

### **Section 1 — Authority**

Allied Real Estate Commercial Services, LLC (ARCS), a wholly owned subsidiary of the Oklahoma City Metropolitan Association of REALTORS® (or successor organization) shall operate a Property Information Database <sup>SM</sup> (PID), which shall have as subcomponents a

- Commercial Real Estate Information Exchange (CIE), data pertaining to the sale and lease of real property by an owner or a licensed real estate associate
- Facilities Information Exchange (FIE) data pertaining to the management of buildings as well as data useful in due diligence when purchasing a building (plans, specifications, equipment list, etc.) from which benchmark operational information could be developed
- Appraisal Information Exchange
- Environmental Information Exchange, compilation of various federal, state, and local public records describing environmental concerns specific to a property, by a professional architect or engineer or consultant with sufficient credentials and professional experience to satisfy federal requirements for an All Appropriate Inquiry report (Future)
- Economic Development Information Exchange, compilation of various federal, state, and local economic incentives specific to a property (Future)
- Sustainability Information Exchange, data that would be useful in evaluating a facilities energy efficiency from which benchmark information could be developed as well as reports for LEED, Energy Star and other certification programs by building owners / managers as well as professionals certified to perform energy audits (Future)

which shall be subject to the bylaws of ARCS and such rules and regulations as may be hereinafter adopted.

### **Section 2 — Purpose**

It is the goal of ARCS to enable registered users access to all data on all property parcels within the State of Oklahoma. To help facilitate and maintain this property database, the database is divided into multiple data-tables or Information Exchanges (IE), with some data-tables being proprietary to specific segments of registered users.

Owners of property, or licensed professionals who have been retained by sellers of commercial or industrial property to market or appraise those properties, may submit information on those properties to the PID. Investors and Licensed Members who have been retained by buyers of commercial or industrial property may submit information on the type(s) of property sought to the PID. Other Participants, including government agencies, with related interests to the real estate community may submit information to the PID.

The subscribers of each of the Information Exchanges (Commercial Real Estate, Building Management, Appraisal, and any others that may be later established by the ARCS Board of Governors) will recommend to the CIE Advisory Group which data-fields will be public, which data-fields and meta data will be viewable only to specific categories of subscribers of each of the Information Exchanges (IE).

Any compensation agreements related to property included in the Commercial Information Exchange [CIE] compilation must be made on an individual basis outside the CIE between the Participants involved. A Commercial Information Exchange is not a Multiple Listing Service. No offers of cooperation and compensation are communicated by filing information on a property with the CIE. (Amended 4/92) M

**Section 3 — Appointment of CIE Advisory Group**

The ARCS President shall appoint, subject to confirmation by the ARCS Board of Governors & OKCMAR Board of Directors an CIE Advisory Group consisting of (as further described in Section 4) Two (2) REALTOR® Members, One (1) Licensee Member, two (2) Participants, and two (2) IE Subscribers who are also REALTORS®. The CIE Advisory Group members so named shall serve staggered three (3) year terms. R

**3.1 – Vacancies:** Vacancies and unexpired terms shall be filled as in the case of original appointments. R

**3.2 – Attendance:** Any CIE Advisory Group member who fails to attend three (3) consecutive regular or special meetings of the CIE Advisory Group, without an excuse acceptable to the Chairperson of the CIE Advisory Group, shall be deemed to have resigned from the CIE Advisory Group and the vacancy shall be filled as herein provided for original appointees. R

**3.3 – CIE Chairperson:** The CIE Advisory Group shall annually select its Chairperson-Elect from among the REALTOR® CIE Advisory Group members thereof with the advice and consent of the ARCS Board of Governors. The Chairperson shall serve for a one-year term. The Chairperson and Past Chairperson shall also be members of the CIE Advisory Group, even though their terms as committee members may (or may not) have expired.

**3.3 – Association Executive Representative:** The Association Executive of the Oklahoma City Metropolitan Association of REALTORS® (or appointee) shall be an ex-officio, voting member of the CIE Advisory Group.

**3.4 – Chair of RCA:** The Current Chairperson of the REALTOR®’s Commercial Alliance Division of the Oklahoma City Metropolitan Association of REALTORS® shall be a voting ex-officio member of the committee.

**3.5 – Committee Term Rotation:** The terms of committee members shall rotate according to the following schedule:

Year Term/ Cycle	Member / Participant / Subscriber		
1	Licensee	IE Subscriber	Participant
2	REALTOR® Member	IE Subscriber	-
3	REALTOR® Member	Participant	-

**Section 4 —Registered USERS**

There shall be three general categories of registered users with varying authorities to access and/or maintain various sections of the property database.

4.1. **–Participants/Licensees** : Those who are actively engaged in the process of buying and selling or leasing real estate and hold a valid license from the Oklahoma State Real Estate Commission and who is a principal, partner, corporate officer, or branch office manager acting on behalf of a principal, without further qualification, except as stipulated otherwise in these bylaws, shall be eligible for membership in the Commercial Information Exchange upon agreeing in writing to conform to the rules and regulations thereof and to pay the costs incidental thereto. Under no circumstances is any individual or firm entitled to Membership unless they hold a current, valid real estate broker’s license and are capable of offering and accepting compensation to and from other Members, or are licensed or certified by an appropriate state regulatory agency to engage in the appraisal of real property. Licensees affiliated with Members are considered IE Subscribers and are not considered “participants” or “members” of the CIE and/or AIE. Rather, these IE Subscribers have access to and use of the Exchange information by virtue of their affiliation with the Exchange Member or Participant. None of the foregoing is intended to preclude the individual Information Exchanges from providing, as a matter of local determination, access to information from the individual IE Compilations to affiliate members of Boards or to others engaged in recognized fields of real estate practice or in related fields. (Amended 11/97)

4.1.a. **Responsibility for Conformance with Rules and Regulations:**

The Member is responsible to the CIE for compliance with the rules and regulations by all of the firm's licensees/staff (including licensed or certified appraisers) who have access to and use of the CIE.

4.1.b. **Classes of Licensees :**

- i. **Broker REALTOR®** – a REALTOR® member of any Board who is also a member of the REALTORS® Commercial Alliance.
- ii. **Institute Affiliate** – any member of a commercial Institute Affiliate recognized by the National Association of REALTORS®.
- iii. **Appraiser** – a person licensed by the Oklahoma Board of Appraisers who is also a member of any Board of REALTORS®
- iv. **Broker** - A non-REALTOR®, non-Institute Affiliate, or Appraiser not a member of a local Board of REALTORS® applicant for Participation who is a principal, partner, corporate officer, or Managing Broker acting on behalf of a principal, shall supply evidence satisfactory to the ARCS Board of Governors that he has no record of recent or pending bankruptcy; has no record of official sanctions involving unprofessional conduct; agrees to complete a course of instruction (if any) covering the individual IE rules and regulations and computer training related to PID information entry and retrieval, and shall pass such reasonable and non-discriminatory written examination thereon as may be required by the Individual IEs; and shall agree that if elected as a Licensee Participant , will abide by such rules and regulations and pay the individual IE fees and dues, including the non-REALTOR® member differential (if any), as from time to time established.

v. **Sales Associate**- any licensee affiliated with a broker who has the broker's authorization to list said broker's properties on the CIE

4.1.c. **Privileges of Licensees** : In general Participants may view all information in the database, except additional proprietary information that may be supplied by the Participant for their own use. Privileges associated with REALTOR® Participants, Appraisers, Other Participants, and other classes of users are approved by the CIE Advisory Group; restrictions to Appraiser historical data are further described in this document.

4.2. **Subscribers** : Those individuals and organizations that update and utilize the Property Information Database <sup>SM</sup>. Examples include, Institutional Investors, building managers not involved in leasing, and Real Estate Investment Trusts who hold multiple properties for their own account, Government agencies, Chambers of Commerce and economic development authorities, engaged in professions related to real estate may Participate in the PID upon agreeing in writing to conform to the rules and regulations thereof and to pay the costs incidental thereto. Subscribers have access to and use of various sections of the Exchange information as determined by their class of subscription, as is determined by the various Advisory Groups from time to time.

4.2.a. **Privileges of Subscribers**: In general, Subscribers are responsible for maintaining specific sections of the database, which are defined by contracts approved by the ARCS Board of Governors.

4.3. **Non-licensee** : Those individuals and organizations who are actively engaged in some form of the real estate related industries but do not require a real estate license, (such as mortgage financing, land development, or news organizations), are nonetheless entitled to receive, by purchase or lease, all information other than current market compilations that are generated wholly or in part by the CIE including "comparable" information, "sold" information, and other historical or statistical reports.

4.3.a. **IE Subscribers**: Subscribers (or users) of the Individual IEs also include non-principal brokers, sales associates, and licensed and certified appraisers affiliated with Participants. Subscribers also include affiliated unlicensed administrative and clerical staff, personal assistants, and individuals seeking licensure or certification as real estate appraisers who are under the direct supervision of a Member or the Member's licensed designee. (Adopted 4/92) R

4.3.b. **Non-Licensee Facilities Managers**: Employees of member companies who are building managers, not involved in leasing of the properties.

4.3.c. **Privileges of Non-licensee Users**: In general, this class of users is responsible for maintaining specific sections of the Property Information Database <sup>SM</sup>, which are defined by contracts approved by

the various Advisory Group, with the advice and consent of the ARCS Board of Governors.

## **Section 5 — Data Provider**

Participants are encouraged although not required to submit commercial real estate property data into the system. Participants are responsible for submitting specific types of data into the system, as described by their Memorandum of Understanding, as Approved by the ARCS Board of Governors.

**5.1. Data Provider Submissions:** Any submitters of data to ARCS, including site details and any photographic images, represent that they have the right to submit the data and that neither they nor ARCS infringe upon any third party rights in any of the posted information. Submitters agree to indemnify and hold harmless ARCS from any claims arising out of failure to comply with this representation.

**5.2. No Verification of Data Provider Submissions:** The information published by ARCS is communicated without change as filed by the submitters. ARCS does not verify the accuracy of the data and disclaims any liability or responsibility for the accuracy of the data. It is the responsibility of the submitter to verify the accuracy of the information. All submitters are encouraged to submit and maintain data comprehensiveness and accuracy

**5.3 – Filing Procedures:** Submission of any property information to the CIE is voluntary on the part of the Participant. Information on property for sale, lease, or exchange of the following types located within the territorial jurisdiction of the CIE may be submitted by Participants to the Commercial Information Exchange: (Revised 11/01)

- (a) subdivided vacant land
- (b) land and ranch
- (c) business opportunity
- (d) motel/hotel
- (e) mobile home parks
- (f) commercial income
- (g) industrial
- (h) investment
- (i) office space

(Additional categories of commercial, industrial, investment property may be added by the Exchange.) (a)

**5.4 – OKC Markets:** The CIE defines 12 OKC markets that may be used in searches and to describe property. Additional markets may only be added and currently defined markets modified by a vote of the CIE Advisory Group.

## **Section 6 — Supervision**

The Property Information Database <sup>SM</sup> and Commercial Information Exchange shall be operated under the supervision of the CIE Advisory Group in accordance with the rules and regulations, subject to the approval of the Board of Governors of the Allied Real Estate Commercial Services, LLC. R

Additional Information Exchanges may be established from time to time by the ARCS Board of Governors. Each Information Exchange shall be operated under the supervision of a separate Advisory Group in accordance with their own rules and regulations, subject to the approval of the ARCS Board of Governors.

## **Section 7 — CIE Filing Procedures**

Where the CIE Participant or Subscriber is acting on behalf of a buyer, the user of the service may submit information describing the type of property sought to the CIE even though the user may not be the buyer's exclusive agent. Where the user is acting on behalf of the seller or lessor, it is essential that there be a written agreement between the Participant and the seller or lessor authorizing the user to submit information on the property to the CIE. (Revised 4/92)

**7.1 – Submission of Property:** Any property information submitted to the CIE is voluntary on the part of the user. Initially the Information on property for sale, lease, or exchange of the types approved by the CIE Advisory Group, located within the territorial jurisdiction of the CIE may be submitted by the users to the Commercial Information Exchange: (Revised 11/01)

ARCS may gather any publically available information on any property for inclusion in the CIE database, and may update the PID/CIE database when inaccurate data is discovered.

**7.2 – Filings Subject to Rules and Regulations of the Exchange:** Any property information to be filed with the CIE is subject to the rules and regulations upon filing. R

### **7.3 – Listing Data by Participants and Property Owners:**

In general, data concerning the sale or lease of property is provided by either real estate licensees (members) or property owners.

**7.3.1 – Acceptable Types of Brokerage Agreements:** The Commercial Information Exchange accepts information on properties which are currently listed on an exclusive right to sell or lease basis, exclusive agency basis, or open listing basis as well as other forms of agreement that make it possible for the user to market the property. Any property information submitted on properties for sale, lease, or exchange must include the seller's written authorization for the user to submit information on the property to the CIE.

The Commercial Information Exchange will not publish information on properties taken on a net listing basis because such listings are considered unethical and, in most states, illegal.

7.3.1.1 Listing information submitted by the public as private property owners will be entered into the database by ARCS staff and said information must be accompanied by proof of ownership as verified with county tax assessor records. This information will not display on the public facing website but will be available for search in the password protected user database.

**7.3.2 — Change of Status:** Any change in price or other change in the terms of the information originally filed shall be entered into the Exchange within seventy-two (72) hours (excepting weekends and holidays). R

ARCS staff, upon receipt of notice from an appropriate county authority, may change the status of a property to "sold" and then verify with the Listing Associate the particulars of the transaction, updating the PID and CIE accordingly.

**7.3.3 — Release of Filing Prior to Termination:** Filings may be withdrawn from the Exchange by the filing user within 72 hours (excluding weekends) upon notification by either user or property owner. MR

**7.3.4 — Specification of Price:** The user, acting on behalf of a seller or lessor, shall specify the price at which the property is being marketed unless the property is subject to auction. (Amended 11/92)  
M

**7.3.5 — Multiple Unit Properties:** Any property which is to be sold, leased, or exchanged, or which may be marketed separately must be so indicated. When any part of a filed property has been sold, leased, or exchanged, the rules related to notifying the Exchange shall be observed. O

**7.4 – Publication of Information:** Information on properties for Lease and for Sale shall be published in the Commercial Information Exchange's Compilation Report for the period specified by the filing user of the service. The information will be withdrawn from the compilation on the date initially specified by the user but may be extended for additional periods. R

**7.5 – Filings of Suspended, Expelled, or Resigned Members:** When a registered user is suspended, expelled, or voluntarily resigns from the Exchange, all property information filings submitted by the user shall be removed from the compilation of current information by the Exchange. M

NOTE: "Property Information" in this case pertains to for lease or for sale data only

**7.6 – Negotiations:** The filing of information with the Exchange by a user acting on behalf of a seller or lessor does not, in and of itself, constitute an offer of cooperation. Any Participant, or licensee affiliated with a Participant wishing to cooperate in the marketing of the property must contact the filing Participant to determine the type of cooperation offered, the compensation offered (if any) to Participants procuring a purchaser or lessee, and the terms and conditions upon which the property being offered may be shown. (Amended 4/92)

Any Participant , or licensee affiliated with a Participant, attempting to locate a property on behalf of a buyer must contact the Participant representing the seller/lessor to determine the terms and conditions of cooperation, the compensation offered (if any), and to arrange showings of prospective properties. M

### ***Section 8 — Service Fees and Charges:***

Service fees and charges are subject to change from time to time upon recommendation of the various Advisory Group with approval of the ARCS Board of Governors.

**Application Fee:** The ARCS Board of Governors reserves the right to establish a application fee as it deems appropriate

**Recurring Fees:** The cost of the service to the Participants & Subscribers is \$80 per month. Non-licensee fees will pay a fee of \$125 per month.

**Billing of Fees:** The fees for the service shall be billed quarterly however registered users may enroll for monthly ACH transfer from their credit or debit card at the time periods where it is made available from the drafting financial institution. If an ACH transfer is declined more than twice in a 12 month period the user forfeits the right to monthly auto-pay for a one year period and must pay quarterly.

**Suspension of Service for Non-payment:** Fees are due by the 25<sup>th</sup> of the last month of each quarter for the following quarter. If fees are not received by the 30<sup>th</sup> of the month they are due service will be terminated and the applicant must pay a \$50 re-enrollment fee prior to service being restored.

### ***Section 9 — Compliance with Rules***

The following action may be taken for noncompliance with the rules: For failure to pay any service fee or charge within thirty (30) days of the date due, the CIE shall suspend service until fees or charges are paid in full.

**9.1 – Applicability of Rules to Users and/or Subscribers:** Non-principal brokers, sales licensees, appraisers, and others authorized to have access to information published by the PID are subject to these rules and regulations and may be disciplined for violations thereof provided that the user or subscriber has signed an agreement acknowledging that access to and use of PID information is contingent on compliance with the rules and regulations. Further, failure of any user or subscriber to abide by the rules and/or any sanction imposed for violations thereof can subject the Participant to the same or other discipline. This provision does not eliminate the Participant's ultimate responsibility and accountability for all users and subscribers affiliated with the Participant. (Adopted 4/92)

### ***Section 10 — Meetings of Advisory Groups***

**10.1 – Meetings of Advisory Groups:** The various Advisory Groups shall meet for the transaction of its business at a time and place to be determined by the Advisory Group or at the call of the Advisory Group’s Chairperson. R

The various Advisory Groups shall meet a minimum of four times each year, with one (1) week notice to the Advisory Group members for regularly scheduled meetings. The chair may call emergency meetings for specific purposes with 24 hours notice. A quorum shall be a majority of its members. Members may attend the meeting via teleconference.

**10.2 – Meetings of Members and Participants:** The various Advisory Group may call meetings of its Members, Participants and Subscribers in an Information Exchange at any time with three working days notice. R

A quorum shall be a majority of the members present. On-line voting before the scheduled meeting shall be allowed.

Unless otherwise provided in these Rules and Regulations, an Advisory Group shall establish criteria it’s associated Information Exchange’s members and participants, with the Advice and Consent of the ARCS Board of Governors.

**10.3 – Conduct of Meetings:** The Chairperson or Vice Chairperson shall preside at all meetings. In their absence, a temporary Chairperson from the membership of the various Advisory Groups shall be named by the Chairperson or, upon his failure to do so, by the Committee. R

### ***Section 11 — Consideration of Alleged Violations***

The appropriate Advisory Groups shall give consideration to all written complaints alleging violations of the rules and regulations of their associated Information Exchange.

### ***Section 12 — Confidentiality of Information Exchange Database Information***

All information provided by an Information Exchange to Members shall be considered confidential and is provided exclusively for the use of its registered users. Information provided by the Commercial Information Exchange is provided for the use of registered users authorized and qualified to act as agents in the sale, lease, exchange, appraisal, or purchase of property filed with the Exchange and for the use of real estate licensees affiliated with such Participants and those users who are licensed or certified by an appropriate state regulatory agency to engage in the appraisal of real property and licensed or certified appraisers affiliated with such Participants. M

**12.1 – ARCS is Not Responsible for Information Submitted by Participants & Subscribers :** The information published by the PID or affiliated Information Exchanges are communicated without change as filed by the user of the service . An Information Exchange does not verify the information provided and disclaims any liability or responsibility for its

accuracy. Each Participant and Subscriber Participant agrees to hold the ARCS harmless against any liability arising from any inaccuracy or inadequacy of the information such Subscriber or Participant provides. R

**12.2 – Access to Comparable and Statistical Information:**

Participants, Subscribers and members of the Oklahoma City Metropolitan Association of REALTORS® who are actively engaged in real estate brokerage, management, mortgage financing, appraising, land development or building, but who do not participate in the CIE , are nonetheless entitled to receive, by purchase or lease, all information other than current market conditions that are generated wholly or in part by the CIE including “comparable” information, “sold” information, and other historical or statistical reports.

This information is provided for the exclusive use of Participants, and Subscribers and Oklahoma City Metropolitan Association REALTOR® members and individuals affiliated with the Oklahoma City Metropolitan Association of REALTOR® members who are also engaged in the real estate business and may not be transmitted, retransmitted, or provided in any manner to any unauthorized individual, office, or firm except as otherwise provided in these rules and regulations. Any Oklahoma City Metropolitan Association of REALTOR® member, wishing to obtain such information must agree to abide by the applicable Information Exchange rules and regulations regarding use of the information and must agree to pay the costs incidental to receiving the information.

**12.3 – Ownership Rights:** ARCS acknowledges that all rights, title and interest in the Data provided by the registered users are solely owned by the user except for meta data that is not property specific that may be aggregated by ARCS for its research and analytical reporting purposes.

***Section 13 — Ownership of PID Compilation and Copyright***

By submitting property information to ARCS , the User of the service represents that he has been authorized to grant and also thereby does grant authority for Allied Real Estate Commercial Services, LLC (ARCS) to include the property information in its copyrighted AIE and CIE compilation and also in any comparable report, sold report, or other historical or statistical report unless expressly indicated otherwise in writing at the time the information is filed with the PID. M

**13.1 – Copyright Vesting:** All right, title, and interest in each copy of every Exchange compilation created and copyrighted by the ARCS, and in the copyrights therein, shall at all times remain vested in ARCS. R

**13.2 – CIE Compilation:** The term “CIE compilation,” as used herein, shall be construed to include any format in which property data is collected and disseminated to the registered users of the service , including, but not limited to, bound book, loose-leaf binder, computer database, card file, or any other format whatever.

**13.3 – Authority to License CIE Compilation:** ARCS shall have the exclusive right to license the CIE Compilation or portions thereof and any data

contained therein to any entity pursuant to the terms agreed upon by the ARCS Board of Governors.

**13.4 – Distribution:** Participants & Subscribers shall at all times maintain control over, and responsibility for, each of the CIE compilations accessed by them and shall not distribute the compilation to anyone other than subscribers affiliated with the Subscriber or Participant. (Amended 4/92) R

Meta data may be compiled and presented to the Participants, and Subscribers.

**13.5 – Display:** Participants and licensees with affiliated Participants, shall be permitted to display the CIE compilation to prospective sellers, lessors, and purchasers only in conjunction with their ordinary business activities of attempting to market properties or to identify suitable properties for buyers or lessees. M

**13.6 – Subscribers Display:** shall be permitted to display the CIE Compilation to their memberships and stakeholders only in conjunction with their ordinary business activities, and may include only minimal for sale or lease information, including (but not limited to) price, address, description, and listing broker contact information.

**13.7 – Reproduction:** Participants or their affiliated licensees shall not reproduce any CIE compilation or any portion thereof, except in the following circumstances.

Participants and their affiliated licensees may reproduce from the CIE compilation, and distribute to prospective sellers, lessors, and purchasers, a reasonable\*\* number of single copies of property information contained in the CIE compilation.

*\*\*It is intended that the Participants & Subscribers be permitted to provide buyers or lessees with information relating to properties which the buyer or lessee has an interest in, or in which the Participant or Subscriber r is seeking to promote interest. The term reasonable, as used herein, should therefore be construed to permit only limited reproduction of property information intended to facilitate the decision-making process in the consideration of a purchase, lease, or exchange. Factors which shall be considered in deciding whether the reproductions are reasonable in number, shall include, but are not limited to, the total number of filings in the compilation; how closely the filings reproduced relate to the purchaser(s) or lessee(s) expressed desires and ability to purchase or lease; whether the reproductions were made on a selective basis; and whether the type of properties are consistent with a normal itinerary of properties which would be shown to the prospective purchaser or lessee.*

Reproductions made in accordance with this rule shall be prepared in such a fashion that the property information of properties other than that in which a buyer has expressed interest, or in which the Participant or Subscriber or the affiliated licensees are seeking to promote interest, or which is necessary to assist a seller or lessor in ascertaining a reasonable market price, does not

appear on such reproduction. Nothing contained herein shall be construed to preclude any registered user from utilizing, displaying, distributing, or reproducing property information sheets or other compilations of data pertaining exclusively to properties submitted to the CIE by the Member.

Any information, whether provided in written or printed form, provided electronically, or provided in any other form or format, is provided for the exclusive use of the registered user and those licensees affiliated with the registered user who are authorized to have access to such information. Such information may not be transmitted, retransmitted, or provided in any manner to any unauthorized individual, office, or firm.

None of the foregoing shall be construed to prevent any individual legitimately in possession of current property information, sold information, comparable, or statistical information from utilizing such information to support an estimate of value on a particular property for a particular client. However, only such information that a Board or Board-owned Commercial Information Exchange has deemed to be non-confidential and necessary to support the estimate of value may be reproduced and attached to the report as supporting documentation. Any other use of such information is unauthorized and prohibited by these rules and regulations.

#### ***Section 14 — Use of PID/CIE Information***

Meta data and other statistics derived from the PID or various information exchanges may be made available to the public, if the ARCS Board of Governors deems such information to be in the public interest.

The use of information developed by or published by the PID/CIE is strictly limited to the activities authorized under a Participant's licensure(s) or certification and unauthorized uses are prohibited. The various Advisory Groups are authorized to approve uses on a case by case basis, as requested by Members and Participants

Limitations on Use of IE Information: Use of information from the compilation of current property information, from the statistical report, or from any sold or comparable report of the Board or Exchange for public mass media advertising by a Member or in other public representations, may not be prohibited.

However, any print or non-print forms of advertising or other forms of public representations based in whole or in part on information supplied by ARCS, the Oklahoma City Metropolitan Association of REALTORS®, the IE must clearly demonstrate the period of time over which claims are based and must include the following, or substantially similar, notice:

Based on information from the Allied Real Estate Commercial Services' Property Information Database <sup>SM</sup> of Oklahoma for the period (date) through (date).  
(Amended 11/93)M

**Section 15 — Education / Orientation:**

Any applicant for Information Exchange participation and any licensee affiliated with a CIE Member who has access to and use of any CIE-generated information shall complete an orientation program of no more than twelve (12) classroom hours devoted to the PID/CIE rules and regulations and computer training related to Information Exchange(s) information entry and retrieval. (Amended 11/96) M

**Section 16 — Indemnity:**

THE REGISTERED USER SHALL PROTECT, DEFEND, INDEMNIFY, AND HOLD HARMLESS, OKLAHOMA CITY METROPOLITAN ASSOCIATION OF REALTORS, INC., ALLIED REAL ESTATE COMMERCIAL SERVICES, LLC AND THEIR RESPECTIVE DIRECTORS, OFFICERS, EMPLOYEES, REPRESENTATIVES, AND LICENSEES (AS THE CASE MAY BE), AT MEMBER'S AND/OR PARTICIPANT'S SOLE EXPENSE, OF AND FROM ANY CLAIM, DEMAND, ACTION, LEGAL PROCEEDING, DAMAGES, LIABILITY, SETTLEMENTS, EXPENSES (INCLUDING REASONABLE ATTORNEYS' FEES AND EXPERT WITNESS FEES) AND OTHER COSTS ARISING OUT OF OR RELATING TO

- (i) BREACH OF THESE RULES AND REGULATIONS,
- (ii) NEGLIGENCE OR MISCONDUCT BY PARTICIPANT OR THEIR AFFILIATED LICENSEES/STAFF SUBSCRIBERS OR
- (iii) A CLAIM THAT A LISTING OR OTHER INFORMATION PROVIDED BY PARTICIPANT OR THEIR AFFILIATED LICENSEES/STAFF SUBSCRIBERS INFRINGES THE COPYRIGHT, TRADEMARK, TRADE SECRET, PATENT OR OTHER PROPRIETARY RIGHT OF A THIRD PARTY.

**Section 17 — Changes in Rules and Regulations**

Amendments to the rules and regulations of the PID/CIE and its associated Information Exchanges' Advisory Boards shall be by a Majority vote of the Members and Participants of the Exchange at a regularly scheduled meeting, subject to approval by the ARCS Board of Governors.