

## **IDX Policy and Search Engine Indexing**

In the last two weeks, there has been a flurry of activity and communication related to the interpretation of MIBOR's IDX Policy. We would like to take this opportunity to share with brokers the events that have transpired and clear up any misinformation or misunderstanding to date.

Last month, MIBOR was asked to interpret its Broker Listing Cooperative® IDX Policy. The issue raised is whether the IDX Agreement that authorizes brokers to advertise another broker's listing on their web sites can be indexed by search engines. Upon receiving a complaint from a participating broker, MIBOR asked the National Association of REALTORS® for its interpretation of allowing indexing in its authorized use.

Following an interpretation clarification by NAR, MIBOR proceeded to disallow that practice and took steps to insure that brokers were in compliance, MIBOR reported to a number of brokers that they needed to discontinue the practice. As a result of feedback from an affected broker, MIBOR invited two brokers who were enabling search engines to index their IDX sites to express their opinions and concerns directly to the BLC® Listing Service Policy Committee. After hearing various opinions, the Committee concurred that the authorization in the IDX rules did not extend beyond a web site of the broker. The Committee concluded that brokers who were allowing, or not preventing search engines from indexing listing data from the broker's web site, were in fact violating the IDX Agreement.

From that point, the National Association of REALTORS® invited two brokers, one from Indianapolis and one from Phoenix, to present their opinion to the MLS Issues Forum and Committee on May 14. After hearing testimony and seeing proposed language changes created by NAR staff, the Committee voted to add the following language to the IDX Agreement, *"this requirement does not prohibit indexing of IDX sites by search engines."* MIBOR representatives still felt that the new language was developed hurriedly and that not enough time had been spent to air the issue and possible implications of such a change among the participants of the listing service. Therefore at the May 16, NAR Board of Director's meeting, MIBOR Directors introduced a motion to refer the question back to the IDX Work Group for further review. That motion passed.

It is MIBOR's intention to explore an optional resolution to this issue after it has had full discussion and deliberation with the appropriate committee and Board of Directors. It is a complex issue that needs the full understanding of brokers participating in the BLC® listing service. We will keep you apprised of the progress and details of this issue.