



REALTOR[®] Cooperation Policy

Amended: March, 2023

Rationale:

This Policy seeks to reinforce the importance of cooperation as a key component of organized real estate and the value of MLS[®] Systems. REALTOR[®] cooperation increases the level of professionalism of REALTORS[®], better serves consumers and strengthens the MLS[®] Brand. MLS[®] Systems are efficient and effective cooperative selling systems that benefit both REALTORS[®] and consumers. Placing a listing on MLS[®] Systems increases the exposure of listings to a broad group of REALTORS[®] and their buyer clients, providing them access to a more complete inventory of homes that may meet their needs. From a seller's perspective, a listing with greater exposure on MLS[®] Systems may increase the number of offers received and improve the chances of receiving the most competitive offers for their home.

The use of limited exposure marketing tactics diminishes the efficiency, value and benefits that MLS[®] Systems provide to REALTORS[®] and consumers. Failure to place a listing on MLS[®] Systems not only undermines the best interest of clients, but also the value of the MLS[®] Systems which is based in large measure on the number of properties listed on the systems. Withholding listings results in a smaller number of listings available for cooperative selling which diminishes the value of the systems for both REALTORS[®] and their clients, contrary to the very purpose of membership in a cooperative selling system.

As REALTORS[®] have a legal obligation to act in the best interests of their clients, which is also provided for in the REALTOR[®] Code, this policy requires REALTORS[®] to place their listings on Board/Association MLS[®] Systems within a brief time after the property has been first publicly marketed, ensuring that all REALTORS[®] and their clients have equal access to the most comprehensive property information available on MLS[®] Systems during the home buying and selling process.

Policy:

1. "Public Marketing" means the representation or marketing of a listing to the public or anyone not directly affiliated with the listing brokerage/office in a business capacity. For clarity, Public Marketing does not include one-to-one direct communication with a REALTOR[®] unaffiliated with the listing brokerage/office. Public Marketing includes any representation regarding the sale of a property, including but not limited to, flyers, yard signs, digital marketing on public facing websites, brokerage website displays (including IDX and VOW) and onsite brokerage promotion, digital communications marketing (i.e., email blasts, newsletters, social media posts), multi-brokerage listing sharing networks, and applications available to the general public.

2. Within three (3) days of Public Marketing, REALTORS® must place the listing on an MLS® System for cooperation with other REALTORS®.
3. The following listings are exempt from the requirements of paragraph 2 above:
 - a. Commercial property listings (i.e., business properties, agricultural properties);
 - b. New construction listings in developments with multiple properties or units (i.e., residential development projects, condo development projects); and
 - c. Rental property listings.
4. REALTORS® must disclose to the seller in writing the benefits of listing their property on an MLS® System, specifically that an MLS® System:
 - a. provides greater exposure to more potential buyers,
 - b. may result in more offers received, and
 - c. may result in better offers, in terms of price, terms and conditions of sale.
5. If a seller decides to forego placing their listing on an MLS® System the seller must provide written confirmation of this decision to the listing REALTOR®, which shall include:
 - a. a specific instruction not to engage in Public Marketing of their property, and
 - b. an acknowledgement that declining to place their property on an MLS® System:
 - i. may result in reduced exposure to the pool of potential buyers,
 - ii. may result in a lower number of offers received, and
 - iii. may limit the seller's ability to receive the most favourable offers in terms of price, terms or other conditions of sale.
6. Notwithstanding an instruction from the seller not to engage in Public Marketing, in the event that any Public Marketing of the listing occurs REALTORS® must place the listing on an MLS® System within three (3) days as set out in section 2 above.

Enforcement:

7. Boards and Associations operating MLS® Systems must adopt and enforce this Policy in their MLS® System Rules or an equivalent policy. Boards and Associations may adopt more stringent rules and requirements than those contained in this Policy, provided they are not inconsistent with this Policy or applicable legislation.

Transition:

8. This Policy will come into force on January 3, 2024.