

## How to Avoid Jumping a Listing

According to SCWMLS Rules and Regulations, brokers and agents shall not solicit a listing on property filed with the MLS unless such solicitation is consistent with Article 16 of the Realtors® Code of Ethics. Article 16 prohibits interference in the agency relationship other Realtors® have with their clients. To review Article 16, visit [www.rascw.org](http://www.rascw.org) and click the Professional Standards link and then the Code of Ethics link.

If part of your marketing strategy is to contact sellers of property that come up on the MLS as expired, it is your duty to use reasonable means to determine if the property has been extended or re-listed. “Reasonable means” includes checking the History within Paragon™ before you contact the property owner.

It is very easy to check the History of property within Paragon™, as History is a link from the default Agent Full Report. When looking at the property that has expired, click on the little purple H (H) that is located in the top section of the report. You can also easily scroll through History reports for multiple listings by pulling up the Property History Report located under Available Reports and Specialty Views. Below is a sample History:

<p><b>Address</b> 4377 Snowy Ridge Tr Windsor, WI 53598</p> <p><a href="#">Community Reports</a></p> <p>MLS # <a href="#">1698828</a></p>					
<b>MLS #</b> <a href="#">1701074</a>	<b>Class</b> Single Family	<b>List Date</b> 11/8/2013	<b>CDOM</b> 43	<b>DOM</b> 12	
<u>Chg Date</u>	<u>Chg Type</u>	<u>Status</u>	<u>Price</u>	<u>Listing - Ofc Name</u>	<u>Closing Date</u>
11/8/2013 9:47:00 AM	First Recorded Entry	Active	\$237,500	Geiger Real Estate Group, Inc	
<b>MLS #</b> <a href="#">1698828</a>	<b>Class</b> Single Family	<b>List Date</b> 10/8/2013		<b>DOM</b> 31	
<u>Chg Date</u>	<u>Chg Type</u>	<u>Status</u>	<u>Price</u>	<u>Listing - Ofc Name</u>	<u>Closing Date</u>
11/8/2013 12:10:00 AM	Status	Expired	\$237,500	Geiger Real Estate Group, Inc	

If you were to call the owner of 4377 Snowy Ridge on November 8, you would be in violation of jumping a listing. If you were to send out a letter on November 7, in anticipation of the listing expiring at midnight, you would be in violation of jumping a listing. 1698828 was expired within Paragon in the early hours of November 8, but it was “re-listed” under a new MLS number at 9:47 a.m. that same day. The date listed under the Chg Date column is the date (and time) the listing was actually changed (or added) in Paragon™.

If this property were not “re-listed”, it would be permissible for you to contact the seller on November 8. In order to prove you took “reasonable means” to determine if the property had been extended or re-listed, you would want to print the History Report and file it. Contact must be made before midnight on the day you pull the History Report showing the property is not currently listed. If you wait until the next day, you are required to check History again.

NAR standards allow the filing of jumped listing complaints for up to 180 days from the occurrence. Please take this into account when setting up your retention system for History Reports.

If you are found in violation of jumping a listing, you will be subject to the following: For the first offense the penalty shall be \$100 to the individual salesperson and \$200 to the Participant member. For each offense thereafter, the penalty shall be \$500 to the individual salesperson and \$1,000 to the Participant.