



BROKER RECIPROCITY/IDX POLICY

SECTION 32: BROKER RECIPROCITY DEFINED - “Broker Reciprocity” is a means by which each Participant subscribing to the program permits the display of its active listings appearing in connectMLS on each other’s BRS Internet web site.

Internet Data Exchange Rules (Sections 32.1 through 32.7)

- 32.1 Participants must notify the Service of their intention to establish an IDX site and make their IDX site directly accessible to the Service for purposes of monitoring/ensuring compliance with applicable rules and policies.
- 32.2 Participants may not use IDX-provided listings for any purpose other than display on their websites. This does not require participants to prevent indexing of IDX listings by recognized search engines.
- 32.3 Listings or property addresses of sellers who have directed their listing brokers to withhold their listing or property address from display on the Internet (including, but not limited to, publicly-accessible Web sites or VOWs) shall not be accessible via IDX sites. Notwithstanding this prohibition, listing brokers may display on their IDX sites or their other Web site(s) the listing or property address of consenting sellers.
- 32.4 Participants may exclude listings from display on their IDX sites based only on objective criteria including, but not limited to, factors such as geography, list price, type of property, or cooperative compensation offered by listing brokers.
- 32.5 Participants must refresh all Service downloads and refresh all Service data at least once every seven (7) days.
- 32.6 Except as provided elsewhere in this policy or elsewhere in the MRED’s Rules and Regulations, an IDX site or Participant operating an IDX site may not distribute, provide, or make any portion of the Service database available to any person or entity.
- 32.7 When displaying listing content, a Participant’s or User’s IDX site must clearly identify the name of the brokerage firm under which they operate in a readily visible color and typeface, as per Illinois Real Estate License Act, Section 1450.145 - Internet Advertising.

SECTION 33: PARTICIPANT IN PROGRAM - Means any licensed broker actively engaged in providing real estate and/or business brokerage services to buyers or sellers in real estate transactions or otherwise and must have an office located within the MRED boundaries as defined in SECTION 1.

SECTION 34: BROKERAGE SERVICES - Means duties performed by a “broker”, meaning an individual, partnership, limited liability company, corporation, or registered limited liability partnership other than a real estate salesperson or leasing agent who for another and for compensation either directly or indirectly:

1. Sells, exchanges, purchases, rents or leases real estate or Property Type 13 Listings.
2. Offers to sell, exchange, purchase, rent or lease real estate.
3. Negotiates, offers, attempts, or agrees to negotiate the sale, exchange, purchase, rental or leasing of real estate.
4. Lists, offers, attempts or agrees to list real estate for sale, lease or exchange.

5. Buys, sells, offers to buy or sell, or otherwise deals in options on real estate or improvements thereon.
6. Supervises the collections, offers, attempts or agrees to collect rent for the use of real estate.
7. Advertises or represents himself or herself as being engaged in the business of buying, selling, exchanging, renting or leasing real estate.
8. Assists or directs in procuring or referring of prospects, intended to result in the sale exchange, lease or rental of real estate.
9. Assists or directs in the negotiation of any transaction intended to result in the sale, exchange, lease or rental of real estate.
10. Opens real estate to the public for marketing purposes.

SECTION 34.1: BROKER RECIPROcity PARTICIPANT (BRS) - means a Participant in the program.

SECTION 34.2: BROKER RECIPROcity DATABASE - means the current aggregate compilation of all active Exclusive Right to Sell, Exclusive Right to Lease and Exclusive Agency listings of all Broker Reciprocity Participants except those listings where the property seller has opted out of the Internet publication by so indicating on the exclusive brokerage agreement.

SECTION 35: REPUBLICATION OF BROKER RECIPROcity DATABASE ON INTERNET PERMITTED - A BRS may republish all or a portion of the Broker Reciprocity Database on the Internet in accordance with the following provisions and in keeping with any policies that MRED may adopt from time to time. Unless expressly contravened by the provisions of this section, all other rules and regulations remain in full force and effect.

An Internet republication of another BRS's listing shall not contain more but may contain less information than is contained in MRED's standard Internet data distribution for BR. The BRS shall update the information on its Internet website at least weekly.

SECTION 35.1: MODIFICATION/MANIPULATION OF DATA - A BRS may not modify or manipulate the data relating to another BRS's listing. This is not a limitation on the design of the site but refers to the actual data. The data may be augmented with information or data from a third party, provided the information is not prohibited and provided the source of the additional information is clearly identified.

A BRS who obtains listings from other sources (other Service's non-participating brokers, etc.) must display the source from which each listing was obtained.

A BRS may exclude listings from display on their IDX sites based only on objective criteria including, but not limited to, factors such as geography, list price, type of property, or cooperative compensation offered by listing brokers.

SECTION 35.2: ICON AND ATTRIBUTION - The MRED approved icon and an explanation that those properties marked with the icon are provided courtesy of Midwest Real Estate Data, LLC. Broker Reciprocity Database must appear on the first page where any listing data is displayed.

SECTION 35.3: POLICY REGARDING MRED ICON - Any search result identifying another BRS's listing in a brief or "thumbnail" format shall bear the MRED-approved icon or the MRED-approved thumbnail icon immediately adjacent to the property information to identify the listing as an MRED listing. The MRED-approved icon shall be at least 95 pixels by 35 pixels. The MRED-approved thumbnail icon shall be at least 35 pixels by 35 pixels. A thumbnail display of another BRS's listing may not include any contact information or branding of the BRS who owns the web site or any of its agents. A thumbnail display may only include the

following: text data about the listing property, a photo of the listing, the logo of the listing broker or MRED-approved icon, and buttons providing links for other information.

SECTION 35.4: MRED COPYRIGHT INFORMATION - A search result producing a detailed display of another BRS's listing shall bear that BRS's name, the MRED-approved icon, and MRED's copyright notice immediately following the property information. The BRS's name, MRED-approved icon, and copyright notice shall be at least as large as the largest type size used to display the listing data. A detailed display of another BRS's listing may not include any contact information or branding of the Participant who owns the web site or any of the rectangular space whose borders are delimited by the utmost extent in each direction of the listing text and photo data.

SECTION 35.5: DISCLAIMER - Any result identifying another BRS's listing shall include the disclaimer "Information Deemed Reliable but Not Guaranteed".

SECTION 35.6: BRS CONTROL - Any Internet web site used for publication of the Broker Reciprocity database or any portion thereof must be controlled by a BRS and advertised as that Internet web site.

Non-Principal Brokers and Sales Licensees affiliated with BRS may display information available through Broker Reciprocity on their own websites subject to Participant's (BRS) consent and control and the requirement of state law and/or regulation and these Rules and Regulations.

SECTION 35.7: MONITORING - A BRS displaying the Broker Reciprocity 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 web site. Reasonable efforts shall include but not be limited to:

- a. Monitoring the web site for signs that a third party is "scraping" data and
- b. Prominently posting notice that any use of search facilities of data on the site, other than by a consumer looking to purchase real estate, is prohibited.

If a BRS suspects "scraping" of the data has occurred, the suspicion and any evidence must be reported to the MRED immediately for investigation and action.

SECTION 35.8: NOTICE OF VIOLATIONS - A BRS must make changes to an Internet site necessary to cure a violation of MRED's Rules within 72 hours of notice from MRED of the violation, or cease all actions, which MRED reasonably believes, are in breach of the restrictions/limitations on use herein or be subject to provisions of Section 34 herein.

SECTION 35.9: RESTRICTIONS/LIMITATIONS ON USE - No portion of the Broker Reciprocity Database shall be used or provided to a third party for any purpose other than those expressly provided for in Sections 26 and 32 of these Rules and Regulations.

SECTION 35.10: MRED'S RIGHT TO CANCEL SERVICE - MRED reserves the right to discontinue the BR data feed and/or Service access to a BRS member within 72 hours from the time of giving notice to a BRS member, if MRED and/or Service access reasonably believes a BRS member is in violation of any Section hereof, or is in breach of the Restrictions/Limitations on Use, within the sole determination for MRED, and has failed to curb such breach within 72 hours. The Restrictions/Limitations on Use include, but are not limited to: any sale, lease, distribution or creation of derivative products for compensation in kind or dollar by the Participant. In the event of the termination of any such BR data feed, the BRS member shall, to reactivate the BR feed, (i) sign an agreement to cease any current violation and desist any future violation of any

Section herein and breach of any Restrictions/Limitations on use as promulgated by MRED and (ii) pay the activation fee of \$2,500.00(two thousand-five hundred dollars) prior to reactivation.

SECTION 35.11: COMMENTS AND REVIEWS: AVMs - A BRS may NOT allow third-parties (i) to write comments or reviews about particular listings or display a hyperlink to such comments or reviews in immediate conjunction with particular listings, or (ii) display an automated estimate of the market value of the listing (or hyperlink to such estimate) in immediate conjunction with the listing.