

Excerpt from the MLS Rules and Regulations of the Honolulu Board of REALTORS®

XVII. INTERNET DATA EXCHANGE (IDX)

Definitions: "Participant" as mentioned herein refers to the principal of a firm as defined in the current MLS Rules and Regulations.

"IDX User" as mentioned herein refers to Participant, non-principal REALTOR®, and/or licensee affiliated with Participant.

Section 17 IDX Defined: IDX affords MLS Participants the option of authorizing display of their active listings on other Participants' Internet web sites.

Section 17.1 Participants' consent for display of their active listings by other Participants pursuant to these rules and regulations is presumed unless a Participant affirmatively notifies the MLS that the Seller refuses to permit display. If a Participant refuses on a blanket basis to permit the display of that Participant's active listings, that Participant may not download or frame the aggregated MLS data of other Participants. Participant's consent to display of their active listings by other Participants is required to have their active listings transmitted by the MLS to aggregators/publishers of real property ads.

Section 17.2 Participation in IDX is available to all MLS Participants who are REALTORS® who are engaged in real estate brokerage and who consent to display of their active listings by other Participants. This requirement can be met by maintaining an office from which Participants are available to represent real estate sellers or buyers (or both).

Section 17.2.1 Non-principal brokers and sales licensees affiliated with Participants may display information available through IDX on their own websites subject to their Participant's consent and control and the requirements of state law and/or regulation.

Section 17.3 Display: Display of active listing information pursuant to IDX is subject to the following rules:

Section 17.3.1 Active listings displayed pursuant to IDX shall contain only those fields of data designated by the MLS. Display of all other fields (as determined by the MLS) is prohibited.

Section 17.3.2 IDX Users shall determine which active listings or the types of active listings they will display on their websites. Examples include property type ("condos," "single family detached," "multi-family," etc.), price, or location ("downtown").

Section 17.3.3 IDX Users shall not modify or manipulate information relating to other Participants' active listings. (This is not a limitation on site design but refers to changes to actual active listing data.)

Section 17.3.4 All active listings displayed pursuant to IDX shall identify the listing firm as the listing broker or as required by state law.

Section 17.3.5 All electronically displayed active listings shall prominently display the following disclaimer, attribution statement and copyright statement:

Based on information from the Multiple Listing Service of the Honolulu Board of REALTORS®
active listings last updated on _____.

Information is deemed reliable but not guaranteed.

Copyright: YYYY by the Honolulu Board of REALTORS®

Section 17.3.6 IDX Users must refresh all downloads and refresh all data at least once every 7 days.

Section 17.3.7 IDX Users shall indicate on their websites that IDX information is provided exclusively for consumers' personal, non-commercial use and may not be used for any purpose other than to identify prospective properties consumers may be interested in purchasing.

Section 17.3.8 The data consumers can retrieve or download in response to an inquiry shall be limited to 100 active listings per search.

Section 17.3.9 The right to display other Participants' active listings pursuant to IDX shall be limited to a Participant's office(s) holding participatory rights in this MLS.

Section 17.3.10 Active listings obtained through IDX must be displayed separately from active listings obtained from other sources, including information provided by other MLSs.

Section 17.3.11 No portion of the IDX database shall be used or provided to a third party for any purpose other than those expressly provided for in these rules.

Section 17.4 Service Fees and Charges: Service fees and charges for participation in IDX may be as established by the Board of Directors.

Section 17.5 All IDX Users who electronically display active listings information pursuant to IDX shall display the following agency disclosure statement:

Some of the active listings appearing on this site may be listed by other REALTORS®.

If you are interested in those active listings, our company may represent you as the buyer's agent.

If the active listing you are interested in is our company's active listing, you may speak to one of our agents regarding your options for representation.