

# ROAM MLS Violation & Fine Categories

The following fines and penalties have been designated by the ROAM Board of Managers to be handled administratively. The Administrative Sanctions below are automatic and will be added to the Participant or Subscriber's account in accordance with the ROAM Rules & Regulations.

## Administrative Sanctions<sup>1</sup>

**Moderate Violations** mean rule violations relating to listing information provided by a participant or subscriber, mandatory submission of listings to the service, and the public display of listings and related branding violations.

Fine Amount: \$100

**Severe Violations** mean rule violations relating to cooperation with fellow participants or subscribers and misuse of the MLS system or data. This may include violations that put the Association, MLS, or the general membership at legal, operational, or physical risk.

Fine Amount: \$1000

**Reporting to Authorities** is the reporting of violations that break with policies, regulations or law. ROAM Shareholders will report such offenses to the Louisiana Real Estate Commission (LREC) and other applicable authorities.

**Hearings** are a formal peer review and may be voluntary or mandatory. There is a \$300 filing fee for hearings that will be refunded if judgment is found in favor of the participant or subscriber.

**Correctable Violations** are violations that can be corrected. Violations that can be corrected will receive a Notice of Violation - Warning (NV-W). If corrected within two (2) business days, the fine amount may be waived for first-time violations.

**Automatic Fine Violations** are Violations that can not be corrected. These violations will receive a Notice of Violation Fine Amount.

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<sup>1</sup> These Administrative Sanctions do not prohibit the ROAM Board of Managers from imposing additional discipline for violations of Louisiana REALTORS or the National Association of REALTORS rules and regulations. Any additional findings of violations and discipline administered by the Board of Managers will also be handled in accordance with these rules and regulations and above stated policy.

**Failure to Remedy** is the failure to correct or resolve a violation. Upon receipt of a Notice of Violation, all violations must be remedied within two (2) business days. Failure to remedy the violation may result in progressive sanctions and may include suspension or expulsion from the MLS.

**Repeat Violations** are the recurrence of a violation within the last 365 calendar days. The MLS may determine a similar moderate violation to be a repeat violation. Repeat violations are typically the repeat of a violation committed by an individual, but the MLS, at its option, may treat reoccurring violations from various individuals under a firm or team as a Repeat Violation. Repeat Violations will result in progressive sanctions and may include suspension or expulsion from the MLS.

**Reconnect Fees** are the costs related to the reconnection of services after the violation resulting in a suspension or expulsion of services has been resolved. Fees may include outstanding amounts due and other charges related to reenabling services and system logins.

**Progressive Sanctions** are an increase in the fines and penalties for lack of remedy or for repeating the violation.

Sanction Level 2 is either the failure to remedy a moderate violation within two (2) business days or a second occurrence of the violation within 365 calendar days. Level 2 sanctions will result in a doubling (2x) of the original fine amount, irrespective of prior waived violations, and may require additional training for the subscriber or participant.

Sanction Level 3 is either the failure to remedy a moderate violation within six (6) business days or a third occurrence of the violation within 365 calendar days. Level 3 sanctions will result in a quadrupling (4x) of the original fine amount, irrespective of prior waived violations, and may include training requirements for the subscriber and participant.

Additional Occurrences are either the failure to remedy a moderate violation within nine (9) business days or more than three (3) occurrences of the violation within 365 calendar days. Additional occurrences will result in eight times (8x) the original fine amount.

A third occurrence of any violation requires an administrative hearing, which may result in additional fines, suspension, or expulsion from the MLS.

Maximum Sanction is \$15,000, which is the maximum cumulative amount for a given violation. Multiple separate violations are individually subject to the Maximum sanction but do not have a cumulative limit.

### **Training Options and Requirements**

Certain citations may be resolved by training related to the violation. Depending on the particular citation, training may be an option instead of a fine, or training may be required.

# Citations by Rules & Regulation Sections

The following list provides specific guidelines for the named sections from the ROAM Rules & Regulations. As valuable items are identified, they will be added to this list. This list is not an all-inclusive list of possible citations.

Section	Level	Warning (NV-W)	Correctable	Description
1	Moderate	No	No	Failure to submit listings or failure to submit in a timely manner
1.01	Severe	No	No	Failure to comply with Clear Cooperation policy.
1.2	Moderate	Yes	Yes	A listing submitted to the Multiple Listing Service shall be complete in every detail.
1.2	Moderate	Yes	No	A participant cannot enter a property more than once into the same property type.
1.2 A-C)	Moderate	Yes	Yes	Contact information may only be placed in fields designated for contact information or REALTOR Remarks.
1.2 C)	Moderate	Yes	Yes	The minimum number and types of photos were not included in the listing.
1.2 D)	Moderate	Yes	Yes	Failure to submit Property Disclosure Documents (PDD's) or failure to submit Property Disclosure Documents two (2) Business Days.
1.2.0	Moderate	Yes	Yes	Participants and subscribers are required to submit accurate listing data and required to correct any known errors.
1.3	Severe	No	Yes	Exempted listings shall be filed with MLS and accompanied by appropriate disclosure & certification.

1.4	Moderate	Yes	No	Failure to report status, price or other listing agreement changes within one (1) Business Day.
1.5	Severe	No	No	Cancellation prior to expiration without authorization. Cancellation and Relisting a property.
1.6	Moderate	Yes	Yes	Failure to report any contingency in a listing.
1.A	Moderate	Yes	Yes	Failure to provide requested listing contracts & documentation within one (1) Business Day.
1.E.b	Severe	No	No	Showing or providing access to a Coming Soon listing
1.E.g	Severe	No	No	Coming Soon listing without written seller authorization
1.E.h	Moderate	No	No	Relist of a canceled or expired Coming Soon listing
2.A	Moderate	No	No	Showings of the Listed Property shall be made in accordance with showing instructions as listed in the MLS.
2.5	Moderate	Yes	No	Failure to report closed sales within one (1) Business Day.
2.8	Moderate	Yes	No	Failure to report sales in process and contingencies within one (1) Business Day.
2.C	Severe	No	No	Entering a listed property without authorization.
4.1	Moderate	Yes	Yes	Failure to display "Coming Soon" on for-sale sign
4.4	Severe	No	Yes	Misuse of term "MLS" and "Multiple Listing Service"
4.A	Severe	No	No	Unauthorized use of listing content

4.B	Moderate	Yes	Yes	Degrading listing content
5	Severe	No	Yes	Making an offer of compensation, commission, bonus or other consideration to the buyer's representation in the MLS.
5.0.0	Severe	No	Yes	Failure to disclose that compensation is negotiable.
5.02	Severe	No	No	Failure to enter into a written agreement with the buyer prior to touring a home.
5.1	Severe	Yes	Yes	Failure to disclose Participant as Principal or having ownership interest in listed property.
7.A	Moderate	Yes	Yes	Valid email address required
18	Moderate	Yes	Yes	Failure to meet IDX requirements
19	Moderate	Yes	Yes	Failure to meet VOW requirements