



# Compliance FAQs

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## Photographs and Media

### **Can images be removed from a listing once in a finalized status (Closed, Canceled, Expired)?**

If the listing is in a finalized status (Closed, Canceled, or Expired), the MLS will not remove any photographs or other historical data from the MLS, per section 11.8 of the CRMLS Rules and Regulations. The information in the listing is very important and necessary for future appraisals and CMAs, and the photo help all MLS users with understanding the value of the property.

### **How do I get photographs removed from Zillow, Trulia, etc.?**

The contract between CRMLS and Zillow requires Zillow to remove all photos, except one exterior picture from the Zillow site upon the listing being sold for any listing Zillow receives from CRMLS. However, Zillow also receives information from some brokerage firms directly rather than from CRMLS, and in those cases the contract between the listing broker and Zillow controls the situation. You will need to reach out to those syndication sites directly. CRMLS does not control the data that is shown on such data feeds that do not originate from CRMLS.

### **Can I put a photograph of the property on the MLS with my “For Sale” sign visible?**

No. This is considered “branding” and is prohibited on the MLS. Violations of this rule will result in the removal of the photograph and the issuance of a citation, per section 11.5(e) of the CRMLS Rules and Regulations. Because a branding advertisement occurs concurrently with the publication of the media, this violation does not require a Warning Notice, and a citation with a fine will be sent immediately.

### **Does the primary photograph need to be of the exterior structure of the property?**

No. While at least one (1) photograph must be of a substantial portion of the exterior of the property, it is not required to be posted as the primary photo.

### **I have a land listing but cannot gain access to the property to take a picture. What do I do to fulfill the photo requirement?**

Parcel maps downloaded from public sources that confirm in writing the right of the user to use the image, are acceptable in these cases. An accurate rendering of the property is also allowed.



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## **Are YouTube links allowed in the Unbranded Virtual Tour field?**

If the channel is unbranded and the description includes general information regarding the property, yes. If the channel includes agent or brokerage information, logos, photos, or other information tying the channel to yourself or your brokerage, NO. Please reference section 12.5 of the CRMLS Rules and Regulations for further restrictions regarding virtual tours and other media.

## **Can I use images copied from Google or Bing on my listing?**

No. By submitting any media to the MLS, the Participant and Subscriber represent and warrant that they own the right to reproduce and display the media or they have procured such rights and all necessary licenses from appropriate parties. Any media copied from or supplied by a third-party source must be supported by pre-entry written documentation which authorizes the listing agent and broker to use the images on the MLS. Importantly, Google and Bing limit the allowed uses of their images to "Non-Commercial" uses, and publication through the MLS is considered a commercial use.

## **What documentation do I need if I am using photographs taken by a photographer?**

The listing agent and broker must obtain written documentation which authorizes the use of the images. This documentation may include but is not limited to the C.A.R. PIA (Property Images Agreement) form, or an otherwise acceptable assignment of rights or exclusive license agreement. Whichever document is used, it must provide an irrevocable, unrestricted, transferable, perpetual, royalty-free, and non-exclusive (with right to sublicense) right to the MLS to use, store, reproduce, compile, display and distribute the media as part of its compilation. CRMLS has observed that nearly all photographer-created license forms fail to provide the necessary license language even though they make some reference to the MLS, and should be used with caution.

## **My seller provided me with photographs of the property and wants me to use them on the MLS. Can I do this?**

If the listing agent and broker are using photographs or media that they did not take themselves, written documentation authorizing the use of the images must be obtained prior to the use of media. This documentation may include but is not limited to the C.A.R. PIA (Property Images Agreement) form, or an otherwise assignment of rights or exclusive license agreement. Whichever document is used, it must provide an irrevocable, unrestricted, transferable, perpetual, royalty-free, and non-exclusive (with right to sublicense) right to the MLS to use, store, reproduce, compile, display and distribute the media as part of its compilation. This license is still required from the Seller.