

# Bylaws of the Idyllwild Multiple Listing Service (IMLS)

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## Article I – Name and Ownership

The name of this multiple listing service shall be: Idyllwild Multiple Listing Service (hereafter referred to as **IMLS**). IMLS is a “Private Multiple Listing Service” which is controlled by the **Voting Brokers** as defined in Article V of this document. IMLS is not owned or controlled by a REALTOR® organization or by any single legal entity. MLS services for IMLS shall be provided by: RealtyPro Solutions, LLC (hereafter referred to as **MLS Provider**). MLS Provider is the owner of certain software, user documentation, and hardware that collectively comprise a service and system called **RealtyProMLS®** (hereafter referred to as **MLS Service**) which shall be used for the purposes described in Article II of this document. Those authorized by “Service Agreement” to access and use the MLS Service shall be referred to as **MLS Participants**. Voting Brokers collectively own and control all listing data entered into the MLS Service (including the compilation of data for each listing, listing photos, and statistics and other data related to each listing), hereafter referred to as **MLS Data**. The Voting Brokers of IMLS shall control how MLS Data may be used and/or displayed by MLS Participants and shall have the right to instruct MLS Provider to license MLS Data for use by third parties subject to third party Data Content Agreements. Any **Private Data** entered into the MLS Service by MLS Participants (including client or customer names and contact information in the “Contact Manager” and “private notes” for listings or contacts) shall remain the property of the person for whom it was entered and shall not be made available to third parties or unauthorized MLS Participants.

## Article II – Purpose

The primary purposes and objectives of IMLS include:

1. To share real estate listing data on a centralized database for the orderly correlation and dissemination of listing information so that MLS Participants can better serve their clients and the public and prepare appraisals, analyses, and other valuations of real property.
2. To enhance cooperation between MLS Participants, improving the ability to provide the types of services allowed by state law under the applicable real estate or appraisal license held by each MLS Participant.
3. To facilitate and control the advertising and syndication of listing data to IDX websites and third party syndication partners subject to the terms of data content agreements.
4. To allow MLS Participants to use the services and software (benefits) provided by MLS Provider subject to the terms of the Service Agreement.
5. To promote and maintain high standards of conduct in the real estate profession as expressed in the Code of Ethics of the National Association of REALTORS® (“Code of Ethics”).
6. To enhance the services, representation, and protection of individuals and entities who lease, buy, or sell real estate in the local real estate market “MLS Service Area”.

## Article III – Membership and Participation

MLS Participants is defined as all individuals who are authorized to access and use the MLS Service. Participation in IMLS is limited to: real estate brokers, agents, lenders, and appraisers who are licensed in the state of California and their assistants, employees, and office staff. Each user’s right to access and use the MLS Service is subject to: MLS Provider’s Terms of Service, the MLS Bylaws and MLS Rules of IMLS, and the Service Agreement between the MLS Provider and the principal broker or primary principal of each participating office. Failure to comply with all such provisions and terms may result in suspension or termination from access to and use of the MLS Service. Other than non-licensed office administrators and staff, individuals who wish to participate in IMLS must meet the following requirements:

1. Must have a valid license from California Department of Real Estate applicable to the user type in the MLS.
2. Must abide by the MLS rules of IMLS – which includes good faith intent to cooperate with other MLS Participants in regards to listing, showing, and selling properties; and sharing listing information.
3. Must pay the required fees (including fines) required by IMLS and/or MLS Provider including late fees and/or fines.
4. Real estate licensees must adhere to the National Association of REALTORS® Code of Ethics.

## Article IV – Service Area

The MLS Service Area is a logical geographic area that is serviced by MLS Participants of IMLS. As it pertains to IMLS, this service area is not set or controlled by any jurisdiction of the National Association of REALTORS®, and there is nothing in the MLS bylaws or rules preventing MLS Participants from taking listings outside of the MLS Service Area. The MLS Service Area shall be determined by the Voting Brokers of IMLS and may be modified from time to time. The MLS Service Area of IMLS is hereby defined as follows: Idyllwild, Mountain Center, and surrounding areas in Riverside County, California.

## Article V – Governing Process

All IMLS actions including: changes to MLS Bylaws, changes to MLS Rules, enforcement of MLS Rules, Fines for violating MLS Rules, listing syndication, and changes to any options, settings, or features in the MLS Service shall be determined by the Voting Brokers of IMLS as authorized herein subject to the approval of MLS Provider.

The MLS Participant Principal Broker of each participating real estate office is considered a Voting Broker as long as the office meets the membership requirements outlined in Article III of this document and so long as the Voting Broker for each real estate office is considered a member in good standing of IMLS and the office or branch office is located in The MLS Service Area. Each Voting Broker shall have one (1) vote on all issues and actions requiring a vote, and the majority vote shall control. If a Voting Broker is unable to attend a meeting, he or she may designate a representative to act in his or her place and to vote in proxy.

Voting may take place by holding a Voting Brokers Meeting (either in person or electronically with online services like Zoom) or by using the Voting Booth Module in the MLS. Voting Broker meetings must be called by either the IMLS President or the MLS Provider, and all Voting Brokers must be given at least 3 days advanced notice (by phone, mail, and/or e-mail) designating the time, method, location, and purpose of the meeting. At least 3 Voting Brokers (or their designated representative) must be present in order to hold a vote at a meeting. Voting may also take place using the Voting Booth module through the MLS Service as long as all Voting Brokers are given advanced notice (by email) of the issue being voted on and are given an opportunity to voice their opinions on each ballot issue to the other Voting Brokers prior to the vote.

## Article VI – Duties of Officers

Voting Brokers may (but are not required) to nominate and elect IMLS officers as needed in order to improve IMLS and to provide additional services to MLS Participants (i.e. approval of new memberships, manage MLS home tours/caravan, review MLS options and settings, schedule broker meetings, etc.). At a minimum, IMLS should elect an MLS Liaison (IMLS President) to work with MLS Provider for needed coordination with Voting Brokers and MLS Participants and to review all IDX Disclosures and Data Content Agreements with IDX Vendors. Voting Brokers shall determine all IMLS officer positions, duties, and term limits. Elected officers have no authority to assess fines, collect money, or to make changes to IMLS without approval from Voting Brokers, and are only authorized to perform the tasks given them by the Voting Brokers. Voting Brokers may remove any member from office by a majority vote at any time. Elected officers are only authorized to perform tasks related to IMLS that have been authorized by the Voting Brokers. Following is a list of offices and the related duties of each office that have been approved by the Voting Brokers:

President: (2 year calendar term)

- Schedule and conduct Voting Broker meetings and action item votes by Voting Brokers.
- Act as liaison between MLS Participants, Voting Brokers, and MLS Provider.
- Approve all new offices & New Users (Verify that they meet membership requirements).
- Review and approve all Data Vendor Content Agreements & IDX Disclosures (via DocuSign).
- Oversee rules compliance process for issuing fines for violation of IMLS rules.

Secretary (2 year calendar term)

- Prepare meeting agendas and keep minutes of all MLS meetings. Upload minutes to MLS.
- Oversee and follow up with “reported listing errors” and violations of MLS rules.
- Work with MLS Provider to assess fines as authorized in the MLS rules for rule violations.

Tour Coordinator (1 year calendar term)

- Oversee and manage monthly IMLS property tour.

## **Article VII – Fees and Financial Obligations**

IMLS is not charging any fees for MLS Service at this time, but reserves the right to do so in the future. MLS Provider may assess fines to MLS Participants for violation of MLS Rules where the rule specifically allows it, but it is the intent of MLS Provider and IMLS to keep all fines to a minimum through mutual cooperation by all MLS Participants. The Principal User of each office is responsible to guarantee payment to MLS Provider for each licensee associated with his or her office. If payments (including fines) are not received by the due date, MLS access for the entire office may be suspended or terminated by MLS Provider.

## **Article VIII – Professional Standards & Arbitration**

MLS Participants are required to abide by state law as it relates to the services provided under the type of license each MLS Participant holds. Additionally, all MLS Participants are required to abide by the MLS rules of IMLS and adhere to the REALTORS® Code of Ethics of the National Association of REALTORS® (NAR). If any MLS Participant violates state law, a complaint may be filed with the division of real estate without involving IMLS. If any MLS Participant fails to abide by or follow IMLS rules or violates any article of the REALTORS® Code of Ethics, a complaint may be filed with IMLS and processed according to the "Compliance" section of IMLS rules. Voting Brokers may suspend or terminate access to IMLS of any MLS Participant who is determined to be in violation of the REALTORS® Code of Ethics or IMLS rules according to the "Compliance" section of IMLS rules. Any time a person or office is suspended or terminated, it should be for a specified period of time (normally not to exceed 1 year) based on the severity and frequency of the offense.

## **Article IX – Effective Date**

The Bylaws of IMLS (as stated herein) shall become effective on April 2, 2026 and shall be amended from time to time as needed by the Voting Brokers. These Bylaws shall continue until such time as they are dissolved by a majority vote of the Voting Brokers of the Idyllwild Multiple Listing Service (IMLS).