

Please return Complete Packet to:
Kenyada Higgins: khiggins@gacar.com
OR
mail to:
1750 NW 80th Blvd
Gainesville, FL 32606

GAINESVILLE MULTIPLE LISTING, INC. MLS Application for Participation

I hereby apply for participation in Gainesville Multiple Listing Service, Inc. Attached is my check in the amount of \$ _____, which includes the initial fee of \$500.00 (which is non-refundable except in the event I am not accepted) PLUS the prorated dues for the first year. Annual dues for Broker or Certified Appraiser are \$696.00, annual dues for salesperson or appraiser affiliated with firm are \$432.00. In the event my application is approved, **I agree as a condition of participation to complete the New Member Orientation course of the above named MLS, if any, and otherwise on my own initiative to thoroughly familiarize myself with the MLS Rules and Regulations, including the duty to arbitrate business disputes pursuant to the arbitration procedures of the Gainesville-Alachua County Association of REALTORS.**

Please check one:

_____ I understand that as a **Non-Realtor Member Broker** ("Thompson Broker"), my MLS access is restricted to listings with a status of Active, Contingent, Pending, Withdrawn or Expired. If I choose, I may elect to gain access to closed listings for an additional fee of \$ 250.00 per year.

_____ I understand that as a **Realtor member of another association**, my MLS access is restricted to listings with a status of Active, Contingent, Pending, Withdrawn or Expired. If I choose, I may elect to gain access to closed listings for an additional fee of \$ 250.00 per year. My primary association is: _____

I agree as a condition of participation in the MLS to abide by all relevant Bylaws, Rules and other obligations of participation including payment of fees. I confirm that I currently, and will on a continual and ongoing basis in the operation of my real estate business activities, actively endeavor to list real property of the type filed with the MLS and/or accept offers of cooperation and compensation made by other Participants through the MLS. I agree that I must continue to engage in such activities during my participation in the MLS. I further agree to be bound by the Code of Ethics on the same terms and conditions as board/association members including the obligation to submit to ethics hearings and the duty to arbitrate contractual disputes with other REALTORS® in accordance with the established procedures of the board/association. I understand that a violation of the Code of Ethics may result in termination of my MLS privileges and that I may be assessed an administrative processing fee which may be in addition to any discipline, including fines, that may be imposed .

Signature: _____ Date: _____

_____ I understand that as a member of the **Gainesville-Alachua County Association of Realtors (GACAR)** I will have access to all listing statuses.

I agree as a condition of participation in the MLS to abide by all relevant bylaws, rules and other obligations of participation including payment of fees. I confirm that I currently, and will on a continual and ongoing basis in the operation of my real estate business activities, actively endeavor to list real property of the type filed with the MLS and/or accept offers of cooperation and compensation made by other Participants through the MLS. I agree that I must continue to engage in such activities during my participation in the MLS. I acknowledge that failure to abide by these conditions of participation on an ongoing basis may result in potential suspension or termination of MLS participatory rights after a hearing in accordance with the MLS's established procedures.

Signature: _____ Date: _____

MLS Participant (Broker) Name _____ License# _____

GAINESVILLE MULTIPLE LISTING, INC.
MLS Application for Participation

Firm Name _____ License# _____

Firm Address _____ City _____ Zip _____

Firm Phone _____ Firm FAX _____ Email _____

Attached are copies of my Brokers License and Corporation License.

I have read and do understand the MLS Bylaws and MLS Rules & Regulations and accept and agree to faithfully observe MLS Policies and Procedures. _____ **Initial Here**

I agree that if accepted for participation in the MLS, I shall pay the dues and fees as from time to time established, including any non-member fee differential, and I further acknowledge and agree that I am responsible for compliance with the MLS Rules and Regulations for all persons affiliated with my firm who utilize the service.

I understand that if I decide to withdraw my MLS membership I will give the MLS 30 days written notice and I will have the privilege of reinstating membership within one year without paying the initial fee but would be required to pay a reinstatement fee. After one year, I would have to reapply for membership and pay the initial fee. _____ **Initial Here**

I understand that if my membership is terminated, suspended or I am expelled from MLS, for failure to pay dues, or for violations, etc., I will be notified in writing that my listings will be withdrawn in ten (10) days. _____ **Initial Here**

Broker indemnifies the Gainesville Multiple Listing, Inc. ("MLS") and agrees to hold MLS harmless from and against all claims, losses, damages, costs and expenses of any kind, including attorney's fees, and from liability to any person arising from a Broker's negligence.

Firm Information

Check one: ___ Sole Proprietor ___ DBA ___ Partnership ___ Corporation

Check position with Firm: ___ Principal ___ Partner ___ Corporate Officer

State the names and titles of all other principals, partners, or corporate officers of your firm. Use additional sheet if necessary.

Name _____ Title _____

Name _____ Title _____

Name _____ Title _____

Is this address your principal place of business? _____ Yes _____ No

List the name and addresses of branch offices or other real estate firms in which you are a principal, partner or corporate officer. Use additional sheet if necessary.

GAINESVILLE MULTIPLE LISTING, INC.
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Name _____ Address _____

Name _____ Address _____

Has your real estate license, in this or any other state, been suspended or revoked?

_____ Yes _____ No

If "Yes", specify the place(s) and date(s) of such action, and detail the circumstances relating thereto. *Attach separate sheet as required.

Are you a member of any other real estate board/association, whether or not affiliated with the NATIONAL ASSOCIATION OF REALTORS? _____ Yes _____ No

If "Yes", name Board and type of membership held with dates establishing the time period membership held.

Are there now any pending or unresolved complaints, or have there been within the past 3 years, any complaints against you or the firm with which you have been associated before any state real estate regulatory agency or any other agency of government? _____ Yes _____ No

If "Yes", specify the substance of each complaint in each state, the agency before which complaint was made, and the current status or resolution of such complaint. * Attach separate sheet as required.

Have you ever been convicted of a felony? _____ Yes _____ No

If so, give details including state and court of conviction. *Attach separate sheet as required.

NOTE: Applicant acknowledges that if accepted as a Participant and he/she subsequently resigns or is expelled from participation in the MLS with an arbitration request pending, applicant shall submit to the pending arbitration proceeding and abide by the decision of the Hearing Panel, notwithstanding the fact that applicant is no longer a Participant in the MLS. Any subsequent renewal of participation may be conditioned upon applicant's verification that he/she did submit to such pending arbitration proceeding and did abide by the decision of the Hearing Panel; or if applicant resigns or is expelled from participation without having complied with an award in arbitration, renewal of participation may be conditioned upon his/her payment of the award, plus any costs that have previously been established as due and payable in relation thereto, provided that the award and such costs have not, in the interim, been otherwise satisfied.

I hereby certify that the foregoing information furnished by me is true and correct and I agree that failure to provide complete and accurate information as requested, or any misstatement of fact, may be grounds for revocation of my membership if granted.

Signed _____ Date _____

GAINESVILLE MLS

Once a Designated Realtor elects to become an MLS Participant, he/she will be responsible for the Application Fee and annual dues as set forth in the MLS Agreement.

The GACAR MLS is served by Marketlinx of Ft. Lauderdale, FL. In order to understand the system, participants, agents and administrative personnel should attend an Innovia Training Session. These sessions are held periodically at the GACAR office. Call 352-332-8850 for scheduling.

Security Levels

Security levels are assigned by the MLS Administrator and are based on Membership Type or program groups. For instance, a Broker will have a higher security level than an agent. This provides the Broker wider access to programs and information than an Agent.

6- Broker	Access to all searches and reports. Will be able to transfer listings with in the office, input, update and pull inventory for all listings with his/her firm.
5- Admin Asst. (Office)	Access to all searches and reports. Will be able to transfer listings with in the office, input, update and pull inventory for all listings with his/her firm.
4 - Agent full	Access to searches and reports. Will be able to input, confirm, update and pull up inventory for only listings that he/she owns.
4-Agent edit	Access to searches and reports. Will be able to input, update and pull up inventory for only listings that he/she owns. Will be able to make some changes, except for the following: extend listing date, price changes, withdraw, activate or confirm listings.
3-Agent	Access to searches and reports. Will be able to input, update and pull up inventory for only listings that he/she owns.
3 -Appraiser	No specific provisions, but can be set if requested by the board.

MLS ORIENTATION REQUIREMENT

Attendance at the MLS portion of our Orientation Program is a requirement of membership that must be fulfilled within sixty (60) days of this application. The broker of the office that is joining and all the agents in this office must attend. The MLS training is held here at the GACAR office from 9:00 – 12:00 pm. Please be sure to register for the class by either circling the date that best fits your schedule (but still in your 60 day time period) or register by calling GACAR at (352) 332-8850.

Please return Complete Packet to:
Kenyada Higgins: khiggins@gacar.com
OR
mail to:
1750 NW 80th Blvd
Gainesville, FL 32606

2019 MLS Orientation

February 15th

April 19th

June 14th

August 16th

October 18th

You may also opt to take the our MLS training online by reaveling to:

<http://paragonconnect.paragonrels.com/paragon-academy>

You will only have 30 days to complete the course once you began.

I understand I have sixty (60) days from the date of this application in which to attend that MLS segment of orientation program. I also understand that failing to do so may result in the following:

1. Forfeiture of Application Fee
2. Forfeiture of MLS Services

PLEASE NOTE: Every agent in this office must agree and sign this form, so please make copies before signing!

Applicant signature: _____

Office Use Only

Paragon _____ Orientation/MLS Date: _____

Application fee \$ _____

MLS Office Dues \$ _____

*Sold Data Fee \$ _____

* For MLS only members: The ability to see closed and sold information as well as close your own personal listings

Gainesville Multiple Listing, Inc.

Information Data Exchange (IDX)
Opt-In Opt-Out Form

As a MLS Participant in the Gainesville Multiple Listing, Inc., you have the option as to whether you want your firm to participate in the Information Data Exchange (IDX) program.

If you opt-in, you are considered an IDX Broker. Becoming an IDX broker does not cost you anything.

This form must be filled out completely and signed by the designated MLS Participant for your office. *There are no exceptions.*

Once you have completed and signed it, please return it to the MLS office either by Fax (352) 331-7911 or by mail: Gainesville MLS, 1750 NW 80 Boulevard, Gainesville, FL 32606

Firm Name: _____ Firm Offutt #: _____

MLS Participant's Name: _____

E-mail address: _____

(If you are becoming an IDX Broker, you **must** supply an email address here. This address will be MLS's primary means of communicating with you about IDX developments)

CHECK ONE OF THESE TWO BOXES: By doing so, you are agreeing to the statements indicated next to it.

MY FIRM IS AN IDX BROKER: I understand that I am hereby giving every other IDX Broker in the Gainesville MLS permission to display my active MLS listings on its own website, subject to the Rules and Regulations of the Gainesville MLS. Other IDX Brokers are not obligated to display my listings. I authorize MLS to distribute my active listing data to other IDX Brokers pursuant to its Rules and Regulations.

MY FIRM IS NOT AN IDX BROKER: I understand that this means that IDX Brokers will not be permitted to display my listings on their websites. I further understand that my firm will receive no benefits under the IDX program of the MLS. My firm is not allowed to display the listings of other brokers unless I receive permission from them to do so individually.

I am the designated MLS Participant in the Gainesville MLS for the firm stated above. I represent that I have authority to execute this form on behalf of my own office. *(If you are the MLS Participant for multiple offices please complete a form for each office.)*

Signature: _____

Date: _____

GAINESVILLE MULTIPLE LISTING, INC
IDX RULES

I. DEFINITIONS

- A. **GMLS:** means the Gainesville Multiple Listing Inc.
- B. **IDX (Information data exchange):** The requirement of the National Association of REALTORS that GMLS send a data feed and provide other means (at MLS's option) to allow its MLS Participants to display on a Participant's website all of the MLS's active listings, except those of Participants who "opt" out of the IDX program.
- C. **IDX Broker:** means an MLS Participant who partakes in the IDX program, allowing other MLS Participants to display their MLS data on their website. To be an IDX broker, the Participant must be actively engaged in providing real estate brokerage services to buyers, sellers, landlords or tenants in real estate transactions, must be a REALTOR member of a local association of REALTORS and must be member in good standing of the Gainesville MLS.
- D. **Displaying Broker:** is an IDX broker (principal) who is entitled to receive and display licensed data.
- E. **Branding:** means any mark, language, contact or other information referring to the web-site owning Broker or its agents or any third party other than the listing broker.
- F. **IDX Database:** means the current aggregate compilation of all IDX broker's active exclusive right to sell or lease listings and listings obtained via other forms of exclusive agreements that make it possible for the listing broker to offer cooperation and compensation to other MLS Participants; except those listings where the property seller has opted out of Internet publication by so indicating on the listing agreement.
- G. **Detailed Display:** means any display containing more than a few lines of text display and/or displaying of photo.
- H. **Thumbnail Display:** means any display containing no more than a few lines of text and/or a small photograph.

II. PARTICIPANTS: Only REALTOR Participants of the Gainesville Multiple Listing, Inc. will be eligible to participate in IDX

III. REPLICATION OF IDX DATABASE ON INTERNET

- A. **Data:** A Displaying Broker may display all or a portion of the IDX database on their broker-owned Internet website in accordance with the following provisions and in keeping with any policies that GMLS may adopt for time to time. Unless expressly contravened by the provisions of this section, all other GMLS rules and regulations remain in full force and effect.
- B. **Affiliated Licensees** may, with their broker's permission, either frame their broker's site or use the FAR IDX frameable solutions. Brokers may give their agents the raw data understanding that they (broker) will be held accountable if their affiliated licenses manipulate or modify the data.

- C. **Displayable Data Fields:** A Displaying Broker may display ALL information, or a portion thereof, relating to its own listings, but an Internet replication of another IDX broker's listings shall contain only those data fields designated by the GMLS. A Displaying Broker may not display fewer fields than designated by the GMLS.
- D. **Displayable Listing Records:** A Displaying Broker need not display the whole IDX database, but may choose to display only listings in a particular price range, geographical area or property type. A Displaying Broker may choose not to display the listings of another IDX Broker. If a Displaying Broker chooses to display less than the entire database, they shall disclose that only a portion of the database is displayed.
- E. **Updates:** A Displaying Broker shall update the information on its Internet website daily (except weekends). A reference must be stated on the search page and results page giving the last date the data was updated in a font size no less than 8 points.
- F. **Thumbnail Display Requirements:**
1. The Thumbnail display of another IDX Broker's listings may not include any branding.
 2. No more than 10 listings in a brief or thumbnail format shall appear on a page.
 3. A photo of the listing property (if available)
 4. Logo of Displaying Broker or icon
 5. "Buttons" providing links to full display
- G. **Logos/Icon:** The Displaying Broker may have their company logo appear in conjunction with their listings displayed in a thumbnail format. Their logo will appear immediately adjacent to the Displaying Brokers property information. For IDX Broker's listing, the "Icon" will appear immediately adjacent to the listing in a size no smaller than the Displaying Broker's logo. If the Displaying Broker does not supply a logo, then the text name of their firm will be displayed. On *any* page where the "Icon" is present the following notice must appear: "The Broker Coop logo designates real estate listings held by a brokerage firm other than [*Displaying Broker's Firm Name*]."
- H. **Search Results/Detailed Display Requirements:** On a detailed display of another IDX broker's listings, the following items are mandatory.
1. A detailed display of another IDX Broker's listings shall not include any Branding within the "body" of the listing data. The "body" is defined as the rectangular space whose borders are delimited by the utmost extent in each direction of the listing text and photo data.
 2. Bear the Listing Brokers firm name in a font size at least as large as the largest type size used to display the listing data
 3. The GMLS approved "icon" with the explanation of the icon.
 4. The following disclosure in a minimum font size of 8 points: "Information is deemed reliable but not guaranteed"
 5. One of the following GMLS copyright notices in a minimum font size of 8 points
 - a. Copyright [*current year*] Gainesville Multiple Listing, Inc. All rights reserved
 - b. ©[*current year*] Gainesville Multiple Listing, Inc. All rights reserved. It is not permissible to substitute a "c" in parentheses (c) for the copyright symbol ©. If a website cannot display the copyright symbol, the word "copyright" must be spelled out.
- I. **Control of Displaying Website:** Any Internet website used for publication of the IDX database or any portion thereof must be controlled by a single IDX broker and advertised at that Broker's Internet Website.

J. Scraping: An IDX broker displaying the IDX database or any portion thereof shall make reasonable efforts to avoid "scraping" of the data by third parties or displaying of that data on any other website. Reasonable efforts shall include but are not limited to:

1. Monitoring the website for signs that a third party is "scraping" the data, and
2. Prominently post the following notice in a minimum font size of 8 points: "Any use of search facilities of data on this site, other than by a consumer looking to buy, sell, or lease real estate is strictly prohibited"

K. Violations/Modifications to the Data: Failure to comply with the following may result in either temporary or permanent suspension from the IDX program per Section 9.1 of the MLS Rules and Regulations.

1. A Displaying Broker/Affiliated Licensee may not modify or manipulate the data relating to another IDX broker's listings. If another IDX broker's data has been modified or manipulated, the Displaying Broker will have twenty-four (24) hours to correct the error.
2. Violations: A Displaying Broker must make changes to their Internet website necessary to cure a violation of the IDX rules within ten (10) business days after notice of the violation from MLS.

L. Use by Third Parties: No portion of the IDX database shall be used or provided to a third party for any purpose other than those expressly provided for in the MLS Rules. Providing an MLS password to an unauthorized recipient is a serious violation of these rules that may subject the IDX Broker to sanctions. An IDX Broker that authorizes its affiliated licensees to participate in IDX will be responsible for ensuring such agents compliance with these rules.

M. Website Provider Agreement: Any third party involved in the development or design of an IDX Broker's website must enter into a written agreement on the form prescribed by the GMLS.

N. Co-Mingling Prohibited: No portion of the IDX Database shall be co-mingled on the Displaying Broker's website with any listings that are not in the GMLS.

O. Participants may disseminate their own company listings to other websites, however no Participant may disseminate the entire database to anyone.