



## Darien MLS - Clear Cooperation - Violation Action Schedule

Beginning May 1, 2020 the Clear Cooperation Policy goes into effect. If a subscriber to the Darien MLS violates the Clear Cooperation Policy, the Darien MLS will follow the schedule below to enforce the policy. Violations may be identified and reported to the Darien MLS by: Darien MLS subscribers, participants, members of the public or ongoing monitoring of the MLS system by the Darien MLS staff. Complaints can be anonymous, **but proof of an alleged violation is required for enforcement. Proof could include documents, photos and communications.**

**During the first 60 days** (May 1 through June 30, 2020) violations will be written warnings but no financial penalties will be levied. Violations after June 30th will result in enforcement of the violation schedule below.

Once notified of a violation, the agent and broker **must** either remove the marketing to the public or enter the listing into the Darien MLS system as quickly as possible and **not to exceed 24 hours from the notice of violation**. If a fine is issued then the payment must be made by the agent or broker to the Darien MLS and received within 3 business days of the date of the fine. Violations will be tracked and recorded for each MLS subscriber and are cumulative. Violations do not "reset" at the beginning of a new year.

### **First Violation**

A written notification of the violation will be sent to the Listing Agent and Broker, and a **\$500** fine assessed to the Listing Broker. The Listing Agent or Broker must remedy the violation by removing the public marketing, or by entering the listing to the Darien MLS system within 24 hours of the written notification. The \$500 fine is payable to the Darien MLS and **must be paid within 3 business days** of the violation notice by either the Listing Agent or Broker.

### **Second Violation**

A written notification of the violation will be sent to the Listing Agent and Broker, and a **\$1,000** fine assessed to the Listing Broker. The Listing Agent or Broker must remedy the violation by removing the public marketing, or by entering the listing to the Darien MLS system within 24 hours of the written notification. The \$1,000 fine is payable to the Darien MLS and **must be paid within 3 business days** of the violation notice by either the Listing Agent or Broker.

### **Third Violation**

A written notification of the violation will be sent to the Listing Agent and Broker, and a **\$5,000** fine assessed to the Listing Broker. The Listing Agent or Broker must remedy the violation by removing the public marketing, or by entering the listing to the Darien MLS system within 24 hours of the written notification. The \$5,000 fine is payable to the Darien MLS and **must be paid within 3 business days** of the violation notice by either the Listing Agent or Broker.

### **Additional Violations**

Offenses beyond a third violation will be reviewed by the Darien MLS Board of Directors for further action at their discretion.

### **Appeals**

Appeals for violations and associated fines **must be made in writing** and **within 3 business days** of notice of the violation, and will be reviewed by the Darien MLS Board of Directors.