



## **Correct Placement of Company, Agent and Seller Branding on MLS Listings**

The “CarolinaMLS Rules and Regulations” (Section 1.8) says “Branding” is prohibited in the “Public Fields” of a listing defined as fields provided on the Customer Report, Client Portal, and distributed in the IDX data feed, including but not limited to Photos, Photo Captions, Virtual Tours (and videos), Directions, Public Remarks, Restrictions (Lots/Acres/Farms, and Commercial).

“Branding” is defined as any information that might lead a consumer directly back to the listing agent, Listing Brokerage or Seller, including but not limited to:

- phone numbers
- e-mail addresses
- websites that give reference to the listing agent, Listing Brokerage or Seller
- company and/or personal names
- “for-sale” signs (excluding signs required by neighborhood restrictions if the text of the sign is illegible)
- logos
- slogans
- recorded sound that gives reference to the listing agent, Listing Brokerage or Seller
- theme songs

Including company, agent or seller contact information in the fields that appear on the Customer Report could be construed as communicating directly with the buyer agent’s client, jeopardizing the buyer agency relationship.

In addition, Public Fields cannot include content such as:

- any reference to commission, compensation, referral fees or incentive offered to a buyer’s agent;
- any reference to a scheduled open house, model open, sales office open or to a TV showing of the property; or
- instructions to place offers on eBay or other auction websites.

When a listing is found in violation, the listing agent is notified by email to correct the listing. If not corrected within two business days, a \$100 fine is issued. Additional violations carry increased fines.

### **Permitted**

- Websites that do not display listing agent, firm or seller/builder branding.
- “For sale” signs required by neighborhood restrictions if the text of the sign is illegible.

- Subdivision plat maps or floor plans if there is no reference to the listing agent, firm or seller/builder.
- Special promotions for financing, bonuses and incentives if there is no reference to the listing agent, firm or seller/builder.
- Phone numbers to verify information such as school assignment.
- The basic (free) versions of YouTube, Vimeo or other websites (or apps) can be used for unbranded virtual tours. However the comments, messages and other methods of communication must be disabled as much as possible depending upon the settings provided for each site. The websites or apps cannot provide any seller, listing agent or brokerage firm branding.
- An agent's face can be seen and voice can be heard in an unbranded virtual tour.

### **Prohibited**

- Bank-owned and auction website addresses such as [www.ocwen.com](http://www.ocwen.com), [www.realtybid.com](http://www.realtybid.com) and [www.bidselect.com](http://www.bidselect.com) which allow consumers to bid on properties directly without using a Realtor®.
- References to [www.carolinahome.com](http://www.carolinahome.com) because CarolinaHome.com displays the listing agent name and contact information.
- ALL graphics such as logos or messages superimposed onto the photo. The media portion of the listing is intended for photos or renderings of the property ONLY.
- Company or agent "for sale" signs. Although the contact information may not be discernable, the shape or color of the sign may reveal the listing company.
- Documents such as property disclosure statements or fliers, etc. which may display the listing agent, firm or seller/builder name. These documents may be attached to the listing as a PDF or text file, which are not included with the Customer Report.
- The Virtual Tour Universal Resource Locator ("URL") may not contain any characters within the URL which could identify or direct a user back to the listing agent, Listing Brokerage or Seller's website, or any "favicon" resembling the listing agent, Listing Brokerage or Seller logo. Virtual tours and videos may not contain Branding other than the virtual tour vendor's name, and if the listing agent or Listing Brokerage is the virtual tour vendor, the name of the listing agent or Listing Brokerage cannot be included.

Note: Website links, text files, and PDF files uploaded attached to listings in the MLS system do not appear on the Customer Report or Client Portal, and are not distributed in the IDX data feed. Branded virtual tours and Syndication Remarks also do not appear on the Customer Report or Client Portal, but are provided in the IDX data feed even though they are not required to be displayed.