



Frequently Asked Questions: Internet Data Display and IDX

March 2012

Is ABoR aware of the recent discussions by members surrounding IDX rules?

Yes. Correspondence regarding IDX has recently circulated among several members of the Austin Board of REALTORS® (ABoR). Requests have been made to make changes to existing IDX policies.

Is ABoR considering changes to the IDX policy?

ABoR is committed to remaining objective in identifying solutions that best serve MLS subscribers and consumers. As with any recommendation made by MLS subscribers, ABoR will objectively consider suggested changes so long as they are in compliance with NAR standards.

What IDX rules are being examined?

IDX rules that involve the display of office information and opt-out provisions are being discussed.

How is ABoR addressing concerns about IDX?

In the spirit of cooperation, ABoR will hear from representatives who have concerns or requests that involve the IDX rules that are currently in place. Representatives will present requests at the ABoR March Board Meeting. We aim to record the presentations and make them video available on **Abor.com** to MLS subscribers.

How can I share my opinion?

If you have questions concerning discussions about the IDX rules, please contact our MLS Department at ACTRIS@abor.com.

When would members see changes to the IDX rules, if implemented?

After ABoR receives input from MLS subscribers, The Association will review options. We do not anticipate that any changes will be made or announced until May 2012.

Are members permitted to attend ABoR Board meetings?

While Board Meetings are open to members, the **March 28** meeting will be limited in space. To keep our members informed, we intend to record presentations and make the video available on the Abor.com website by **April 1**. When discussing confidential or contractual matters, the Board of Directors may close the meeting for executive session.

Is ACTRIS changing the “IDX yes/no” field?

In February, ACTRIS decided to clarify the IDX field. While no rules were modified at that time, data field changes will be made in listing maintenance that will simplify existing input requirements. Sellers will have the option to opt out of Internet display, not IDX. The system changes are expected to be implemented by April 2012.

What is the difference between IDX, Listing Syndication and Internet Display?

Internet Data Exchange (IDX), Listing Syndications and Internet Display are not the same thing. Although opting-out of one may result in opting-out of another, they are not all mutually exclusive.

- **Internet Data Exchange (IDX):** IDX is the sharing of listings with other brokers for the public to see. The choice is primarily a blanket opt-in or opt-out; if brokers opt out, then they are not allowed to feature other brokers’ listings on their own websites.
- **Internet Display:** Internet Display is a choice that sellers/owners find in the listing agreement form. Internet Display options allow sellers to give permission to their listing agents to advertise homes on the Internet. Sellers also have the option of advertising their homes for sale on **AustinHomeSearch.com, Realtor.com** and **TexasRealEstate.com**. Additional information about listing display can be found in the FAQs regarding [Virtual Office Websites \(VOWs\)](#).
- **Listing Syndication:** Listing syndication websites advertise properties online. Listing syndicators typically aren’t a part of the real estate brokerage business, rather they are focused on advertising generation or they are lead generators that sell leads to agents. Brokers currently opt-in or opt-out of listing syndication for their listings.

What options are available to REALTORS®?

When a property is listed on ABoR’s MLS system, both the **seller** (via the **listing agent**) and the **broker** have internet display options:

The seller, via their trusted listing agent, can prohibit their listing from being placed on any Internet site. Alternatively, they can prohibit the address of their property from being posted on any Internet site. If the seller opts-out of having their property listed on the Internet, it cannot be displayed on Virtual Office Websites (VOWs), third-party sites, trusted sites like **Realtor.com, Austinhomesearch.com, TexasRealEstate.com** nor IDX sites. Sellers can also direct that automated valuation and/or third-party comments be disabled or discontinued with respect to their properties.

The broker currently makes the majority of decisions regarding Internet display options. Currently, brokers make the blanket opt-in or opt-out decision in regards to both IDX, as well as listing syndication. Brokers may also register for ListHub, an ABoR partner that syndicates listings to Zillow, Trulia, and about 60 other third-party sites. If your office is registered for ListHub, then any listing marked “IDX=Yes” will go to any of the ListHub channels the broker has selected.

IDX Policies

NAR Rules & Resources:

<http://www.realtor.org/mempolweb.nsf/pages/IDX?OpenDocument&Login>

ACTRIS Rules (Article VIII): <http://www.abor.com/pdf/mlsrules.pdf>

NAR's Frequently Asked Questions About IDX

Q: What is IDX?

A: Short for Internet Data Exchange, IDX is an agreement between Brokers to share their listings with each other for the purpose of Internet display on individual web sites.

Q: What is the benefit of IDX?

A: IDX is combination of advertising and communication. It is more exposure for your listings to the general public through potential Buyers agents' web sites.

Q: What does it mean when a Broker selects "Yes" for IDX?

A: By participating in IDX, Brokers are agreeing to let other offices promote your listings on the Internet.

Q: How is Internet Data Exchange accomplished?

A: Other brokers' listings can be displayed either by downloading data from the MLS compilation and publishing it on your website.

Q: Am I required to allow other Participants to display my listings on their websites?

A. No, Participants are free to withhold authority for such display - either on a blanket or on a listing-by-listing basis as instructed by the seller. (revised 5.06.11)

Q: What happens if I won't allow other Participants to display my listings on their websites?

A: If you prohibit the display of your listings by other Participants, you may not display their listings on your website pursuant to the IDX program. Other Participants may give you permission to display their listings but that permission would have to be sought and obtained separately from each Participant.

Q: What happens if a Participant doesn't prohibit other Participants from displaying her listings on a blanket basis but instead indicates, each time she submits a new listing to the MLS, that her authorization to display that listing is being withheld. Since she hasn't issued a "blanket" prohibition against display by other Participants (but is constructively doing just that incrementally), is she entitled to display other Participant's listings?

A. No. A Participant cannot do indirectly what she cannot do directly. Since any Participant can opt out of IDX on a blanket basis, it can be presumed that those Participants who don't opt out are willing to allow other Participants to display their listings - except in those (likely) infrequent instances where a seller specifically prohibits the listing broker from allowing the listing to be displayed by other Participants.

This is analogous to the rules and policies of many MLSs that acknowledge the right of Participants to accept "office exclusive" listings in cases where a seller requests that their listing not be included in the MLS compilation.

Q: A Participant in our MLS has not prohibited display of his listings on a blanket basis but over half of his new listings cannot be displayed by other Participants. Can we make a rule that a Participant cannot display other Participants' listings pursuant to the IDX program unless that Participant authorizes display of, say, 80% or 90% of their own listings?

A. No. But if a Participant doesn't opt out of IDX (by issuing a blanket prohibition of display by other Participants) he is presumed to be authorizing display of his listings by other Participants except in those instances where a seller specifically prohibits Internet display. If an inordinate number of listings cannot be displayed by other Participants, a rule could be established requiring listing brokers to certify that the benefits of having their property displayed on other Participants' sites had been explained to the seller but that the seller had refused to permit such display. (revised 3.02.10)

Q: If I don't participate in IDX but give another Participant permission to display my listings on their website, can the MLS (with my permission) transfer my listings to that Participant?

A. Yes. MLS may, but are not required to, transmit your listing information to any destination you authorize. The decisions as to whether an MLS will provide this service and whether to charge for such a service, are matters of local determination.

Q: If I want to authorize other Participants to display my listings under IDX, how do I do it?

A. Once your MLS implements the IDX program you don't need to do anything. The way the IDX program is structured, the consent of each Participant to permit display of their listings is assumed. If you choose not to permit display of your listings by other Participants, you simply notify the MLS that your consent is being withheld. It should be stated that some MLSs have chosen to use an "opt-in" approach to IDX under which Participants must affirmatively signify their intent to participate in IDX. Determining whether to use an "opt-in" or "opt-out" approach is a matter of local option.

Q: Can the MLS refuse to accept my listings if I do not permit other Participants to display them on their websites?

A. No. Participants cannot be required to consent to display of their listings on other Participants' websites as a condition of participation in the MLS.

Q: Does IDX conflict with license law or the Code of Ethics?

A. Implementation of IDX must be consistent with state law. NAR's IDX policy statement is consistent with the Code of Ethics since no display of other Participants' listings can occur without their consent, though, can be assumed unless affirmatively withheld by the listing Participant.

Q: Can I authorize some, but not all, Participants to display my listings on the Internet?

A. If you consent to the display of your listings by other Participants under the IDX program, then any other Participant in the MLS may display your listings. If you prefer to authorize some, but not all, Participants to display your listings, this can be accomplished - though not under the IDX program. Separate consents would have to be granted to each Participant authorized to display your listings. As noted in an earlier question, MLSs may, but are not required, to transmit your listings to any destination you authorize. The decisions as to whether an MLS will provide such a service, and the related charges (if any) are matters to be determined locally.

Q: Can listing information be modified when it is displayed on other Participants' websites?

A: This is a matter of local determination, although any authorized modification must comply with the "true picture" mandate of Article 12 of the Code of Ethics.

Q: May a seller prohibit display of her property address, AVMs, and blogging related to her property on IDX sites while permitting those functionalities on non-IDX Internet advertising?

A: With respect to display of the seller's property address, IDX model rule Section 18.2.3 bars display of the seller's property or property address (or both) where sellers have directed their listing brokers to withhold their listing or property address from display on the Internet." "Display on the Internet" includes IDX sites, VOWs and third-party aggregator sites.

With respect to AVMs and blogging features, Section 18.2.8 of the model IDX rules deals with sellers who have "elected to have one or both of these features disabled or discontinued on all Participants' websites". While not as broad as the "on the Internet" prohibition established in Section 18.2.3, it applies to all websites of participants including their IDX sites and VOWs. (added 3.08.10)

Q: If a seller wants an IDX site to turn off automated valuation or blogging of their property, how do they do that?

A: Sellers who wish to have automated valuation and/or blogging features of IDX sites disabled or discontinued with respect to their properties should communicate that request to their listing broker, who will in turn transmit that request to the MLS. (added 3.08.10)

Q: Can the listing data input process include "yes/no" "checkboxes" regarding the seller's right to withhold consent for automated valuation or blogging on his listing shown on an IDX site (e.g. "AVM - yes/no", "Blogging - yes/no")?

A: Yes, but it should be understood that absent a seller's specific direction that AVM and/or blogging functions be disabled or discontinued, these functions are permitted. (added 3.08.10)