

Explanation for MLS Rules Pertaining to Property Description and Media

Section 7 of the MLS Rules and Regulations details how media and property descriptions are to be used in the NTREIS MLS. This is a summary of the Rules;

- Photos. Photos are considered copyrighted by the person who took the photo. Photos may not be copied or used on other listings without the direct permission of the person who took the photos.
- Photos may not be enhanced, changed or modified. (No borders, text, retouching or removing items from photos)
- Virtual Tours; VT's have the same rules as photos. VT's must be the non-branded type. No company or agent information is permitted
- Property Description and Driving Direction fields; Certain words and symbols are checked by Listing Checker for use in these fields. If a listing is flagged by Listing Checker, the Property Description and Driving Directions fields are checked by the Association MLS dept for possible MLS violation.
- Property Description; Only information describing the property, incentives from the seller directed to the buyer are allowed. i.e. dollar allowances to the buyer, home warranties, seller financing, are allowed.
- Driving Directions; text containing only common directions to the property no other information in this field
- Non-Allowed Information in Property Description or Driving Directions fields: Realtor (agent) names, contact information, company info, incentives, bonuses, emails, websites, secondary agents, etc (The proper placement for this information is in the Private Remarks section, which is visible to all MLS members)

7.26 Only photos/drawings of or maps to real property will be accepted in the MLS system.

7.27 As used in this section, "Media" means and includes all photos, virtual tours, and other renditions of Listed Property submitted electronically by a Participant or Subscriber. Each Participant or Subscriber who submits Media to the MLS grants the MLS and other Participants and Subscribers the right to reproduce and display the Media in accordance with these Rules. Each Participant or Subscriber who submits Media to the MLS warrants and represents to NTREIS that such Participant or Subscriber has ownership of or the authority from the owner to

submit such Media to the MLS and to grant NTREIS a non-exclusive license authorizing the MLS and other Participants and Subscribers the right to publish the Media anywhere the MLS Media may appear. Media submitted by a Participant or Subscriber may only be used for the specified purpose of displaying the Listed Property. NTREIS reserves the right to reject and/or remove from the MLS any Media containing any text, personal advertising, or personal promotion of a Subscriber or Participant. Before a Participant or Subscriber uses Media from a previous listing submitted to the MLS, that Participant or Subscriber shall obtain the written consent of the former Listing Participant to use such Media.

NOTE: In order to assure compliance with the Rules, each Participant or Subscriber who engages a third party photographer and submits photos to the MLS is advised to obtain a written agreement with the photographer either assigning all rights, including copyrights to the photographs, to the Participant or Subscriber or obtaining a right to grant NTREIS a non-exclusive license to publish the photographs in accordance with these Rules. The following are alternative provisions which may be included in the agreement with the photographer:

“Photographer hereby assigns all right, title, and interest, including copyrights, in photographs to [insert name of Participant/Subscriber] and agrees to execute any further documents which may reasonably be necessary to effect such assignment.” or

“Photographer hereby authorizes [insert name of Participant/Subscriber] to grant a non-exclusive license to NTREIS to reproduce, distribute, and display photographs taken by Photographer.”

7.28 NTREIS does not permit the name, phone number, e-mail address, or web address of the listing agent or other similar information that is not descriptive in nature and relevant to an accurate portrayal of the Listed Property to be placed in the Property Description section of a listing. The same restrictions are applicable to the “Property Photograph” section, the “Picture Description” section, and the Driving Directions section. Only a true current photograph of Listed Property may be placed in the “Property Photograph” section without decorative borders, other embellishments, or any digitally enhanced modifications that would misrepresent the true condition or appearance of the property. Any alleged violation of this Rule will be subject to the enforcement procedures of Sections 11 and 12 of these Rules.