

## Appendix A – Dayton REALTORS® Penalty Policy

Dayton REALTORS® is responsible for the enforcement of the Dayton REALTORS® Rules and Regulations. All written complaints involving violations of the Rules and Regulations will be processed by Dayton REALTORS® MLS staff in accordance with this policy.

To better serve all subscribers and safeguard the information contained in the MLS database, Dayton REALTORS® have the following Penalty Policy of the Dayton REALTORS® Rules and Regulations.

This policy does not cover violation complaints of unethical conduct or for requests for arbitration. These concerns fall under the jurisdiction of the Ohio REALTORS®.

Fines and other penalties are administered according to this policy and are subject to change by the Dayton REALTORS® MLS Committee and Board of Directors.

### Summary of the Penalty Policy:

Potential violations of the Dayton REALTORS® Rules and Regulations are identified through many processes including but not limited to:

Subscriber reported – either using a ‘correction’ link, an email, or other means of communication

System verification programs – such as Listing Data Checker

Staff review/audits

The primary concern is to have accurate and timely information. Warnings are the primary penalty, with the purpose of educating and allowing the subscriber the opportunity to correct the error. Uncorrected violations or repeated violations by a subscriber will incur fines and re-education. Violation of the same rule by an agent can have an escalation of the fines imposed and will be defined as the same rules’ violation within the same calendar year.

Violation notices will be sent by email only to the agent and broker. If the violation is not corrected by the deadline specified, the penalty will be issued as noted below.

**Fines will be invoiced to the account on the 15th of the following month to allow for appeals to be submitted will be due 30 days after they are invoiced.**

Violations will be marked as either Minor, Moderate, or Major which are described below:

**Minor Violations:** Warnings will be emailed to the listing agent and broker providing three (3) calendar days to correct. Failure to correct the violation within the three (3) calendar days grace period will result in a \$100 fine being imposed on the listing agent every calendar day until the violation is corrected. Once the fine total reaches \$500, the listing agents MLS Services will be suspended until the listing is corrected. If the listing agent receives more than five (5) minor violations of the same type of violation within a calendar year, a hearing will be scheduled with the potential for additional penalties.

**Moderate Violations:** Automatic fine of \$100 will be imposed on the listing agent. If the violation is correctable, the listing agent and broker will receive notification providing three (3) calendar days to correct before **additional** fines are imposed. Failure to correct the violation within the three (3) calendar days grace period will result in additional \$100 fine being imposed on the listing agent every calendar day until the violation is corrected. Once the fine total reaches \$500, the listing agents MLS Services will be suspended until the listing is corrected. **Once per calendar year, listing agents may opt to attend MLS Bootcamp within 60 days in lieu of the \$100 fine. Failure to attend MLS Bootcamp within 60 days will result in the \$100 fine being imposed.** If

the listing agent receives more than three (3) moderate violations of the same type of violation within a calendar year, a hearing will be scheduled with the potential for additional penalties.

Major Violations: The first violation will result in an automatic fine of \$2000. The second violation will result in an automatic fine of \$3000. Third and subsequent violations will result in a hearing being scheduled, an automatic fine of \$5000, and a 30-day suspension of MLS services.

<b>Violation</b>	<b>Fine Level</b>
Commission/Compensation Violations	Major
Failure to enter a listing within the required time	Moderate
Clear Cooperation	Moderate
Incorrect Status	Moderate
Failure to Submit Staff Requested Documentation	Moderate
Unauthorized Administrative Assistant ***Agent will have 10 days to get the admin registered to avoid the penalty***	Moderate
Unauthorized Listing Type	Minor
Branded Property Description	Minor
Branded Photo	Minor
Missing Photo	Minor
Duplicate Listings	Minor
Missing Directions	Minor
Missing Room Dimension	Minor
Incorrect Data (Not already covered above)	Minor