



## **Canopy MLS to Transition to Open MLS**

The Canopy MLS Board of Directors voted to become an Open MLS effective January 1, 2025. Canopy MLS will share more details on the transition to an Open MLS this fall as outlined below.

Broker-in-Charge general briefing meetings are scheduled for September 3<sup>rd</sup> and 9<sup>th</sup> via Zoom. On September 11<sup>th</sup>, two general membership meetings will be held via Zoom. Our intent is to provide as much information as possible prior to the Canopy Realtor® Association dues billing, which will occur on November 1, 2024.

In making the decision to move to an Open MLS, which has been allowed by NAR policy since 1994, the Canopy MLS carefully considered the potential benefits and risks.

### **What do I need to do?**

Each firm will need to make the decision whether or not to remain a Realtor® firm. Ideally, that decision should be made prior to November 1, 2024, the date Canopy invoices annual Realtor® dues.

### **Why does the decision need to be made prior to November 1, 2024?**

Knowing whether or not a firm will remain a part of the Realtor® organization prior to November 1, will allow staff to ensure Realtor® invoices are not posted to a “non-Realtor®” firm’s agent accounts. Refunds are not possible for Realtor® dues.

### **How does an Open MLS work?**

Currently, Canopy MLS is an all Realtor® MLS, which means that in order to have access to the MLS, a real estate brokerage must have a Broker-in-Charge (“BIC”) who holds Realtor® membership. In an Open MLS, the BIC has the option of remaining a Realtor® member who subscribes to the MLS or choosing to drop their Realtor® membership and just subscribe to the MLS.

### **With Realtor® membership:**

- A BIC who holds Realtor® membership, has the option of allowing all licensees within their firm to either: (1) hold Realtor® membership, or (2) not hold Realtor® membership.
- In situations where a BIC, who is a Realtor®, allows licensees to not hold Realtor® membership (a “non-member licensee”), that BIC becomes responsible for paying a non-member licensee assessment fee (which becomes part of that BIC’s association dues) for each non-member licensee affiliated with that BIC. The BIC also becomes responsible for any Code of Ethics violations of the non-member licensee.
- In this scenario, access to MLS services is available for all Realtors® and non-member licensees affiliated with that BIC.
- Unlicensed individuals, other than assistants, are NOT permitted access to the MLS.

### **In an Open MLS:**

- A BIC may choose to not hold Realtor® membership and not be part of the Realtor® Association.
- If a BIC chooses not to hold Realtor® membership, all licensees affiliated with that firm cannot hold Realtor® membership.
- The firm would be considered a “non-Realtor®” firm.
- Licensees affiliated with a non-Realtor® firm may participate in or subscribe to the MLS, must pay all applicable MLS fees, and will be obligated to follow the MLS Rules and Regulations.
- Unlicensed individuals, other than assistants, are NOT permitted access the MLS.

Canopy MLS is confident that because of the value and benefits members receive from the Realtor® Association, firms will choose to remain a part of the Realtor® organization, whether through the Canopy Realtor® Association or through another local Realtor® Association.

Additionally, Canopy believes in the importance of the Realtor® Code of Ethics and feels very strongly that every transaction occurring within the MLS must be governed by the Code of Ethics. In moving to an Open MLS, to the extent possible, the Code of Ethics will be incorporated into the Canopy MLS Rules and Regulations and apply to all MLS members and subscribers - not just to those who hold Realtor® membership. If a non-Realtor® subscriber violates a provision of the Code of Ethics that is incorporated into the MLS Rules and Regulations, that non-Realtor® will be responsible for responding to any MLS rule violation allegations made against that non-Realtor® by any complainant.