

POLICY MANUAL



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POLICY MANUAL

Foreword: The St. Charles REALTORS® is a nonprofit 501(c)6 corporation formed in 1946 as an association. Its current Mission Statement notes, “As the local voice for real estate, the St. Charles REALTORS® provides members with programs, products and services to conduct business successfully and ethically. Through legislative advocacy and public awareness, we promote private property rights, equal housing opportunity and the American Dream of real property ownership.” Real estate professionals, appraisers and affiliates comprise a diverse group of individuals that work to better the community.

It is the desire of the Board of Directors that newly elected Directors, Committee Chairs, Committee Members, MR Directors, MR Committee Members, and any members seeking to become involved in St. Charles REALTORS® activities will use the Policy Manual as a reference guide to understand Association expectations and operations. The Policy Manual incorporates policies and directives formally adopted by the Association from prior years of operation. As new policies and directives are adopted or revisions made, each will be entered into the Policy Manual and will include the date of enactment.

Association members, staff and volunteers understand that when they serve in positions of leadership or responsibility, they are to keep the best interests of the Association and its entire membership in mind at all times. All members are encouraged to submit policy suggestions in writing to any Director or Committee Chair.

Statement of Authority: The Board of Directors may, by a majority vote, approve policies of this Association, which define or amplify the Bylaws of the Association. Any policies, so approved, will be adopted immediately upon approval and printed in the Policy Manual of the Association. Any Director of the Association may propose policies. The Policy Manual is available to any Member [*Bylaws Article XI, Sec. 8 (04/30/03)*].

Definitions:

Agreement: Great River Region Professional Standards Agreement

Association: St. Charles REALTORS®

CEO: Chief Executive Officer

CFO: Chief Financial Officer or Director of Finance

COO: Chief Operating Officer

Code: NAR Code of Ethics

Director: Board of Directors’ Member or Officer

DR: Designated REALTOR®

Member: Member of the Association

Manual: Policy Manual

MANUAL: NAR Code of Ethics and Arbitration Manual

MR: Missouri REALTORS®

Mark: REALTOR®, REALTORS®, and REALTOR-ASSOCIATE®

MARIS: Mid-America Regional Information Systems

NAR: National Association of REALTORS®

RULES: NAR Code of Ethics; the Association Policy Manual; and the Constitutions and Bylaws of the Association, MR and NAR

WCR: Women’s Council of REALTORS®

PART 1: LEADERSHIP ROLES

1.1 President. The President of the Association is the chief elected officer of the organization [*Bylaws Article XI, Section 2A (04/30/03)*], and shall represent the Association as directed by the Manual, Bylaws and the Board of Directors. The Incoming President's Committee Chair selections shall be presented to the Board of Directors for confirmation. The President will also fulfill duties of the position by: (1) providing volunteer leadership to motivate both membership and staff, and promote interest and participation in the Association; (2) supporting the establishment of goals and objectives of the Association; (3) ensuring Directors are kept fully informed on the conditions and activities of the Association; (4) serving as signor on the Association checking account; (5) participating in the Strategic Planning process and Leadership Retreat, and serving as a voting member on the following committees: Board of Directors as Chair, Strategic Planning, CEO Evaluation as Chair, and a MR committee. S/he may serve on other committees as an ex-officio, nonvoting member.

1.2 President-Elect. As an elected officer of the Association [*Bylaws Article XI, Sec. 2B (04/30/03)*], the President-Elect should have detailed familiarity with the structure and administration of the Association and should use the term as an opportunity to learn and prepare for the upcoming year as President. The Incoming President-Elect's Vice Chair selections shall be presented to the Board of Directors for confirmation. The President-Elect will, with the assistance of staff, organize and chair the Leadership Retreat, will chair the Strategic Planning process, [*BOD Minutes 09/15/04*] and serve as signor on the Association checking account. S/he will serve on the following committees: Strategic Planning (Chair), Finance, Government Affairs, SCCARPAC as Chair, and a MR committee. S/he will also serve as one of the Association's MR Directors.

1.3 Treasurer. The Treasurer is responsible for working with the CEO and Board of Directors to ensure the accuracy of Association financial reports and to act as a safeguard to maintain fiscal integrity in Association financial matters [*Bylaws Article XI, Sec. 2C (05/10/07)*]. The Treasurer will act as co-signer on Association checks. In conjunction with the CEO, s/he will work to ensure the Association's funds are invested in a prudent manner. The Treasurer will attend the Leadership Retreat and serve as Chair of the Finance Committee and a member of the Strategic Planning Committee. S/he will assist the CEO in the Association's annual budgeting process and will work with the CEO to assist with the integration of financial planning into the strategic planning process. S/he will provide a monthly financial report to the Board of Directors. S/he will work with the CEO and CFO to secure an annual accountant review of the Association finances, which will be presented annually to the Finance and Budget Committee and the Board of Directors. S/he will serve as one of the Association's MR Directors and will serve on a MR Committee. [*Bylaws Minutes 04/30/18 & BOD Minutes 05/23/18*]

1.4 Secretary. The COO of the Association will act as the corporate secretary of the Association. S/he will also keep the records of the Association and carry on all necessary correspondence with NAR and MR [*Bylaws Article XI, Sec. 2E (05/10/07)*].

1.5 Immediate Past President. The Immediate Past President will provide council and guidance to allow for and support continuity in the Association. [*Bylaws Article XI, Sec. 3A3 (04/30/03)*]. S/he will serve as historian for the Association. The Immediate Past President will attend the Leadership Retreat and will be a member of the Finance & Budget Committee [*BOD Minutes 06/15/16*].

1.6 Parliamentarian. The President-Elect will appoint one member of the Board of Directors, subject to approval of the Board of Directors, to serve as the Parliamentarian during his/her term of

office as President. The Parliamentarian will provide guidance to the Board of Directors as needed on parliamentary matters. The Parliamentarian will be trained in Robert's Rules of Order, as needed, with training to be completed prior to the January Board of Directors' training session. *[Bylaws Minutes 04/30/18 & BOD Minutes 04/18/18, 05/23/18]*

1.7 Board of Directors. The Board of Directors is the governing body of the Association. *[Bylaws Article XI, Sec. 3A (2002)]*. Board members have a duty to develop familiarity with Association policies, structure, and governing documents, including but not limited to the Bylaws, Manual, Employee Handbook, and budget. Board members agree to diligently prepare for meetings and to make decisions based on the best interest of the entire membership. Board members will keep confidential sensitive Association information and will follow the Code of Conduct (Exhibit A). *[BOD Minutes 10/25/06]* Board members agree to promote interest in the Association and willingly agree to participate in Association activities. Board members agree to publicly support decisions made by the Association and agree to remain in financial good standing with the Association. Board members will attend the Leadership Orientation, if scheduled. The Board of Directors will serve as an Appeal Panel as dictated by Association Bylaws, will ratify Professional Standards cases, and will approve the report of the CEO Evaluation Committee. Board members will serve on at least one Association Committee in addition to their service on the Board of Directors. The Board of Directors will meet monthly or as it deems necessary. *[Bylaws Article XII, Sec. 2-4 (04/30/03)]*.

1.8 State Directors. State Directors are required to attend MR Board of Directors Business Conferences, including the District Briefing, and vote at the Board of Directors sessions. Absence from two (2) meetings in a calendar year may result in termination as a State Director by the Board of Directors. State Directors will serve on a MR output group/committee. The Incoming President will nominate individuals to fill the allocated director positions subject to approval of the Board of Directors.

1.9 Regional Boards or Committees. Representation on regional boards and/or committees available to the Association will be filled by members nominated by the incoming President subject to approval by the Board of Directors, in accordance with the terms and criteria established by the organization offering the Association representation.

PART 2: COMMITTEES AND FUNCTIONS

- 2.1 Purpose.** The purpose of Board-appointed committees is to act as the work groups for the Board of Directors, provide support as needed on policy-related issues, and to abide by the RULES.
- 2.2 Committee Membership Selection.** The Incoming President and Incoming President-Elect will work together to recruit and identify initial members for committees. To encourage broad participation, committee membership is open to all Members in good standing, except as otherwise provided in the Bylaws or Manual. [*Bylaws Article XIII, Sec. 1 (04/30/03)*].
- 2.3 Board Communication.** If appropriate, the Chair will submit a report to the Board of Directors in a timely manner after each committee meeting. Meeting minutes generated by staff may facilitate this reporting function. If a matter warrants such, the Chair will make him/herself available to make a brief presentation to the Board of Directors, when convenient.
- 2.4 Staff Liaison.** The CEO will assign a staff liaison to each standing committee to facilitate committee meetings. The staff liaison will attend committee meetings and take minutes, which will then be typed for Chair review prior to the next meeting unless otherwise provided by the Bylaws.
- 2.5 Committee Operation.** A progression from committee, forum or task force member to Committee Vice-Chair, to Committee Chair is encouraged to allow for the development and cultivation of knowledgeable leaders in the Association. Committee Chairs are expected to preside over committee meetings and provide an efficient atmosphere that is conducive to Association business. Chairs will attend training prior to the beginning of the calendar year to learn the basics of committee operations, parliamentary procedures, and the Association and will also attend the Leadership Retreat. If a Chair is absent from the Leadership Retreat or is absent from two (2) committee meetings, the Board of Directors may replace him/her as Chair.
- 2.6 Scheduling.** Committee meeting times will be cleared through the COO before placement on the Association's master calendar and should be set for dates reoccurring on Monday, Tuesday, Wednesday or Thursday during office hours. Major activities planned by committees will also be cleared through the COO, who will make efforts to avoid scheduling conflicts. Committee meetings will be held at the Association offices unless otherwise determined by the President, CEO, or Board of Directors.
- 2.7 Notification.** The President, CEO and all Members will be notified of all committee meetings, with the exception of Grievance Committee and related Professional Standards activities requiring confidentiality.
- 2.8 Board of Directors and Committee Communications.** The Missouri REALTORS Landing Site will be utilized for all Board of Directors and Committee communications. Staff liaisons will post meeting materials, agenda and minutes to the MR Landing site. No direct e-mails will be sent to committee members, except for the Professional Standards and Grievance Committees. Anyone serving on the Board of Directors or an Association Committee will be required to sign-up for the Landing and agree to the daily digest notifications. The President and CEO will be members of every community and the appropriate staff liaison will be members of the communities for the committees they serve.

2.9 Committee Agenda and Plan of Action. The Chair will work with the designated staff liaison to develop a meeting agenda no less than three days prior to a committee meeting. At the beginning of the year, a simple Plan of Action will be developed that complements the Association's Strategic Plan.

2.10 Committee Action. General committee requests for staff support or Association assistance will be forwarded by the staff liaison to the CEO for review, possible execution or referral to the Board of Directors. Specific committee requests and all financial requests beyond the approved budget will take the form of a motion and be sent directly to the Board of Directors for consideration.

2.11 Immediate E-Mail Approval. *[BOD Minutes 02/24/16]* When deemed necessary by the Chair and Staff liaison, an e-mail vote of the Members is acceptable if:

- 1) an explanatory e-mail is sent to all members giving members a chance to ask questions and offer their opinions,
- 2) no sooner than 24 hours later, an e-mail is sent to all members asking for their vote on the proposal,
- 3) no Member objects to the e-mail vote,
- 4) all Members have been contacted about the issue,
- 5) response meets quorum requirements.

Confidential information as defined in the Bylaws will not be sent using this process. In the event all five of the above conditions are not met, then either a special committee meeting must be called to decide the issue or the decision must wait until the next scheduled committee meeting.

2.12 Virtual Meetings. *[BOD Minutes 02/24/16]* When deemed appropriate by the Chair and Staff liaison, the committee may convene in a regular or special meeting via telephone conference or video conference. Any committee member may travel to REALTOR Headquarters to participate in the meeting from that location.

2.13 Member Virtual Attendance. *[BOD Minutes 02/24/16]* A Member who is unable to attend a regular or special meeting of the committee may attend via telephone conference or video conference. Such Member shall have full rights to participate in all aspects of the meeting. If the committee is governed by the attendance requirements in section 2.14 of this manual, members may virtually participate in up to two (2) meetings per year without negatively affecting their attendance requirements as outlined in the above referenced section.

2.14 Member Meeting Attendance. *[BOD Minutes 12/5/18]* Members appointed by the Board of Directors to the Finance or SCCARPAC Committees may miss up to two (2) regularly scheduled meetings of the committee. The Chair or Vice Chair shall contact the member after two (2) absences. If a member fails to attend three meetings, the position shall be considered vacant. The committee can recommend the member be reappointed by the Board of Directors to complete the term.

2.15 Chair and Vice Chair Attendance. *[BOD Minutes 12/5/18]* Members appointed by the Board of Directors as Chair or Vice Chair of Association committees may miss two (2) regularly scheduled meetings of the committee. If a chair or vice chair fails to attend three meetings, the position shall be considered vacant. The committee can recommend the member be reappointed by the Board of Directors to complete the term.

3.0 Board-Appointed Standing Committees, Committees, Special Committees, and Task Forces. All standing committees, committees and special committees will meet as needed and may, at their discretion, assign specific duties to task forces created by the Chair.

3.1 Standing Committees. Standing Committees are those committees mandated in the Bylaws of the Association. All members of standing committees are appointed by the President with the approval of the Board of Directors.

3.2 Bylaws/Policy. [*Bylaws Article XIII, Sec. (04/30/03)*].

Composition. Nine (9) members appointed by the President all being REALTOR® or REALTOR-ASSOCIATE® Members. At least five committee members will be REALTORS®.

Specific Responsibilities. Review Bylaws and Policy Manual and make recommendations, as needed, to the Board of Directors. Ensure Policy Manual is consistent with Bylaws.

3.3 CEO Evaluation. [*Bylaws Article XIII, Sec. 1 (04/30/03)*].

Composition. The committee membership is limited to the President, President-Elect, Treasurer, and the Immediate Past President [*BOD Minutes 02/23/06*]

Specific Responsibilities. Evaluate CEO performance. The annual performance review shall cover the period November 1 through October 31 each year. The Committee will complete its combined evaluation by the end of November, and a report with salary information will be presented to the Board of Directors by the December Board of Directors' meeting. [*BOD Minutes 10/17/18*] A copy of the performance review will be placed in his/her personnel file. The COO or President will email a duplicate copy of the performance review, with request for return receipt, to the Association's attorney for off-site electronic storage. [*BOD Minutes 08/15/18*]

All personnel discussions will be held in strict confidence by the members of the committee and no documentation will be removed from the Association office. Allegations of revealing of confidential information to non-committee members shall be brought to the President. If the allegations are against the President, they shall be brought to the President-Elect. The President or President-Elect shall bring the allegations to the Board of Directors for action. If the Board of Directors determines that the accused officer has violated the confidentiality of this committee, the Board of Directors can direct the officer to not participate in any future committee meetings. The Board of Directors may appoint a director to serve on the committee in place of the officer. [*BOD Minutes 10/18/17*]

Committee members and CEO will communicate on Association business as needed, and members will share suggestions, ideas and questions with the CEO. The Committee only has the authority to recommend actions to the Board of Directors. [*BOD Minutes 10/18/17*]

3.4 Finance and Budget. [*Bylaws Article XIII, Sec. 1 (04/30/03)*].

Composition. The committee membership is limited to the Treasurer as Chair, President, President-Elect, and the Immediate Past President [*BOD Minutes 06/15/16*] and six other members serving three-year terms. These members shall be REALTOR® or REALTOR-ASSOCIATE® members of the Association; however, one member of the Committee at the President's discretion could be an Affiliate Member of the Association. The President-Elect will appoint two members to a three-year term [*BOD Minutes 04/22/09*].

Term of Office. The term of office of each appointed committee member and each elected officer serving on the committee will begin at the first regularly scheduled committee meeting held after the Association's Annual Meeting and Election and will end at the last regularly scheduled committee

meeting prior to the Association's Annual Meeting and Election in the year that their term of appointment ends. All retiring officers will remain members of the committee until December 31 of each calendar year [BOD Minutes 04/22/09]

Specific Responsibilities. Assist the Treasurer in fulfillment of Association duties, as requested. Review monthly interim and end-of-year financial reports to maintain a financially sound operation. Act as the financial work group for the Board of Directors. Support staff in the annual budget process and ensure it is submitted to the Board of Directors for approval by November 30 of each year. Make investment and purchase recommendations to the Board of Directors.

3.5 Grievance. [Bylaws Article XIII, Sec. 1 (04/30/03)].

Specific Purpose. Review ethical complaints and requests for arbitration, handled and governed by the MANUAL and Association policies and agreements. [Bylaws Article VII (04/30/03); see also Agreement (09/15/02)].

Composition. A minimum of ten members, including REALTOR® or REALTOR-ASSOCIATE® members, who must have at least three years' experience in the real estate industry and with no more than three members from any one company, will serve for two-year terms. Members of the Board of Directors will not serve on this committee.

Specific Responsibilities. The Grievance Committee shall review ethical complaints and requests for arbitration to determine if, taken as true on their face, a hearing is to be warranted, as governed by the MANUAL and Association policies and agreements. [Bylaws Article VII (04/30/03); see also Agreement (09/15/02)]. Committee members will remain unbiased, fair, and impartial in all proceedings and decision-making. All members of the Grievance Committee will attend either an annual Professional Standards training program conducted by the Association (at no charge to the attendee) or attend the Annual Professional Standards seminar offered by the MR (attendee to pay) [BOD Minutes 01/30/09]. If a committee member also serves on the MR Professional Standards or Grievance Committee, s/he may use the MR mandatory committee training, usually held the prior November, as his/her local training. [BOD Minutes 01/27/10]

3.6 Professional Standards. [Bylaws Article XIII, Sec. 1 (04/30/03)].

Special Governing Rules and Regional Agreement. In addition to operating in compliance with Association Bylaws and Manual, the committee will also adhere to the terms set forth in the Agreement.

Composition. A minimum of ten (10) members. All committee members must have served for two (2) years on the Association's Grievance Committee prior to serving on the committee. At least one member of the committee will be a member of the Association's Commercial Division.

Specific Responsibilities. Members of the Professional Standards Committee shall be selected to serve on Hearing Panels as required to hear matters of alleged unethical conduct by Association Members or to provide arbitration as requested. Committee members will remain unbiased, fair, and impartial in all proceedings and decision-making.

All members of the Professional Standards Committee will attend either an annual Professional Standards training program conducted by the Association (at no charge to the attendee) or attend the Annual Professional Standards seminar offered by MR (attendee to pay). [BOD Minutes 01/30/09] If a committee member also serves on the MR Professional Standards or Grievance Committee, s/he may use the MR mandatory committee training, usually held the prior November, as his/her local training. [BOD Minutes 01/27/10]

3.7 Committees and Special Committees. Committees and Special Committees are created by the Board of Directors to assist in the planning and implementation of Association programs and activities. Members of committees are appointed by the President with the approval of the Board of Directors.

3.8 Affiliate.

Composition. Committee is open to all Affiliate members. The elected Affiliate Director will serve as chair and the Affiliate Director-Elect will serve as vice chair.

Specific Responsibilities. A Committee for all Affiliate members to work cooperatively to support the Association, develop and maintain a speaker's resource from the Affiliate membership, assess industry-related problems, and suggest solutions to the Board of Directors. Plan membership and charitable events and assist with other events, to further the goals of the Association, and promote Association awareness among its members and the general public.

3.9 Community Outreach. *[BOD Minutes 12/21/16].*

Composition and Specific Responsibilities. The Committee is open to all members. Work to enhance public awareness of the REALTOR organization and assist in its mission to enhance the quality of life in St. Charles County by providing opportunities for members to participate in and assist community programs, organizations and activities that benefit the residents of St. Charles County. The Committee will select projects and organize REALTOR participation in coordination with other Association groups and committees as well as community organizations. In addition, the Committee will strive to enhance community outreach and awareness by providing up-to-date real estate information to be disseminated to members and the public through the media, social media, and other sources.

3.10 Events. *[BOD Minutes 12/21/16].*

Composition and Specific Responsibilities. The committee is open to all members. Members work with Association staff, leadership and, where appropriate, with members of other committees to assist in the planning, marketing, and logistics of Association events. *[Bylaws Minutes 04/30/18 & BOD Minutes 05/23/18]*

3.11 Government Affairs.

Composition and Specific Responsibilities. A Committee of all members to actively monitor county and local legislative issues that impact the St. Charles area real estate industry. In addition, the committee will maintain familiarity with national and state issues and utilize NAR and MR resources to assist with these efforts. The Chair will appoint local liaisons to assist with committee work for Lincoln County, Warren County and surrounding counties, if appropriate. The Committee will plan and coordinate RPAC fundraising efforts along with the SCCARPAC Committee.

All requests from candidates for municipal, county or state office for the Association's endorsement and/or financial support will be brought to the Committee for consideration. Where appropriate, the candidate will be asked to come to a Committee meeting and/or complete the Association's questionnaire. Committee members may discuss the candidate positions and offer their thoughts and opinions for consideration by the SCCARPAC Trustees.

Any request for the Association to take a position on ballot issues or legislation will be presented to the Committee for consideration. Those seeking the Association's support of their positions will be invited to provide materials and or make a presentation to the Committee. Members or Association staff may also bring possible issues to the attention of the Committee. Committee members will discuss the issue and refer it to the SCCARPAC Trustees for consideration.

Any recommendations by the Committee will be brought to the Board of Directors for review. The Committee Chair should attend the Board of Directors meeting where motions are to be brought forward. *[BOD Minutes 09/26/18]*

The Committee will recommend member participation on boards or commissions, when relevant. Reflecting the NAR and MR models, the Committee will put in place an effective Call to Action method for the Association to support and encourage member involvement in government and community issues.

3.12 Leadership Development. *[BOD Minutes 04/26/17]*

Composition and Specific Responsibilities. The Committee is open to all members. Coordinate and plan the Association's annual Leadership Launch program.

3.13 Past Presidents. *[BOD Minutes 08/19/09]*

Composition. The committee is open to all Past Presidents of the Association.

Specific Responsibilities. Meet as needed or as they desire, for the purpose of the support of the President, the Association and the membership. The committee shall use their combined numerous years of experience in real estate sales/management and national, state, and local Association service to offer suggestions, ideas, and support in whatever way possible to advance the enthusiasm, attendance, and wellbeing of the Association. The committee shall be available to the Association President for requested projects and shall make suggestions/furnish ideas for consideration and possible implementation to that end. They shall set their own meeting schedule, appoint a chairperson, and receive Association staff support only when necessary.

3.14 Professional Development *[BOD Minutes 12/21/16].*

Composition and Specific Responsibilities. The Committee is open to all members and will serve as the coordinator of all of the Association's educational offerings. The committee will develop training curriculum and courses that cultivate professional development, use of technology, and inform Members on important subjects of interest. Provide opportunities for Members to maintain compliance with NAR, MR and Missouri Real Estate Commission requirements. Encourage training in and use of the Code of Ethics. Provide diversity awareness and education to members and members of the St. Charles community. This would include planning and promoting educational programs to provide information on community resources, financial assistance, fair housing education, and other programs.

3.15 SCCARPAC Trustees.

Composition. The committee is composed of 12 *[BOD Minutes 02/15/17]* Trustees appointed by the President with the approval of the Board of Directors. Trustees shall serve staggered three-year terms. A majority of the appointed Trustees will be RPAC Major Investors. In addition to the appointed Trustees, the following will serve as full voting members of the Trustees, during their term of office: the President-Elect who will serve as Chair and the Treasurer who will serve as Vice Chair of the Trustees. During their terms of office, the President, Immediate Past President, Government Affairs Chair, and Government Affairs Vice Chair will serve as members of the Trustees.

Specific Responsibilities. All Trustees will attend and participate in the meetings of the Government Affairs Committee. All requests for support from candidates for local, county, or state offices will be reviewed by the Government Affairs Committee and referred to the Trustees for further consideration and action. In addition, any request for the Association to take a position on a ballot issue or legislation

will be reviewed by the Government Affairs Committee and referred to the Trustees for further consideration and action. The Trustees will consider all requests for support brought to the Government Affairs Committee and the comments and/or opinions offered by members of the Committee. The Trustees will also rely on their knowledge and may seek input from others in the REALTOR® organization or the community.

The Trustees will determine if financial assistance, and the amount of any assistance, will be donated to a candidate campaign or issue campaign from the St. Charles REALTORS® Political Action Committee (SCCARPAC). [*BOD Minutes 02/15/17*]. In addition, the Trustees will recommend to the Board of Directors endorsement of any candidates or other ballot measures. The Trustees will work with the Government Affairs Committee to raise funds that enable SCCARPAC to make these contributions; determine the amount, if any, of SCCARPAC funds to be utilized in fundraising efforts; coordinate fundraising efforts with NAR and MR; and recognize contributors to RPAC.

3.16 Executive Committee.

The Executive Trustees Committee will be composed of the President, President-Elect, Treasurer, Immediate Past President, and two at-large trustees appointed by the Chair of the Trustees (President-Elect), with the approval of the Trustees. The Executive Committee will have the authority to act on behalf of the Trustees on all requests that need to be addressed in between regular meetings of the Trustees. In addition, the Executive Committee will have complete authority to authorize and, with staff, supervise and execute REALTOR Party requests for direct candidate support. [*BOD Minutes 02/15/17*].

3.17 Strategic Planning.

Composition. The committee will be limited to 25 members, including the members of the Board of Directors, up to 7 at-large members appointed by the President-Elect, and the CEO and COO. The President-Elect will serve as chair of the committee.

Specific Responsibilities. Establish long-range goals and objectives for the Association by involving all key stakeholders to achieve across-the-board buy-in by the entire Association. The committee will meet every three years to will prepare a comprehensive strategic plan for the Association. The Committee will make its modifications to the Board of Directors by the August Board of Directors' meeting, in the strategic planning year beginning in August, 2021. The Board of Directors will forward the strategic plan to the Finance Committee to be incorporated into the budget planning. The Board of Directors will affirm the existing strategic plan in intervening years and refer to it in the preparation of the annual Association business plan. [*BOD Minutes 8/15/18*]

PART 3: ADMINISTRATIVE PROCEDURES

4.1 Solicitation of Funds. All requests for funding for sponsorships, charitable donations or any other purpose received from an industry group, charitable organization or other outside entity will be brought to the Board of Directors for consideration. The Directors may consider those requests that further the mission of the Association. The Association will not support charitable or other activities organized or sponsored by member firms. *[BOD Minutes 10/18/17]*

4.2 Immediate E-Mail or Fax Approval. When deemed necessary by the President and CEO, an e-mail vote of the Directors is acceptable if:

- 1) an explanatory e-mail is sent to all members giving members a chance to ask questions and offer their opinions,
- 2) no sooner than 24 hours later, an e-mail is sent to all members asking for their vote on the proposal,
- 3) no Director objects to the e-mail vote,
- 4) all Directors have been contacted about the issue,
- 5) response meets quorum requirements.

Confidential information as defined in the Bylaws will not be sent using this process. In the event all five of the above conditions are not met, then either a special Board of Directors' meeting must be called to decide the issue or the decision must wait until the next scheduled Board of Directors' meeting.

4.3 Employment Contract. The CEO's employment contract, if any, will remain confidential and only members of the Board of Directors will be privy to the contract.

4.4 Professional Standards Training. All members of the Board of Directors will attend either an annual Professional Standards training program conducted by the Association (at no charge to the attendee) or attend the Annual Professional Standards seminar offered by MR (attendee to pay). *[BOD Minutes 01/30/09]*

4.5 Terminated Employees. Directors and staff are discouraged from contacting terminated employees to discuss matters relating to the terminated employee's prior employment or divulging information about the Association's operations or policies.

4.5.1 Exit Interviews. Any employees leaving the employment of the Association will be asked to participate in an exit interview with the CEO and the COO. The President or another officer of the Association appointed by the President will be invited to participate in that interview. The President or their representative may request from the employee leaving the employment of the Association an additional private interview. *[BOD Minutes 10/21/15]*

4.6 Professional Development. Professional Development provided to leaders or staff will be administered in a fair and equitable manner in a way to best benefit the Association.

4.7 Employment Restriction. Members of the Board of Directors will not be eligible to be considered for service as paid independent contractors or hired as employees of the Association for a period of one year after leaving the Board of Directors. *[BOD Minutes 04/21/04, 06/16/04]*

4.8 Virtual Meetings. [BOD Minutes 02/24/16] When deemed appropriate by the President and CEO, the Board of Directors may convene in a regular or special meeting via telephone conference or video conference. Any Board member may travel to REALTOR Headquarters to participate in the meeting from that location.

4.9 Director Virtual Attendance. [BOD Minutes 02/24/16] A Director who is unable to attend a regular or special meeting of the Board of Directors may attend via telephone conference or video conference. Such Director shall have full rights to participate in all aspects of the meeting. Directors may virtually participate in up to two (2) regularly scheduled [Bylaws Minutes 04/30/18 & BOD Minutes 05/23/18] meetings per year without negatively affecting their attendance requirements as outlined in the Bylaws of the Association.

5.0 CEO Authority.

5.1 Emergency Situations. In the event an emergency (defined as a condition that interrupts the daily operation of the Association) arises, the CEO is authorized to take such reasonable action as is required to remedy the situation unless it involves expenditure of Association funds in excess of \$5,000 [Bylaws Minutes 04/30/18 & BOD Minutes 05/23/18] which will require action by the Board of Directors. The CEO will inform the President of such emergency as soon as possible.

5.2 Binding Agreements. The CEO, or COO in the CEO's absence, is the only individual authorized to enter into binding legal agreements on behalf of the Association.

5.3 Professional Standards Training. The CEO and COO will attend Professional Standards training annually.

5.4 Expenditures and Bid Process. Generally, staff will secure a minimum of three bids or quotes for capital improvements, purchases, services or leases valued over \$1,000 and will keep copies of such quotes on file for two years. Capital improvements, purchases, services or leases valued over \$15,000 will require approval by the Board of Directors prior to contract execution. Preference will be given to Affiliate Members in the bidding process.

5.5 Extra-Budget Expenditures. Expenditures beyond the approved budget require Board of Directors' approval.

6.0 General Operational Procedures.

6.1 Record Retention. The Association will follow MR's Records Retention Schedule, as follows:

Accident reports and claims (settled).....	7 years
Accounting ledgers and records:	
General journals, payables and receivables	7 years
General ledgers	Permanently
Bank statements reconciliation (monthly)	2 years
Cancelled checks.....	7 years
Charts of accounts.....	Permanently
Continued Education.....	4 years
Contracts	7 years

Correspondence:

General.....	3 years
Legal	Permanently
CPA audited financial statements	Permanently
Depreciation records	Permanently
Employee personnel records (after termination).....	3 years
Expense reimbursements	7 years
Financial statements (monthly)	2 years
Financial statements (year-end)	Permanently

Historical:

Articles of Incorporation.....	Permanently
Bylaws and Policies	Permanently
Minutes (Directors)	Permanently
Minutes (Committees)	3 years
Issues Mobilization Political Action Committee records	7 years
Insurance policies.....	3 years
Inventory records	7 years
Invoice records.....	7 years

Membership:

Applications (after dropped).....	1 year
Directories (printed)	Permanently
Historical.....	Permanently
Periodic reports	Permanently
Renewals	1 year

Special status records:

Retired, Life, REALTOR® Emeritus, Honorary, Master, etc.	Permanently
Payment records.....	7 years
Payroll records	7 years
Petty cash records	3 years
Postage meter records	1 year
Professional Standards records	1 year
Property appraisals by outside appraisers	Permanently
Purchase orders	7 years
REALTORS® Political Action Committee and contribution records.....	7 years
REALTORS® Political Action Committee tax records	Permanently
Retirement and pension plan records	Permanently (under control of plan administering firm)
Sales records (billing requests, invoices and credit card slips).....	7 years
Shipping records (UPS, Federal Express, USPS, etc.)	2 years

Tax Records:

Federal returns	Until clearance
State returns	Until clearance

6.2 Memorials and Funeral Notices. Flowers or memorial tributes, not in excess of \$50, may be sent upon the death of an Association Member or a member of his/her immediate family (spouse, parent or child), subject to funds allocation in the Association’s annual budget. The Association will distribute funeral arrangement information on Association Members and/or their families, when requested by the affected Member, via a member-wide email and a Facebook posting. *[BOD Minutes 04/18/12]*

- 6.3 Alcohol Service.** Any bar under the control of the Association at any meeting will discontinue service and close during the operation of the meeting. The closing of the bar may be excepted when an open bar is included in the event. The Association will strive to hire a professional bartender for such events.
- 6.4 Advertisement Limitation.** No real estate companies or parent real estate franchising companies are allowed to place recruiting advertising in any advertising venue, publication or electronic publication of the Association.
- 6.5 WCR Promotion.** The Association will work to promote and assist WCR activities when practical and not in conflict with the Association or its goals.
- 6.6 Billing Cycle.** Where possible, billing will take place on a calendar basis.
- 6.7 Donation Recognition.** Recognition of donations is generally limited to Members, governmental or nonprofit organizations. Supplies, materials or other things received in donation from Affiliate Members will be utilized in a way to provide fair, equal exposure.
- 6.8 Loaned Items.** The Association assumes no responsibility for loaned items and storage of such materials at the Association office is generally not allowed.
- 6.9 Legal Advice.** Only the President, CEO, and COO are authorized to contact the Association attorney relating to legal matters that incur expense to the Association.
- 6.10 Facility Rental.** The CEO or COO is authorized to schedule rental of available facilities to members for functions not in conflict with Board-approved policy. Smoking in the facility is not permitted but is allowed outside on Association property. Rental rates are as follows: Classroom = \$125 full day/\$75 half day; Boardroom = \$100 full day/\$50 half day. There will be an additional charge of \$50 for use of the Association video and/or audio equipment. The CEO and COO have the authority to authorize reduced fees for multiple rentals by the same organization. *[Bylaws Minutes 04/30/18 & BOD Minutes 05/23/18]* These figures are to be reviewed annually as part of the Association budgeting process.
- 6.11 Community Organizations.** The Association may maintain membership through staff in the St. Charles, O'Fallon, Wentzville and St. Peters Chambers of Commerce subject to funds allocation in the Association's annual operating budget.
- 6.12 Vendor Insurance.** Each vendor contracted by the Association will carry insurance coverage for its employees including adequate Workers Compensation coverage, and a certificate of insurance will be kept on file at the Association.
- 6.13 Contractors.** Contractors will not be paid in cash. Final payment will be disbursed to contractor upon completion of work and receipt of lien waiver and certificate of insurance.
- 6.14 Petty Cash.** Petty cash will not be used for personal use by Members or staff.

6.15 Bonuses. Employee bonuses, if any, will be awarded by the CEO at his/her sole discretion, if there is money in the budgeted salary account to cover the bonuses. Any bonuses to the CEO or bonuses requiring non-budgeted funds must be approved by the Board of Directors and all bonuses must go through the payroll process in order to maintain proper accounting and employer/employee tax records.

6.16 Antitrust. The Association may not play any role in the competitive decisions of its members, nor in any way restrict competition among members or potential members. Rather, it serves as a forum for a free and open discussion of diverse opinions without in any way attempting to encourage or sanction any particular business practice.

The Association provides a forum for exchange of ideas in a variety of settings including its annual meeting, educational programs, committee meetings, and Board meetings. The Board of Directors recognizes the possibility that the Association and its activities could be viewed by some as an opportunity for anticompetitive conduct. Therefore, this statement supports the policy of competition served by the antitrust laws and to communicate the Association's uncompromising policy to comply strictly in all respects with those laws.

While recognizing the importance of the principle of competition served by the antitrust laws, the Association also recognizes the severity of the potential penalties that might be imposed on not only the Association but its members, as well in the event that certain conduct is found to violate the antitrust laws. Should the Association or its members be involved in any violation of federal/state antitrust laws, such violation can involve both civil and criminal penalties that may include imprisonment for up to three (3) years as well as fines up to \$350,000 for individuals and up to \$10,000,000 for the Association, plus attorney fees. In addition, damage claims awarded to private parties in a civil suit are tripled for antitrust violations. Given the severity of such penalties, the Association intends to take all necessary and proper measures to ensure that violations of the antitrust laws do not occur.

To ensure that the Association and its members comply with antitrust laws, the following principles will be observed:

The Association or any committee, section, chapter, or activity of the Association shall not be used for the purpose of bringing about or attempting to bring about any understanding or agreement, written or oral, formal or informal, expressed or implied, among two or more members or other competitors with regard to prices or terms and conditions of contracts for services or products. Therefore, discussions and exchanges of information about such topics will not be permitted at Association meetings or other activities.

There will be no discussions discouraging or withholding patronage or services from, or encouraging exclusive dealing with, any supplier or purchaser or group of suppliers or purchasers of products or services, any actual or potential competitor or group of actual potential competitors, or any private or governmental entity.

There will be no discussions about allocating or dividing geographic or service markets or customers. There will be no discussions about restricting, limiting, prohibiting, or sanctioning advertising or solicitation that is not false, misleading, deceptive, or directly competitive with Association products or services.

There will be no discussions about discouraging entry into or competition in any segment of the marketplace.

There will be no discussions about whether the practices of any member, actual or potential competitor, or other person are unethical or anticompetitive, unless the discussions or complaints follow the prescribed due process provisions of the Association's Bylaws.

Certain activities of the Association and its members are deemed protected from antitrust laws under the First Amendment right to petition government. The antitrust exemption for these activities, referred to as the Noerr-Pennington Doctrine, protects ethical and proper actions or discussions by members designed to influence: 1) legislation at the national, state, or local level; 2) regulatory or policy-making activities (as opposed to commercial activities) of a governmental body; or 3) decisions of judicial bodies. However, the exemption does not protect actions designed to cover up anticompetitive conduct.

Speakers at committees, educational meetings, or other business meetings of the Association shall be informed that they must comply with the Association's antitrust policy in the preparation and the presentation of their remarks. Meetings will follow a written agenda approved in advance by the Association or its legal counsel.

Meetings will follow a written agenda. Minutes will be prepared after the meeting to provide a concise summary of important matters discussed and actions taken or conclusions reached.

At informal discussions at the site of any Association meeting all participants are expected to observe the same standards of personal conduct as are required of the Association in its compliance.

6.17 Candidate Endorsement. Upon Board of Director approval, the Association will publicize its endorsement to members through all available electronic communication. Endorsed candidates may also receive the electronic Association roster including e-mail addresses.

6.18 Green Policy. The Association is committed to preserving our environment for future generations. In keeping with its mission of being wise stewards of both natural resources and Association resources, the following procedures will be followed by Association leadership, committees, volunteers and staff.

6.18.1 Committee Procedures. An “action agenda” will be printed for the Board of Directors and all committees. All supporting materials for the agenda will be electronically delivered to Directors or committee members prior to the meeting for their review. These documents, if necessary, will be projected and displayed electronically at the meeting. Members are welcome to bring portable computers or other electronic devices to the meetings and will be given access to the Association’s wi-fi network. Documents that cannot be safely transmitted electronically may be printed for members if necessary for Board or committee operations.

6.18.2 Education. The Association will only provide printed handouts or materials necessary for the completion of the course, i.e., quizzes and other question-related materials. Additional materials will be printed when deemed necessary by the instructor or Association staff or required by Missouri Real Estate Commission regulations. Supporting course materials, such as PowerPoint presentations, will be made available on the Association website. Students will be permitted to utilize computers or other

electronic devices during the class to view course materials and to take notes, in accordance with Missouri Real Estate Commission regulations.

6.18.3 Event and Class Promotions. The Association will utilize all electronic mediums available to promote Association events, classes and other activities. Flyers will be prepared by Association staff and electronically transmitted to membership. Only flyers deemed necessary by Association leadership or staff for special presentation or marketing efforts will be printed.

6.18.4 Billing. All Association invoices will be transmitted electronically to all members. Members will be required to provide the Association with a valid e-mail address for this purpose. An annual fee, established by the Board of Directors, will be charged to any member who requests to receive their invoices through the U.S. Postal Service.

6.19 Fee for Mailed Invoices. The Association will assess a fee in the amount of 1 percent of the invoice for all mailed invoices with a minimum of \$1 fee per invoice (not on voluntary contributions) effective immediately [BOD Minutes 01/23/13].

7. Meeting and Committee Procedures.

7.1 Event Scheduling. Scheduling of major Association, NAR, MR or WCR events on the same day should be avoided.

7.2 Installation Banquet Tickets. A free ticket will be provided to up to two emcees and the Association installing officer at each Installation Dinner. [BOD Minutes 09/21/16] One free ticket will be provided to all current and incoming members of the Board of Directors who attend the Installation Banquet. [BOD Minutes 11/16/16]

7.3 REALTOR® Only Meetings. REALTOR® Only meetings will be held as deemed necessary [Bylaws Minutes 04/30/18 & BOD Minutes 05/23/18] by the Board of Directors.

7.4 Past Presidents. Past Presidents will be invited to attend the REALTOR® Only meetings.

7.5 Awards. [Entire section updated BOD Minutes 02/21/18]

7.5.1 Award Selection Committees. REALTOR® of the Year, REALTOR® Salesperson of the Year, Rookie of the Year, and Affiliate of the Year award selection committees, which select the upcoming recipients, will be comprised of the last four (4) award winners, with no more than one (1) person from any one (1) company, and three (3) at-large members appointed by the President. The past award winners of the REALTOR® of the Year and REALTOR-ASSOCIATE® of the Year will be eligible to serve on the new REALTOR® Salesperson of the Year selection committee. (BOD Minutes 12/16/09)

7.5.2 Recognition Awards. Awards may be granted in the following categories: REALTOR® of the Year, REALTOR® Salesperson of the Year, Rookie of the Year, Affiliate of the Year and President's Award.

7.5.2.1 REALTOR® of The Year Award. All REALTOR® members of the Association will be eligible for this award. The award will be given to a member who has given exceptional service to their company, the Association, and/or the community. Nominations will be sought each year for this award from REALTOR® and REALTOR-ASSOCIATE® members of the Association; and the award will be

given if, in the opinion of the selection committee, there is a nominee recommended who merits the award. Additional nominees may be brought by the selection committee at the award selection meeting. *(BOD Minutes 12/16/09, 04/27/16)*

7.5.2.2 REALTOR® Salesperson of the Year Award. All REALTOR-ASSOCIATE® members of the Association will be eligible for this award. The award will be given to a member who has given exceptional service to their company, the Association, and/or the community. Nominations will be sought each year for this award from REALTOR® and REALTOR-ASSOCIATE® members of the Association; and the award will be given if, in the opinion of the selection committee, there is a nominee recommended who merits the award. Additional nominees may be brought by the selection committee at the award selection meeting.

7.5.2.3 Rookie of the Year Award. All REALTOR-ASSOCIATE® members of the Association, who were licensed after January 1 of the prior year, will be eligible for this award. The award will be given to a member who has achieved a high sales volume and given exceptional service to their company, the Association, and/or the community. Nominations will be sought each year for this award from REALTOR® and REALTOR-ASSOCIATE® members of the Association; and the award will be given if, in the opinion of the selection committee, there is a nominee recommended who merits the award. Additional nominees may be brought by the selection committee at the award selection meeting.

7.5.2.4 Affiliate of the Year. All Affiliate members of the Association will be eligible for this award. The award will be given to a member who has given exceptional service to their company, the Association, and/or the community. Nominations will be sought each year for this award from Affiliate members of the Association; and the award will be given if, in the opinion of the selection committee, there is a nominee recommended who merits the award. Additional nominees may be brought by the selection committee at the award selection meeting.

7.5.2.5 President's Award. The award may be given, at the discretion of the President, to whom s/he feels merits the award.

7.5.3 MR Award Nominations. The State Directors of the Association will submit nominees for application for MR REALTOR® of the Year and REALTOR® Salesperson of the Year awards, as well as other annual MR awards, to the Association's Board of Directors. The prior year local Association REALTOR® of the Year and REALTOR® Salesperson of the Year award winners will automatically be considered by the Board of Directors, along with any other nominees nominated by the Association's State Directors. The Board of Directors may bring additional nominations forward for consideration. The Board will vote and approve one (1) nominee for application for the MR REALTOR® of the Year and one (1) nominee for application for the MR REALTOR® Salesperson of the Year. In addition, the Board of Directors may decide to submit one (1) nominee application for each of the MR Annual Awards. *[Bylaws Minutes 04/30/18 & BOD Minutes 05/23/18, 04/18/18]*

7.5.4 Award Deadlines. The deadline for local recognition awards will be October 5 to allow time for the selection process, plaque ordering, etc. for recognition at the Installation Banquet. *(BOD Minutes 12/16/09, 03/15/17)* The deadline for MR recognition awards will be February 5 to allow for selection and approval by the Board of Directors at its February meeting and subsequent submission to MR by the respective deadlines.

7.5.5 Award Recipients. Awards are limited to Members in good standing unless posthumous.

7.6 Report of Profitability. A report illustrating revenue versus expense will be produced for the Board of Directors to show the net revenue or net loss from each major program or event within 45 days of the conclusion of the program or event.

7.7 Non-Member Attendance. Individuals not holding a membership in the Association may attend events and participate in certain membership activities or promotions. A higher fee may be charged to nonmembers. Members may bring guests to events and not be charged a higher fee if the guests are reasonable in number. Members of other REALTOR® Associations may be assessed a service fee for purchased services. [*See Board of Choice Attachment to Bylaws (03/27/02)*].

7.8 Missed Meetings. Directors and committee members missing meetings paid for by the Association will not be reimbursed for related expenses and will be responsible for reimbursing the Association for related registration fees and other expenses.

7.9 Member and Guest Attendance at Meetings. All meetings, except Grievance Committee, Professional Standards Committee, and closed membership committees and work groups, are open to the Members of the Association and guests invited by the chair, unless specifically closed by the chair for executive session. In order to facilitate meetings, each Member or guest will be allowed to address the meeting after first stating his/her name, membership status or guest affiliation, and general topic of his/her comments. Any such speaker who wishes to make comments will do so at the designated time at the beginning of the meeting prior to the business portion of the meeting. Each speaker will be provided up to three (3) minutes per meeting.

7.10 Joint Membership Meetings. All general membership meetings that are joint meetings will have everything in writing prior to any commitment being made. [*BOD Minutes 10/15/08*]

7.11 Finance Meetings. Finance Committee meetings will not take place prior to the tenth (10th) of each month.

7.12 Area Association Leadership Tickets. Additional complementary tickets to Association events may be provided to area Association leadership if approved by the Board of Directors, or in the annual budget. [*Bylaws Minutes 04/30/18 & BOD Minutes 05/23/18*]

8. Membership Services Policies.

8.1 New Member Approval. New Member applicants will be forwarded to the Board of Directors for approval.

8.2 New Member Orientation. New REALTOR®, REALTOR-ASSOCIATE®, and Designated REALTOR® applicants will be required to attend New Member Orientation classes within ninety (90) days [*BOD Minutes 09/15/04*]. A new Member applicant's failure to attend New Member Orientation classes will be reported to his/her DR after the second opportunity has passed and will be assessed as a nonmember licensee. The DR will have three (3) working days to: (a) pay the assessed dues, (b) terminate affiliation with the applicant, or (c) file a written appeal to the Board of Directors.

8.3 Temporary DR Membership Services. DR applicants will be provided full Association services for a maximum of thirty (30) days or until the applicant's status has been approved or disapproved by the Board of Directors. If disapproved, the all Association services to the DR applicant will immediately cease.

8.4 Reapplication for Membership. Members who have been dropped from membership will be required to apply for reinstatement and pay a reinstatement fee of \$25.

8.5 Non-Refundable Application Fee. Application fees are nonrefundable.

8.6 Transfer Fee. If a company is purchased by or merges with another company, or elects to change the company name or franchise affiliation, the company will be charged Transfer Fees as follows:

<u>NUMBER OF AGENTS</u>	<u>COMPANY CHARGE</u>
1-50	\$ 50
51-100	\$ 100
101-500	\$ 500
501 plus	\$1,000

Members voluntarily electing to transfer or change from one firm/office to another will be charged a transfer fee of \$25. *[BOD Minutes 06/18/03]* This transfer fee shall be waived for members transferring from another REALTOR® organization or who are applying for secondary membership, or at the discretion of the CEO. All transfers, waivers, etc. are to be submitted to the Association no later than the close of business on the 25th day of the month to avoid MARIS charges for the upcoming month.

8.7 Membership Rosters. The electronic email roster of Association Members who have not opted out of the email roster is available to Members who agree to and sign the Electronic Roster Request/Agreement for \$100. *[BOD Minutes 01/30/09]* Distribution to or use of the membership roster by nonmembers is strictly prohibited. *[Bylaws Minutes 04/30/18 & BOD Minutes 05/23/18]*

8.8 Reservations and Cancellation. Members making reservations for events and activities will be billed regardless of Member attendance. Refunds will not normally be allowed except at the discretion of the CEO.

8.9 Late Fee/Service Charge. A late fee will be imposed on Open Orders, 31 days after the billing date, of \$5 or 1.5%, whichever is greater, accrued monthly, except for dues. After 90 days, it will be recommended to the Board of Directors to suspend the member's account. *[BOD Minutes 06/19/19, 08/21/19]*

8.10 Dues Non-Refundable. Membership dues are not refundable.

8.11 Dues Late Fee. The Association will assess a \$100 late fee on all delinquent dues payments, which must be paid, along with the dues, before the member is reinstated.

8.12 Returned Check. The Association will assess a \$25 fee for returned checks.

8.13 Sponsorship Payment. All sponsorships and advertisements will be paid in advance.

8.14 SUPRAKey Issuance. A SUPRAKey may be issued to a new member applicant once s/he has completed application, paid dues and presented ID and work permit (work permit not applicable to Affiliate new member applicants).

8.15 Honorary Life Local Membership. The Board of Directors, at its discretion, may award an Honorary Life Local Membership to individuals who have retired and are not actively engaged in the business through which they were members of the Association. To be eligible, individuals will have been active members of the Association for a minimum of at least twenty (20) years and have served the Association as a Board of Directors member, State Director, Committee Chair or Committee member. Honorary Life Local Membership recipients will receive all Association communication and be entitled to member pricing for all events and activities. Individuals receiving this membership will be honored by the Board of Directors at a Board meeting or Association event. *[BOD Minutes 10/21/15]*

9 Nominations/Election Procedures.

9.1 Affiliate Director-Elect. Nominations for Affiliate Director-Elect will be accepted and handled along with other nominations. The Affiliate Director-Elect will make the transition to Affiliate Director the following year and to step up if the Affiliate Director would be unable to fulfill his/her duties. The Affiliate Director-Elect may attend Board of Directors' meetings. *[BOD Minutes 07/21/04]*

9.2 Member Involvement and Education in Association Elections. All approved candidates for Association officer and director will be asked to submit a 300-word or less real estate industry-related biography, in single-space paragraph format, and photo to the Association within two weeks of the Board's approval of the slate of candidates. *[BOD Minutes 07/15/09]* This biographical information/photo will be published electronically prior to the election. All efforts will be made to encourage participation of candidates and of Members in the nomination and election process.

9.3 Ballot Process. Ballots will be available for Members at the Association office during office hours beginning ten (10) business days prior to the Annual Meeting and through the Association's website. Voting will continue at the Annual Meeting until the Annual Meeting is called to order, or until a time specified by the Board of Directors. The Immediate Past President will chair the ballot counting task force and select two additional past presidents to serve on the task force. This task force will be responsible for counting the election ballots with the assistance of the CEO and COO. *[BOD Minutes 04/19/06]*

9.4 Company Limitation Procedures. *[BOD Minutes 04/19/06]* The number of representatives from each company on the Board of Directors is limited by Article XI, Section 3 of the Association Bylaws. If a company is already guaranteed the maximum representation in the coming year, the CEO and COO will reject the nominations of any additional individuals from that company for positions as an officer or member of the Board of Directors. In all other cases, the CEO and COO shall not reject any nominations from members associated with a particular company, even if this results in more individuals standing for election than can be elected from that company. In these cases, the following procedures will be followed by the Association:

1) The Ballot Counting Task Force will first look at the officers of the Association up for election in the following order: President-Elect and Treasurer (i.e., a candidate from a particular company who wins election for the position of President-Elect will be considered elected first, followed

by candidates from that company for the other officer positions and director positions until the company's representation limitation is reached).

2) In the event that members from a particular company win the election to positions that he or she cannot hold due to the representation limitation, the next highest vote getter for that officer or director position will be considered elected.

9.5 Vacancies. Any vacancies on the Board of Directors, including any that may occur due to a seated director being elected to an officer position, will be appointed by the Board until the next election. At the next election, there will be an election for that director's position. The term of that position will be for the remainder of the original director's term, and not for a new three-year term. *[BOD Minutes 09/15/04]*

10. Professional Standards Administration. The Association will abide by the MANUAL and the Agreement in Professional Standards matters. *[BOD Minutes 03/22/06]* The Association will only accept non-anonymous complaints. *[BOD Minutes 02/24/16]*

10.1 Tape Recordings. The Association will allow parties to tape record proceedings.

10.2 Administrative Processing Fee. In addition to the discipline imposed, the Association will impose an administrative processing fee in the amount of \$500 against the respondents found in violation of the Code of Ethics or other membership duties.

10.3 Hearing Panel Packets. The Association will continue to send the complaint and response to Hearing Panel members a minimum of ten days prior to the hearing.

10.4 Firearms and Weapons. Complainants, respondents and any individuals that accompany them to any professional standards/arbitration hearings/mediation conferences shall be banned from bringing any firearms or other weapons into the building in which the hearing/mediation conference is held. *[BOD Minutes 09/26/18]*

10.5 Expedited Hearings. The Association will continue to offer the expedited hearing procedures.

10.6 Ethics Appeal Deposit. The Association will charge \$250 for an ethics appeal deposit. If the recommendation of the hearing panel is adopted, the money deposited by the appellant shall pass into the general treasury of the Association/Board. If the recommendation is rejected, the deposit shall be returned to the party who made the deposit. If the recommendation is modified, the Directors shall determine the disposition of the deposit.

10.7 Voluntary Arbitration. The Association will not offer voluntary arbitration.

10.8 Arbitration Filing Fee. The Association will charge a \$500 arbitration filing fee. The arbitrators shall determine the return of part or all of any party's deposit.

10.9 Absence of Respondent in Arbitration. The Association will continue with its policy that in the event that the respondent fails to sign and return the Arbitration Response and Agreement Form, or fails or refuses to make the required deposit, or fails or refuses to take part in the arbitration hearing, the

arbitration hearing may be scheduled and conducted in the absence of the respondent (*Option 3 in 2006 CEAM*).

10.10 Arbitration Award. If an arbitration award has been rendered, the non-prevailing party must, within ten (10) days following receipt of the award, (1) pay the award to the party(ies) named in the award or (2) deposit the funds with the Association Secretary or Executive Officer to be held in a special Association escrow account maintained for this purpose. Failure to satisfy the award or to deposit the funds with the Association within this time period may be considered a violation of a membership duty and may subject the member to disciplinary action at the discretion of the Board of Directors.

The non-prevailing party shall have twenty (20) days following service of the award to request procedural review of the arbitration hearing procedure or to have legal counsel notify the Association Secretary or Executive Officer that a legal challenge to the validity of the award has been initiated.

If a request for limited procedural review of the arbitration procedure is received within twenty (20) days, the funds deposited with the Association shall be retained in the Association's escrow account until the review is completed. If the arbitration award is confirmed by the Board of Directors following the conduct of the limited procedural review, the non-prevailing party shall have an additional fifteen (15) days to institute an appropriate legal challenge to the validity of the arbitration award. In such case, the non-prevailing party shall also cause legal counsel to advise the Association in writing that a suit challenging the validity of the arbitration award has been filed during this additional fifteen (15) day period. After fifteen (15) days, if written notice of a suit challenging the validity of the arbitration award has not been received by the Association, the funds shall be released from escrow and paid to the prevailing party. If written notification is received during the fifteen (15) day period, the funds will be held in escrow pending the determination of the matter by a court of competent jurisdiction.

If the non-prevailing party does not request the Association to conduct a procedural review of the arbitration hearing process during the twenty (20) day period following service of the award, then written notification that a legal challenge has been instituted must be received within the twenty (20) days following service of the award. Failure to provide written notification that a suit challenging the validity of the award has been filed within twenty (20) days following service of the award will result in the award being paid from the Association's escrow to the prevailing party.

Any failure to make the necessary deposits with the Association shall be referred to the Board of Directors for action at their next meeting or at a special meeting called for that purpose. The party failing to make the deposit on a timely basis shall be advised of the date, time, and place of the meeting and shall have an opportunity to explain why the required deposits were not made on a timely basis. The Board of Directors may, at its discretion, impose discipline or may give the party an additional period to make the required deposits. The Directors may also stipulate appropriate discipline to be automatically imposed if the party fails to make the deposit within the time established by the Directors.

Any interest accrued on the escrowed funds shall become the property of the party to whom the funds are ultimately released by the Association.

10.11 Procedural Review in Arbitration Filing Fee. The cost to file a request for procedural review of arbitration hearing procedures shall be \$250 (nonrefundable).

10.12 Ombudsman. [*BOD Minutes 06/17/15*]

10.12.1 Purpose. The purpose of the Ombudsman is to provide a knowledgeable, informed contact when REALTOR® members or members of the public have real estate-related questions that have not been addressed by an individual broker.

The role of the Ombudsman is to identify and attempt to facilitate a resolution of misunderstandings and/or disagreements before matters evolve into a formal complaint. Ombudsmen should be available for an approximate two-week period to take ombudsman requests.

10.12.2 Qualifications.

1. Must have a minimum of five years in the real estate business and be actively involved in real estate practice.
2. Be familiar with the NAR Code of Ethics, Missouri real estate statutes and regulations, and applicable MLS Rules and Regulations.
3. Be a primary member of SCCAR.
4. Completed Professional Standards training and have served on a Grievance Committee or Professional Standards Committee or have completed Professional Standards training and Mediation training.

10.12.3 Responsibilities

Maintain confidentiality of all parties.

Must be impartial – cannot take sides or determine who is right or wrong

Field and respond to any real estate questions including but not limited to:

- a) General questions about real estate practice.
- b) Transaction details.
- c) Ethical practices.
- d) Options for filing complaints
- e) Questions of compliance with governing documents.

10.12.4 Selection and Term.

The Board of Directors will appoint ombudsmen. Appointment will be for a one-year term and may be renewed at the option of the Board of Directors. SCCAR will maintain a pool of at least three Ombudsmen to be available at all times.

Limitations

The Ombudsman may not refer concerns s/he has regarding the conduct of any party utilizing his/her services to the Grievance Committee, to the MREC, a local MLS Committee or to any other regulatory body except that concerns that the public trust has been violated will be referred to the Grievance Committee.

The Ombudsman will adhere to Article 11 of the Code of Ethics and make appropriate referrals when the issues are outside his/her area of expertise.

Ombudsman Process

Listens to the complainant's concerns

Helps determine a desired outcome (money, license sanctions, MLS concerns, etc.)

Explains possible avenues that might resolve the issue or reach the desired outcome

Answers general questions and/or procedural questions

Contacts the potential respondent to explain the complainant's concerns and desired outcome

Tries to bring resolution.
Reports back to the complainant
Explains the complainant's rights after the completion of the ombudsman process.

If the Ombudsman Process is unsuccessful, the complainant may
File a complaint with SCCAR, may obtain legal advice from an attorney, or drop the issue.

The ombudsman service works in conjunction with our REALTOR® Professional Standards process
Once the ombudsman service begins, the 180-day filing deadline is suspended until the ombudsman service is completed.

If the board's ombudsman process is initiated by the complainant with respect to conduct that becomes the subject of a subsequent complaint, the 180 days filing deadline shall be suspended beginning with the date of the request for the ombudsman service and shall resume when the service is concluded.

Ombudsman's Responsibilities to SCCAR

Attempt to call the complainant within 48 hours.
After two to three attempts to call the complainant and no response is forthcoming, discontinue the call.
Notify SCCAR immediately if complainant cannot be reached.
Notify SCCAR, via email, of the outcome of your assignment within two days of completion.
Destroy all notes taken during the process.

10.13 Citations. *[BOD Minutes 07/22/15]*

Complaints, as referred by the Grievance Committee, will be reviewed by the Citation Panel, comprised of three individuals, to determine eligibility for the citation program and the appropriate citations. The Citation Panel shall be a subset of the Association's Professional Standards Committee, and the individuals on the Citation Panel shall have a high level of experience in hearing professional standards cases. The Panel shall meet in person or via conference call.

Complaints (non-anonymous only per 02/24/16 BOD Minutes) must be filed within 180 days after the facts constituting the matter complained of could have been known in the exercise of reasonable diligence or within 180 days after the conclusion of the transaction or event, whichever is later.

Throughout this policy, day(s) refers to calendar day(s).

SCCAR's Citation Policy only includes Articles and Standards of Practice, as well as fines and citation limitations, as outlined in NAR's Citation Policy.

Initial Review by Grievance Committee and Citation Panel

When the Grievance Committee receives a written ethics complaint, it will review the complaint consistent with Sections 19 and 20 of the current NAR Code of Ethics and Arbitration Manual. The Grievance Committee may add or delete articles or respondents at this stage in the proceedings.

If the Grievance Committee determines that the complaint should be forwarded for a hearing, it will then check if all of the Articles cited and forwarded for hearing are included on the Citation Schedule. If so, the Grievance Committee will first forward the complaint to the Association's Citation Panel to determine if it includes allegations covered by the Citation Schedule, i.e., if it is a "citable offense."

If the complaint does not include alleged violations included in the Citation Schedule, or it includes some covered by the Citation Schedule and some that are not, the complaint shall be referred to the Professional Standards Committee for hearing consistent with the policies and procedures set forth in the Code of Ethics and Arbitration Manual for ethics hearings.

If the complaint includes only allegations of violations included in the Citation Schedule, the Citation Panel will issue a citation and impose discipline consistent with the Association's Citation Schedule. In the event the members of the Citation Panel determine the conduct described in the complaint is sufficiently egregious to warrant a hearing rather than a citation, the complaint shall be referred to the Professional Standards Committee for hearing consistent with the policies and procedures set forth in the Code of Ethics and Arbitration Manual for ethics hearings.

Issuance of Citations

Citations will be sent to respondents. A copy of the citation shall also be sent to the REALTOR® principal of respondents' office. If the respondent changes firms before or after the complaint is filed but before the citation is issued, both the former and current REALTOR® principal will receive a copy of the citation.

The respondent will have 20 days from receipt of the citation to request a full due process hearing on the complaint.

If the respondent accepts the citation, or if the respondent does not request a hearing within 20 days of receipt of the citation, this shall be deemed to be a final resolution of the complaint, which shall not be appealable or subject to any further review.

If the respondent accepts the citation, or if the respondent does not request a hearing within 20 days of receipt of the citation, payment must be received by the association no later than 10 days after the date of acceptance or time period to request a hearing has elapsed.

The case will be deemed to be closed upon receipt of payment and completion of education required by the specific citation, if any, and notice will be provided to the complainant that a citation has been issued and paid. When education is required for a citation, completion of course must be submitted to the Association within 45 days after the date of acceptance or time period to request a hearing has elapsed for the case to be closed.

Failure to pay the citation amount within 10 days after the date of acceptance or after the time period to request a hearing has expired will result in the automatic suspension of membership until the citation has been paid.

If the respondent requests a hearing within the time specified, the complaint shall be referred for hearing.

Limitations

Any REALTOR® is limited in the number and type of citations that s/he may receive, according to the following rules:

No more than two citations will be issued to a member within a consecutive 12-month period, starting on the date the first complaint was filed, at the same association. If the member reaches the two citation

maximum, additional complaints, if forwarded by the Grievance Committee, will bypass the Citation Panel and go directly to a hearing.

No more than three citations will be issued to a member within a consecutive 36-month period, starting on the date the first complaint was filed, at the same association. If the member reaches the three citation maximum, additional complaints, if forwarded by the Grievance Committee, will bypass the Citation Panel and go directly to a hearing.

No additional citations are permitted where the cumulative fine for the citations issued would be more than \$5,000 in any three-year period at the same association. If the member reaches the \$5,000 cumulative fine maximum, additional complaints, if forwarded by the Grievance Committee, will bypass the Citation Panel and go directly to a hearing.

The escalating fine schedule will be used for repeat citations within a 36-month period. The citation panel may only consider the past citations for the particular conduct alleged in the complaint.

The fact that a respondent has previously been issued a citation for any violation – whether or not it was paid – shall not be admissible in any ethics or arbitration hearing, including a hearing to consider a complaint where the respondent rejected a citation and requested a hearing. A hearing panel may consider citations previously issued to the respondent for the purpose of determining appropriate discipline as provided in Subsection IV below.

Citations will not be considered in any publication of violations should such rules be adopted by the association.

Where a hearing panel finds a violation of the Code of Ethics after a hearing, it may consider past citations in determining an appropriate sanction only if the citation was issued for the same violation at issue in the hearing. By way of example, if a citation was issued for failure to disclose a dual or variable rate commission under Standard of Practice 3-4, that citation could not be considered if a hearing panel later found a violation of Article 3 on some other grounds. Hearing panels will not be informed of past citations for other violations.

Association staff will track the number of citations issued, the number of citations paid, and the violations for which citations were issued. This information may be provided in the aggregate to the Board of Directors, but will not include details about the complaints, nor identify the complainants or respondents.

SCCAR Citation Schedule of Fines

	Applicable Article and Standard of Practice	Fine	Ethics Training in addition to fine
Article 3			
Failure to communicate a change in compensation for cooperative services prior to the time that REALTOR® submits an offer to purchase/lease the property	Article 3, supported by Standard of Practice 3-2	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent
As a listing broker, attempting to unilaterally modify the offered compensation with respect to a cooperative transaction after a REALTOR® has submitted an offer to purchase or lease that property	Article 3, supported by Standard of Practice 3-2	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent
Failing to disclose existence of dual or variable rate commission arrangements	Article 3, supported by Standard of Practice 3-4	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent
Failure to disclose to cooperating brokers differential that would result in dual or variable rate commission arrangement if sale/lease results through efforts of seller/landlord	Article 3, supported by Standard of Practice 3-4	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent
Failing to disclose existence of accepted offers, including offers with unresolved contingencies, to cooperating brokers	Article 3, supported by Standard of Practice 3-6	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent
Misrepresenting the availability of access to show or inspect a listed property	Article 3, supported by Standard of Practice 3-8	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent
Providing access to listed property on terms other than those established by the owner or the listing broker	Article 3, supported by Standard of Practice 3-9	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of

		3 rd violation - \$1,500	Ethics course at expense of Respondent
Article 4			
Failing to disclose REALTOR®'s ownership or other interest in writing to the purchaser or their representative	Article 4 (second sentence)	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent
Article 5			
Providing professional services without disclosing REALTOR®'s present interest in property	Article 5 (limited to present interest, not contemplated)	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent
Article 6			
Accepting any commission, rebate, or profit on expenditures without client's knowledge or consent	Article 6 (first paragraph)	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent
Failure to disclose to a client or customer REALTOR®'s financial benefits or fees received as a direct result of recommending real estate products or services	Article 6 (second paragraph)	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent
Failure to disclose REALTOR®'s direct interest in an organization or business entity when recommending to a client or customer that they use the services of that organization or business entity	Article 6, supported by Standard of Practice 6-1	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent
Article 12			
Failing to present a true picture in real estate communications and advertising	Article 12	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent

Failing to disclose status as real estate professional in advertising and other representations	Article 12	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent
Advertising property for sale/lease without authority of owner or listing broker	Article 12, supported by Standard of Practice 12-4	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent
Failing to disclose name of firm in advertisement for listed property	Article 12, supported by Standard of Practice 12-5	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent
Failing to disclose status as both owner/landlord and REALTOR® or licensee when advertising property in which REALTOR® has ownership interest	Article 12, supported by Standard of Practice 12-6	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent
Falsely claiming to have “sold” property	Article 12, supported by Standard of Practice 12-7	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent
Failure to take corrective action when it becomes apparent that information on a REALTOR®’s website is no longer current or accurate	Article 12, supported by second sentence of Standard of Practice 12-8	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent
Failure to disclose firm name and state of licensure on REALTOR® firm website	Article 12, supported by Standard of Practice 12-9	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent
Misleading consumers through deceptive framing, manipulating content, deceptively diverting internet traffic, or presenting other’s content without attribution or permission	Article 12, supported by Standard of Practice 12-10	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent

Registering or using of deceptive URL or domain name	Article 12, supported by Standard of Practice 12-12	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent
Representing that the REALTOR® has a designation, certification, or other credential they are not entitled to use	Article 12, supported by Standard of Practice 12-13	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent
Article 16			
Placing for sale/lease sign on property without permission of seller/landlord	Article 16, supported by Standard of Practice 16-19	1 st violation - \$100 <i>[BOD Minutes 02/24/16]</i> 2 nd violation - \$700 3 rd violation - \$1,500	<u>2nd and 3rd violations only</u> : required to attend a live, SCCAR-approved Code of Ethics course at expense of Respondent

NOTE: No additional citations may be added. Fines for each citable offense, as well as any possible training requirements, must be established in advance and should be followed consistently.

The escalating fine schedule for repeat citations may only be used in circumstances where citations are issued by the same association.

Aggregated fines levied against any member may not exceed \$5,000 in any three (3) year period.

10.14 Staff as Witnesses. *[BOD Minutes 09/16/15]* Association staff members may not be called as witnesses by any parties to a Professional Standards matter except where specifically authorized by the President or the President's designee.

ST. CHARLES REALTORS®
Code of Conduct]

Introduction

Members of the Board of Directors and staff carry certain duties and responsibilities for the wellbeing of the Association. The Code of Conduct outlines some of those duties and responsibilities in accordance with the Bylaws and policies of the Association.

Confidentiality

Board members and staff will have access to information, that if revealed to outsiders, could be damaging or sensitive to other members or staff, harmful to the best interests of the organization, or even create legal liability. Information provided to the Board and staff may concern personnel, financial, contractual, membership or legal matters. It will often be confidential and is intended for use in decision making and governance. Information shall be held in the strictest of confidence and shall not be divulged to any outside party, including other members, without authorization of the Association President or CEO.

Conflicts of Interest

Board members and staff members owe a high fiduciary duty to the organization. Thus, no Board or staff member shall maintain any business enterprise or other activity that directly conflicts with the interests of the organization.

Violations

Violations of the Code of Conduct may result in disciplinary action in accordance with the governing documents. Discipline may include removal of a Board member from office or termination of a staff member.

Acknowledgement of Receipt

I acknowledge that I have received and read a copy of the Code of Conduct and that I am responsible for compliance.

Signature

Date