

Section 18. IDX

18.1 Internet Data Exchange Database An IDXP (Internet Data Exchange Participant) may republish all or a portion of the reciprocity database on their website in accordance with the following provisions and in keeping with any policies that CRIS may adopt from time to time. All other Rules and Regulations of CRIS remain in full force and effect.

A website republication of another IDXP's listing shall not contain more (but may contain less) information than is contained in CRIS'S IDXP's approved display format.

It is not necessary for an IDXP to display the whole reciprocity database on their website. The IDXP has the right to display only those listings in a particular price range, geographical area, or property type.

The IDXP does not have to display the listings of certain competitors.

18.2 Internet Data Exchange Database Participants

Any broker may become an Internet Data Exchange database participant as long as he/she has an active real estate brokerage license and is actively engaged in providing services to buyers or sellers in residential real estate; and is a participant of CRIS. Agents will not have the ability to have the IDX database displayed on their own personal website(s). However, those agents working with a participant of Internet Data Exchange may have access to the IDX database only through the permission of his or her broker. Upon approval of the broker, agents may have access to the IDX database by adding a hyperlink button to his or her own personal website page which will direct the viewer back to their broker's website which contains the IDX database information. No data will be fed directly to an agent's website by the MLS.

18.3 Display of Participant's Information on Participant's Site

Any form of display, brief or thumbnail of the Participant's listing information, cannot disclose any contractual information or branding of the IDXP who owns the website or any of its agents.

A thumbnail display may only include the text data about the listing property, a photo of the property, the required standard NAR MLS logo icon and any buttons providing links for other information.

18.4 Listings Reflected in the Reciprocity Database

All listings of real or personal property which are listed subject to a real estate brokers license, published in CRIS MLS database, taken by IDX Participant's on an exclusive right to sell agreement and/or exclusive agency agreement shall be included in the

reciprocity database.

NOTE: If the seller has requested that their listing be withheld from CRIS MLS database, it will not be included in the reciprocity database.

The following property types will comprise the reciprocity database:

Single-family homes for sale or exchange

Condominium units for sale or exchange

Vacant lots and acreage zoned residential for sale or exchange

Two-family, three-family, and four-family residential buildings (Multi-Family units) for sale or exchange

18.5 Standard NAR MLS Logo Used for Reciprocity Database

The standard NAR MLS logo will be the approved icon used to signify that the information is being provided by CRIS Internet data exchange database.

18.6 Required Disclaimer for Listings in the Reciprocity Database

Any IDXP's website must display some form of disclaimer on its home page and any subsequent page displaying IDXP's listing information indicating that the information is being provided through CRIS Internet data exchange database.

Under no circumstances are the IDXP's listings allowed to be displayed on an IDXP's website without clearly displaying the disclaimer that "Information Deemed Reliable But Not Guaranteed."

Any search result identifying another IDXP's listing in a brief or thumbnail format shall bear the required standard NAR MLS logo icon. This logo must be displayed immediately adjacent to the property information and meet the required specifications of size. By displaying this required icon immediately adjacent to the property, this informs the user this information is being provided through CRIS reciprocity database.

18.7 Required Disclosures

These disclosures are **required**:

1. Explanation of Data Source:

Under CRIS Rules and Regulations an IDXP's website must display a disclosure indicating the source of Internet Data Exchange database data on that site. The following disclosure, appearing alongside the standard NAR MLS logo for Internet Data Exchange will satisfy this requirement:

"The data relating to real estate for sale on this website comes in part from the Internet Data Exchange program of CRIS. Real estate listings held by brokerage firms other than

(insert your firm's name here) are marked with the Internet Data Exchange logo and detailed information about them includes the name of the listing broker(s)."

2. Accuracy disclaimer on other IDX Listings:

Under CRIS Rules and Regulations, a IDXP's website must display a disclosure indicating that data from other IDXP's is "deemed reliable but not guaranteed." Any similar language indicating both that the listing broker believes the data provided to be accurate but that it does not guarantee the data will be acceptable as an alternative.

Additional recommended disclosures:

Any IDXP choosing to display less than the entire IDX database, should place a disclosure on their website stating that the IDXP is using only a part or portion of the data available on the IDX database. A recommended disclosure is listed below:

"(IDXP firm name) participates in CRIS IDX program, allowing us to display other IDXP's' listings on our website. However, (the IDXP firm name) displays only (listings in <insert County>) (only condominium listings), (with list prices above \$500,000.)"

"(IDXP firm name) does not display the entire CRIS IDX database on this website. The listings of some real estate brokerage firms have been excluded."

If an IDXP chooses to update the data on their website less frequently than daily, CRIS advises that the IDXP's website include a disclaimer indicating the frequency and days of the update. Alternatively, a disclosure of "data last updated: xx/xx/xx" would be sufficient to be shown on the search page:

Two example disclosures are listed below:

"This data is updated weekly on (Saturday) nights. Some properties which appear for sale on this website may subsequently have sold and may no longer be available;" or

"This data up-to-date as of (fill in the update date here). For the most current information, contact (IDXP's firm name, phone number, and e-mail address)."

18.8 Reciprocity Listing Modifications

An IDXP cannot modify or manipulate the data relating to another IDXP's listing. (This is not intended to limit the design of the site, but refers to the actual data as displayed on the IDXP's website.)

An IDXP can do anything they want (consistent with the Code of Ethics and applicable state law) with data relating to their own listings.

An IDXP is strictly prohibited from modifying the data in the reciprocity database from another IDXP. (Note: this would include displaying other data alongside the other participant's IDX data.)

It is the responsibility of the IDXP to update the information on their Internet website no less than once a week.

18.9 Information Corrections on Internet Data Exchange Participant's Website

An IDXP must make correction(s) to their website within 48 hours, or 2 days (except Saturdays, Sundays, and postal holidays) if CRIS determines that their site is in violation of CRIS Rules and Regulations. CRIS reserves the right to discontinue the data feed access they receive without further notice if they do not comply with this requirement. (An IDXP may be subject to fines from CRIS for non-compliance.)

18.10 Branding/Scraping

No IDXP will be allowed to mark or use language referring to the website owning IDXP in the thumbnail display of another IDXP's listing.

If an IDXP suspects "scraping" of the data has occurred, the suspicion and any evidence must be reported to CRIS immediately for investigation and action.

18.11 Third Party Users

No portion of the Internet Data Exchange database shall be used or provided to a third party for any purpose other than those expressly provided for in CRIS Rules and Regulations. This includes but not limited to the distribution to other IDXP's, brokerage firms or non-participants of CRIS.

Any IDXP using a third party to develop or design their website will have a written agreement with that third party vendor that any unauthorized use of the information is a serious violation of copyright law and appropriate legal action will be taken by CRIS for each such violation.

Any IDXP using the IDX database data for any unauthorized use is a serious violation of copyright law and appropriate legal action will be taken by CRIS for each such violation and is punishable by a fine of \$1,000 for each such violation.

18.12 Non-MLS Listings on Subscriber Website

No portion of the Internet Data Exchange database shall be co-mingled with any non-Participating MLS Participant's listings on the IDXP's Internet website.

If an IDX Participant takes listings that are classified required property types from consumers but does not put them into CRIS system, they cannot appear on any thumbnail display or as part of any search results with Internet Data Exchange data. However, Participants taking listings that are not classified required property types from consumer and does not put them into CRIS system can appear on any thumbnail display or as part

of any search results with Internet Data Exchange data.

If the property in question appears in an MLS other than CRIS it may be co-mingled. (Example: NORMLS listings.)

18.13 Abuse of Internet Data Exchange Data

CRIS will monitor IDXP's websites using the Internet Data Exchange data. CRIS will also monitor other real estate websites. If CRIS finds that an IDXP is misusing data, that IDXP will be notified of the wrongdoing and required to correct the problem. If the IDXP fails to correct the problem, he or she will be fined and possibly suspended from CRIS.

18.14 Removal of Internet Data Exchange Participants Listings (Status of Participant)

Any IDXP who is not an active Participant of CRIS will no longer be eligible to receive data feed access under the IDX agreement. Additionally, all IDX data contained on the IDXP's website must be removed within 48 hours, or 2 days, (except Saturday, Sundays, and postal holidays). Failure to comply is a serious violation of copyright law (refer to Section 10.2) and appropriate legal action will be taken by CRIS for each such violation.