



Inappropriate Language Policy

The PACMLS® Inappropriate Language Policy, adopted by the PACMLS Board of Directors, addresses the use of language in the Public Remarks and Directions fields in the MLS. The intent of a written language policy is to protect the security and safety of the owners and occupants in the property, safeguard all parties against unwarranted legal liability and deter unfair competitive advantage in regard to compensation among Subscribers.

Language that violates Federal Fair Housing Laws is also prohibited. It also relegates commission information to the appropriate fields, addresses bonuses and prohibits any monetary value items which may appear to steer a prospective buyer's Subscriber to show the listing over another property.

Inappropriate Language in MLS Listings Policy

This policy, in accordance with the PACMLS® Rules and Regulations is designed to help mitigate legal liability of PACMLS and its Subscribers, as well as assist Subscribers in staying within the Rules and Policies of PACMLS by using the fields in the listings as they are intended to be used.

Specific Authority and Rules associated with this Policy

Rule 11.5: LANGUAGE AND INFORMATION IN A LISTING FWS. The Policies that govern the information and language that can be contained in a Listing that is FWS are found in the PACMLS Inappropriate Language Policy.

Rule 11.6: INFORMATION IN PUBLIC REMARKS. Information in the Public Remarks field in the Listing shall be limited to information describing or marketing the listed property. Such field shall not include information about individuals or co-Participant arrangements or any alarm codes or other information about how to gain access to a property. Public Remarks shall not direct the user in any way to contact information or other information about a real estate Subscriber or Participant or any other individual or entity with a connection to the business of real estate.

Rule 11.7: USE OF INFORMATION FIELDS. Subscribers may only enter in any field on the Profile Sheet the information required or reasonably contemplated by such field.

Rule 8.5, final clause: PACMLS may refuse to publish information that may create legal liability.

Therefore, all inappropriate language, as reviewed and deemed to be inappropriate by the Pacific Regional Multiple Listing Service, is prohibited from inclusion in all listings on the MLS. 2.

**Inappropriate Language Policy:
In all fields, the following are prohibited:**

List of Examples: The following (beginning with item 1a) is a list of examples of inappropriate language. This list is not intended to be a complete listing of every possible instance of inappropriate language, but only a general guide as to items that must not be included in your MLS listing.

In addition to both of the Remarks fields and the Directions field, **all other fields in the listing must only have information in them for which the field is intended** (e.g. the address fields can only contain the actual address information. It must not contain anything else.)

1. In Public Remarks and Directions, the following are prohibited:

- a. **All websites and phone numbers.** Neither web addresses nor phone numbers are allowed in the Public Remarks, Directions, or Public Attachments. This is regardless of whether or not the phone number or web address leads a consumer to the listing Subscriber.
- b. **Any information that may lead someone to directly seek out the listing Subscriber are not allowed in the Public Remarks, Directions or Public Attachments.**
- c. **Any items that may cause a safety issue.** This includes but is not limited to: property access codes, lockbox information, and references to the occupants of the property or the hours they are in the home. None of those items or others that may cause a safety issue is allowed in any of the public fields.
- d. **Any Buyer's Subscriber Bonus Information.** No Subscriber bonus information is allowed in public fields. Incentives to the Prospective Purchaser are allowed in Public Remarks, or Private Remarks and all attachments.
- e. **Directions.** The Direction field must only contain written directions to the listed property.

2. In all fields, the following are prohibited:

- a. **Short Sales, REO, Auction Listings: NO CONDITIONAL COMMISSIONS ARE ALLOWED. COMMISSION REDUCTIONS AND NET SALES PRICE COMMISSIONS ARE NOT ALLOWED TO BE OFFERED THROUGH THE MLS.**

1. If the listing broker desires or is required by an owner or third party to pay something other than the gross sales price or flat dollar amount commission offered on the listing, they must do so outside of the MLS, directly with the other broker.
2. You may put a statement requiring any prospective Buyer's agent to contact you before any offer is made, but you may not state that such required contact is regarding the commission.

b. Fair Housing Issues. PACMLS may remove these issues from listings, and will continue to do so whenever it is deemed by PACMLS to be language that potentially violates the Federal Fair Housing laws. Listing Subscribers with items deemed to be in violation of Fair Housing Laws may be subject to penalties allowed under the PACMLS Rules and Regulations and hereby holds the PACMLS harmless for any liability.

Below is a link to the United States Housing and Urban Development web site that **may** help guide you in what is acceptable and what is not:

http://www.seattle.gov/Documents/Departments/CivilRights/FH-FAQ-Real_Estate_Professionals.pdf

If you are unsure if a particular phrase is allowable in your listing, please contact your Designated Broker.

c. Social Security Numbers. No full or partial social security numbers of any person shall be allowed in any field, or documents attached to a MLS listing or linked to such numbers from within the listing.

d. Title Company Language. Any statement requiring the use of a specific title company is **prohibited** from inclusion anywhere on the listing (e.g. **Must** use XYZ Title). This includes all fields and all attachments.

You may, however, put a statement that suggests or recommends the use of a title company in the Private Remarks and/or private attachments. Examples of acceptable title company language:

1. Please use Jane Doe at XYZ Title
2. Will receive a discount if XYZ Title is used
3. Must close at XYZ Title, but may purchase title insurance elsewhere.