



REALTOR® Cooperation Backgrounder

What are the key elements of the REALTOR® Cooperation Policy?

1. Basic rule: A listing must be placed on an MLS® System within three (3) days of public marketing of a property unless an exemption applies.
2. “Public Marketing”: means any marketing to the public or to anyone not directly affiliated with the brokers and licensees affiliated with the listing brokerage, i.e., outside of your immediate office unless it is one-to-one direct marketing.
3. One-to-one direct marketing: Under the revised policy, one-to-one direct marketing between the listing REALTOR® and REALTORS® from other brokerages/offices and their clients will not be considered Public Marketing. One-to-many communications involving marketing to more than one recipient will trigger the listing requirement, for example, emails or phone/video calls to more than one recipient, or posts to private social media groups with more than one member.
4. Disclosure and Consent Requirements between listing REALTORS® and their sellers: A REALTOR® would have to disclose to their Seller the benefits of marketing their listing on an MLS® System. If a seller decides to forego these benefits, they would have to confirm this decision in writing.

What if a client wants to use more limited marketing through an “exclusive”?

In the rare cases where privacy or other considerations outweigh the benefits of public marketing including an MLS® listing, REALTORS® can offer to market the property within their own brokerage office or on a one-to-one basis to other REALTORS® without triggering the policy.

Are any transactions exempt from the policy?

The policy is focused on the sale of residential properties. The policy does not apply to commercial property listings, new construction listings in developments with multiple properties or units, or rental property listings.

What will the membership be voting on at CREA’s 2023 AGM?

The vote will be to approve adding a new Duty to Cooperate to the REALTOR® Code that includes a requirement to comply with the revised REALTOR® Cooperation Policy.

Why are we voting on a REALTOR® Code amendment?

Many boards and associations asked for a vote on REALTOR® Cooperation at the 2023 AGM, and also suggested that REALTOR® Cooperation should be part of the REALTOR® Code. This requires a vote at the Annual General Meeting.

Who will enforce it?

The new REALTOR® Code amendment would give boards and associations the authority and the responsibility for enforcement under their existing REALTOR® Code enforcement procedures.

What are the possible outcomes of the vote at CREA’s AGM?

If the REALTOR® Code amendment passes, the policy will come into force on January 3, 2024. Otherwise, the policy will not come into effect.