

# Table of Contents for WARDEX Rules and Regulations Revised February 25, 2010

## Listing Procedures

### Section 1: Listing Procedures

#### Section 1.1: Types of Properties

##### Section 1.1.1: Listing Subject to Rules and Regulations of the Service

#### Section 1.2: Detail on Listings Filed with the Service

##### Section 1.2.1: Limited Service Listings

###### Section 1.2a Disclosure of Short Sales and Foreclosures

##### Section 1.2.2: MLS Entry Only Listings

##### Section 1.2.3: Homes that do not Include Lot

##### Section 1.2.4: New Construction

##### Section 1.2.5: Pictures, Remarks

###### Section 1.2.5.1 Photos

#### Section 1.3: Exempted Listings

#### Section 1.4: Change of Status of Listing

#### Section 1.5: Withdrawal of Listing Prior to Expiration

#### Section 1.6: Contingencies Applicable to Listings

##### Section 1.6.1: Lot for Sale with Contingencies

#### Section 1.7: Listing Price Specified

#### Section 1.8: Listing Multiple Unit Properties

##### Section 1.8.1 Duplicate Listings:

#### Section 1.9: No Control of Commission Rates or Fees Charged to Participants

#### Section 1.10: Expiration of Listings

#### Section 1.11: Termination Date on Listings

#### Section 1.12: Jurisdiction

#### Section 1.13: Listing of Suspended Participants

#### Section 1.14: Listing of Expelled Participants

#### Section 1.15: Listing of Resigned Participants

#### Section 1.16: Intentionally Omitted

#### Section 1.17: Listings Subject to Rules and Regulation of the Service

#### Section 1.18: Data Base Errors

##### Section 1.18.1: Unpaid Fees, Fines or Other Assessments

## **Table of Contents Continued Page 2**

### **Selling Procedures**

#### Section 2: Showings and Negotiations

Section 2.1: Presentation of Offers

Section 2.2: Submission of Written Offers

Section 2.3: Right of Cooperating Broker in Presentation of Offer

Section 2.4: Right of Listing Broker in Presentation of Counter Offer

Section 2.5: Reporting (Publishing) Sales to the Service

Section 2.5.1: Listings Sold Before Put into the Service

Section 2.6: Reporting Resolution of Contingencies

Section 2.7: Advertising of Listings Published in the Service

Section 2.8: Reporting Cancellation of Pending Sale

Section 2.9: Disclosing the Existence of Offers

Section 2.10: Availability of Listed Property

Section 2.11: Lockboxes

### **Refusal to Sell**

#### Section 3: Refusal to Sell

### **Prohibitions**

#### Section 4: Information for Participants Only

Section 4.1: For Sale Signs

Section 4.2: Sold Signs

Section 4.3: Solicitation of Listing Filed with the Service

### **Division of Commissions**

#### Section 5: Compensation Specified on Each Listing

Section 5.0.1: Short Sales

Section 5.1: Participant as Principal

Section 5.2: Participant as Purchaser

Section 5.3: Dual or Variable Rate Commission Arrangements

## Table of Contents Continued Page 3

### Service Charges

#### Section 6: Shareholder Service Fees and Charges

Section 6.1: Service Fees

Section 6.2: Exemption of Service Fees, Dues and Charges

Section 6.3: Waivers of Fees

### Compliance with Rules

#### Section 7: Authority to Impose Discipline

Section 7.1: Compliance with Rules

Section 7.2: Applicability of Rules to Users and/or Subscribers

### Meetings

#### Section 8: Meetings

### Enforcement of Rules or Disputes

#### Section 9: Considerations of Alleged Violations

Section 9.1: Violations of Rules and Regulations

Section 9.2: Complaints of Unethical Conduct

Section 9.3: Participant and Subscriber Contact Information

### Confidentiality of Service Information

#### Section 10: Confidentiality of Service Information

Section 10.1: Service Responsibility for Accuracy of Information

Section 10.2: Access to Comparable and Statistical Information

### Ownership of Service Compilation\* and Copyright

#### Section 11: Ownership of Service Compilation and Copyright

Section 11.1: Right, Title and Interest

Section 11.1.1: WARDEX Acronym

Section 11.2: Compilation Lease

## Table of Contents Continued Page 4

### Use of Copyrighted Service Compilation

#### Section 12: Distribution

##### Section 12.1: Display

##### Section 12.2: Reproduction

### Use of Service Information

#### Section 13: Limitations on Use of Service Information

### Changes in Rules and Regulations

#### Section 14: Changes in Rules and Regulations

### Arbitration of Disputes

#### Section 15: Arbitration of Disputes

### Definitions

#### Section 16: Roofing

##### Section 16.1: Motor Home Parking

##### Section 16.2: RV Parking

##### Section 16.3: Room Additions

##### Section 16.4: Bedroom VS Den

##### Section 16.5: Santa Fe Design

##### Section 16.6 Garage

### Orientation

#### Section 17: Orientation

### Internet Data Exchange (IDX)

#### Section 18: IDX Defined

##### Section 18.1: Authorization

##### Section 18.1.1: Objective

## Table of Contents Continued Page 5

### Section 18.2: Participation

Section 18.2.1: Participants Notify Service

Section 18.2.2: Participants Protect Information

Section 18.2.3: Withholding Addresses

Section 18.2.4: Selected Listings on IDX

Section 18.2.5: Refreshing Service Downloads

Section 18.2.6: Distributing to Third Party Vendor

Section 18.2.7: Brokerage Name on Site

### Section 18.3: Display

Section 18.3.1: Prohibited Display

Section 18.3.1.1: Type of Listing

Section 18.3.2: Modification of Listings

Section 18.3.3: Listing Firm Display

Section 18.3.4: Deleted

Section 18.3.5: Non-Principal Brokers

Section 18.3.6: Deleted

Section 18.3.7: Service as Source of Information

Section 18.3.8: Disclaimer on Site

Section 18.3.9: Deleted

Section 18.3.10: Participatory Rights to Other Listings

Section 18.3.11: IDX Listings Separate from Other Sources

Section 18.3.12: Expired, Withdrawn, Pended Listings Prohibited

Section 18.3.13: Seller Information Prohibited

Section 18.3.14: Security Protection - Firewalls

Section 18.3.15: Audit Trail of Consumer Activity

### Section 18.4: Service Fees and Charges

### Section 18.5: Written Agreement Required for Member to Download WARDEX Database

## Table of Contents Continued Page 6

### Internet Data Exchange Solutions

#### Virtual Office Website (VOW)

Section 19.1 Virtual Office Website

Section 19.2 Right of Participant's

Section 19.3 Participant Instructions

Section 19.4 Participant's Identification

Section 19.5 Participant Monitoring

Section 19.6 Property Listing

Section 19.7 Third Party Comments and Links

Section 19.8 Receiving Comments

Section 19.9 VOW Refreshing

Section 19.10 Non Distribution of Information

Section 19.11 Privacy Policy

Section 19.12 Listing Exclusion

Section 19.13 MLS Notification

Section 19.14 Multiple VOW's

Section 19.15 Information Prohibited

Section 19.16 Listing Content

Section 19.17 Disclaimer

Section 19.18 Left Blank

Section 19.19 Left Blank

Section 19.20 Password Changes

Section 19.21 Advertising

Section 19.22 Listing Sources

Section 19.23 Alternate Source Disclaimer

Section 19.24 License Agreement

Section 19.25 Seller's Affirmative Direction

## Table of Contents Continued Page 7

### Appendix 1: WARDEX Policies and Procedures

Policy 1: Photos and Data: Missing and/or incorrect Photos, Visual Tours and Listing Data

Policy 2: New Construction

Policy 3: Bulletin Board

Policy 4: IDX

Policy 5: Service Committee

Policy 6: WARDEX New User, Transfer, Firm and Agent Maintenance

Policy 7: Payment of Dues

Policy 8: Finance Policy

Policy 9: Other Rules and Fines

Policy 10: Harassment

Policy 11: Payment of Fines

Policy 12: Use of Alias

Policy 13: Communication