

# Aspen/Glenwood MLS

## FAQ Clear Cooperation

- **What is the Clear Cooperation Policy?**
  - Within one (1) business day of marketing a property to the public, the listing broker must submit the listing to the MLS for cooperation with other MLS participants. See [AGMLS Rules and Regulations Section 1.01 Clear Cooperation](#).
- **What is public marketing?**
  - Public marketing includes, but is not limited to, flyers displayed in windows, yard signs, digital marketing on public facing websites, social media, brokerage website displays (including IDX and VOW), digital communications marketing (email blasts), multi-brokerage listing sharing networks, and applications available to the general public. See [AGMLS Rules and Regulations Section 1.01 Clear Cooperation](#).
- **To what property types does the Clear Cooperation Policy apply?**
  - The Clear Cooperation Policy applies to all MLS residential and residential land property types. See [AGMLS Rules and Regulations Section 1.01 Clear Cooperation, Note 2](#).
- **In what statuses can I publicly market a listing?**
  - All active statuses (Active, Pending, Pending with any Contingency except “No”). See [AGMLS Rules and Regulations Section 1.01 Clear Cooperation, Note 4](#).
- **In what statuses is public marketing not permitted?**
  - All off-market statuses (Closed, Expired, Withdrawn, Canceled, Deleted). See [AGMLS Rules and Regulations Section 1.01 Clear Cooperation, Note 4](#).
- **When do I have to submit a listing to AGMLS?**
  - Listings must be submitted to AGMLS within 3 business days after the seller’s signature have been obtained or on the marketing/start date in the listing agreement. See [AGMLS Rules and Regulations Section 1 Listing Procedures](#).
  - However, if a listing is publicly marketed then the listing must be submitted to the MLS within 1 business day of the public marketing, in accordance with the AGMLS Clear Cooperation Policy. See [AGMLS Rules and Regulations Section 1.01 Clear Cooperation](#).
- **What if my seller does not want their listing disseminated via AGMLS?**
  - If your seller-client refuses to permit the listing to be disseminated via AGMLS, then the participant may take the listing as an office exclusive. See [AGMLS Rules and Regulations Section 1.3 Exempted Listings](#).
- **What documentation do I need to submit to AGMLS for an office exclusive listing?**
  - Listing contracts for an office exclusive listing must be accompanied by a separate certification that the seller does not desire her listing to be disseminated via AGMLS; the certification must be signed by the seller, listing broker, and listing agent. See [AGMLS Rules and Regulations Section 1.3 Exempted Listings](#).
  - AGMLS provides a form that brokers and agents may use with their clients. However, brokers are permitted to create their own forms so long as the form contains written certification regarding not disseminating the listing via AGMLS from seller and is signed by the seller, listing broker, and listing agent.
  - The certification (form) only needs to be submitted to AGMLS upon request. If AGMLS requests a copy of the certification (form) it must be submitted within 24 hours of the request. See [AGMLS Rules and Regulations Section 1.3 Exempted Listings and Section 7.3 Compliance with MLS’s Request for Information](#).

- **Is public marketing permitted for an office exclusive?**
  - No. Properties taken on an office exclusive basis are **not permitted to be publicly marketed**. If the office exclusive listing is publicly marketed, then the listing must be submitted to the MLS within 1 business day of the public marketing, in accordance with the AGMLS Clear Cooperation Policy. See [AGMLS Rules and Regulations Section 1.01 Clear Cooperation](#).
  
- **How can office exclusive listings be shared or marketed?**
  - Per AGMLS policy, office exclusive listings cannot be publicly marketed. See [AGMLS Rules and Regulations Section 1.3 Exempted Listings, Note 1](#).
  - However, direct promotion of a listing between the listing broker and their affiliated licensees is not considered public marketing. Additionally, the listing broker and their affiliated licensees can share office exclusive listings with their clients.
  
- **Can an office exclusive listing be shared to a select group of brokers outside the listing broker's office?**
  - No. Sharing listings with private listing networks or multi-brokerage networks that include more brokers or licensees than those affiliated with the listing brokerage constitutes public marketing. If a listing is shared in a private listing network or multi-brokerage network then the listing must be submitted to the MLS within 1 business day of the public marketing, in accordance with the AGMLS Clear Cooperation Policy. See [AGMLS Rules and Regulations Section 1.01 Clear Cooperation](#).
  
- **What happens if I violate the Clear Cooperation Policy?**
  - AGMLS will assess fines for violation of the Clear Cooperation Policy on a tiered basis. This first offense will result in a warning letter and 2 calendar days to cure the violation. Second offenses will result in a \$500 fine and 2 calendar days to cure the violation. Third offenses will result in a \$2,500 fine and a 30-day suspension from the MLS. See [AGMLS Rules and Regulations Section 6.3 Fines](#).
  
- **When does the Clear Cooperation Policy go into effect?**
  - The AGMLS Clear Cooperation Policy will go into effect on May 1, 2020.
  
- **Why did AGMLS implement this policy?**
  - The Clear Cooperation Policy is a mandatory policy from the National Association of REALTORS® (NAR).
  
- **Where can I find additional information on NAR's MLS Clear Cooperation Policy and its background?**
  - You can read more details about NAR's MLS Clear Cooperation Policy here: <https://www.nar.realtor/about-nar/policies/mls-clear-cooperation-policy>