

APPENDIX B

SAN DIEGO MLS CITATION SCHEDULE OF FINES

Violations may result in a hearing with the possibility of a penalty in excess of the fine as stated in the schedule including disciplinary action and termination of MLS services

2nd offense of a rule within 1 year results in 2 x fine (\$5000 maximum)

<u>Section</u>	<u>Summary</u>	<u>Maximum Fine</u>
7.2	Failure to notify Participants of exclusions to exclusive right listings	\$500
7.4.1	Multiple property entries. Failure to follow variance procedures	\$500
7.5	Late submission or failure to submit exclusive right or exclusive agency listing within 48 hours (except weekend and holidays) on one to four unit residential and vacant lots within San Diego County	\$100/day \$1000 maximum
7.6	Failure to submit Authorization to Exclude Form signed by the sellers within 48 hours	\$100/day \$1000 maximum
7.8	Failure to submit status change or late submission within 24 hours	\$100/day \$1000 maximum
7.9	Listings that are marked withdrawn may not be reentered into the system as new within 30 days by the same brokerage	\$500
7.11	Detail on listings – As outlined by rules	\$250 per item
7.11.2	Variable Range Listing language shall be included in the first line of the remarks section	\$250
7.12	Unilateral Contractual Offer of Compensation	\$1000
7.16	Changes to offer of compensation	\$1000
7.17	Failure to disclose interest by a Broker Participant or R.E. Subscriber in the "confidential remarks" section	\$1000
7.18	Failure to publish all properties capable of being sold separately	\$100 per property
7.19	Failure to obtain written authorization from seller before filing an extension or renewal	\$1000
7.22	Failure to disclose existence of a dual or variable commission arrangement	\$500

APPENDIX B

8.1	Failure to obtain written authorization to submit listing to the MLS as outlined in rule 8.1	\$1000
8.2	Failure to provide written documentation upon request of the service within 24 hours	\$1000 or suspension
8.3	Accuracy of information	\$500 per item
9.1	Failure to conduct appointments for showings	\$500
9.2	Presentation of offers	\$1000
9.3	Submission of offers	\$1000
9.5	Change of Compensation Offer by Cooperating Broker	\$500
10.1	Failure to report or late reporting of all sales	\$100/day \$1000 maximum
10.1.2	Failure to report a Sold Final within 24 hours of C/O/E with correct sales price	\$100/day \$1000 maximum
10.2	Failure to report cancellation of any Pending sale within 24 hours	\$50/day \$500 maximum
10.4	Listings that are marked cancelled may not be reentered into the system as new within 30 days by the same brokerage	\$500
11.7	Media must be of subject property, view from property or amenities. Written permission required for use of media	\$500
11.7.1	Failure to submit photograph or rendering within seventy-two (72) hours	\$150
12.5	Misuse of remarks. Comments should relate to marketing & physical attributes of subject property	\$250
12.6	Improper placement of "For Sale" signs on a property	\$250
12.7	Improper "SOLD" signs & use of term "SOLD"	\$500
12.8	Failure to obtain prior written consent of the listing broker when advertising their listing	\$500
12.9	Advertising disclaimer	\$500
12.10	False or misleading advertising	\$500
12.10.1	False or misleading statements	\$500
12.11	Unauthorized Use of MLS information	\$1000

APPENDIX B

12.12	Unauthorized use of security pass codes	\$1000 per access
12.15.1	Reproduction of information: As outlined	\$100 per item
12.15.2	“ “ “ “	\$1000 maximum
12.15.3	“ “ “ “	
12.15.4	“ “ “ “	
12.15.5	“ “ “ “	
12.16	Misuse of MLS data on public website	\$500
13.2	Use of a Smart Card other than the registered owner	\$2500
13.5	Unauthorized placement of lockbox without written authority of seller and occupant	\$1000
13.6	Unauthorized entrance to a property without the listing broker’s permission. Misuse of lockbox contents	\$500