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## Markt Position on Attribution in IDX and VOW

We've been made aware of a potential revision to the currently proposed amendments to Policy Statement 7.58 that would change broker attribution to agent attribution in IDX and VOW. Markt opposes revisions to national policy that expand the privileges granted to MLS Participants to their affiliated Subscribers. We submit the following for consideration by the industry.

As an organization of multiple MLSs representing our local markets and the value of the multiple listing service, we believe that additional research and understanding of the proposed amendments is necessary before any action is taken. A statement of the problem, solutions, and prevalence has not been provided and there is little awareness that a change has been proposed.

### Agent Attribution Undermines the Intent of IDX

According to NAR, "Internet Data Exchange ("IDX"), also referred to as "Broker Reciprocity," is the next stage in the evolution of MLS as the primary means of enhancing cooperation between REALTORS® to facilitate the purchase and sale of real property."<sup>1</sup> Reciprocity is created by and between MLS Participants, not their affiliated Subscribers. While advancements in technology and consumer choice must continue, erasing the competitive opportunity of broker firms by national mandate does not move our industry forward nor improve consumer experience.

Since the inception of IDX, cooperating brokers have allowed their listings to be displayed by their competitors with the knowledge that they could compete and generate leads with their own sites. After many have invested significant time and expense in their IDX technology as a lead generation and firm differentiator, requiring agent contact information to be listed stifles competition and innovation in broker sites.

### Listing Ownership and Advertising Rights Belong to the Participant

Beyond lead generation and business concerns is the interest of the consumer. Listing agent contact information does not provide further transparency to the consumer as the listing agent is not the owner of the listing. The requirements of each state and their license laws regarding advertising vary but recognize that advertising and promotion of listings is a function of the listing firm. Consumer transparency is best served by directing consumers to the owner of the listing, the brokerage, to manage inquiries as they see fit within the bounds of their existing legal and ethical duties.

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<sup>1</sup> <https://www.nar.realtor/about-nar/policies/internet-data-exchange-idx/internet-data-exchange-idx-background-and-faq>



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## **Requiring Listing Agent Contact in IDX Display Circumvents the MLS Participant Relationship**

IDX is a Participant-to-Participant agreement that extends permissions for the display of another broker's listings. Further expanding this agreement to listing agents fundamentally changes the meaning of MLS participation. Listing agents, as Subscribers, receive their access and privileges within the MLS system under their broker, the Participant. If national policy were to mandate display and contact information of subscribers, it would interfere with the independent business decisions of the Participant in the management of their intellectual property.

### **Recommendations**

Markt recommends that this proposal does not advance without further research and understanding to identify what this policy recommendation is trying to accomplish in order to understand the best approach. We are strongly opposed to any modifications to IDX policy that include agent attribution and contact.

### **About Markt**

Markt is a multi-MLS service organization focused on pooling resources and expertise to serve brokers/agents better wherever they may be. Serving ARMLS, Metro MLS, realMLS and other MLSs, Markt supports noncontiguous markets with customer support, marketing, technical resources and services of their choosing. Markt is the Dutch word for market. Since a market is any place where two or more parties meet to engage in sharing goods, services or information, the name fits with our MLS vision of making the market work.