bridgeMLS

Internet Data Exchange (IDX) Policy

PUTTING BROKERS IN CONTROL OF THEIR LISTINGS ON THE WEB

BROKER INFORMATIONAL PACKET
Version 4.1

For the most recent version of this document, please check bridgeMLS' web site at http://www.bridgemls.com

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What is Internet Data Exchange Program (IDX)?

"Internet Data Exchange" ("IDX") is a means by which listing brokers permit other participating Broker Participants and R.E. Subscribers to display the listing brokers' listings, in accordance with the IDX rules set forth herein, on said Broker Participants' and R.E. Subscribers' IDX websites.

As the IDXdb includes IDX data from the bridgeMLS, the Bay East Association of REALTORS® (BEAR) MLS, and the Contra Costa Association of REALTORS® (CCAR) MLS, Participants/Subscribers shall comply with the IDX Rules of bridgeMLS, BEAR, and CCAR. The Participant/Subscriber shall also comply with all of the bridgeMLS Rules and Regulations.

Why Is bridgeMLS Providing the IDX Program?

The National Association of REALTORS® (NAR) has mandated that this program be available for all bridgeMLS Participants to download or frame certain non-confidential active and sold listing information to their public Internet websites.

How Will the Program Benefit Brokers?

The purpose of IDX is to empower REALTORS ® to deal with the real estate consumer of the future by:

1) Permitting brokers to fully market their services on the Internet.
2) Permitting the brokerage community to take advantage of the data brokers have contributed to the system.
3) Permitting brokers to obtain and maintain first contact with the consumer in the real estate transaction.
   Increasingly, consumers are looking to the Internet for information about real estate for sale. Brokerage web sites can become the best source of listing data. When consumers visit the web sites of participating brokers, they may stay longer because the brokers have more comprehensive listing data to offer. The broker sites may also offer easier interfaces for consumers, since many other sites are "cluttered" with non-listing content. As brokers become more innovative in offering on-line services, this will be a critical factor in their success.

Fees to Participate

It is assumed that your listings will be included in the IDX database unless you fill out the 'Opt Out Form' and return it to bridgeMLS. There is no cost to have your listings included in the IDX database or have the IDX data downloaded to you for display on your website.
However, in the future, there may be a cost to participate in the data download. This cost to participate, if implemented, would only be intended to recover some of the costs necessary to develop and administer the IDX program.

Responsibility

Participant's and Subscribers shall obtain data/information from bridgeMLS as the sole authorized source for IDX data. Participants and Subscribers wishing to frame data via a third party must use a Consultant who is currently registered with bridgeMLS. A list of approved vendors can be found in Appendix B to the IDX Policy, Approved Consultants. (This document can be found at www.bridgemls.com in the Forms: IDX folder). Any non-principal brokers and sales licensees using IDX on their personal websites must contract for IDX data through their Principal Broker/Designated Realtor.

Any Participant or Subscriber using a third party vendor to develop/design its website MUST have a written agreement with that third party and bridgeMLS requires that third party vendors gaining access to the IDX Database also sign the Consultants Data Access Agreement which can be found by visiting our MLS website at http://www.bridgemls.com **.** (Providing access to the MLS data to an unauthorized recipient is a serious violation of MLS rules).

A Participant or agent displaying the IDX Database or any portion of it shall make reasonable efforts to avoid "scraping" of the data by third parties for displaying that data on any other website. This places the burden on you and your website host to monitor your website. Reasonable efforts shall include but not be limited to: monitoring the website for signs that a third party is "scraping" data; and prominently posting notice that any use of search facilities of data on the site, other than by a consumer interested in the purchase of real estate, is prohibited. (For example, if it appears that a large number of hits are coming from a particular domain on the web, this could indicate an automated process designed to gather or "scrape" data from your website for use somewhere else for a commercial purpose.) If you suspect "scraping" of the data has occurred, the suspicion and any evidence must be reported to your MLS immediately for investigation and appropriate action.

Registered IDX Consultants are required to provide bridgeMLS with a monthly report of their current bridgeMLS customer list. This report shall be emailed to idx@bridgemls.com no later than the 5th of each month. A template will be provided for this purpose.

Applying the Rules and Regulations

To the extent that this document is an extension of bridgeMLS Rules and Regulations relating to Section 12.16: "Use of Active and Sold Listing Information on the Internet," the following is presented to explain the principle rules and policies and how they fit within the official CAR-approved MLS Rules and Regulations.

> **12.16** Internet Data Exchange (IDX) Program - Use of Active and Sold Listing Information on the Internet. "Internet Data Exchange" ("IDX") is a means by which listing brokers permit limited electronic display of their listings, in accordance with the IDX rules set forth herein, by other participating Broker Participants and R.E. Subscribers on websites and using applications for mobile devices that said participating Broker Participants and R.E. Subscribers control.
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> **a. Authorization**. Subject to paragraphs (b) through (r) below, and subject to an executed IDX Access Agreement with bridgeMLS, notwithstanding anything in these rules

and regulations to the contrary, Broker Participants and real estate Subscribers may electronically display on their public websites aggregated MLS active and sold listing information through either downloading and placing the data on the Participant or Subscriber's public access websites or by framing such information on the MLS or association public access website (if such a site is available).

Explanation: As stated above, Participants and Subscribers may display IDX data on their websites for public access. RETS access or a link that is suitable for framing (bridgeMLS's IDX-EZ Program, see the Technical Overview below for details) will be made available to authorized Participants and Subscribers pursuant to the signing of the Data Access Agreement for IDX that can be found by visiting our MLS website at http://www.bridgemls.com. The display of this data shall be subject to the bridgeMLS Rules & Regulations, and the IDX Program Policy put forth within this document that may be revised from time to time by the bridgeMLS Board of Directors and California Association of REALTORS® (CAR).

b. Consent. The Listing Brokers' consent for such internet display is presumed, in satisfaction of Rule 12.8, unless a Listing Broker affirmatively notifies the MLS that the Listing Broker refuses to permit display on either a blanket or listing-by-listing basis. Listing Brokers that refuse to permit other MLS Broker Participants and real estate Subscribers to display their listing information on a blanket basis may not display active and sold approved IDX listing information of other brokers' listings. Even where listing brokers have given blanket authority for other Broker Participants and R.E. Subscribers to partake in IDX display of their listings, such consent may be withdrawn on a listing-by-listing basis where the seller has prohibited all Internet Display.

Explanation: All active MLS Broker Participants are automatically considered to be Opted In to the program, unless a completed IDX Opt Out Form is on file with the MLS indicating that the Broker Participant chooses not to participate. Once a broker has made a decision to Opt Out of the IDX program, the broker may not participate in the program for six months.

The listings of brokers who Opt Out are not included in the IDX database and those brokers are not allowed to display any information from the IDX database. The listings of brokers who Opt Out will not be sent by the MLS for display on any public Internet sites. Brokers may Opt In on a blanket basis, and yet withhold individual listings from Internet display if the seller requests the withholding of each such listing and that request is written into the listing contract and signed by the seller. A copy of this contract must be provided to the MLS upon request.

Agents (Subscribers) whose broker has chosen to participate in IDX may also use IDX data on their websites pursuant to the MLS Rules and Regulations. However, agents must complete the Data Access Agreement for IDX and obtain permission from their broker. This agreement and Participant/Subscriber Signature page can be found by visiting our MLS Website at http://www.bridgemls.com

PLEASE NOTE THAT THE MLS WILL ONLY TRANSMIT THE LISTINGS OF IDX PARTICIPANTS TO OUR THIRD PARTY VENDORS (Licensees).

c. Control. Broker Participants and R.E. Subscribers may only partake in IDX display on websites and applications for mobile devices which they control. Under IDX policy, "control" means that Broker Participants and R.E. Subscribers must have the ability to add, delete, modify and update information as required by the IDX policy. All displays of IDX listings must also be under the actual and apparent control of the Broker Participant and/or R.E. Subscriber, and must be presented to the public as being that Broker Participant's and/or R.E. Subscriber's display. Actual control requires that Broker Participants and R.E. Subscribers have developed the display, or caused the display to be developed for themselves pursuant to an agreement giving the Broker Participant and/or R.E. Subscriber authority to determine what listings will be displayed, and how those listings will be displayed. Apparent control requires a reasonable consumer viewing the Broker Participant's and/or R.E. Subscriber's display will understand the display is the Broker Participant's and/or R.E. Subscriber's, and that they display is controlled by the Broker Participant and/or R.E. Subscriber.

d. Display Content. Broker Participants and real estate Subscribers shall not display confidential information fields, as determined by the MLS in the MLS's sole discretion, such as that information intended for cooperating brokers rather than consumers.

Explanation: The allowable fields that must be displayed for the IDX Program are outlined in the document titled Appendix C, Residential Data Fields. This document can be found by visiting our MLS Website at http://www.bridgemls.com. No other MLS information may be included in the IDX program.

e. Listing Attribution. All IDX listing displays shall identify the name of the listing firm and the name of the listing agent in a manner designed to easily identify such listing firm or agent. Such identification shall be in a reasonably prominent location and in a readily visible color and typeface not smaller than the median used in the display of listing data. Displays of minimum information (e.g. a one-line or thumbnail search result, text messages, "tweets," etc of two hundred (200) characters or less) are exempt from this requirement but only when linked directly to a display that includes all required disclosures.

Explanation: The listing firm's name and listing agent's name shall appear with any text describing the property and shall be in the same font **type and size** that is no smaller than the font size of the text describing the property.

A detailed display of another broker's listing may not include any contact information or "branding" of the broker who owns the website or any of its agents within the "body" of the listing data. (The "body" is a rectangular space whose borders are defined in each direction by the area used for listing text and photo data). The prohibition on branding or contact information within the "body" of the listing data is intended to prevent any possible confusion on the part of the consumer as to the source of the listing. ("Branding" refers to any marks or language referring to the website-owning broker. Any association of such branding within the IDX listing data is a violation of the MLS Rules.)

f. Modifications. Broker Participants and real estate Subscribers shall not modify the information displayed pursuant to these MLS rules. (This is not a limitation to site design but refers to changes to actual listing data). However, permissible MLS data may be augmented with additional data not otherwise prohibited from display, provided the source of any additional data is clearly identified.

Explanation: You can do anything you want to (consistent with the Code of Ethics and applicable law) relating to public display of your own listings. You can do with other broker's listings only what these rules permit you to do. You are specifically prohibited from modifying or augmenting the data of other Participants and Subscribers in the IDX database. This includes modifications and/or augmentation such as insertion of additional comments, Open House information, additional photos, etc.

This could conceivably include displaying other data alongside the other broker's data. For example, if you geocode the listings on your site, and then tie demographic or other data to them, you will want to be cautious about displaying such data on the same screen as another broker's listings. You should make efforts to distinguish the data you have supplied from the IDX Database data. Segregating such data "geographically" on the screen and including credit on the non-IDX data (such as "Demographic data courtesy of XXX Title Company") would be a good way to accomplish this.

Participants and Subscribers will be bound by and comply with their Home MLS Rules. This includes, but is not limited to, complying with any rules relating to reproduction and use of Originating MLS information, showings, negotiations, lock boxes, presentation of offers and reporting of sales. Explanation: You must treat a listing from CCAR or BEAR as if it were a listing that originated at bridgeMLS

g. Source and Update. Information displayed shall indicate the MLS as the source of the information being displayed and the most recent date updated. Displays of minimum information (e.g. a one-line or thumbnail search result, text messages, "tweets," etc of two hundred (200) characters or less) are exempt from this requirement but only when linked directly to a display that includes all required disclosures. Broker Participants and R.E. Subscribers shall update all downloads and refresh all MLS downloads and IDX displays automatically fed by those downloads at least once every three (3) days.

Explanation: All listings from the IDX Database that are not your own must be so indicated. The Broker's name, the Listing Agent's Name, the combined MLS IDX icon, and copyright notice shall be at least as large as the largest type size used to display the listing data and the same font color.

Any search result screen identifying another IDX Participant's listing in a brief or "thumbnail" format shall bear the combined MLS IDX icon immediately adjacent to the property information to identify the listing as an IDX listing.

A thumbnail display of another Broker's listing may not include any contact information or branding of the Broker who owns the website or any of its agents.

A search result producing any display of another Broker's listing shall bear that Broker's name, the listing agent's name, the combined MLS IDX icon immediately following the property information.
The copyright notice and disclosure statement shall be displayed at the bottom of every page where listing data is displayed and must contain the following five items:

- The Combined MLS Disclaimer.
- This information is being provided by the Bay East MLS or CCAR MLS or bridgeMLS.
- The listings presented here may or may not be listed by the Broker/ Agent operating this website.
- This information is intended for the personal use of consumers.
- Last date/time that IDX data was updated.

The approved Combined MLS IDX icon and combined MLS Disclaimer can be found by visiting our MLS website at http://www.bridgemls.com.

h. Usage and Limitations: Broker Participants and R.E. Subscribers shall indicate on their displays that the information being provided is for consumers' personal, non-commercial use and may not be used for any purpose other than to identify prospective properties consumers may be interested in purchasing. Displays of minimum information (e.g. a one-line or thumbnail search result, text messages, "tweets," etc of two hundred (200) characters or less) are exempt from this requirement but only when linked directly to a display that includes all required disclosures.

i. Display Purpose. Broker Participants and R.E. Subscribers may not use IDX-provided listings for any purpose other than display as provided in these rules. This does not require Broker Participants and R.E. Subscribers to prevent indexing of IDX listings by recognized search engines.

Explanation: Access to the IDX database of current listing information, or any part of such databases, may not be provided to any person or entity not expressly authorized such access under the MLS rules. This section expressly prohibits distribution of the IDX Database or any portion of it for ANY purpose other than those expressly permitted by bridgeMLS's MLS Rules and Regulations. This includes distribution to other brokers, whether or not they are participants in the bridgeMLS. The purpose of this section is to insure the confidentiality of the permitted active and sold listing MLS compilation and to prevent unauthorized use or unauthorized advertising of the active listing without the listing broker's consent.

In order to participate in IDX program, a display must be marketed and branded as under the control of a Participant or R.E. Subscriber per the above definition of Control. It is allowable for a third party website developer to have a notice at the bottom of every page that says "Powered by WebsiteDeveloper.com," but developers must not "brand" your website in such a way as to suggest that they control it. .

j. Restricted Display. Listings, including property addresses, can be included in IDX display except where sellers have directed their listing brokers to withhold their

listings or the listings' property address from all display on the Internet (including, but not limited to, publicly-accessible websites or VOWs).

Explanation: All listings are marked with information as to whether they are to be made available for viewing on the Internet. Those marked as not to be shown must be excluded from ALL Internet display. Those marked to be shown with no address or only a partial address must be displayed accordingly.

k. Selective Listing Display. Not all listings from the MLS must be displayed as long as any exclusion from display on Broker Participants' and R.E. Subscribers' IDX sites are based on objective criteria, e.g. class of property, listed price or geographical location. Selection of listings displayed on any IDX site must be independently made by each Participant.

Explanation: Those wishing to show only listings within a certain price range, geographic location or property type may do so, but arbitrarily not displaying certain listings is prohibited.

l. Restricted Access and Distribution. Sharing of the MLS Compilation with any third party not authorized by the MLS is prohibited. Except as provided in the IDX policy and these rules, an IDX site or a Participant or user operating an IDX site or displaying IDX information as otherwise permitted may not distribute, provide or make any portion of the MLS database available to any person or entity.

Explanation: The Rules define the extent to which listing information may be used and displayed for IDX. Any use of IDX data beyond which is covered in the Rules is prohibited.

m. Brokerage Identification. Any IDX display controlled by a Broker Participant or R.E. Subscriber must clearly identify the name of the brokerage firm under which they operate in a readily visible color and typeface.

Explanation: Any website where IDX information is displayed must clearly show the name of the firm which operates the site and through which IDX data display has been authorized.

n. Co-Mingling. A Broker Participant or R.E. Subscriber may co-mingle listings through IDX from this MLS with listings from other MLS sources on its IDX display, provided all such displays are consistent with these rules. Co-mingling is (a) the ability for a visitor to the website to execute a single search that searches listing data from any other source(s); or (b) the display on a single web page of any portion of the IDX database and listing data from any other source. Listings obtained from other MLS's must display the source from which each such listing was obtained. Displays of minimum information (e.g. a one-line or thumbnail search result, text messages, "tweets," etc of two hundred (200) characters or less) are exempt from this requirement but only when linked directly to a display that includes all required disclosures.

Explanation: No portion of the IDX Database shall be co-mingled with any non-MLS listings on the IDX Internet website. However, if the property in question appears in an

MLS other than the bridgeMLS, it may be co-mingled on the Participant's/Subscriber's IDX-compliant web site

Third Party Comments and Automated Value Estimates. Any IDX display controlled by a Broker Participant or R.E. Subscriber that (a) allows third parties to write comments or reviews about particular listings or displays a hyperlink to such comments or reviews in immediate conjunction with particular listings, or (b) displays an automated estimate of the market value of the listing (or hyperlink to such estimate) in immediate conjunction with the listing, shall disable or discontinue either or both of those features as to the sellers listing at the request of the seller. The listing broker or agent shall communicate to the MLS that the seller has elected to have one or both of these features disabled or discontinued on all displays controlled by Broker Participants and R.E. Subscribers. Except for the foregoing and subject to section (o) below, a Broker Participant's or R.E. Subscriber's IDX display may communicate the Broker Participant's or R.E. Subscriber's professional judgment concerning any listing. Nothing shall prevent an IDX display from notifying its viewers that a particular feature has been disabled at the request of the seller.

o. Making Corrections. Broker Participants and R.E. Subscribers shall maintain a means (e.g., e-mail address, telephone number) to receive comments about the accuracy of any data or information that is added by or on behalf of Broker Participants and R.E. Subscribers beyond that supplied by the MLS and that relates to a specific property. Broker Participants and R.E. Subscribers shall correct or remove any false data or information relating to a specific property upon receipt of a communication from the listing broker or listing agent for that property explaining why the data or information is false. However, the Broker Participants and R.E. Subscribers shall not be obligated to remove or correct any data or information that simply reflects good faith opinion, advice, or professional judgment

p. Search Result Limitation. Broker Participants and R.E. Subscribers shall limit the number of listings that a viewer may view, retrieve, or download to not more than 100 in response to any inquiry.

q. Advertising. Deceptive or misleading advertising (including co-branding) on pages displaying IDX-provided listings is prohibited. For purposes of these rules, co-branding will be presumed not to be deceptive or misleading if the Broker Participant's and/or R.E. Subscriber's logo and contact information is larger than that of any third party.

r. Sold Listings. Must also comply with the following additional requirements:

- Public remarks may not be displayed.
- List Price may not be displayed, except where the actual selling price has been legitimately withheld and the last list price, with appropriate symbol, substitutes for the selling price.

- Only the main photo can be displayed; no additional photos are permitted.
- All additional public fields in the IDX content (other than the fields explicitly called out here) can be displayed.
- Listings older than 3 years may not be displayed by vendor products; Participants are not subject to this limitation.

12.16.1 Notification by Authorized Participants and Subscribers. Broker Participants and R.E. Subscribers partaking in the display of IDX information of other brokers' listings pursuant to section 12.16 must notify the MLS before displaying said IDX information and must give the MLS direct access as well as allow access for other MLS Participants for purposes of monitoring/ensuring compliance with applicable rules and policies.

12.16.2 Right to Charge for Download. The MLS has the right to charge the costs of adding or enhancing its downloading capacity to Broker Participants and R.E. Subscribers who request downloading of listing information pursuant to section 12.16.

12.16.3 Intention of IDX Display. IDX is solely intended to allow Broker Participants and real estate Subscribers to display limited MLS Data on their public internet sites. Display of this information is strictly limited to internet sites accessible by the public. IDX is in no way intended to negate provisions contained within these rules that prohibit advertising of another agent's listings without permission as stated in section 12.8.

12.16.4 Listing Broker's Right to Opt out of Internet Advertising of MLS Information. If bridgeMLS advertises MLS information on the Internet or licenses MLS information for advertising on the Internet, the Listing Broker shall have the right to opt out of such advertising in accordance with the MLS's procedures for opting out. The Listing Broker shall have the right to refuse to have listings displayed on a blanket basis or on a listing-by-listing basis in accordance with section 12.16 by affirmatively notifying the MLS in accordance with the MLS procedures for opting out. Notwithstanding anything in these rules and regulations to the contrary, bridgeMLS reserves the right to determine whether to provide Internet advertising services and whether such services are to be made available to non-bridgeMLS members.

12.17 Website Name and Status Disclosure. MLS participants' firm websites shall disclose the firm's name and state(s) of licensure in a reasonable and readily apparent manner. Websites of Subscribers affiliated with a Participant's firm shall disclose the firm's name and the Subscriber's state(s) of licensure in a reasonable and readily apparent manner.

12.18 Use of the Terms MLS and Multiple Listing Service. No MLS Participant or Subscriber shall, through the name of their firm, their URLs, their e-mail addresses, their website addresses, or in any other way represent, suggest, or imply that the individual or firm is an MLS, or that they operate an MLS. Participants and Subscribers shall not represent, suggest, or imply that consumers or others have direct access to MLS databases, or that consumers or others are able to search MLS databases available only to

Participants and Subscribers. This does not prohibit Participants and Subscribers from representing that any information they are authorized under MLS rules to provide to clients or customers is available on their websites or otherwise.

Rule Violations

bridgeMLS will monitor **broker** websites who are downloading IDX data. If we find that a broker, agent or their consultant are misusing or improperly displaying the IDX data, or are otherwise in violation of our MLS Rules and Regulations, including the IDX Rules specified in this document, they will be notified of the wrongdoing and required to correct the problem. The broker is responsible for the correct use of IDX data by both the agent and the consultant. If a Broker has been notified of a violation, the necessary changes must be made within 5 business days. If a broker fails to correct the violation, he or she will be removed from the IDX program and all active listing information will be removed the sixth business day from the notification of violation.

Technical Overview

Currently, two methods have been designed to provide access to the IDX Data for Brokers participating in the IDX program. These methods are known as **RETS** access and **IDX-EZ**.

RETS The Real Estate Transaction Standard is a specification for a standard communication method between computer systems exchanging real estate information. It defines a standard interface for use by applications that store, display, or operate on real estate related data.

IDX-EZ is a proprietary program that allows IDX data to be displayed on a Participant / Subscriber's public web site in a framed window without the need to download the data.