



**Carolina Multiple Listing Services, Inc.**

CHARLOTTE REGIONAL REALTOR® ASSOCIATION

### **CMLS Violation Report**

All written complaints for violations of the “CMLS Rules and Regulations” will be considered by CMLS staff in accordance with the “CMLS Compliance Guidelines.” All complaints of unethical conduct or requests for arbitration are referred to the Realtor® association with which the Member Participant (MP) holds primary membership. Any complaint that alleges a violation of the rules and regulations, and unethical conduct or requests for arbitration, will be separated into two issues and handled by the appropriate adjudicator.

CMLS considers all complaints alleging a violation of the rules and regulations. CMLS reserves the right to request that complaints be submitted in writing.

Please complete the information below (letters with the required information will be accepted) when inaccurate or incomplete information is discovered in the MLS database. This form can be sent (emailed, faxed or delivered) to CMLS staff. CMLS staff will maintain the confidentiality of the complainant(s).

**Name of complainant(s):**

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**Name of respondent(s) (the agent or broker who committed the alleged violation):**

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**Violation(s):** Please describe the violation(s). You can circle the violation(s) on the back of this form. You can also attach additional pages if needed. Please provide proof of the violation if possible (i.e., MLS report, photograph, listing agreement or contract).

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Do you wish to be notified regarding the alleged violation outcome?

 Yes No

Do you agree to appear before the MLS Hearing Committee (if necessary) if the respondent believes that the fine imposed is without merit? Responding “no” to this question does not prohibit you from filing the violation report.

 Yes No

**Return to:**

Sara Earles, compliance administrator  
CMLS  
P.O. Box 35511  
Charlotte, NC 28235  
Ph: 704-940-3159  
Fax: 704-940-3120  
compliance@carolinahome.com

**Category I**

Violations include any violation of the *CMLS Rules and Regulations* not specifically addressed by Category II, III or IV. Common violations include:

1. Inappropriate Branding – Remarks, Directions, Photo Captions, Virtual Tours
2. Incorrect Subdivision, Complex, Area/Sub Area
3. Incorrect Property Category
4. Incorrect Sales Price
5. Duplicate Listing
6. Compensation Violation
7. Indirect Access to TEMPO™ MLS System
8. Misuse of the Term “MLS”
9. Unauthorized Use of Media
10. Incorrect Address
11. Co-Listing Violation
12. Missing/Incomplete: Approximate Acres, Deed Reference, Approximate Lot Dimensions, Tax Value, Parcel ID, Legal Description, Zoning
13. Incomplete Main, Upper, Lower, Basement, Third Level Rooms
14. Square Footage Violation – Incomplete Information

**Category II**

1. Failure to input a new listing required to be entered into the MLS system.
2. Failure to indicate that a listing is a Limited Service Listing as described under Section 1.5.
3. Failure to produce a signed listing agreement within 48 hours (including holidays and weekends) when requested by CMLS staff indicating that the Seller refuses to permit the dissemination of the listing by the MLS service.
4. Failure to report a listing's change of status within 48 hours (excluding holidays and weekends) or failure to report a listing's correct status.
5. Failure to include a Cooperating Brokerage when an offer is made to the Seller, except where the Seller prohibits this in writing. The Listing Brokerage must provide a copy of the Seller's written instructions to the Cooperating Brokerage on request.
6. Failure to include the Listing Brokerage when a counteroffer is made to the purchaser, except where the purchaser prohibits this in writing. The Cooperating Brokerage must provide a copy of the purchaser's written instructions to the Listing Brokerage on request.
7. Failure to comply with any of the *Internet Data Exchange Rules and Regulations* within five days of written notification from CMLS.
8. Entering a listing in the MLS without a valid, signed listing agreement.

9. Failure to remove a listing upon termination of a listing agreement.
10. Making an appointment for a showing or negotiating with the Seller for the purchase of listed property submitted to the Service without the permission of the Listing Brokerage unless after reasonable effort, the Cooperating Brokerage (subagent or buyer agent) is unable to contact the Listing Brokerage or his or her representative.
11. Failure to make an appointment with the Listing Brokerage prior to entering a listed property submitted to the Service.
12. Failure to provide CMLS with requested documentation within 48 hours.

### **Category III**

1. Failure to keep the Key in your possession or in a safe place at all times
2. Attaching the PIN to the Key or disclosing the PIN to any third party
3. Lending or otherwise transferring the Key to any other person or entity, or permitting any other person or entity to use the Key for any purpose whatsoever, whether or not such other person or entity is a real estate broker or salesperson
4. Duplicating the Key or allowing any other person to do so
5. Assigning, transferring or pledging the Key
6. Destroying, altering, modifying, disassembling or tampering with the Key or knowingly or unknowingly allowing anyone else to do so
7. Failure to notify the MLS immediately in writing in the event of a loss or theft of the Key or any Lockboxes, and of all circumstances surrounding such loss or theft
8. Failure to follow all additional security procedures as specified by the MLS
9. Failure to safeguard the code for each Lockbox from all other individuals and entities, whether or not they are authorized users of the Supra System
10. Attaching a Lockbox shackle code to the Lockbox
11. Failure to have a written agency agreement in place for any piece of real property on which an iBox is installed or used (*new section approved 8-05*)
12. Disclosing a combination lockbox code or security code in the MLS (*new section approved 4-06*)

### **Category IV**

Unauthorized disclosure of login name and password to the MLS system.