



FAQs | MLS Declaration

1. **Why does the MLS industry need a Declaration of Stewardship Principles now?**

The real estate marketplace is changing faster than many of the assumptions that have traditionally defined the MLS. Private listing strategies, new approaches to cooperation and public marketing, questions about data ownership and licensing, artificial intelligence, consolidation and new business models are forcing MLS organizations to examine what they are responsible for and why.

The Declaration starts with the premise that before the industry can decide where the MLS should go, it needs a clearer understanding of what the MLS is responsible for protecting. It defines that responsibility as stewardship of a nimble and trusted real estate marketplace.

As Daniel Jones said when explaining why the Declaration matters to him, "We can't go anywhere with purpose without knowing where we are right now, today."

2. **Is this really an "MLS constitution"?**

That is the simplest way many people are describing it, and Daniel Jones has used that phrase himself.

The Declaration of MLS Stewardship Principles is not a constitution in the legal or governing sense. It does not create a new organization, impose rules on MLSs or dictate how any individual MLS must operate. Instead, it is intended to serve the role a constitution often serves: establishing a common foundation of principles that defines what an MLS is, what it protects and what responsibilities should endure even as technology, business models and organizational structures change.

Its central premise is straightforward: A Multiple Listing Service is the steward of a nimble and trusted real estate marketplace.

3. **Is the Declaration trying to redefine what an MLS is?**

It is attempting to define the MLS by its responsibility, rather than by its organizational structure, technology or ownership model.

The Declaration does not define an MLS simply as a database, software system, rulebook or membership organization. It describes the MLS as the steward of the cooperative

infrastructure through which brokers bring buyers and sellers together using shared information, standards and professional accountability.

That distinction is central to the document. An MLS can change technology, governance structures or even organizational form while continuing to carry the same stewardship responsibilities.

4. What does the Declaration mean when it says the MLS does not own the marketplace but “stewards it”?

The Declaration does not argue that an MLS cannot own assets, hold copyrights, license data or generate revenue. It specifically recognizes that an MLS may do all of those things.

The distinction is about purpose.

Ownership asks what an organization has the right to do with something. Stewardship asks what responsibility comes with having those rights. Under the Declaration, policies, rules, licensing practices and business decisions should ultimately be evaluated by whether they strengthen the marketplace the MLS exists to serve or advance another interest at the marketplace’s expense.

5. Does the Declaration oppose private listings?

No. It expressly recognizes that a seller may have legitimate reasons for deciding when or whether a property enters the cooperative marketplace, including privacy concerns. It does not say that every property must immediately be placed in the MLS.

It does say two things that are important.

First, a seller’s decision should be genuinely informed, including an understanding of what may be lost when a property is withheld from the cooperative marketplace. Second, cooperation requires a meaningful point at which a listing that enters that marketplace becomes available to all qualified participants.

The Declaration also establishes a firm boundary: seller preference cannot be used as a basis for excluding potential buyers in violation of fair housing obligations.

6. If a property was marketed privately before entering the MLS, does the Declaration say that history must become part of the MLS record?

No. The Declaration intentionally does not prescribe that answer.

This is one of the tensions Daniel explores in “The Keeper of Mendota Meadows.” The story asks when information that originated outside the cooperative marketplace becomes material to people who rely on the common marketplace once the property enters it.

The Declaration provides the principle rather than dictating every field or rule: MLS information should be timely, accurate and sufficiently complete for a functioning and

trustworthy marketplace. Determining how that principle applies to specific data requirements remains a governance responsibility for individual MLS organizations and their participants.

7. Where does the Declaration draw the line between the MLS and public marketing?

This is one of its most deliberate distinctions.

The MLS stewards the cooperative marketplace through which brokers share information and work together on behalf of buyers and sellers. Public marketing is how brokers promote properties to consumers through websites, advertising, portals and other channels.

The Declaration argues that marketing decisions belong to brokers serving their clients. But a marketing preference becomes an MLS stewardship issue when it reaches into the cooperative marketplace and restricts what other qualified participants can see, share or act upon.

In the Declaration's words: "Marketing preferences govern a broker's own channels. They do not govern the commons."

8. Is cooperation still the defining purpose of the MLS?

Cooperation is essential, but the Declaration describes it as a means rather than the ultimate objective.

The MLS creates a framework in which competitors can cooperate through shared information and common rules while still competing vigorously on service, expertise, innovation and value.

The desired result is a marketplace in which qualified participants have a genuine opportunity to compete and consumers benefit from that competition.

That is why one of the Declaration's clearest statements is: "The MLS does not level outcomes. It levels the field."

9. What does the Declaration say about MLS data, licensing and artificial intelligence?

The Declaration recognizes both the value and the cost of creating and maintaining high-quality MLS data. MLS organizations need sustainable revenue to compile, standardize, protect and improve that information, and participant fees and data licensing can legitimately support that work.

But it rejects the idea that having access to MLS data automatically creates an unlimited right to use it for every possible purpose.

The principle is that data rights should be considered in relation to what the data is being used to do, not merely how someone obtained or accessed it. That becomes increasingly important as artificial intelligence and other technologies create entirely new uses for real estate data.

The Declaration supports innovation that strengthens brokers' ability to serve consumers while arguing that the marketplace should not fund innovation that is subsequently used to undermine the cooperative infrastructure that produced the data.

10. Is this an argument for consolidation, a national MLS or a federation?

No. The Declaration expressly says it is not a federation proposal or consolidation effort. It also says it is not a strategy for any particular MLS.

In fact, one of its nine principles specifically recognizes local market knowledge as a form of stewardship. Real estate markets have different conditions, customs, participants and needs, and the Declaration argues that local accountability has value that should be considered as MLS structures evolve.

At the same time, local accountability does not preclude collaboration across markets, shared standards, interoperability or the efficiencies that can come from scale. The question posed by the Declaration is whether structural change strengthens or weakens the marketplace being stewarded.

11. Is the Declaration meant to settle these issues or start a debate about them?

It is meant to establish a foundation for the debate, not end it.

The Declaration deliberately establishes principles without attempting to prescribe the answer to every marketplace dispute. Different MLS organizations may reach different operational decisions while still measuring those decisions against common stewardship responsibilities.

That is also why people are being asked to sign and support the principles, rather than participate in an open editing process. The objective is to create a common point of reference for conversations about information, competition, standards, data, innovation, local accountability and the future of the MLS.

Daniel described the larger challenge more directly: "Define yourself. Know who you are."