

MLS POLICY UPDATE #2

Effective 4/2024



The MLS Committee would like to update our members of the following MLS policy change. The change will go into effect on April 1st, 2024. Please familiarize yourself with the information below:

CAR MLS Model Rules: Citation Reconsideration Process

TCMLS will be adopting CAR's MLS citation reconsideration process. The process was modeled after CAR's arbitration and mediation program, was already in use by other AOR/MLSs, has supplemental documentation (manual, checklist, and disposition form) and has established dates/timeframe to ensure timely citation reviews.

Why the change?

TCMLS believes it was in our member's best interest to have a standardized and transparent MLS citation review process so members understand what was required to initiate a review, how the review would be conducted, who would be conducting the reviews, the limitations of the reviews and all dates/timeframe related to the reviews.

What are the features of the process?

- Correction of Violations/No Formal Hearings (Violation must be corrected first and written reviews only)
- Basis for Citation Reconsideration (Review must clearly state specific grounds for request including all facts, timelines and/or reasons).
- Preliminary Review (Allow recipient opportunity to correct reviews if citation reconsideration grounds are not met)
- Citation Reconsideration Panel (3-5 members of MLS Committee)
- Decision and Fine Limitation (No new sanctions, rules violations or fines shall be added)
- Notice of Decision to Recipient (Recipient to be notify within 15 days after review)
- Payment (Citation fees due in 7 days)
- Finality of Panel (Decision is final, no request to Board)

Where can I read about the process?

CAR's MLS citation reconsideration process can be found in the *California Code of Ethics & Arbitration Manual* (section 8). The manual is available at car.org (<https://www.car.org/mlspro/Pro-Standards-Materials>) and a copy will be available at TCAOR's website.

Do not hesitate to contact the board/MLS office (559-627-1776, support@tcmls.org) with any questions.