

Important Information Regarding MLS Photo Requirements in Virginia

Dear Valued Client,

We understand the desire to present your property in the best possible light. With the widespread use of photo editing software, it's common to wonder what can and cannot be done with real estate listing photos. This document is to clarify the rules and ethical considerations surrounding photo manipulation for listings on the Multiple Listing Service (MLS) in Virginia.

The fundamental principle guiding all MLS photos is to present a "true picture" of the property. This is a core tenet of the Realtor® Code of Ethics (Article 12), which requires honesty and truthfulness in all real estate communications and advertising.

While minor enhancements are generally acceptable, any alteration that misrepresents the property's material facts, condition, or features is strictly prohibited and can lead to significant consequences.

What is Generally Permitted (with caution and often disclosure):

- **Color Correction and Enhancements:** Adjusting brightness, contrast, white balance, and saturation to make photos clearer and more accurately reflect the natural appearance of the property. The goal is to restore the image to how the scene looks in ideal conditions, not to alter it unrealistically.
- **Cropping and Vertical Correction:** Adjusting the framing and straightening lines for better composition.
- **Virtual Staging:** Adding digital furniture and decor to an empty room to help potential buyers visualize the space. **Crucially, virtually staged photos MUST be clearly disclosed as such.** Many MLS systems require a non-staged image to be included immediately before or after the virtually staged photo.
- **Removing Temporary Objects:** Removing personal items that are not conveyed with the property, such as portable sprinklers, children's toys, trash cans, or a seller's shoes, is generally acceptable.
- **Sky Replacements:** Changing a gloomy sky to a blue one, as long as it doesn't fundamentally alter the perception of the property or its surroundings. This is a "low-risk" alteration, but some argue it's best to reshoot on a better day if possible.
- **Minor Additions:** Adding small details like a fire in a fireplace, a screenshot on a TV, or flowers in a vase to enhance the overall aesthetic without misrepresenting a permanent feature.

Strictly Prohibited Examples (considered misrepresentation):

- **Altering Permanent or Semi-Permanent Features:** This is the most critical rule. You **cannot** digitally remove or add anything that is a permanent or semi-permanent fixture of the property or its surrounding environment. Examples include:
 - Removing power lines, telephone poles, or water towers.
 - Erasing visible cracks in the foundation or holes in the roof.
 - Adding or removing windows, doors, or structural elements.
 - Changing a dirt driveway to a paved one.
 - Removing neighboring properties to make a listing appear more secluded.
 - Changing existing fences or adding new ones where none exist.
 - Altering the actual view from windows (e.g., replacing a neighborhood view with an oceanfront or city skyline).
- **Changing the Property's Condition:**
 - Making the lawn significantly greener or lusher than it is naturally.
 - "Fixing" a missing shingle or other visible damage that would require repair.
 - Altering colors and textures to an unrealistic degree, masking the true age or condition of surfaces.
- **Manipulating Dimensions:** Stretching or changing the aspect ratio of photos to make rooms appear larger or smaller than they are.
- **Concealing Material Facts:** Any alteration that hides a significant problem or detriment to the property.
- **Adding or Removing People or Personal Advertising:** Photos should focus solely on the property.
- **Using Photos Not Representative of the Property:** Using "example photos" that are similar but not of the actual listing requires a clear "example photo" disclaimer across the image.

Why These Rules Are in Place:

- **To Maintain Trust and Transparency:** Buyers rely on MLS photos to accurately represent a property. Misleading photos can lead to disappointment, distrust, and a loss of interest, and can damage the reputation of real estate professionals.
- **To Prevent Misrepresentation and Potential Lawsuits:** Altering material facts in photos can be construed as misrepresentation, which can lead to legal action against both the seller and the real estate licensee.
- **To Uphold Ethical Standards:** The Realtor® Code of Ethics emphasizes presenting a "true picture" in all advertising.
- **MLS Compliance:** All MLS systems have strict guidelines regarding photo editing. Violations can result in penalties, fines, suspension, or even revocation of listing privileges.

Our Commitment:

As your real estate agent, we are committed to upholding the highest ethical standards and adhering strictly to all MLS rules and regulations in Virginia. Our goal is to market your property effectively and truthfully, attracting qualified buyers and facilitating a smooth transaction.

We appreciate your understanding and cooperation in ensuring your property is represented accurately and ethically on the MLS. If you have any questions or concerns about specific photo treatments, please do not hesitate to ask.

Sincerely,

[Your Name/Your Company Name]

[Your Real Estate License Number]