

Date: 07/07/23



The Quality Assurance department has been monitoring photo issues and notifying agents when corrections are needed if listing photos are not in compliance.

Beginning on **August 1, 2023**, the QA department will send out notices of **non-compliance** and if the correction is not made, **fin**es will be issued.

WHAT TO KNOW:

Photos are an important part of your listings. Beginning in April, the first phase of **restb.ai** was implemented with our Corelogic Listing Data Checker (LDC) software. MLS Now Quality Assurance Department began using this **artificial intelligence** software to monitor the photo rules. MLS staff are notified if items are found in listing images that violate our photo rules (visible sign in yard, people in the photo, text or phone numbers added to an image, watermarks, etc). You will receive an email notification if updates are required on your listing photos.

WHAT TO DO:

- Add **front** photo within **2 business days** of entering listing in Matrix.
 - MLS Now has several placards available in Matrix Links if needed for To Be Built, Vacant Land and Seller Opt Out of Photos.
- Follow all MLS Now photo **rules** (detailed on following two pages) –
- *Do not use someone else's photos unless you have **written permission**.*
- Watch for email notices from Quality Assurance and promptly **correct** any issues to avoid a penalty.
- View the complete [MLS Now Rules and Regulations](#)

WHO TO CONTACT:

If you have any questions, call MLS Now Quality Assurance at 216-485-4100 x 1494 or email QA@MLSNow.com



Photo Related Rules

Virtual Staging

Virtual Staging is defined as using a photo editing software to create a photo or conceptual rendering of what the interior room(s) and/or interior of the property could look like, if it was staged or lived in. Virtual Staging shall only be used for the interior of an existing structure. Virtual Staging shall not be used for To-Be-Built or Under Construction properties. (See Section for To-Be-Built and Under Construction properties.) *(Adopted 3/2016)*

Note: All To Be Built, New Construction and Under Construction properties must have the disclosure on the primary photo, either To Be Built, New Construction or Under Construction. Either the language is to be typed across the rendition or the provided placard in MLS Now may be used. *(Adopted 5/2016)*

3.5 Media / Virtual Tour

Participants and Subscribers providing photos and/or virtual tours on their listings entered into the MLS may only provide interior and/or exterior photos of the property. No photos of for sale signs, agent portfolio information or contact information can be used or displayed in the media /virtual tour function of the Services' system. **Virtual Tours and/or Virtual Walk-Throughs may only be entered in the Virtual Tour fields provided in the Service's system.** Improper use of this function may result in a penalty and the unauthorized photo and/or virtual tour will be removed from the system. **(Clarified 4/2022)**

The use of people or persons and/or words on any property photograph submitted to the Service is strictly prohibited.

3.6 Primary Photo

In order to maintain consistency in the Service, the primary photo as established is the front view of the property. Any photo set as the primary photo for the property that is not the front view of the property will be removed. In the event of a home having two front views (i.e., waterfront home) the listing agent may choose which of the two views to use as primary. If the alternate view is used as the primary, the photo of the front view of the property must be set in the second position. *(Amended 3/2016)*

Photos are required to be uploaded within 48 hours, or 2 business days (excluding Saturdays, Sundays, and postal holidays) of entering a listing with the property type of Residential, Condominium or Multi-Family into the system. If a photo is not uploaded within the required timeframe a penalty will be assessed. If the seller chooses not to have a photo displayed in the MLS, the brokerage firm will upload the standard "sellers opt-out" placard within the required timeframe.

If a seller opts out of having a photo uploaded in the MLS, he/she will be required to complete the Seller Opt-Out of Photo portion of the Seller Opt-Out of MLS form and must be submitted to the MLS within 48 hours or 2 business days (excluding Saturdays, Sundays, and postal holidays) of the listing date. A fine of \$100 will be assessed if the photo is not uploaded within 48 hours, or 2 business days (excluding Saturdays, Sundays, and postal holidays) of entering the listing into the system.



Effective August 1, 2013, photos will be REQUIRED for COMP ONLY listings. This applies to Single Family, Condominium and Multi-Family listings.

3.7 Virtual Staging:

Virtual Staging is defined as using a photo editing software to create a photo or a conceptual rendering of what the interior room(s) and/or interior of the property could look like, if it was staged or lived in. Virtual Staging shall only be used for the interior of an existing structure. Virtual Staging shall not be used for To-Be-Built or Under Construction properties.

Disclosure of virtually staged photo(s)/rendering(s) is required in the specified field, namely, the photo description entry field.

Permitted Uses of Virtual Staging in the Service:

- a) Modifying photo(s)/rendering(s) to include personal property items not conveyed with the real property is permitted. Permitted personal property modifications include but are not limited to: applying digital photos of furniture, mirrors, artwork, plants, etc. into a photo of a room.
- b) Removing existing furniture from a photo and replacing it with digital images of furniture, mirrors, artwork, plants, etc.

Prohibited Uses of Virtual Staging in the Service:

- a) No photos of the exterior of the property shall be virtually staged.
- b) No permanent fixtures of the interior shall be removed, altered, or added.
- c) Modifying photo(s)/rendering(s) to include visual elements not within a property owner's control is strictly prohibited. (example: editing in a view of Lake Erie, and/or popular landmarks that are not physically possible from the specified location in the real world.)
- d) Modifying photo(s)/rendering(s) to exclude negative visual elements is strictly prohibited. (example: holes in the wall, exposed wiring, damaged flooring, etc.)
- e) No branding is permitted. The use of people or persons and/or words on any property photograph submitted to the Service is strictly prohibited.

Failure to comply with Virtual Staging Rules and Regulations shall result in the Virtual Staged photos being removed from the service and shall be subject to fines assessed for repeat offenders. (Adopted 3/2016)

