

Summary of 2006 NAR Model Bylaws Changes

The NAR Board of Directors modified MLS policy that affected the following Sections of Article XVIII in the *Model Bylaws for Local Member Boards*.

Article XVIII—Multiple Listing, Section 2. Purpose: MLS Policy Statement 7.56—MLS Defined expanded the definition of MLS and eliminates details addressed in other MLS Policy Statements. Given the changes to Statement 7.56, Article XVIII—Section 2. Purpose found in the current *Model Bylaws for Local Member Boards* is amended as shown below (underscoring indicates additions; strikeouts indicate deletions). These amendments are **mandatory** for compliance with National Association policy, and must be implemented by all REALTOR® Boards/Associations.

Section 2. Purpose. *A Multiple Listing Service is a means by which authorized Participants make blanket unilateral offers of compensation to other Participants (acting as subagents, buyer agents, or in other agency or nonagency capacities defined by law); by which cooperation among participants is enhanced; by which information is accumulated and disseminated to enable authorized Participants to prepare appraisals, analyses, and other valuations of real property for bona fide clients and customers; by which Participants engaging in real estate appraisal contribute to common databases; and is a facility for the orderly correlation and dissemination of listing information among the Participants so that they participants may better serve their clients and the public. Entitlement to compensation is determined by the cooperating broker's performance as a procuring cause of the sale (or lease). (Amended 11/04)*

Informational

Article XVIII—Multiple Listing, Access to Comparable and Statistical Information: The National Association's Board of Directors approved consolidation of five (5) Statements of Multiple Listing Policy on comparable and statistical information into a single Statement of MLS Policy (Statement 7.3 – Statistical Reports). This Policy Statement shown as Part Two, (D) Data, Statistical Reports, Section 1 - Statistical Reports, in the 2006 *MLS Handbook* now provides that only MLS Participants are entitled to statistical reports, sold information, and other informational reports derived from the MLS. Associations may, at their discretion, make this information available to REALTORS®, or others, who do not participate in the MLS. Consequently, Article XVIII, Section 5 (for an MLS operated as a separate corporation), and Article XVIII, Section 8 (for an MLS operated as a Committee), of NAR's Model Board Bylaws, have been deleted.

Corresponding provisions in the local association's bylaws may be deleted. As established in the Policy Statement on Statistical Reports, Associations may determine locally whether REALTORS® who do not participate in the MLS, or others, will have access to comparable and statistical information from the MLS.