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CIVIL CODE - CIV

DIVISION 2. PROPERTY [654 - 1422] (*Heading of Division 2 amended by Stats. 1988, Ch. 160, Sec. 13.*)

PART 4. ACQUISITION OF PROPERTY [1000 - 1422] (*Part 4 enacted 1872.*)

TITLE 4. TRANSFER [1039 - 1231] (*Title 4 enacted 1872.*)

CHAPTER 1. Transfers in General [1039 - 1090.5] (*Chapter 1 enacted 1872.*)

ARTICLE 6. Agency Listings for the Transfer of Certain Property [1086 - 1089.5] (*Article 6 added by Stats. 1982, Ch. 547, Sec. 1.*)

1086. (a) For purposes of this article, the definitions contained in Chapter 1 (commencing with Section 10000) of Part 1 of Division 4 of the Business and Professions Code apply.

(b) An "agent" is one authorized by law to act in that capacity for that type of property and is licensed as a real estate broker under Chapter 3 (commencing with Section 10130) of Part 1 of Division 4 of the Business and Professions Code, or is a licensee, as defined in Section 18006 of the Health and Safety Code.

(Amended by Stats. 2018, Ch. 907, Sec. 1. (AB 1289) Effective January 1, 2019.)

1087. A multiple listing service (MLS) is a facility of cooperation of agents and appraisers, operating through an intermediary that does not itself act as an agent or appraiser, through which agents establish express or implied contracts for compensation between agents that are MLS participants in accordance with its MLS rules with respect to listed properties in a listing agreement, or that may be used by agents and appraisers, pursuant to the rules of the service, to prepare market evaluations and appraisals of real property.

(Amended by Stats. 2018, Ch. 907, Sec. 2. (AB 1289) Effective January 1, 2019.)

1088. (a) A listing may not be placed in a multiple listing service unless authorized or directed by the seller in the listing.

(b) If an agent or appraiser places a listing or other information in the multiple listing service, that agent or appraiser shall be responsible for the truth of all representations and statements made by the agent or appraiser of which that agent or appraiser had knowledge or reasonably should have had knowledge to anyone injured by their falseness or inaccuracy.

(c) A multiple listing service shall retain and make accessible on its computer system, if any, all listing and other information placed in the multiple listing service by an agent or appraiser for no less than three years from the date the listing was placed in the multiple listing service.

(d) This section shall not alter the obligations of a licensed real estate broker to retain documents as specified in subdivision (a) of Section 10148 of the Business and Professions Code.

(Amended by Stats. 2019, Ch. 310, Sec. 1. (AB 892) Effective January 1, 2020.)

1089. The provisions of subdivision (d) of Section 1102.1 shall apply to this article.

(Repealed and added by Stats. 2018, Ch. 907, Sec. 5. (AB 1289) Effective January 1, 2019.)

1089.5. Subject to the limitations, conditions, and requirements of Chapter 18 (commencing with Section 10000) of Part 5 of Division 7 of the Probate Code, this article applies to property defined in Section 1086 that is covered by a contract described in Section 10150 of the Probate Code.

(Added by Stats. 1988, Ch. 113, Sec. 4. Effective May 25, 1988. Operative July 1, 1988, by Sec. 23 of Ch. 113.)