



The Commission having thereafter considered the matter and having determined that it had reason to believe that Respondent has violated the said Act, and that a Complaint should issue stating its allegations in that respect, and having accepted the executed Consent Agreement and placed such Consent Agreement on the public record for a period of thirty (30) days for the receipt and consideration of public comments, now in further conformity with the procedure described in Commission Rule 2.34, 16 C.F.R. ' 2.34 (2004), the Commission hereby makes the following jurisdictional findings and issues the following Order:

1. Respondent Realtors Association of Northeast Wisconsin, Inc. is a non-profit corporation organized, existing and doing business under and by virtue of the laws of the State of Wisconsin, with its office and principal place of business at W6124 Aerotech Drive, Appleton, Wisconsin 54912-2637.

2. The Federal Trade Commission has jurisdiction of the subject matter of this proceeding and of the Respondent, and the proceeding is in the public interest.

ORDER

I.

IT IS ORDERED that for the purposes of this Order, the following definitions shall apply:

- A. **Respondent** or **RANW** means Realtors Association of Northeast Wisconsin, Inc., its Board of Directors, officers, predecessors, divisions and wholly or partially owned subsidiaries, affiliates, licensees of affiliates, partnerships, and joint ventures; and all the boards of directors, owners, managers, directors, officers, employees, consultants, agents, and representatives of the foregoing. The terms "Respondent" or "RANW" do not include directors or officers of RANW in their capacities as individual RANW Participants. The terms **subsidiary**, **affiliate** and **joint venture** refer to any person in which there is partial or total ownership or control by RANW, and are specifically meant to include RANW MLS and/or each of the RANW Websites.
- B. **Multiple Listing Service** or **MLS** means a cooperative venture by which real estate brokers serving a common market area submit their listings to a central service which, in turn, distributes the information for the purpose of fostering cooperation in and facilitating real estate transactions.
- C. The term **RANW MLS** means the RANW MLS or any other MLS owned, operated or controlled, in whole or in part, directly or indirectly, by RANW, and any of its predecessors, divisions and wholly or partially owned subsidiaries,

affiliates, licensees of the affiliates, partnerships, and joint ventures, and all the directors, officers, members, participants, employees, consultants, agents, and representatives of the foregoing.

- D. ARANW Participant[®] means any person authorized by RANW to access, use or enjoy the benefits of the RANW MLS in accordance with RANW's by-laws, policies, rules, and regulations.
- E. A

L. **AServices of the MLS@** means the benefits and services provided by the MLS to assist RANW Participants in selling, leasing and valuing property@

5. treat Exclusive Agency Listings, or Other Lawful Listings, in a less advantageous manner than Exclusive Right to Sell Listings, including but not limited to, any policy, rule or practice pertaining to the transmission, downloading, or displaying of information pertaining to such listings.

Provided, however, that nothing herein shall prohibit the Respondent from adopting or enforcing any policy, rule, practice or agreement regarding subscription or participation requirements, payment of dues, administrative matters, or any other policy, rule, practice or

VI.

IT IS FURTHER ORDERED that Respondent shall file a written report within six (6) months of the date this Order becomes final, and annually on the anniversary date of the original report for each of the five (5) years thereafter, and at such other times as the Commission may require by written notice to Respondent, setting forth in detail the manner and form in which it has complied with this Order.

VII.

IT IS FURTHER ORDERED that this Order shall terminate on November 22, 2016.

By the Commission.

Donald S. Clark
Secretary