



Article 09 - Compensation and Concessions

Last Updated: September 27, 2026

Article 09.01: No Compensation Specified on MLS Listings

Participants, Subscribers, or their property owner(s) may not make offers of compensation to buyer brokers and other buyer representatives in the MLS, including but not limited to public or private remarks, driving directions, showing instructions, in attachments or in any open text field. Failure to comply will result in an automatic Level III - Severe Penalty assessed. (See Article 11.04.3)

Use of MLS data or data feeds to directly or indirectly establish or maintain a platform to make offers of compensation from multiple brokers to buyer brokers or other buyer representatives is prohibited and must result in the MLS terminating that Participant's access to any MLS data or data feeds.

Note 1: The multiple listing service must not have a rule requiring the listing broker to disclose the amount of total negotiated Commission in his listing contract, and the multiple listing service shall not publish the total negotiated Commission on a listing which has been submitted to the MLS by a participant. The multiple listing service must prohibit disclosing in any way the total Commission negotiated between the seller and the listing broker, or total broker compensation (i.e. combined compensation to both listing brokers and buyer brokers).

Note 2: The multiple listing service shall make no rule on the division of commissions between participants and nonparticipants. This should remain solely the responsibility of the listing broker.

Note 3: Multiple listing services must give participants the ability to disclose to other participants any potential for a short sale. As used in these rules, short sales are defined as a transaction where title transfers, where the sale price is insufficient to pay the total of all liens and costs of sale and where the seller does not bring sufficient liquid assets to the closing to cure all deficiencies. Multiple listing services may, as a matter of local discretion, require participants to disclose potential short sales when participants know a transaction is a potential short sale. (Amended 8/24)

Article 09.02: Concessions

Seller Concessions

Concessions may be offered at the discretion of the owner or lender. Any monetary amount must be disclosed as a dollar (\$) amount. Any mention of amounts in percentage (%), throughout the entire Stellar MLS system, including but not limited to public and/or private remarks, driving directions, showing instructions, in attachments, or in any open text field, are strictly prohibited and will result in an immediate fine as outlined below.

Seller Concessions may not be limited to or conditioned upon the retention of or payment to a cooperating broker, buyer broker or other buyer representative. Failure to comply will result in an automatic Level III penalty. (See Article 11.04.3.3)

Article 09.03: Required Consumer Disclosure

Disclosure of Compensation: MLS Participants and Subscribers must:

1. Disclose to prospective property owner(s) and buyer(s) that broker compensation is not set by law and is fully negotiable. This must be included in conspicuous language as part of any listing agreement, buyer written agreement, and pre-closing disclosure documents (if any).

2. Conspicuously disclose in writing to property owner(s), and obtain the seller's authority, for any payments or offer of payment that the listing Participant or seller will make to another broker, agent, or other representative (e.g. real estate attorney) acting for buyer(s). This disclosure must include the amount or rate of any such payment and be made in writing in advance of any payment or agreement to pay. (Adopted 8/24)