

South Central WI MLS Internet Data Exchange (IDX)

IDX Defined

Internet Data eXchange (IDX) affords Participants the option of authorizing display of their active listings on other IDX Participants' Internet Web sites. "Active" listings include the "active with offer" statuses. The intent of IDX is to allow Participants that represent real estate sellers or buyers (or both) to permit other such participants to advertise their listings on their public web sites. IDX is not available to any other Participants.

An IDX site is defined as a search feature on the public web site of a Participant, which allows a consumer to view listing data on that web site as, provided for in these Rules.

Authorization

Participants' consent for display of their active listings by other Participants, including Participants of MLSs who are participating in the Wisconsin Real Estate Exchange, pursuant to these rules and regulations is presumed unless a Participant affirmatively notifies the MLS that the Participant refuses to permit display, either on a blanket or on a listing-by-listing basis.

If a Participant refuses on a blanket basis to permit the display of that Participant's listings, that Participant may not download, frame or link to the aggregated MLS data of other Participants. Even where Participants have given blanket authority for other Participants to display their listings on IDX sites, such consent may be withdrawn on a listing-by-listing basis as instructed by the seller. The MLS provides for withdrawal of this consent on a per listing basis through its online MLS software.

Participants retain all rights of ownership and display with regard to their own listings.

Participation

Participation in IDX is available to all Participants who are actively engaged in real estate brokerage and who consent to display of their listings by other Participants. This requirement can be met by maintaining an office or Internet presence from which Participants are available to represent real estate sellers or buyers (or both).

Notification

Participants must notify the MLS of their intention to establish an IDX site and must make their site directly accessible to the MLS for purposes of monitoring and ensuring compliance with applicable rules and policies.

All IDX sites, except for MLS-provided generic IDX site options, must be approved by the MLS prior to the establishment of an ongoing data feed.

Security and Control

Participants must protect IDX information from misappropriation by employing reasonable efforts to monitor and prevent “scraping” or other unauthorized accessing, reproduction, or use of the MLS database.

Any web site used by a Participant for publication of MLS Content must be controlled by the IDX Participant and clearly identified as the Participant’s web site. The term controlled means that the operation, hosting and web site consultant(s) are directly responsible to the Participant.

Exclusions

Sellers who have directed their listing brokers to withhold their listing or property address from display on the Internet (including, but not limited to, publicly-accessible web sites or VOWs) shall not be accessible via IDX sites.

Notwithstanding this prohibition, listing broker may display on their IDX sites or their other website(s) the listing or property address of consenting sellers.

Participants may select the listings they choose to display on their IDX sites based only on objective criteria including, but not limited to, factors such as geography or location (“rural”, “downtown, etc.), list price, type of property (e.g., condominiums, single-family detached, multi-family, vacant land), cooperative compensation offered by listing brokers, type of listing (e.g. exclusive right-to-sell or exclusive agency), or the level of service being provided by the listing firm. Selection of listings displayed on any IDX site must be independently made by each Participant.

Participants excluding listings from their IDX site shall not represent in any manner that “all listings” are available on their web site.

Timely Updates

Participants must refresh all MLS downloads and refresh all MLS data at least once every twenty-four (24) hours

Redistribution

Except as provided in the MLS Rules, an IDX site or a Participant operating an IDX site may not distribute, provide, or make any portion of the MLS database available to any person or entity, for any other purpose.

Broker Identification

When displaying listing content, a Participant's IDX site must clearly identify the name of the brokerage firm under which they operate in a readily visible color and typeface.

Content

Except for the listings of the Participant, all listings displayed pursuant to IDX shall contain only those fields of data designated by the MLS and as defined in the IDX Dataset Definition. Display of all other fields (as determined by the MLS) is prohibited. Confidential fields intended only for other MLS Participants and users (e.g., cooperative compensation offers, showing instructions, property security information, etc.) may not be displayed on IDX sites.

Listings displayed shall contain the minimum, but no more than the maximum, information as defined in the IDX Dataset Definition, as may be modified from time to time by the MLS.

IDX Participants shall not modify or manipulate information relating to other Participants' listings. (This is not a limitation on site design but refers to changes to actual listing data.) MLS data may be augmented with additional data not otherwise prohibited from display so long as the source of the additional data is clearly identified.

Printed property data sheets, e-mails, or any other output or display containing MLS data, generated from an IDX site, are subject to the same rules as the listing display on that web site.

Co-mingling of Information

A Participant may co-mingle the listings of other Participants with listings from other multiple listing services on its web site, provided all such displays are consistent with these rules. Co-mingling is (a) the ability for a visitor to the site to execute a single search that searches any portion of the IDX database as the same time it searches listing data for any other source(s); or (b) the display on a single web page of any portion of the IDX database and listing data from any other source.

Listing Broker Identification

All listings displayed pursuant to IDX shall identify the listing firm in a readily visible color and typeface not smaller than that used in the display of listing data, immediately above, below or adjacent to the primary listing photograph.

Any display of another Participant's listing in search results or full listing format shall identify the listing firm immediately adjacent to the property information. The type shall be at least as large as the type used to describe the property.

Display by Agents

Non-principal brokers and sales licensees affiliated with Participants may only display information available through IDX on their own Web sites by framing the Participant's IDX site, subject to their Participant's consent and control and the requirements of state law and/or regulation. Non-principal brokers and sales licensees affiliated with Participants can also frame the MLS offered frameable solution. This site contains only listings of the South Central Wisconsin MLS and does not contain listings provided to WIREX by other MLSs.

Disclaimers

A Participant's web site must credit the South Central Wisconsin MLS as the source of other Participants' listings appearing on the IDX web site.

All listings displayed pursuant to IDX shall show a statement disclaiming any liability for the accuracy of the data. The disclaimer shall be in a form approved in writing by the MLS. The following disclaimer has been approved. *"Information is supplied by seller and other third parties and has not been verified."*

The following copyright statement must appear at the bottom of each such listing - "Copyright 200x – (South Central Wisconsin MLS) – All Rights Reserved"

Participants shall not make any statements or display graphics on their web site that implies the Internet viewer is "searching the MLS" or otherwise accessing or viewing the multiple listing service (MLS).

End User License Agreement

Participants shall indicate on their web sites that IDX information is provided exclusively for consumers' personal, non-commercial use and that it may not be used for any purpose other than to identify prospective properties consumers may be interested in purchasing.

Download Agreement

Participants may not transfer information from the MLS for any purpose, including republishing on the Internet, without executing a Download Agreement provided by the MLS.

The MLS shall have the right at any time and at their sole discretion to terminate the Participant's right to transfer information, upon written notice to the Participant. Transmittal of such notice to the Participant shall constitute delivery of said notice to any consultant.

Compliance

All IDX sites are subject to ongoing compliance auditing by the MLS.

Changes to an IDX site necessary to cure a violation of MLS Rules must be accomplished within ten calendar (10) days of the transmittal of notice from the MLS of such violation.

Violations may subject a Participant to sanctions, including but not limited to the immediate termination of the download agreement to receive or republish the IDX information.

IDX rules are in addition to all other adopted MLS Rules and Regulations of the MLS.

Service Fees and Charges

Service fees and charges for participation in IDX shall be as established by the Board of Directors.