



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 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. Below is a sample History:

Address 5113 Oak Valley Dr Madison, WI 53704 TAX # 0810-341-0604-8 MLS # 1487287					
MLS # 1490638	Class Residential	List Date 8/2/2007	Days On Market		
<u>Chg Date</u>	<u>Chg Type</u>	<u>Status</u>	<u>Price</u>	<u>Listing - Ofc Name</u>	<u>Closing Date</u>
8/2/2007 2:08:00 PM	Current Entry	ACT	\$215,500	Help-U-Sell, Steven's Real Estate	
MLS # 1487287	Class Residential	List Date 7/9/2007	Days On Market		
<u>Chg Date</u>	<u>Chg Type</u>	<u>Status</u>	<u>Price</u>	<u>Listing - Ofc Name</u>	<u>Closing Date</u>
8/3/2007 12:23:00 AM	Status	EXP	\$215,500	Help-U-Sell, Steven's Real Estate	
8/1/2007 5:16:00 PM	List Price	ACT	\$215,500	Help-U-Sell, Steven's Real Estate	
7/9/2007 8:19:00 AM	First Recorded Entry	ACT	\$219,900	Help-U-Sell, Steven's Real Estate	

If you were to call the owner of 5113 Oak Valley Dr on August 3, you would be in violation of jumping a listing. If you were to send out a letter on August 2 in anticipation of the listing expiring at midnight, you would be in violation of jumping a listing. 1487287 had an expiration date of August 2, and was expired within Paragon™ in the early hours of August 3, but it was “re-listed” under a new MLS number at 2:08 p.m. on August 2. 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 August 3. 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.