



NAR MLS LISTING ISSUES AND POLICIES COMMITTEE

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We're reaching out with comments and suggestions ahead of this week's meeting of the NAR Multiple Listing Issues and Policies Committee at the 2021 REALTORS Conference & Exposition in San Diego.

We applaud industry leaders who are promoting transparency and prioritizing customer experience in the conversation around online listing displays. Putting consumer interests over our own is the best way to keep our ever-changing industry healthy and moving forward.

We believe consumers want and deserve clarity. They should always know what they are seeing and what is being offered to them.

Clarity is why we agree it's important for IDX sites, as required, to show which brokerage is listing a property. This is relevant information – and displaying it in a visible and "reasonably prominent location" (to use the language in the current NAR policy) serves a purpose. Knowing the source of the listing empowers the consumer, who can contact the listing firm easily enough if they choose to.

In our opinion, however, the proposed changes under consideration this week would likely create confusion for the consumer – and they also lack specific details for execution across all MLSs. Requiring that the listing agent and/or brokerage be "displayed at least as prominently as any other contact information" only adds more confusion than clarity.

On an IDX website, the primary offering isn't a house. The offering is a connection to a real estate professional who can assist the buyer and help them purchase a house. That's why it's appropriate for the brokerage or agent who's being marketed on the site to be featured more prominently than the firm listing the property.

We view an IDX site as a "virtual lobby" of sorts. If a consumer comes into the lobby and asks an agent about a house listed by another company, the agent isn't going to send them "down the street" to the other firm. They're going to connect with the buyer, offer their professional services, and see how they can help – with this house or, if warranted, a different one. That connection is why the site exists in the first place.

To be clear, we do believe the listing brokerage should be displayed as well – but not on equal billing as outlined in the proposed policy change.

That’s why we recommend the committee reject the proposal in San Diego.

Our “against” recommendation also covers the proposed requirement to add contact information to the listing attribution. On that count, we do see potential merit down the road, but not until the phrase “contact information” is clearly defined and can be standardized among all MLSs. Until then, the phrasing is far too broad and open to interpretation.

Ultimately, we believe the quality of an online lead is determined by the quality of the response. To that end, we support policies that help potential buyers reach an agent who will help them throughout the purchase process – an agent in the virtual lobby they’ve walked into – without confusing the issue by promoting the seller’s agent just as prominently.

Consumers rightfully want clarity, consistency and choice. On behalf of the RE/MAX network, we thank everyone at NAR who’s contributing their time and attention to deliver all three.

We appreciate your consideration. If we can help in any way, please let us know.

Best,

A handwritten signature in black ink, consisting of a large, stylized 'N' and 'B' followed by a long horizontal line extending to the right.

Nick Bailey
President
RE/MAX, LLC