content, collected and disseminated to Authorized Users of MLS Content in any format. MLS Compilation is protected by the applicable Intellectual Property laws.

Advertising Defined (12.8.1)

“Advertising” is defined as an activity that is intended to attract potential customers to your business or to increase brand awareness, and includes such items as Internet displays (including “blogs”), neighborhood updates, just-listed and just-sold cards/flyers, and other unsolicited “farming” activities.

Client or Customer Defined (2.1)

A “customer” or “client” means a seller client of a Participant/subscriber or a person who has expressed to a Participant/subscriber an interest in purchasing real property, and who has described the type, features or location of the property in which he or she has an interest. This may include those with whom a prior business relationship exists. (See Appendix 2 for additional registration requirements for VOWs.)

Participant Defined (4.1)

A Participant is any individual who applies and is accepted by the MLS, and meets and continues to meet all of the requirements of either a broker participant or an appraiser participant as defined Sections 4.1.1 and 4.1.2 of the MLS Rules.

Authority to Put Listings in the MLS Compilation (11.4)

By submitting any Content into the MLS Compilation participants and subscribers represent that they have been authorized to grant and thereby do grant authority to the MLS to include the

Content in its copyrighted MLS Compilation and to other participants and subscribers to reproduce and display the Content in accordance with the MLS Rules.

Copyright Ownership (11.6)

All right, title, and interest in each copy of every MLS Compilation created and copyrighted by the MLS, and in the copyrights therein, remains vested in the MLS at all times. The MLS has the right to license such compilations in whole or in part to any entity pursuant to terms agreed upon by the Board of Directors.

False or Misleading Advertising/Representations; True Picture Standard of Conduct. (12.10)

Participants and subscribers may not engage in false or misleading advertising, including, but not limited to, advertisements or representations regarding the participant's or subscriber's relationship to the service, about the service itself, or about any property listed with the service. MLS participants and subscribers shall present a true picture in their advertising and representations to the public, including the URLs and domain names they use, and participants and subscribers may not:

- (a) engage in deceptive or unauthorized framing of real estate brokerage Internet displays
- (b) manipulate (e.g., presenting content developed by others) listing content in any way that produces a deceptive or misleading result; or
- (c) deceptively use metatags, keywords or other devices/methods to direct, drive, or divert Internet traffic, or to otherwise mislead consumers.

Appraiser IDX Restrictions (12.14.3)

Appraisal offices are not authorized to operate IDX displays or to provide listing information to the public in any form.

Restrictions on Use of Offline MLS Databases (12.15.4c)

Downloading listing data from MLS applications is not permitted for purposes of creating Internet displays, automated evaluations, statistics, or other products or services. These activities require a data license and access to bulk MLS Content ONLY through specified channels.

Internet Data Exchange (IDX) Displays in the MLS Rules:

The IDX program is governed by the MLS Rules, primarily relating to Section 12.16: "Use of Listing Information on Internet." Interpretations and guidelines for complying with these MLS Rules are provided within this document.

Virtual Office Websites (VOWs) in the MLS Rules:

The VOW program is governed by the MLS Rules, primarily relating to Section 12.20: "Virtual Office Websites (VOWs)." Interpretations and guidelines for complying with these MLS Rules are provided within this document.

RULE VIOLATIONS

MLSListings monitors Internet displays and VOW websites using IDX and VOW data. If MLSListings finds that a Participant/subscriber is misusing or improperly displaying MLS data, or is otherwise in violation of MLSListings' MLS Rules, that Participant/subscriber will be notified of the wrongdoing and required to correct the problem. If a Participant/subscriber fails to correct the violation, he or she will be subject to disciplinary action in accordance with the MLS Rules.

Whether or not a citation is issued, Participant/subscriber must make the necessary changes to their Internet site/display to cure a violation within five business days of notice from

MLSListings of the violation. MLSListings reserves the right to discontinue the MLS datafeed without further notice if Participant/subscriber does not comply with this requirement.

Participant/subscriber may also be subject to fines or disciplinary action. (See Appendix A of the MLS Rules: Citable Infractions, 5.2: Violation of IDX Rules, and 5.3: Violation of VOW Rules.)

SAMPLE DISCLOSURES FOR IDX DISPLAYS AND VOW DISPLAYS

1. Mandatory Disclosures and Notices

These disclosures are required. However, with the exception of the copyright notices, the examples that appear here are suggestions only. If you follow these suggestions, you will be in compliance with the applicable provisions of MLSListings' Rules. You may use your own verbiage as long as it achieves the same objectives. Displays of minimal information (e.g. "thumbnails", text messages, "tweets", etc., of two hundred (200) characters or less are exempt from this requirement but only when linked directly to a display that includes all required disclosures

- a. **Explanation of IDX data source:** Your Internet display must include a disclosure indicating the source of the IDX data on your site. The following disclosure, along with the MLSListings-approved icon for Internet Data Exchange will satisfy this requirement:

"The data relating to real estate for sale on this display comes in part from the Internet Data Exchange program of the MLSListings™ MLS system. Real estate listings held by brokerage firms other than [insert host brokerage name here] are marked with the Internet Data Exchange icon (a stylized house inside a circle) and detailed information about them includes the names of the listing brokers and listing agents."

- b. **Terms of Use/Service.** A display showing MLS Content must contain a Terms of Use/Service agreement incorporating substantially similar terms as described in Item #11 under Web Page Design in Appendix 1 for IDX, and Item #2 in Appendix 2 for VOW requirements.

- c. **Disclosure of data host and/or Internet display provider:** All displays with MLS Content must include a notice of the entity hosting the MLS Content and powering the MLS search, and any pages displaying MLS Content. For example:

"IDX display powered by XXX Designers."

or

"MLS search engine provided by ZZZ Technology."

- d. **Accuracy disclaimer on other Participant brokers' listings:** Broker Participants and Real Estate Subscribers shall indicate on their displays, in a manner readily visible to consumers but not less than 7 pt type the following, or substantially similar, notice:

Based on information from the MLSListings MLS) as of ____ (date the MLS data was obtained). All data, including all measurements and calculations of area, is obtained from various sources and has not been, and will not be, verified by broker or MLS. All information should be independently reviewed and verified for accuracy. Properties may or may not be listed by the office/agent presenting the information.

Displays of minimum information (e.g. a one-line or thumbnail search result, text messages, "tweets", etc. of two hundred (200) characters or less) are exempt from this requirement but only when linked directly to a display that includes the required disclosure.

- e. **Copyright notice:** All displays with MLS Content must show MLSListings' copyright notice on any detailed listing data of another Participant. This notice must appear exactly as shown in one of these two options:

Option A: "Copyright yyyy MLSListings Inc. All rights reserved." [Where yyyy is the current year.]

Option B: "© yyyy MLSListings Inc. All rights reserved. [Where yyyy is the current year.]

NOTE: You may not substitute a "c" in parentheses "(c)" for the copyright symbol "©." If your display cannot display the copyright symbol, you must use Option A and spell out the word "Copyright."

- f. **Update frequency:** You are required to update the information on your Internet display at least once every 12 hours. It is a violation of California Department of Real Estate rules to advertise a property for sale that is not for sale. If you download a listing record on Monday, the property sells on Tuesday, and you don't update the data until the next Monday, the property will show as available on your site for five days during which it is not available. To avoid MLS Rules violations, MLSListings requires that you disclose to consumers the frequency of data updates. For example:

On the data search page: "This data is updated every 12 hours. Some properties appearing for sale on this display may subsequently have sold and may no longer be available."

On the results page: "This data is up-to-date as of [fill in update date here]. For the most current information, contact [your firm name, phone number, and e-mail address]."

Indicating "Data updated every 15 minutes [or applicable time period]" on the search page would also be acceptable.

2. Additional recommended disclosure

- a. **Less than all the IDX Content:** If you choose to display less than the entire IDX Content, it is wise to disclose this on the display because: 1) The IDX Participant may be advertising the display as "the most complete compilation of homes for sale on the Internet." If the IDX Participant excludes listings from this "most complete" compilation, it should disclose this to consumers to avoid claims that its advertising is not giving a true picture. 2) If the IDX Participant excludes listings without disclosing this to consumers, savvy consumers will note discrepancies among IDX participant displays and may begin to distrust your site. A disclosure might look like one of these:

"[Your firm's name here] participates in MLSListings' Internet Data Exchange program, allowing us to display other broker's listings on our site. However, [firm name] displays [only listings in your county] / [only condominium listings] / [exceptional properties (with list prices above \$500,000)]."

HANDLING SELLER OPT OUTS (FOR ALL INTERNET DISPLAY OF LISTINGS)

Sellers are permitted to withhold their listings from certain Internet display and/or website features. Data Licensees are required to honor these opt outs for ALL Internet displays, whether VOW, IDX or syndicated advertising sites.

There are three Yes/No fields to be aware of, as well as the "FilteredAddress" field.

- If there is a "0" in the "InternetList" field, then that listing cannot show up anywhere on the Internet, whether VOW, IDX, syndication sites, or the broker's own website or other electronic display.
- The "VOWComm" and VOWAVM" fields affect whether a listing can be referenced in "blogs" or used to create "automated valuation models" on websites or other electronic displays. These fields will be needed only if those features are enabled on your display or website/s. If you provide these features on a VOW, IDX, or public advertising display, you will need to disallow the features for listings with "0" in these fields.
- Always use the "FilteredAddress" field for listings displayed on any Internet site. This field will be pre-populated with the correct address format to use on websites. (The full address can be used on email notifications to Clients, as defined in the MLS Rules.)

USE OF LOGO ON IDX DISPLAYS

The following summarizes requirements for the use of the IDX logo (not required for VOW websites.) For more information, refer to the IDX program section of MLSListings.com.

- IDX displays must use the IDX icon/logo (the "Logo") to identify listings that derive from the MLS Content provided for that purpose.
- You must be an MLS Content subscriber to use the Logo.
- You cannot modify the Logo.
- You must demonstrate to MLSListings how you're using the Logo, if so asked.
- MLSListings is the owner of the Logo.
- You must be doing business legally and in compliance with MLS Rules to use the Logo.
- If we're sued because of your use of the Logo, you are required to reimburse MLSListings for defense costs and damages.
- If you stop using your IDX display or are no longer an MLS subscriber, or if MLSListings advises you of your violation of this policy, or you are no longer authorized to use the Logo, you must immediately stop using the Logo.
- You may not adopt another logo for yourself that is confusingly similar to the Logo.
- If MLSListings has to go to court to enforce this policy, you agree to pay all MLSListings' reasonable costs and legal fees.
- You agree that MLSListings can get an injunction against you, if necessary.









Sample IDX Logos









APPENDIX 4: Sample Layouts for IDX Search Results and Detail Pages

Each results screen, including the thumbnail and summary views shall display attributions for the source of the data and listing office and listing agent name. Except where the size would obfuscate such information.

Small thumbnail results example

	Residential \$759,900	115 Ralphs DR, HOLLISTER, CA 95023 (map)	4 2+	2425 10,066sq-ft.	Active 81633762 Nino Real Estate 
	Residential \$669,950	400 Tierra Del Sol, HOLLISTER, CA 95023 (map)	5 3+	3000 22,037sq-ft.	Active 81633723 Century 21 Showcase Realtors 
	Residential \$850,000	300 Carpenter DR, HOLLISTER, CA 95023 (map)	4 2+	2144 217,800sq-ft.	Active 81633754 Century 21 Showcase Realtors 
	Residential \$749,900	120 Ralphs DR, HOLLISTER, CA 95023 (map)	4 2+	2425 10,002sq-ft.	Active 81633677 Nino Real Estate 

Larger thumbnail results:

		
<p>47 Camino Por Los Arboles ATHERTON CA 94027 El Camino to Alameda</p> <p>\$34,800,000</p> <p>Beds: 6 Baths: 6 16468 sq ft</p> <p> Presented by Mary & Brent Gullixson of Alain Pinel Realtors.</p>	<p>231 Winding WAY WOODSIDE CA 94062 Central Woodside</p> <p>\$24,800,000</p> <p>Beds: 6 Baths: 4 11400 sq ft</p> <p> Presented by Terri Kerwin of Kerwin & Associates.</p>	<p>ATHERTON CA 94027 El Camino to Alameda</p> <p>\$23,995,000</p> <p>Beds: 7 Baths: 6 12910 sq ft</p> <p> Presented by Carol Mac Corke of Pacific Union International.</p>

General Display: The “body” of the listing may only contain MLS content. The "body" is a rectangular space whose borders are defined in each direction by the area used for listing text and photo data. The prohibition on branding or contact information within the "body" of the listing information is intended to prevent any possible confusion on the part of the consumer as to the source of the data. All active, contingent and pending listings displayed shall identify the name of the listing agent and listing office in a typeface not smaller than the type size displaying detailed property information.

Widgets such as “Schedule a Showing” or “Map” have been determined to be allowable as long as these are not misleading and “pop-up or open a new window or tab. Other content not supplied by the MLS

Overview

19912 Portal PLZ
CUPERTINO, CA 95014
Cupertino

List Price
\$998,000

Overview
ML81597175
Beds: 2
Baths: 2
Size: 1,240 sq ft
Lot: 801.50 sq ft
Square Feet
Built: 1982

Presented by
Brian Ayer of Dreyfus Sotheby's
International Realty.

MLS Copyright & Disclaimer

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The data relating to real estate for sale on this website comes in part from the Internet Data Exchange program of the MLSListings™ MLS system. Real estate listings held by brokerage firms other than Dreyfus Sotheby's International Realty are marked with the MLSListings IDX icon and detailed information about them includes the names of the listing brokers and listing agents.
Disclaimer: This data is updated every 24 hours. Some properties appearing for sale on this website may subsequently have sold and may no longer be available.

Prime location! Bright and sunny corner unit in a private complex. Kitchen with new quartz counters and breakfast bar creates a perfect space for preparing meals or entertaining guests. Oversized living room flows into dining area and outdoor patio. En-suite guest bedroom is ideal for visiting guests. Master bedroom boasts high ceilings and is full of natural light. Located off Stevens Creek Blvd, this home is walking distance to downtown Cupertino offering plenty of options for shopping or dining out. Just minutes to highway 280 & 85 make this a great location for commuting as well.

must be in a separate section and clearly identified with the source of the information.

Copyright, Disclaimer and Logo:

MLSListings' copyright notice and reliability disclaimer must appear where the MLS Content is displayed.

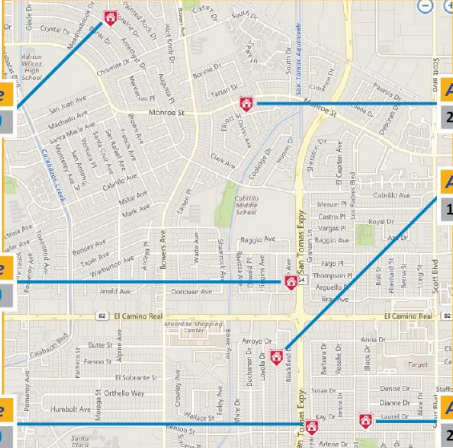
The name of the party that has control of the MLS content and/or the vendor providing control must be displayed on either the home search page or the property detail page

1. SAMPLE NEIGHBORHOOD FLYER

Your Branding Here

Call (Agent Name) today at 408-555-5555 for Active listings in your area.
Or visit my web site at WWW.SOLDHOMES.COM

SOLD Homes in Your Area



Address	Bed / Bath	SQ. FT.	Sold Price
2487 Amethyst	3 bd 2 ba	1,341	\$480,000
2573 Elliot	4 bd 2 ba	1,548	\$520,000
1348 Las Palmas	3 bd 3 ba	1,450	\$740,000
2416 Robinson	3 bd 1 ba	1,229	\$465,000
1070 Maryann	3 bd 2 ba	1,156	\$442,000
2272 Benton	3 bd 1 ba	1,083	\$595,000

Call (Agent Name) today to find out more about available properties that you can afford! He is the Results Man!

408-555-5555 work. 408-555-0000 cell. 408-555-1212 fax.
Call today and get a free CMA with your needs evaluation!

"Listing broker has attempted to offer accurate data, but buyers are advised to confirm all data provided."