

# Policy Manual

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## **PURPOSE AND SCOPE**

A professional association is set up to accomplish certain definite purposes for its members. It therefore must be governed by certain policies. The purpose of this manual is to define the policies and procedures for the operating committees and the staff of the Reno/Sparks Association of REALTORS®. The scope of the manual will include all Board policies that are required to support the current Bylaws of the Association and those approved policies necessary to administer the Boards day-to-day operation. The manual will also include a procedural guide for all standing committees within the Association. A secondary purpose of the manual is to provide leadership and members with a standard guide to professionalism in the management of the Association.

Approved Bylaws & Policy            10/17/00

Approved Board of Directors        10/19/00

### **1.1.1.1 PRESIDENT LEADERSHIP JOB DESCRIPTION (Page 1 of 2)**

#### **Minimum Criteria Officer Positions (Ref. Policy #2.1.1.2)**

The President is the chief elected officer of the Association and is charged with the responsibility for the general direction of its affairs and to preside at all meetings. The President is authorized to appoint committees or task forces, subject to the confirmation of the Board of Directors, is an ex-officio member of committees (except for Credentials, Grievance and Professional Standards Committees) and is expected to perform such duties as may be assigned by the Board of Directors.

#### **Duties and responsibilities of the President include:**

1. Provide objective leadership and administration.
2. Be aware of short-term and long-term programs as approved by the Board of Directors.
3. Represent the Association in community activities, in person or through a representative.
4. Implement a short-term and long-term program of positive action as approved by the Board of Directors.
5. Analyze the Association's problems and provide appropriate solutions.
6. Serve as a member of the Executive Committee and the Board of Directors
7. Eliminate outmoded Association practices.
8. Encourage membership participation to the fullest.
9. Keep Association free of policies and programs that are not within the prerogative of a trade association.
10. Strengthen the Association's internal structure.
11. Provide sound fiscal leadership.
12. Cooperate with the State Association and the National Association in joint programs.
13. Become familiar with the operation and policies of the State and National Associations.
14. Submit a list of committee chairman for Board confirmation within sixty days of election of office.
15. Report to the Board of Directors and the membership on the conduct and management of the affairs of the Association.
16. Serve in the capacity as a Director of the Nevada Association of REALTORS® representing the Reno/Sparks Association of REALTORS®.
17. Shall receive and become familiar with the NAR's Leadership Guidelines on REALTOR.org, Bylaws, policies and procedures of the Reno/Sparks Association of REALTORS®, and parliamentary procedures (Robert's Rules of Order).
18. Attend all meetings of the Board of Directors and general membership meetings.
19. Serve as chairman of the Executive Committee.
20. Keep abreast of all Association activities.
21. Assist the treasurer to ensure that the Association operates within the limits of the annual approved budget.
22. Identify, cultivate and communicate potential new leaders to others in leadership positions.
23. Authorized to draw checks, with an appropriate counter signature, that is in line with the approved budget.
24. Attend company office visitations.
25. Act as designated spokesperson for the Association.
26. Attempt to attend social functions.
27. In the event the Executive Officer must be away from the office for any lengthy period, the president should be available to the Certified Professional Standards Administrator for assistance.
28. Attend the annual Professional Standards Training or update as required by policy (Ref. Policy #4.11.1.2).

**1.1.1.1 PRESIDENT LEADERSHIP JOB DESCRIPTION (Page 2 of 2)**

29. Any officer or director who serves on the Real Estate Division, Real Estate Advisory Review Committee shall be disqualified and excused from participation in the appeal or affirmation of any Professional Standards matters.
30. An officer must be mentally competent, physically able and financially solvent to discharge the duties of the position to which he is elected. In the event an officer is unable to discharge said duties, he shall resign the position.
31. Will serve as a designated officer as provided for in policy 1.2.1.6 Whistleblower Policy.
32. Agree to sign a Letter of Commitment and Conflict of Interest.

**Other duties outside of the organization:**

1. \*Attend all required meetings of the Nevada Association of REALTORS®.
2. \*Attend all required meetings of the National Association of REALTORS®.
3. Notify the Executive Committee of any organizations to which you belong, to facilitate better communication.
4. President attend EDawn, WIN and The Chamber Public Policy meetings or appoint an Association representative.
5. Be a spokesperson, when necessary, at local government meetings, i.e. Regional Planning, City Councils, County Commissioners.
6. Is prohibited to serve as a NNRMLS Trustee.

\*Subject to Budget, and approval of the Board of Directors

Approved by Bylaws & Policy: 03/02/20

Approved by Board of Directors: 10/10/20

### **1.1.1.2 PRESIDENT-ELECT LEADERSHIP JOB DESCRIPTION (page 1 of 2)**

#### **Minimum Criteria Officer Positions (Ref. Policy #2.1.1.2)**

The President-Elect substitutes for the President when the President is absent or unable to act, and shall have such other powers and perform such duties as may be assigned by the President and the Board of Directors.

#### **Duties and responsibilities of the President-Elect include:**

1. Prepare to assume the office of President, to maintain continuity in administration of ongoing projects and programs.
2. Be aware of short-term and long-term programs as approved by the Board of Directors.
3. Develop a short-term and long-term program of positive action for approval of the Directors for the coming year.
4. Submit a list of committee vice chairs for Board confirmation within sixty days of election of office.
5. Attend all meetings of the Board of Directors and general membership meetings.
6. Serve as member of the Executive Committee and the Board of Directors.
7. Serve in the capacity as a Director of the Nevada Association of REALTORS® representing the Reno/Sparks Association of REALTORS®.
7. Keep abreast of all Association activities to aid the President, and, if asked, be prepared to assume other officers' duties.
8. Shall become familiar with the NAR's Leadership Guidelines on [www.realtor.org](http://www.realtor.org), Bylaws, policies and procedures of the Reno/Sparks Association of REALTORS®, and parliamentary procedures (Robert's Rules of Order).
9. Assist the Treasurer to ensure that the Association operates within the limits of the annual approved budget.
10. Serve as a member of the Budget & Finance Committee.
11. Serve as a member of the Bylaws & Policy Committee.
12. Identify, cultivate and communicate potential new leaders to others in leadership positions.
13. Exercise such other powers and perform such other duties as may be assigned by the President and the Board of Directors.
14. Authorized to draw checks, with an appropriate counter signature, that is in line with the approved budget.
15. Attend company office visitations.
16. Attend the annual Professional Standards Training or update as required by policy (Ref. Policy #4.11.1.2).
17. Any officer or director who serves on the Real Estate Division, Real Estate Advisory Review Committee shall be disqualified and excused from participation in the appeal or affirmation of any Professional Standards matters.
18. An officer must be mentally competent, physically able and financially solvent to discharge the duties of the position to which he is elected. In the event an officer is unable to discharge said duties, he shall resign the position.
19. Serve as chair of the Strategic Planning Committee.
20. As the designated spokesperson for the association in the absence of the President, the chain of command shall be President-Elect, and Chief Executive Officer.
21. Agree to sign a Letter of Commitment and Conflict of Interest.



**1.1.1.2 PRESIDENT-ELECT LEADERSHIP JOB DESCRIPTION (page 2 of 2)****Other duties outside of the organization:**

1. \* Attend meetings of the Nevada Association of REALTORS®.
2. \* Attend meetings of the National Association of REALTORS®.
3. Notify the Executive Committee of any organizations to which you belong, to facilitate better communication.
4. It is suggested that the President Elect Attend EDAWN and WIN meetings as an Association representative.
5. You may be called on to be a spokesperson, when necessary, at local government meetings, i.e. Regional Planning, City Councils, County Commissioners.
6. \* Attend the NAR Regional meeting and NAR Leadership training meetings as offered.

\*Subject to Budget, and approval of the Board of Directors

Approved by Bylaws & Policy: 02/04/20

Approved by Board of Directors: 10/10/20

### **1.1.1.3 TREASURER LEADERSHIP JOB DESCRIPTION (page 1 of 2)**

#### **Minimum Criteria Officer Positions (Ref. Policy #2.1.1.2)**

The Treasurer is designated the custodian of the Association's funds and ensures those funds, physical assets and other properties of the Association are appropriately safeguarded and administered.

#### **Duties and responsibilities of the Treasurer include:**

1. Serve as chairman of the Budget & Finance Committee and is responsible for the development and submission of the annual budget of the Reno/Sparks Association of REALTORS® to the Board of Directors.
2. Be familiar with and adhering to the *"Treasurer's Procedural Handbook."*
3. Ensure that the Association operates within the limits of the annual approved budget.
4. Serve as a member of the Executive Committee and the Board of Directors.
5. Serve in the capacity as a Director of the Nevada Association of REALTORS® representing the Reno/Sparks Association of REALTORS®.
6. Serve as a member of the Bylaws & Policy Committee.
7. Assumes the role of the volunteer who approves all accounts receivable write-offs, reviews all stale dated checks and performs a review of all cash disbursements and cash receipts, including comparison to supporting invoices.
8. Responsible for reviewing the bank reconciliation on a quarterly, at random, basis. The Treasurer should also, at random, not less than 3 times a year, reconcile the canceled checks with the Financial Administrator.
9. Assist the Executive Assistant and Financial Administrator in the absence of the Chief Executive Officer.
10. Exercise such other powers and perform such other duties as may be assigned by the President and the Board of Directors.
11. Keep abreast of all Association activities.
12. Be aware of short-term and long-term programs as approved by the Board of Directors.
13. Be familiar with the Bylaws, policies and procedures of the Reno/Sparks Association of REALTORS®, and parliamentary procedures (Robert's Rules of Order).
14. Attend all meetings of the Board of Directors and general membership meetings.
15. Authorized to draw checks, with an appropriate counter signature, that is in line with the approved budget.
16. Present in person, or designate a representative to present, a financial summary report of the Association's operations at Business Meetings and Board of Directors Meetings.
17. The incoming treasurer shall be required to actively participate in the budget planning process for his/her elective year.
18. Identify, cultivate and communicate potential new leaders to others in leadership positions.

**1.1.1.3            TREASURER LEADERSHIP JOB DESCRIPTION (page 2 of 2)**

19. Attend the annual Professional Standards Training or update as required by policy (Ref. Policy #4.11.1.2).
20. Any officer or director who serves on the Real Estate Division, Real Estate Advisory Review Committee shall be disqualified and excused from participation in the appeal or affirmation of any Professional Standards matters.
21. An officer must be mentally competent, physically able and financially solvent to discharge the duties of the position to which he is elected. In the event an officer is unable to discharge said duties, he shall resign the position.
22. Agree to sign a Letter of Commitment.

Approved by Bylaws & Policy: 02/04/20

Approved by Board of Directors: 10/10/20

#### **1.1.1.4 IMMEDIATE PAST PRESIDENT LEADERSHIP JOB DESCRIPTION**

The Immediate Past President is to advise and counsel the Board of Directors and its leadership.

##### **Duties and responsibilities of the Immediate Past President includes:**

1. May be asked, if the Chairman is unable, to serve as interim chair of the Budget & Finance Committee and if those duties are assumed is responsible for the development and submission of the annual budget of the Reno/Sparks Association of REALTORS® to the Board of Directors.
2. Assist all officers to see that the Association operates within the limits of the annual approved budget.
3. Serve as a member of the Executive Committee and the Board of Directors.
4. Serve as chairman of the Bylaws & Policy Committee.
5. Serve as an NAR Director
6. Serve in the capacity as a Director of the Nevada Association of REALTORS® representing the Reno/Sparks Association of REALTORS®.
7. Identify, cultivate and communicate potential new leaders to others in leadership positions.
8. Exercise such other powers and perform such other duties as may be assigned by the President and the Board of Directors.
9. Keep abreast of all Association activities to aid the President and, if asked, be prepared to assume other officers duties.
10. Be aware of short-term and long-term programs as approved by the Board of Directors.
11. Be familiar with the Bylaws, policies and procedures of the Reno/Sparks Association of REALTORS® and parliamentary procedures (Robert's Rules of Order).
12. Attend all meetings of the Board of Directors and general membership meetings.
13. Authorized to sign checks, with an appropriate counter signature, that is in line with the approved budget.
14. Attend company office visitations.
15. You may be called on to be a spokesperson for the Association.
16. Attend the annual Professional Standards Training or update as required by policy (Ref. Policy #4.11.1.2).
17. Any officer or director who serves on the Real Estate Division, Real Estate Advisory Review Committee shall be disqualified and excused from participation in the appeal or affirmation of any Professional Standards matters.
18. An officer must be mentally competent, physically able and financially solvent to discharge the duties of the position to which he is elected. In the event an officer is unable to discharge said duties, they shall resign the position.
19. Agree to sign a Letter of Commitment and Conflict of Interest.

##### **Other duties Outside of the organization:**

1. Consider attending meetings of the Nevada Association of REALTORS®.
2. Attend meetings of the National Association of REALTORS® and the Rocky Mountain Regional Conference.
3. Notify the Executive Committee of any organizations to which you belong, to facilitate better communication.
4. Remain familiar with the workings of local government, i.e. Regional Planning, City Councils and County Commissioners meetings.

Approved by Bylaws & Policy: 03/03/20

Approved by Board of Directors: 10/10/20

### **1.1.1.5 AFFILIATE BOARD OF DIRECTOR LEADERSHIP JOB DESCRIPTION**

Minimum Criteria for Affiliate Director Position (Ref. Policy #2.1.1.2)

Although the Board of Directors is responsible for the general overall management of the Association affairs, it is not responsible for the day-to-day operations. This is accomplished by the Executive Officer of the Association in close coordination with elected officers and committees.

#### **Specific duties and responsibilities of the Affiliate Director is:**

1. Familiarize himself with the following documents: Association Bylaws; NNRMLS Rules and Regulations; Professional Standards Rules and Regulations; Code of Ethics; Policies and Procedures Manual; and, Parliamentary Procedures (Robert's Rules of Order).
2. Approval of annual financial plan for Association operations.
3. Approval of new polices as required.
4. Serve as trustees to serve the best interest of the membership in all matters pertaining to the Association.
5. Be aware of the goals and objectives established by the Association president.
6. Keep abreast of all Association activities to aid the president and other elected officers in accomplishing plans and goals.
7. Attend all meetings of the Directors and general membership meetings.
8. At the call of the President, serve as a director liaison to a specific committee.
9. In accordance with Article XI, Section 3(a), the affiliate directors shall have the right to vote on all matters except Professional Standards, Multiple Listing Service, Grievance Committee and Reno/Sparks Association of REALTORS® Political Action Committee (RSARPAC) issues.
10. Agree to sign a Letter of Commitment and Conflict of Interest.

#### **Financial Responsibilities**

Regarding the finances of the Association, the role of the members of the Board of Directors is extended to include the following:

1. Fiduciary responsibility to assure that the Association's assets are adequately safeguarded against fraud or misuse and that they are being properly and effectively utilized to serve the objectives of the organization within the constraints of the law;
2. Development of organizational financial policies relative to banking relationships, investment objectives, annual auditing requirements, and other policy-oriented decisions;
3. Review and acceptance of annual financial statements and audit recommendations;
4. Review of interim financial statements to ascertain that the Association is operating within its means and within the approved budget.

Approved by Bylaws & Policy: 03/03/20

Approved by Board of Directors: 10/10/20

### **1.1.1.6 BOARD OF DIRECTORS LEADERSHIP JOB DESCRIPTION**

#### **Minimum Criteria for REALTOR® Director Positions (Ref. Policy #2.1.1.2)**

Although the Board of Directors is responsible for the general overall management of the Association affairs, it is not responsible for the day-to-day operations. This is accomplished by the Executive Officer of the Association in close coordination with elected officers and committees.

#### **Specific duties and responsibilities of the Directors are:**

1. Familiarize themselves with the following documents: Association Bylaws; NNRMLS Rules and Regulations; Professional Standards Rules and Regulations; Code of Ethics; Policies and Procedures Manual; and, Parliamentary Procedures (Robert's Rules of Order).
2. Approval of annual financial plan for Association operations.
3. Approval of new polices as required.
4. Serve as trustees to serve the best interest of the membership in all matters pertaining to the Association.
5. Be aware of the goals and objectives established by the Association president.
6. Keep abreast of all Association activities to aid the president and other elected officers in accomplishing plans and goals.
7. Attend all meetings of the Directors and general membership meetings.
8. At the call of the President, serve as a director liaison to a specific committee.
9. Attend the annual Professional Standards Training or update as required by policy (Ref. Policy #4.11.1.2).
10. A director who serves on the Real Estate Division, Real Estate Advisory Review Committee shall be disqualified and excused from participation in the appeal or affirmation of any Professional Standards matters.
11. Only the NNRMLS Trustee Director may serve concurrently on the Association Board of Directors and the NNRMLS Trustee.
12. Agree to sign a Letter of Commitment and Conflict of Interest.

#### **Financial Responsibilities**

Regarding the finances of the Association, the role of the members of the Board of Directors is extended to include the following:

1. Fiduciary responsibility to assure that the Association's assets are adequately safeguarded against fraud or misuse and that they are being properly and effectively utilized to serve the objectives of the organization within the constraints of the law;
2. Development of organizational financial policies relative to banking relationships, investment objectives, annual auditing requirements, and other policy-oriented decisions;
3. Review and acceptance of annual financial statements and audit recommendations;
4. Review of interim financial statements to ascertain that the Association is operating within its means and within the approved budget.

Approved by Bylaws & Policy: 03/03/20

Approved by Board of Directors: 10/10/20

**1.1.1.7 RESPONSIBILITIES OF THE COMMITTEE CHAIR JOB DESCRIPTION**

**The responsibilities of the Committee Chair are:**

1. Supervise, inspire and organize the talents of the members of the committee in achieving the goals and duties of the committee.
2. Report directly to the President and be responsible to him for accomplishments and actions of the committee and requests for assistance. (In turn, the President is responsible to the Board of Directors for any actions of the committee he may approve or direct.)
3. In conjunction with your assigned staff liaison, call such meetings and direct such activities of the committee as necessary to accomplish the objectives of the committee within the scope of the Strategic Plan.
  - A. Assist the staff liaison in the preparation of an agenda for each meeting. Spend time, on the day of the meeting, with staff to finalize any changes to the meeting agenda. Contact your staff liaison as soon as possible if you're going to be late.
  - B. Assist the staff during the development of a motion to ensure the accurate intent by the maker. It is the responsibility of the chairman to ensure that everyone understands the motion prior to a vote.
  - C. Have staff provide each member of the committee with a copy of the minutes as soon as possible.
  - D. Be familiar with the basic Robert's Rules of Order, Association bylaws and policy manual.
  - E. Work in cooperation with staff liaison to wrap up each meeting.
4. As requested by the President, present to the full membership reports of the committee, its objectives, activities and accomplishments.
5. To submit written report of committee activities, via staff liaison, prior to Board of Directors meetings and to attend Board of Directors meetings if requested to do so.
6. Coordinate with other committees where specific coordination is for the benefit of allied objectives of the (2) two committees.
7. Request of the staff liaison any supplies needed for proper functioning of the committee.
8. Coordinate through staff liaison the notification of the President and the Executive Officer in advance of all committee meetings and notify the general membership of such meetings through communication tools.
9. Take action on all items assigned by the President.
10. Remove any committee member missing two (2) regular or special meetings of that committee without excuse acceptable to the Chair of the committee.
11. As Committee Chair, absence from two (2) consecutive regular meetings or any four (4) meetings within a twelve (12) month period – January 1 through December 31, without an excuse deemed valid by the Board of Directors, shall be construed as resignation.
12. Participate in scheduled local leadership retreats at the call of the President or President-elect.
13. Work with staff liaison to develop a budget for approval by the committee and ensure compliance with the budget throughout the year. Committee budget to be forwarded to Budget & Finance Committee and Board of Directors for final approval.

By signature below I acknowledge my understanding of the Committee Chair Job Description.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Committee Name: \_\_\_\_\_ Date: \_\_\_\_\_

Approved by Bylaws & Policy: 03/03/20

Approved by Board of Directors: 10/10/20

**1.1.1.8 NAR DIRECTOR JOB DESCRIPTION****Position:**

Reno/Sparks Association of REALTORS® shall be entitled to a NAR director position based upon NAR's calculation of one director per 2000 REALTOR® members effective upon the calculation date of July 31<sup>st</sup>. (NAR Constitution Article IV, Section 1(T))

**Term:**

One year beginning January 1 following NAR's determination of a director allocation.

**Appointment:**

The NAR Director shall be the Immediate Past President of the Association or identified in accordance with Article XI, Section 3 of the Bylaws.

In the event the Immediate Past President is unable or unwilling to fill the role, past presidents shall be invited to complete the attached NAR Director application. The current president shall make an appointment from completed applications and the appointment shall be approved by the Board of Directors.

**Specific duties and responsibilities of the NAR Director:**

1. Familiarize themselves with the governing documents of the Reno/Sparks Association of REALTORS®, NVAR and NAR, the Code of Ethics and Arbitration Manual, and Parliamentary Procedures (Robert's Rules of Order).
2. Keep current issues and trends affecting the industry and members on local, state and national level
2. Serve as Director of the Reno/Sparks Association of REALTORS® either in the role as Immediate Past President or as an appointed past president to serve in that role.
3. Be aware of the goals and objectives established by the Association president.
4. Keep abreast of all Association activities to aid the president and other elected officers in accomplishing plans and goals.
  1. Attend all caucuses in preparation for NAR Board of Director meetings.
  2. Attend the NAR Board of Directors meeting as well as the Rocky Mountain Regional Conference.
  3. Will serve as a designated officer as provided for in policy 1.2.1.6 Whistleblower Policy.
  7. Agree to sign a Letter of Commitment and Conflict of Interest.

Approved by Bylaws & Policy: 03/03/20

Approved by Board of Directors: 10/10/20



RSAR NAR DIRECTOR QUESTIONARE

Name \_\_\_\_\_ Agent # \_\_\_\_\_

Firm Name \_\_\_\_\_

Firm Address \_\_\_\_\_

Contact Phone \_\_\_\_\_ Office Phone \_\_\_\_\_

Email \_\_\_\_\_

In your opinion, what are the three biggest issues impacting the industry and agents at the National level.

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

Please list your involvement with the Reno/Sparks Association of REALTORS® (i.e. Committees, Board of Directors etc.):

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

7. \_\_\_\_\_

Please list your involvement with the Nevada Association of REALTORS® (i.e. Committees, Board of Directors etc.):

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

Please list your involvement with the National Association of REALTORS® (i.e. Committees, Board of Directors etc.):

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

Please list your involvement with Societies, Institutes or Councils in the past seven years (i.e. Committees, Board of Directors etc.):

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

### **1.1.1.9 Board of Directors Commitment Form (Page 1 of 2)**

The following board director responsibilities were reviewed by the Board of Directors and approved as an association policy. As an applicant or current director to the board are willing to make every effort to fulfill these responsibilities, please sign, date, and return this commitment no later than the first scheduled Board of Directors meeting of the year.

#### **Overview**

The Board of Directors is responsible for ensuring the organization's long-term financial stability and integrity. Directors ensure that the organization fulfills its mission by doing quality work. Directors recognize that in order to foster the organization's continued viability and growth, diversification of income sources is essential, and they pledge to personally contribute needed resources and talents toward this end.

#### **Responsibilities**

- Support the mission statement.
- Read and understand the financial statements and otherwise assist the Board in fulfilling its fiduciary responsibility.
- Attend board meetings and actively participate in decision-making.
- Share your area of expertise with the board and staff.
- Be an advocate for the organization; promote it in ways appropriate to your profession and contacts
- Maintain your membership, and in addition to membership, make a financial contribution appropriate to your circumstances
- Encourage various means of support for the organization, such as sponsorships, advertisers, members, exhibitors, speakers, etc.
- Fulfill the duties of care, obedience and loyalty to the organization.
- Participate in regular assessments to improve board performance.
- Participate in strategic planning activities.
- Prioritize and monitor programs and services.
- Select the Chief Executive Officer and review his/her performance.
- Partner with the Chief Executive Officer to accomplish the mission.
- Serve on at least one committee or task force each year.
- Work to develop new leadership and recommend potential board members to the Credentials committee
- Avoid even the appearance of conflict of interest
- Participate in the organization's conferences and meetings.

### **1.1.1.9 Board of Directors Commitment Form (Page 2 of 2)**

#### **Desired Skills and Experience**

- Have knowledge of history, mission and goals.
- Knowledge of the community and commitment to maintaining a strong organization that is responsive to the membership.
- Working knowledge of bylaws and policies.
- Ability to handle organization business with tact, enthusiasm and commitment.
- Ability to communicate effectively.
- Ability to motivate committee members.
- Ability to take responsibility and follow through on assignments.
- Ability to work well with people individually and in a group.

#### **Term of Service**

Members of the Board of Directors are elected for various terms. Members may be re-elected according to the bylaws.

#### **Reimbursement**

Directors are not reimbursed for travel to and from office meetings. There is no financial compensation for serving on the board.

#### **Time Commitment**

Attend each board meeting, serve or assist on committees and be available to members, other leaders and staff, as requested. Absence from two (2) consecutive regular Board meetings or any four (4) Board meetings within a twelve (12) month period – January 1 through December 31, without an excuse deemed valid by the Board of Directors, shall be construed as resignation.

#### **Benefits of Leadership Service**

- Leadership is viewed as an opportunity to make a difference in the profession or trade.
- Opportunity to identify needs, support and achieve organization and trade/professional goals.
- Gain or enhance experience in building and working with teams.
- Increase knowledge of association activities and resources.
- Promote and develop leadership in others.
- Help to shape the organization's direction and future.

#### **Personal Commitment**

I (*print name*) \_\_\_\_\_, am willing to make every effort to fulfill the association Board of Directors responsibilities as outlined above.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Approved by Bylaws & Policy: 03/03/20

Approved by Board of Directors: 10/10/20

### **1.1.1.10 NNRMLS TRUSTEE DIRECTOR LEADERSHIP JOB DESCRIPTION**

#### **Minimum Criteria for Director/NNRMLS Trustee Positions (Ref. Policy #2.1.1.2)**

Although the Board of Directors is responsible for the general overall management of the Association affairs, it is not responsible for the day-to-day operations. This is accomplished by the Executive Officer of the Association in close coordination with elected officers and committees.

#### **Specific duties and responsibilities of the NNRMLS Trustee Director is:**

1. Be familiar with the RSAR Bylaws; RSAR Policies; NNRMLS Bylaws, NNRMLS Rules and Regulations; Professional Standards Rules and Regulations; Code of Ethics; Policies and Procedures Manual; and, Parliamentary Procedures (Robert's Rules of Order).
2. Perform such duties as defined in the NNRMLS Rules and Regulations and policies.
3. Serve as a member of the RSAR Budget & Finance Committee.
4. Report to the Budget & Finance Committee and the Board of Directors, on a quarterly basis, on the financial status of the NNRMLS.
5. Report to the Board of Directors meeting on actions taken by the NNRMLS Board of Trustees.
6. Approval of annual financial plan for RSAR operations.
7. Approval of new polices as required.
8. Serve as trustees to serve the best interest of the membership in all matters pertaining to the Association and NNRMLS.
9. Be aware of the goals and objectives established by the Association president.
10. Keep abreast of all Association activities to aid the president and other elected officers in accomplishing plans and goals.
11. Attend all meetings of the Directors and general membership meetings.
12. At the call of the President, serve as a director liaison to a specific committee.
13. Attend the annual Professional Standards Training or update as required by policy (Ref. Policy #4.11.1.2).
14. A director who serves on the Real Estate Division, Real Estate Advisory Review Committee shall be disqualified and excused from participation in the appeal or affirmation of any Professional Standards matters.

#### **Financial Responsibilities**

Regarding the finances of the Association, the role of the members of the Board of Directors is extended to include the following:

1. Fiduciary responsibility to assure that the Association's assets are adequately safeguarded against fraud or misuse and that they are being properly and effectively utilized to serve the objectives of the organization within the constraints of the law;
2. Development of organizational financial policies relative to banking relationships, investment objectives, annual auditing requirements, and other policy-oriented decisions;
3. Review and acceptance of annual financial statements and audit recommendations;
4. Review of interim financial statements to ascertain that the Association is operating within its means and within the approved budget.

Approved by Bylaws & Policy: 10/08/20

Approved by Board of Directors: 11/10/20

### **1.1.1.11 NNRMLS Trustees Job Description**

**Positions:** In accordance with the NNRMLS Bylaws, the Association shall have five Trustee positions. Up to two Trustees may be affiliated with the same firm/company provided that the two Trustees are from different Shareholder Associations. A minimum of two of the five Trustees must be Designated REALTOR® members.

Minimum qualifications shall be in accordance with the NNRMLS Bylaws, *Article III Board of Trustees, Section 2. Qualifications*. Further minimum criteria for Trustees shall be as established in Association Policy 2.1.1.3.

**Term:** Appointed Trustees shall serve a two-year term beginning January 1 of the upcoming year. Trustees are eligible to serve three, consecutive two-year appointments. Trustees may reapply for appointment after a two-year hiatus.

**Vacancy via Resignation:** Appointments to fill a vacancy on the NNRMLS Board of Trustees shall be by appointment of the Board of Directors. Appointee shall fill the remaining term of the resigned Trustee.

**Removal of Trustees.** Trustees are individually appointed by affirmation of the RSAR Board of Directors. Appointees may be removed by the Board of Directors at any time for cause. Cause for removal includes, but is not limited to, disclosing confidential or trade secrets to outside entities such as competing MLS's or Associations, voting on vendor contracts, or other agreements that may have a personal, financial benefit to the trustees.

**Duties:**

1. Regularly attend Board Trustee meetings, Broker meetings and organization events.
2. Serve the best interest of the membership in all matters pertaining to the Association and NNRMLS.
3. The appointed Trustee identified as NNRMLS Trustee Director shall have such additional duties as identified in Policy 1.1.1.10
4. Additional duties as described in the NNRMLS Bylaws Article III, Section 9 which states:

*The duties of the Board of Trustees are to oversee the general affairs and finances of the Corporation, to act in accordance with the Bylaws, rules and regulations and policies, as adopted by the Corporation, and to discharge the statutory responsibilities of a director pursuant to Chapter 78 of the Nevada Revised Statutes.*

Bylaws & Policy Approved: 10/08/20

Board of Directors Approved 11/10/20

**1.1.1.12 Reno/Sparks Association of REALTORS® NNRMLS Trustee Commitment Form**  
**(Page 1 of 2)**

The following NNRMLS Trustee responsibilities were reviewed by the Reno/Sparks Association of REALTORS® Board of Directors and approved as an association policy.

**Overview**

The Trustee understands that the Northern Nevada Regional MLS (NNRMLS) is an asset of RSAR and as a Trustee, responsible for ensuring NNRMLS's long-term financial stability and integrity. Trustees recognize that NNRMLS provides a valuable service to the members of RSAR and that in order to foster the organization's continued viability, growth is essential. Trustees, pledge to personally contribute needed resources and talents toward this end. Trustees ensure that NNRMLS fulfills its mission by doing quality work.

As a RSAR Appointed Trustee to the NNRMLS Board, I am willing to make every effort to fulfill the following responsibilities: (Please sign, date, and return this commitment no later than the first regularly scheduled Board of Directors meeting.)

**Responsibilities**

- Support the mission statements and spirit of RSAR and NNRMLS.
- Read and understand the financial statements and otherwise assist the Board of Trustees in fulfilling its fiduciary responsibility.
- Regularly attend Board Trustee meetings, Broker meetings and organization events.
- Share your area of expertise with fellow trustees and staff.
- Be an advocate for the organization; promote it in ways appropriate to your profession and contacts.
- Maintain your membership and current financial obligations to RSAR and NNRMLS.
- Obtain various means of support for the organization, such as sponsorships, advertisers, members, exhibitors, speakers, etc.
- Fulfill the duties of care, obedience and loyalty to RSAR and NNRMLS. As appointed NNRMLS Trustees, you are charged with representing the Shareholders who appointed you, as well as NNRMLS to provide exceptional products and services to the membership as a whole.
- Participate in regular assessments to improve NNRMLS performance.
- Participate in strategic planning activities.
- Prioritize and monitor programs and services.
- Partner with the NNRMLS Chief Executive Officer to accomplish the mission.
- Avoid even the appearance of conflict of interest. Many Trustees are board members for multiple organizations. If the duties you owe to another organization prevent you from giving undivided allegiance to NNRMLS and RSAR, then you are individually responsible for addressing that conflict as you deem appropriate and at the very least, in a manner consistent with the Conflict of Interest policy. An act of "undivided allegiance" includes, but is not limited to, revealing confidential or trade secrets to outside entities such as competing MLS's or Associations, voting on vendor contracts, or other agreements that may have a personal, financial benefit to the trustees.
- Participate in the RSAR and NNRMLS conferences and meetings.

**1.1.1.12 Reno/Sparks Association of REALTORS® NNRMLS Trustee Commitment Form**  
**(Page 2 of 2)**

**Desired Skills and Experience**

- Have knowledge of history, mission and goals.
- Knowledge of the community and commitment to maintaining a strong organization that is responsive to the membership.
- Working knowledge of bylaws and policies.
- Ability to handle organization business with tact, enthusiasm and commitment.
- Ability to communicate effectively.
- Ability to motivate committee members.
- Ability to take responsibility and follow through on assignments.
- Ability to work well with people individually and in a group.

**Term of Service**

Members of the Board of Trustees are appointed for staggered two-year terms. Members may be re-appointed according to the RSAR bylaws and policies. Trustees are eligible to serve three, consecutive two-year appointments. Trustees may reapply for appointment after a two-year hiatus.

**Reimbursement**

Trustees are not reimbursed for travel to and from office meetings. There is no financial compensation for serving on the Board of Trustees.

**Time Commitment**

Attend each board meeting, serve or assist on committees and be available to members, fellow Trustees, RSAR leadership and staff, estimated to require 5 to 10 hours per month.

**Benefits of Leadership Service**

- Leadership is viewed as an opportunity to make a difference in the profession or trade.
- Opportunity to identify needs, support and achieve organization and trade/professional goals.
- Gain or enhance experience in building and working with teams.
- Increase knowledge of NNRMLS and RSAR activities and resources.
- Promote and develop leadership in others.
- Help to shape the two organization’s direction and future.

**Personal Commitment**

I (*print name*) \_\_\_\_\_, am willing to make every effort to fulfill the association Trustee responsibilities as outlined above.

\_\_\_\_\_  
 Signature Date

Approved by Bylaws & Policy: 10/08/20  
 Approved by Board of Directors: 11/10/20  
 Approved by Legal Counsel: 11/02/20

### **1.2.1.1 Check Signing, Electronic Transfers and Contractual Signatories**

To ensure the responsible and efficient conduct of Association financial affairs, the Board of Directors designates persons in the following positions to serve as signatories to Association financial obligations:

1. Checks for the payment of Association financial obligations shall be signed by at least two of the following: the Association President, or the President-Elect, or the Treasurer, or the Immediate Past President or the Chief Executive Officer.
2. Transferring Association funds from one Association account to another electronically must be done at the specific direction of the Chief Executive Officer of the Corporation and executed by the Chief Executive Officer or the Financial Administrator.
3. If a situation arises requiring funds to be transferred electronically to a third party vendor, a bank wire transfer form must be signed by two of the authorized signers on the account from which funds will be drawn.
4. Checks for expenses incurred by the Reno/Sparks Association of REALTORS® Political Action Committee (RSARPAC) shall be signed by one of the following: the duly appointed chairperson, vice-chairperson, secretary-treasurer of RSARPAC, in addition to the Chief Executive Officer of the Reno/Sparks Association of REALTORS®.
5. Requests for disbursements of retirement funds, through the Association's profit-sharing plan, must be signed by at least two of the three fund trustees.
6. Long-term (in excess of one year) financial and contractual obligations, such as loans, mortgages, etc., shall be signed by the Chief Executive Officer at the specific direction of the Board of Directors.
7. Short-term (less than one year) financial and contractual obligations shall be signed by the Chief Executive Officer with a report to the Board of Directors within 60 days of execution of the contract.

Approved by Bylaws & Policy                    10/08/14 *(Revised 07/21. No recommended changes)*  
 Approved by Board of Directors            10/23/14



### **1.2.1.2 Association Investments**

1. As established by the Board of Directors, the Executive Officer, in conjunction with the Association Treasurer, shall be responsible for and have the authority to invest RSAR monies over and above those needed for operations. Report of investments to be made to the Board of Directors within 60 days of investment.
2. All investments of operating funds shall be restricted to high quality, income producing financial instruments recommended and approved by the Investment Subcommittee of the Budget & Finance Committee. These investments shall be tiered to reflect anticipated liquidity needs. The amounts invested in non-federally insured deposits shall not exceed fifty percent (50%) of the fund balance. The amount invested in Federally-insured deposits in each institution is to be limited to \$250,000 under the maximum amount insured by the FDIC.
3. Reserve funds shall be invested in high quality, income-producing instruments such as certificates of deposits, corporate bonds, U.S. Treasury notes, or mutual funds investing in obligations of the U.S. Government, its agencies or instrumentalities, obligations of certain banks and savings and loan associations, asset-backed securities and high-quality securities of corporate issuers, or real estate investments. The amount invested in Federally-insured deposits in each institution is to be limited to \$250,000 under the maximum amount insured by the FDIC.
4. The Investment Subcommittee of the Budget & Finance Committee shall be responsible for recommendations to the Association Treasurer of investment alternatives. The Investment Subcommittee shall consist of the Association President, Association Treasurer, and by appointment of the Association President, two additional members of the Budget & Finance Committee.

Approved by Investment Subcommittee	<u>05/19/2021</u>
Approved by Budget & Finance	
Approved by Bylaws & Policy	<u>07/20/2021</u>
Approved by Directors	<u>08/31/2021</u>

### **1.2.1.3 Conflict of Interest Policy**

Members of the Board of Directors of the Reno/Sparks Association of REALTORS®, a non-profit 501(c) 6 (“RSAR”), officers, volunteers, and key employees must act at all times in the best interests of RSAR. Members of the Board, officers, volunteers, and key employees shall disclose all potential and actual conflicts of interest to the Board of Directors and, as required, remove themselves from all discussion and voting on any related matter. Specifically, members of the Board, officers, volunteers, and key employees shall:

- Avoid placing self-interest or the interests of a third party above the interests of RSAR, and avoid the appearance of placing self-interest or the interests of a third party above the interests of RSAR;
- Refrain from using RSAR’s staff, services, equipment, materials, resources, or property for personal or third-party gain, and from representing to third parties that authority as a Board member extends any further than that which it actually extends;
- Not engage in any outside business, professional conduct, or other activities that may be directly or indirectly adverse to the interests of RSAR;
- Not solicit or accept gifts, gratuities, free travel, or any other item of value from any person or entity as a direct or indirect inducement to provide special treatment with respect to matters pertaining to RSAR without fully disclosing such an exchange to the Board of Directors;
- Provide goods or services to RSAR as a paid vendor to RSAR only after full disclosure to, and advance approval by, the Board of Directors, and pursuant to any related procedures adopted by the Board;
- Not persuade any employee of RSAR to leave the employ of RSAR or to become employed by any person or entity other than RSAR; and
- Not persuade or attempt to persuade any member, exhibitor, advertiser, sponsor, subscriber, supplier, contractor, or any other person or entity with an actual or potential relationship with RSAR to terminate, curtail, or not enter into its relationship with RSAR, or to reduce any benefit that may be provided to RSAR with respect to such relationship.

This policy shall apply to the members of the RSAR Board of Directors, but also shall apply to all members of RSAR committees, task forces, and others in the RSAR governance structure, as well as to RSAR’s key employees. On an annual basis, all individuals to whom this policy shall apply shall be provided with a copy of this policy and

required to complete and sign an acknowledgement and disclosure form prepared by the Board of Directors.

### **Acknowledgement and Disclosure Form**

I have read the RSAR Nonprofit (“RSAR”) Conflict of Interest Policy set forth above and agree to comply fully with its terms and conditions at all times during my service as a member of the RSAR Board of Directors, an officer, volunteer, or a key employee of RSAR. If I become aware of any actual or potential conflicts of interest at any time following the submission of this form, or if the information provided below becomes inaccurate or incomplete, I will promptly notify the RSAR Board of Directors or the Chief Executive Officer of RSAR in writing.

**Disclosure of actual or potential conflicts of interest:**

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1. Do you receive compensation as an Officer, Director, committee member, task force member, or key employee of RSAR?  Yes  No
2. Other than reimbursement of reasonable expenses, have you received or do you expect to receive any compensation from RSAR for services provided as an independent contractor?  Yes  No
3. Have you received or do you expect to receive any material financial benefit from RSAR in addition to or apart from the benefits described in the above inquiries?  Yes  No
4. Does any family member receive compensation or material financial benefit from RSAR?  Yes  No
5. Do you have a family relationship or business relationship with any current or former Officer, Director, or key employee of RSAR?<sup>1</sup>  Yes  No

**If you answered "Yes" to any of the above, please explain below.**

\_\_\_\_\_  
**Member Signature**

\_\_\_\_\_  
**Printed Name**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Title ie. Chair, Director, Committee member, etc.**

<sup>1</sup> This question does not apply to attorney-client or doctor-patient relationships, nor does it apply to relationships with clergy.

In response to Question # \_\_\_\_\_. I answered yes, below is my explanation.

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In response to Question # \_\_\_\_\_. I answered yes, below is my explanation.

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In response to Question # \_\_\_\_\_. I answered yes, below is my explanation.

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In response to Question # \_\_\_\_\_. I answered yes, below is my explanation.

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Bylaws & Policy Approval 07/20/21 (Committee reviewed. No recommended changes.)  
Board of Directors Approval 02/24/11

#### **1.2.1.4 RSAR INVESTMENT POLICY (Page 1 of 4)**

##### **A.1 Purpose of Policy:**

The purpose of the Reno/Sparks Association of REALTORS® (RSAR) Investment Policy (“Policy”) is to provide procedures for the management and investment of certain assets of RSAR in a prudent manner so that such assets are available for RSAR’s use for specific purposes, including but not limited to the generation of operating income, the funding of current programs or services, or the funding of new programs or services, and that the income and growth of value derived there from will be sufficient and available to meet RSAR’s obligations as they become due. This Policy shall serve RSAR and the Investment Consultant (as defined below) as the principal source for developing an appropriate investment strategy, and it shall serve as the basis for the performance evaluation of the invested assets and the Investment Consultant, as amended from time to time by RSAR. The investment policy will cover the three of the four sub-accounts. They are the General Account, Equipment Account, and Building Reserves Account. See section 7.3.1.1 for details on “Reserve Accounts.” This investment policy does not oversee the Governmental Affairs Account.

##### **A.2 Purpose of Portfolio:**

The purpose of the RSAR investment portfolio (defined below and referred to in this Policy as the “Portfolio”) is to support the ongoing mission of RSAR. The Portfolio is to provide a reliable source of funds for specific current and future needs of RSAR; the income and growth of value derived from the Portfolio should be sufficient and available to meet those needs as they become due. The Portfolio is the property of RSAR and is held for its exclusive use, benefit, and purpose.

##### **A.3 Investment Consultant:**

RSAR will utilize the services of an outside professional investment consultant or consultants (referred to herein both singularly and collectively as the “Investment Consultant”) to actively manage the Portfolio within the scope of this Policy, according to their professional judgment and fiduciary obligations. The Investment Consultant shall communicate in writing to RSAR’s Investment Subcommittee at regularly scheduled quarterly review meetings the progress, strategies, and status of the Portfolio under their management.

##### **A.4 RSAR Board Duties:**

The RSAR Board of Directors (the “Board”) has the fiduciary responsibility for the prudent investment of the Portfolio. The Board has delegated the responsibility for the operations and investment activities of the Portfolio to the Investment Subcommittee of RSAR (the “Subcommittee”). The responsibilities of the Subcommittee are set forth in greater detail in the Roles of Investment Subcommittee and Investment Consultant section of this Policy.

##### **A.5 Subcommittee Membership:**

The Subcommittee will be composed of the following individuals: the RSAR President, RSAR Treasurer, and by appointment of the RSAR President, two additional members of the Budget and Finance Subcommittee.

##### **A.6 Composition of Portfolio:**

###### **1. Permitted Assets:**

The Portfolio includes all cash, cash equivalents, fixed income securities, and equity securities under management by the Investment Consultant. The Portfolio may include international fixed income securities or equity securities if such securities are traded on the New York, American, NASDAQ, Over the Counter, REITS, or Regional Exchanges. It is expected that the majority of RSAR’s reserve funds will be transferred in due course to the Investment Consultant, taking into account a reasonable allowance for anticipated and unanticipated expenditures not covered by current revenues.

###### **2. Board Authority:**

Nothing herein shall be deemed to limit the authority of the Board, or the Executive Committee, to the extent of any such authority, to administer any assets constituting the Portfolio in whatever manner it may consider necessary.

The Executive Committee may call an emergency meeting when they feel that circumstances warrant such a meeting. Additionally, the Executive Committee may re-allocate the assets of the portfolios.

#### **1.2.1.4 RSAR INVESTMENT POLICY (Page 2 of 4)**

##### **3. Minimum Market Capitalization:**

Equity securities shall consist of common stocks and equivalents (issues traded on the New York, American, NASDAQ, Over the Counter, and Regional Exchanges are appropriate). The minimum market capitalization for equities shall be defined by the Russell 2000 Index benchmark. There will be no common stocks allowed in the portfolio that are deemed Microcaps as defined by the Russell Microcap Index benchmark. Only mutual funds benchmarked against the Russell 2000 Index will be allowed.

##### **4. Required Diversity:**

With the exception of U.S. Treasury and U.S. Agency obligations, no more than ten (10%) of the overall market value of the Portfolio shall be in one issue. No single industry, as classified by the Standard & Poors 500, shall have more than 25% of the overall market value of the Portfolio.

##### **5. Limitations:**

No derivatives, direct ownership of letter stock, venture capital, restricted stock, limited partnerships, short sales, margin purchases, stock loans, commodities shall be held in the Portfolio.

#### **A.7 Investment Philosophy:**

The Portfolio is to be invested to maximize long-term total returns consistent with prudent levels of risk. Returns are expected to preserve or enhance the real value of the Portfolio after cash is invested for current use. Broadly diversified the Portfolio should include investments in cash equivalents, equities and fixed income securities to reduce the volatility of the overall Portfolio while providing a predictable stream of income and growth in value of the overall Portfolio. The purpose of such diversification between and within such account segments is to provide reasonable assurance that no single security or class of investment has a disproportionate impact on the total Portfolio. Investment risks are to be considered within the context of the entire Portfolio and the need to sustain its long-term purchasing power.

#### **A.8 Investment Objectives:**

The Portfolio should provide sufficient income and growth to meet current and future needs of the Portfolio as may be determined from time to time by RSAR.

##### **1. Primary Investment Objective:**

The primary Investment Objective for the Portfolio is to maintain its purchasing power and seek growth of principal without exposing the Portfolio to undue risk as described under the Asset Allocation section of this Policy.

##### **2. Other Investment Objectives for the Portfolio include the following:**

- a. Capital appreciation of cash assets to increase RSAR's Reserve Funds and the Portfolio overall.
- b. Stability of year-to-year returns.
- c. Diversification of asset categories to avoid over concentration in any particular area.
- d. Flexibility of investment posture, within guidelines, in order to respond to the changing economic environment and the volatile capital and securities markets.

##### **3. Investment Horizon:**

The investment horizon for this Investment Account is seen as long-term and ongoing.

#### **A.9 Liquidity Requirements & Risk Tolerance:**

RSAR is a conservative/moderate risk-taker with regard to risk tolerance and the investment of its assets. A majority of the assets of the Portfolio are proposed to be invested only in highly liquid U.S. traded securities. The Portfolio should be managed in a manner that seeks to minimize principal fluctuations.

#### **1.2.1.4 RSAR INVESTMENT POLICY (Page 3 of 4)**

##### **A.10 Responsibilities of Investment Subcommittee.**

As set forth in the Purpose section above, the Subcommittee has responsibility for the operations and investment activities of the Portfolio. This shall include the following specific duties:

- a. Recommending to the RSAR Budget & Finance Committee overall financial objectives and investment policy.
- b. Establishing written, long-term target allocations for the Portfolio's assets within the ranges set forth in the Asset Allocation section below.
- c. Establishing a process and criteria for the selection and termination of the Investment Consultant, custodian(s) and security broker(s).
- d. Monitoring investment results quarterly to assure that the Investment Objectives of this Policy are being met.
- e. Communication on a structure and ongoing basis with the Investment Consultant.
- f. Evaluating annually the Investment Consultant, custodian(s) and security broker(s).
- g. Reporting any and all matters executed by the Subcommittee at the next regular meeting of the Board of Directors.

##### **A. 11 Responsibilities of Investment Consultant**

In addition to the other duties set forth in this Policy, the Investment Consultant will be responsible for advising the Investment Subcommittee on the following matters:

- A. Investment policy.
- B. Asset allocation.
- C. Security selection (including stocks, bonds, CDs, mutual funds, money market funds, etc.).
- D. Performance evaluation of securities.
- E. Investment strategy.
- F. Timing of security purchases and sales.
- G. Other investment matters as requested by the Investment Subcommittee.
- H. The Investment Consultant shall provide month-end regular accounting of the Portfolio's transactions and holdings, yields, current market values and the beginning and ending positions of each holding.
- I. The Investment Consultant shall provide to the RSAR Board of Directors a regular accounting of the Portfolio's transactions and holdings, yields, current market values, summary of cash flows, calculations of the Portfolio's total rate of return on a basis of, year-to-date, one-year, three-year, five-year, and since inception basis and the beginning and ending positions of each holding.
- J. The Investment Consultant should call to the attention of the Investment Subcommittee any major changes in market conditions and major Portfolio changes, and any significant changes within the Investment Consultant's operation and personnel.

##### **A.12 Asset Allocation Per Each Consultant(s) Portfolio**

- ◆ 20 to 40 percent in equities (stocks, mutual funds, etc.)
- ◆ 30-80 percent in fixed income securities (U.S. Treasuries, U.S. Agencies, corporate bonds, preferred issues, etc.)
- ◆ 0 to 50 percent in cash or cash equivalents (money market funds, CDs, commercial paper, repurchase agreements, government or agency obligations, etc. having a maturity of two years or less)
- ◆ 0 to 5 percent in other investments

##### **1. RSAR Cash Needs:**

RSAR annual funds for operations shall be a separate, segregated fund, and are not part of the investment portfolio.

**1.2.1.4 RSAR INVESTMENT POLICY (Page 4 of 4)****2. Written Long-term Target Allocations:**

The Subcommittee will establish written, long-term target allocations for the Portfolio's assets within the ranges set forth above. The Subcommittee may decide from time to time to vary the allocation of the Portfolio's asset allocations within the ranges set forth above, depending upon the performance of the asset classes and the availability of high quality investment opportunities to achieve the objectives of RSAR's overall Portfolio. The Investment Consultant may recommend a change in asset allocation due to a shift in investment strategy.

**3. Review of Asset Allocation:**

Asset allocation will be reviewed at least annually to determine if the allocation is appropriate.

**4. Rebalance of Asset Mix:**

In order to control the overall risk exposure of the Portfolio and to enhance performance, the relative mix of assets may be rebalanced from time to time. If the assets weighting varies more than 5% higher or 5% lower than the target allocation then in effect, it is expected that the Investment Consultant will rebalance that portion of the Portfolio under the Subcommittee's management to reflect the target allocation. The Investment Consultant, in his/her discretion, may recommend a change in the target allocation prior to undertaking any such rebalancing. The Subcommittee can, in its discretion and at any time, direct the Investment Consultant to rebalance the Portfolio.

**A.13 General Terms and Definitions:**

1. Investment Account shall mean the accounts of the Reno/Sparks Association of REALTOR®, Inc.
2. Investment Subcommittee shall refer to the governing subcommittee established to administer the Investment Account as specified by applicable ordinance.
3. Fiduciary identifies any individual or group of individuals that exercise discretionary authority or control over fund management or any authority or control over management, disposition or administration of the Investment Account assets.
4. Investment Consultant shall mean any individual or firm hired to provide advisory services, including advice on investment objectives, asset allocation, investment instruments, funding manager search, money manager search, and performance monitoring.
5. Fund Manager shall mean any individual or firm that manages mutual funds Investment Accounts on behalf of RSAR.
6. Money Manager shall mean any individual or firm that manages equity Investment Accounts on behalf of RSAR.
7. Securities shall refer to the marketable investment securities which are defined as acceptable in this statement.
8. Investment Horizon shall be the time period over which the investment objectives, as set forth in this policy, are expected to be met.
9. Allowable Cash Equivalent Assets shall refer to Treasury Bills, Money Market Funds, Commercial Paper, and Certificate of Deposits.
10. Allowable Fixed Income Assets shall refer to U.S. Government and Agencies Securities, Corporate Notes and Bonds, Mortgage Backed Bonds, Common and Preferred Stock, and Fixed Income Securities of Foreign Governments and Corporations traded on the New York, American, NASDAQ, Over the Counter, or Regional Exchanges.
11. Risk or Risk Tolerance shall mean the probability of losing money over the Investment Account's time horizon.

Approved by: Investment Subcommittee 05/19/2021

Approve by: Budget & Finance Committee

Approved by: Bylaws & Policy Committee 07/20/2021

Approved by: Board of Directors 08/31/2021

### **1.2.1.5 Whistleblower Policy**

The word “whistleblowing” in this policy refers to the disclosure internally or externally by volunteers or employees of malpractice, illegal acts or omissions at work.

#### **A. Policy Statement**

RSAR is committed to achieving the highest possible standards of service and the highest possible ethical standards in public life and in all of its practices, and is committed to maintaining a workplace where volunteers, employees and contractors feel free to raise questions and concerns about RSAR’s activities.

To achieve these ends, it encourages freedom of speech. It also encourages staff to use internal mechanisms for reporting any malpractice or illegal acts or omissions by its volunteers, employees or ex-employees.

#### **B. Other Policies and Procedures**

RSAR has a range of policies and procedures, which deal with standards of behavior at work; they cover Discipline, Grievance, Harassment and others. Volunteers and employees are encouraged to use the provisions of these procedures when appropriate. There may be times, however, when the matter is not about your personal employment position and needs to be handled in a different way. Examples may be:

- malpractice or ill treatment of a member/customer by a senior staff member
- repeated ill treatment of a member/customer, despite a complaint being made
- a criminal offense has been committed, is being committed or is likely to be committed
- suspected fraud
- disregard of legislation, particularly in relation to health and safety at work
- breach of standing financial instructions
- showing undue favor over a contractual matter or to a job applicant
- breach of a code of conduct

(This list is not exhaustive.)

RSAR will not tolerate reprisals, harassment or victimization (including informal pressures) against volunteers and employees for raising such concerns, and will treat this as a serious disciplinary offense, which will be dealt with under the Disciplinary Rules and Procedure.

#### **C. Designated Officers**

The following people have been designated officers for concerns under this procedure.

They will have direct access to RSAR’s CEO.

CEO 775-823-8800

RSAR current president

RSAR current NAR director

The designated officer will be the point of contact for volunteers and employees who wish to raise concerns under the provisions of this policy. Where questions are raised, the officer will arrange an initial interview, which will if requested be confidential, to ascertain the area of concern. At this stage the whistleblower will be asked whether they wish their identity to be disclosed and will be reassured about protection from possible reprisals or victimization. They will also be asked whether or not they wish to make a



written statement. In either case, the designated officer will write a brief summary of the interview, which will be agreed on by both parties.

#### **D. Role of most senior person**

The designated officer will report to RSAR's CEO who will be responsible for the commission of any further investigation. If the concern is about RSAR's CEO, this should be made to the RSAR President who will decide how the investigation will proceed.

#### **E. The Investigation**

The investigation may need to be carried out under the terms of strict confidentiality i.e. by not informing the subject of the complaint until (or if) it becomes necessary to do so. This may be appropriate in cases of suspected fraud. In certain cases, however, such as allegations of ill treatment of members/customers, suspension from the position may have to be considered immediately. Protection of members/customers is paramount in all cases.

The designated officer will offer to keep the whistleblower informed about the investigation and its outcome. If the result of the investigation is that there is a case to be answered by an individual, the Code of Ethics and Arbitration Manual or RSAR Personnel Policy Handbook will be used as appropriate.

Where there is no case to answer, but the volunteer or employee held a genuine concern and was not acting maliciously, the designated officer should ensure that the volunteer or employee suffers no reprisals.

Only where false allegations are made maliciously, will it be considered appropriate to act against the whistleblower under the terms of the Code of Ethics and Arbitration Manual.

#### **F. Following the Investigation**

The RSAR CEO will brief the designated officer as to the outcome of the investigation. The designated officer will then arrange a meeting with the whistleblower to give feedback on any action taken, (This will not include details of any disciplinary action, which will remain confidential to the individual concerned). The feedback will be provided within one month or other reasonable time, if requested.

If the whistleblower is not satisfied with the outcome of the investigation RSAR recognizes the lawful rights of volunteers, employees and ex-employees to make disclosures elsewhere.

#### **G. The Law**

This policy and procedure has been written to take account of the Public Interest Disclosure Act 1998, which protects workers making disclosures about certain matters of concern, where those disclosures are made in accordance with the Act's provisions. The Act is incorporated into the Employment Rights Act 1996, which already protects employees who take action over, or raise concerns about, health and safety at work.

Bylaws & Policy Committee 8/26/08 (Reviewed 07/21. No recommended changes)  
Board of Directors 8/28/08

**Policy #1.2.1.6 Procedure for Removal from a Committee**

A committee member may be removed from a committee for any of the following reasons:

1. Any individual who has been convicted of a felony or a crime of moral turpitude.
2. Any individual who has been or is the subject of an order imposed by the Real Estate Commission

**Process for removal from a committee:**

1. In order for a committee member to be removed, the committee chair must make a request or forward a request to the Executive Committee for removal of a committee member for one or all of the above reasons.
2. The Executive Committee will review the request and either accept or reject the request based on its merits. If the request is deemed to have merit, the recommendation must be ratified by the Board of Directors at its next meeting or after the appeal period has lapsed, whichever is later.
3. The committee member will have the opportunity to appeal to the Board of Directors their removal from a committee. Any appeal must be filed within 30 days from Executive Committee notification of removal. If no appeal is filed, it shall be deemed acceptance of the removal.
4. The decision of the Board of Directors shall be final.
5. If a member is removed from a committee for one of the above reasons, the member shall be removed from all Association committees and may re-apply for committee involvement no sooner than 12 months following the removal action.

**Other:**

1. This policy applies to violations or convictions from date of adoption of the policy forward and may be not applied retroactively.
2. Because of the confidential nature of Code of Ethics violations, this policy does not apply to Code of Ethics violations.

Approved by:

Bylaws & Policy Committee: 07/20/2021

Board of Directors: 08/31/2021

### **2.1.1.1 CREDENTIALS COMMITTEE**

#### **CHAIR AND MEMBERS:**

As provided by the Bylaws Article XI, Section 5, the Chair is the most recent Past President serving on the committee. The committee is appointed in accordance with Article XI, Section 5 (a) of the Association bylaws. (Ref. Bylaws Article XI, Section 5 (a)).

#### **TERM:**

One year or less, as necessary to complete their duties.

#### **DUTIES:**

The committee will be responsible to review candidate applications to ensure compliance with the minimum criteria for officer and director positions as established by policy. The Credentials Committee may make exceptions to the minimum criteria for officer and director positions only in the event that no qualified applications have been submitted.

In accordance with:

ARTICLE XI – OFFICERS, DIRECTORS AND NNRMLS TRUSTEES

Section 3. Board of Directors

(f) No more than three REALTORS® from the same real estate firm may simultaneously serve on the Board of Directors; however the appointment of the NNRMLS Trustee Director and the NAR Director shall not be considered in the limitation.

Should it become apparent, as part of the credentialing process, that in the election of one or more candidates from the same office will result in a violation of the Association bylaws, a member of the Credentials Committee shall contact the identified candidates and request that they settle it among themselves which candidate(s) should move forward on the ballot.

Other duties shall be as outlined in Article XI, Section 5 of the bylaws.

Approved by Bylaws & Policy: 07/11/12 (reviewed 11/19/20 – no changes)

Approved by Board of Directors: 08/23/12

### **2.1.1.2 CRITERIA FOR OFFICER AND DIRECTOR CANDIDATES**

#### **Minimum Criteria for REALTOR® Director Positions**

1. REALTOR® Member of the Board as defined in Article IV, Section 1(a), 1, 2, 4 and 5 of the Bylaws a minimum of 2 years (A waiver of the membership requirement will be considered with a letter from the Executive Officer confirming membership in another Board/Association.)

#### **Minimum Criteria for President-Elect Positions**

1. REALTOR® Member of the Board as defined in Article IV, Section 1(a), 1, 2, 4 and 5 of the Bylaws a minimum of 3 years (A waiver of the membership requirement will be considered with a letter from the Executive Officer confirming membership in another Board/Association.)

#### **Minimum Criteria for Affiliate Director Position**

1. Must be an officer, independent contractor, owner, partner or employee affiliated with any Reno/Sparks Association of REALTORS® Affiliate Member company for a minimum of 2 years.

#### **Minimum Criteria Officer Positions**

1. Must meet the minimum criteria set for REALTOR® Director candidates in addition to one of the following:
  - a. Candidate must have served at least one term\* as a member of Budget & Finance Committee, or
  - b. served on the Board of Directors for a minimum of two years, or
  - c. served as a committee chair or vice-chair at least one full year, or served in an equivalent leadership position in any of the Societies, Institutes or Councils recognized by the National Association of REALTORS®, or
  - d. served in an equivalent leadership position deemed acceptable by the Credentials Committee.

\* Term as a committee member shall be defined as any full committee year (Ref. Article III, Section 2 of the Bylaws.) in the past and/or the full current committee year.

Approved by Bylaws & Policy: 11/23/10 (Reviewed 11/19/20-no changes)  
 Approved by Board of Directors 12/02/10

### **2.1.1.3 Criteria for Appointment of NNRMLS Trustee Positions (Page 1 of 2)**

Appointment for the following positions shall be in accordance with Policy 2.1.1.4 Appointment Process for NNRMLS Trustees.

#### **Minimum Criteria Designated REALTOR® / NNRMLS Trustee Appointments**

Designated REALTOR® Trustees shall be defined as REALTOR® members who hold membership in the Association and are individuals who are sole proprietors, partners, corporate officers or branch office managers and are participants in the NNRMLS. In addition to the above, they must hold a broker or broker salesman's license in the state of Nevada.

Applicants for appointment must:

1. Be a Designated REALTOR® Member of the Association, as defined in Article IV, Section 1(a) Subsection 5 of the Bylaws for a minimum of 3 years.
2. Be a MLS Participant as defined in the NNRMLS Rules and Regulations for a minimum of 3 years.
3. Have served at least one full term in one of the following positions:
  - a. member of the Board of Directors of the local Association or
  - b. member of local Association Budget & Finance Committee or
  - c. chair of a state or local Association Committee.
4. Have no outstanding debts with the Association.
5. Demonstrate knowledge of current MLS system and related products.
6. Agree to sign a Letter of Commitment.

Designated REALTORS® Trustee positions shall be appointed to serve two (2) year staggered terms.

The Designated REALTOR® Trustee appointments are not eligible to serve as a member of the Board of Directors, excluding the NNRMLS Trustee Director.

#### **Minimum Criteria NNRMLS Trustee Appointments**

NNRMLS Trustees shall be defined as REALTOR® members who hold primary membership in the Association and are individuals who may or may not be sole proprietors, partners, corporate officers or branch managers. They are engaged in the real estate profession and affiliated with a NNRMLS participant office. A Trustee position must hold a broker, broker salesman or salesman license in the state of Nevada.

Applicants for appointment must:

1. Be a REALTOR® Member of the Association, as defined in Article IV, Section 1(a) Subsection 1, 2, 3, 4 or 5 of the Bylaws for a minimum of 3 years.
2. Be a MLS Participant, or affiliated as an agent with a MLS Participant Office as defined in the NNRMLS Rules and Regulations for a minimum of 3 years.
3. Have served at least one full term in one of the following positions:
  - a. member of the Board of Directors of the local Association or
  - b. member of local Association Budget & Finance Committee or
  - c. chair of a state or local Association Committee.
4. Have no outstanding debts with the Association.
5. Demonstrate knowledge of current MLS system and related products.
6. Agree to sign a Letter of Commitment.

NNRMLS Trustee appointments shall be appointed to serve two (2) year staggered terms. 3 term limit, 1 term hiatus.

The NNRMLS Trustee appointments are not eligible to serve as a member of the Board of Directors, excluding the NNRMLS Trustee Director.

### **2.1.1.3 Criteria for Appointment of NNRMLS Trustee Positions (Page 2 of 2)**

#### **Minimum Criteria Director/NNRMLS Trustee Appointment**

The Director/NNRMLS Trustee shall be defined as REALTOR® members who hold primary membership in the Association and are individuals who may or may not be sole proprietors, partners, corporate officers or branch managers. They are engaged in the real estate profession and affiliated with a NNRMLS participant office. A Trustee position must hold a broker, broker salesman or salesman license in the state of Nevada.

Applicants for appointment must:

1. Be a REALTOR® Member of the Association, as defined in Article IV, Section 1(a) Subsection 1, 2, 3, 4 or 5 of the Bylaws for a minimum of 3 years.
2. Be a MLS Participant, or affiliated as an agent with a MLS Participant Office as defined in the NNRMLS Rules and Regulations for a minimum of 3 years.
3. Have served at least one full term in one of the following positions:
  - a. member of the Board of Directors of the local Association or
  - b. member of local Association Budget & Finance Committee or
  - c. chair of a state or local Association Committee.
4. Have no outstanding debts with the Association.
5. Demonstrate knowledge of current MLS system and related products.
6. Be willing to serve in the dual role of NNRMLS Trustee and on the Reno/Sparks Association of REALTORS® Board of Directors, acting as a liaison between the two organizations.
6. Agree to sign a Letter of Commitment.

NNRMLS Trustee appointments shall be appointed to serve two (2) year staggered terms.

Approved by the Bylaws & Policy Committee: 10/08/20

Approved by the Board of Directors: 11/10/20

**APPLICATION FOR APPOINTMENT TO A NNRMLS TRUSTEE POSITION**

Indicate which position you are applying for appointment:

- Designated REALTOR®/NNRMLS Trustee       NNRMLS Trustee       Director/NNRMLS Trustee

1. Name \_\_\_\_\_ Agent # \_\_\_\_\_
2. Firm Name \_\_\_\_\_
3. Firm Address \_\_\_\_\_
4. Home Phone \_\_\_\_\_ Office Phone \_\_\_\_\_
5. Number of years as a real estate broker or broker manager, if applicable \_\_\_\_\_
6. Number of years as a real estate agent, if applicable \_\_\_\_\_
7. Number of years as a member of Reno/Sparks Association of REALTORS® \_\_\_\_\_
8. Active experience with MLS Products in the past twelve months?     Yes     No
9. What is your real estate specialty? (check all that apply)  Residential     Property Management  
 Broker Management     Commercial     Business Opportunity     Land sales     Other \_\_\_\_\_
10. What year(s) did you serve as a member of the local or state Board of Directors, if applicable?  
 \_\_\_\_\_
11. What year(s) did you serve as a local or state committee chair? \_\_\_\_\_  
 Committee name(s) \_\_\_\_\_
12. What year(s) did you serve as a member of the RSAR Budget & Finance, if applicable \_\_\_\_\_
13. Have you been a member or are you current a member of another Board? \_\_\_\_\_
  - o If so, name of Board \_\_\_\_\_
  - o List committees served in a leadership role in the above named Board \_\_\_\_\_
14. Please write an explanation as to the reasons you wish to be an NNRMLS Trustee. (attach additional sheet).
15. Please write an explanation describing your experience in using MLS and technology products. (attached additional sheet) \_\_\_\_\_
16. What do you hope to see accomplished if appointed as an NNRMLS Trustee? \_\_\_\_\_
17. What do you see as the future of the MLS? \_\_\_\_\_
18. Are you able to commit to a meeting on the afternoon of the 3<sup>rd</sup> Wednesday each month for 24 consecutive months.  
 Yes     No
19. Other comments \_\_\_\_\_

Approved by the Bylaws & Policy Committee:      10/08/20  
 Approved by the Board of Directors:              11/10/20

#### **2.1.1.4 NNRMLS TRUSTEE APPOINTMENT PROCESS**

In accordance with Article XI, Section 4 of the Bylaws, the Executive Committee shall appoint a Trustee Selection Committee consisting of three members of the current Board of Directors and two members of the Real Estate Technology Committee. The Chief Executive Officer and the NNRMLS Executive Officer will be eligible to participate in the process with no voting rights. The Trustee Selection Committee will submit final recommendations to the Board of Directors to fill vacancies of the NNRMLS Trustee positions. Appointees must meet the minimum criteria established in Policy #2.1.1.3 Criteria for NNRMLS Trustee Appointments. Trustee Selection Committee will review interview questions and provide those questions in advance to all eligible applicants.

The Trustee Selection Committee shall present at least one candidate for each vacant position no later than the next scheduled Board of Directors meeting following the screening process.

The Board of Directors must approve the recommended appointee by a majority vote.

Approved by Bylaws & Policy:	<u>10/08/20</u>
Approved by Board of Directors:	<u>11/10/20</u>



### **2.1.1.5 VOTING/ASSOCIATION ELECTIONS POLICY**

In order to encourage voter turnout and accommodate members who are unable to physically cast ballots on the Association Election Day, there shall be extended balloting based on the following guidelines:

1. Election shall be by ballot and all votes must be cast in person, by absentee ballot, mail ballot, or by electronic ballot. Multiple ballots will not be accepted from any one person. Only one vote may be cast for each vacancy to be filled.
2. Members voting in person must sign their name or initial on the appropriate line of the official ballot roster to acknowledge that they have received a ballot and deposited a ballot in the ballot box. Ballots received by mail must be signed by the member. Signatures on ballots will be removed by staff prior to the ballots being tallied.
3. The "Sample Ballot" will be sent by electronic mailing twenty days prior to the Annual/Election Meeting. Voting will officially commence during the Annual/Election Meeting in accordance with Article XII, Section 1 of the Association bylaws. Balloting will continue until 3:00 p.m., fourteen days following the Annual/Election Meeting after which time no ballots will be accepted. Results will be announced the following business day and electronically posted.
4. Voting privileges will be based on membership status and positions to be filled in the voting year.
  - a. Designated REALTOR®, REALTOR®, Secondary Designated REALTORS®, Secondary REALTOR® and Institute Affiliate members are eligible to vote for the following:
    - i) Officers, Directors, Fernley Director and Affiliate Director.
  - b. Affiliate and Individual Affiliate members are eligible to vote for the following:
    - i) Affiliate Director
5. Ballots will be counted by an appointed Election Committee in accordance with Article XI – Officers and Directors; Section 5 (h) of the Bylaws. The candidate(s) in each category with the highest votes shall be elected to office.
6. Anyone challenging the election results may do so by submitting a written challenge and a \$250.00 deposit to the Chief Executive Officer within ten (10) days after the results are announced specifying exactly who or what is being challenged. Once a challenge has been officially requested, the challenger shall be responsible for all costs associated with the challenge. If the challenger prevails, the deposit shall be refunded and the challenger will not be responsible for the costs incurred. The recount shall be completed within thirty (30) days, after the deposit is made.

Approved by Bylaws & Policy: 11/19/20  
 Approved by Board of Directors: 04/27/21

### **2.1.1.6 Special Election Policy**

The following policy is developed to work in conjunction with the Bylaws of the Reno/Sparks Association of Realtors *Article XI, Officer & Directors, Section 1 Officers, (b) and (c)*:

Excerpt from Bylaws

(b) Vacancies. In the event that a vacancy should occur in the office of President, the President-Elect shall assume the duties of the President for the remainder of the unexpired term and serve as President for a full term the next year. In the event the President-Elect is unavailable or unwilling to move up to the Presidency, the Board of Directors shall appoint an acting president from the current Board of Directors to fill the vacancy until the next election. In the event the President resigns, he shall not serve as Immediate Past president and said position shall remain vacant for the year.

(c) Except in the situation as described in Paragraph (b) above, a vacancy in the office of President-Elect and/or Treasurer shall be filled in accordance with policy.

#### Special Election Policy President-Elect

(a) In the event a vacancy in the office of President-Elect occurs prior to November 15, the vacancy shall be filled by a special election by the general membership. The election shall be called as soon as practicable after the vacancy. Candidates shall be selected through the credentials process.

(b) Should the vacancy occur between November 15 and December 31, the position shall be filled by the current year's president until such time a special election by the general membership can be conducted. The election shall be called as soon as practicable after the vacancy. Candidates shall be selected through the credentials process.

#### Special Election Policy - Treasurer

(a) In the event a vacancy in the office of Treasurer occurs between January 1 and June 30, the vacancy shall be filled by an appointment by the Executive Committee with confirmation by the Board of Directors. Appointed acting Treasurer must meet the minimum criteria for the appointed position.

(b) A vacancy in the Treasurer position any other time during the course of the term of office shall be filled by a special election of the general membership. The election shall be called as soon as practicable after the vacancy. Candidates shall be selected through the credentials process.

(c) In the event of a vacancy in the office of Treasurer-elect, the position shall be filled by a special election of the general membership. The election shall be called as soon as practicable after the vacancy. Candidates shall be selected through the credentials process.

Installation of a newly elected or appointed officer shall occur at the next regular scheduled Board of Directors meeting.

Approved by Bylaws & Policy: 07/28/11 (Reviewed on 11/19/20 – no changes)

Approved by Board of Directors: 08/25/11

**3.1.1.1 TRAVEL POLICY**

It shall be the policy of the Reno/Sparks Association of REALTORS® to send representatives to meetings, conventions and seminars conducted by the Nevada REALTORS® and the National Association of REALTORS®. An elected officer may not be funded for the same position more than once every ten years. An officer or director receiving funding from the Association, must not receive funding or reimbursement from any other source, i.e., NVR, NAR, WCR, CRS, etc. The specific meetings to be attended and the number of association representatives whose travel will be borne by the Association will be dictated by this policy **consistent with the annual budget**. Upon return from such meetings, any compensated individual is required to provide a printed report to the Board of Directors. These reports shall be disseminated to the general membership through the Association's membership meeting or publication after editing by staff. The following guidelines will serve as the attendance desirable for essential representation and participation on behalf of the Association.

Exception 1. Written reports will not be required in instances of travel to organization installations and social events.

**NEVADA REALTORS® MEETINGS**

Board of Directors Meeting

NVR Orientation

Northern Nevada Board Installations

NVR Installation

LVR Installation

Elko Installation

NVR State Conference

**NAR MEETINGS**

NAR Mid-Year/Legislative

NAR Annual Convention

NAR Leadership Summit

Rocky Mtn. Regional Conferences

NAR Association Executive Institute

NAR REBAC Update

NAR Communications Director Institute

**ATTENDEES**

CEO, President, President-elect, Past President, and Treasurer

CEO, President, President-elect, Past President, and Treasurer

CEO and Current President, or two representatives designated by the President

CEO, President, current President-elect

CEO, President, current President-elect

CEO and President, or two representatives designated by the President

CEO, President, President Elect, State Directors

**ATTENDEES**

CEO, President, President-elect, Treasurer, Legislative Committee Chair, and NAR Director (Past President by Policy)

CEO, President, President-elect, Treasurer, NAR Director (Past President by Policy), and staff as recommended by the CEO and President as budgeted

CEO, President-elect

CEO, President, President-elect, Treasurer, and NAR Director (Past President by Policy)

CEO and staff as recommended by the CEO and President and as budgeted

Staff person as recommended by the CEO and President as budgeted

Staff person as recommended by the CEO and President as budgeted

**OTHER MEETINGS (as budgeted)**

Real Estate Educators Association

Inmann Connect NY

Inmann Connect Mid-Year

CMLS Conference

American Society of Assoc. Executives

Approved by Bylaws & Policy:

Approved by Board of Directors

**ATTENDEES**

Education Committee Chair and staff as recommended by the CEO and President and as budgeted

CEO as budgeted

President or Real Estate Technology Chair as budgeted

CEO as budgeted

CEO as budgeted

07/20/2021

08/31/2021

### **3.1.1.2. REIMBURSEMENT OF TRAVEL EXPENSES**

#### **Cash Advance**

The Association will pay reasonable costs for the travel, lodging, and expenses of its representatives to state and national meetings. A cash advance up to the amount of \$75.00 per day for in-state travel and \$100 per day for out of state travel shall be paid on the basis of travel days to and from destination and actual number of days officer or director attends meetings.

#### **Travel Expenses**

It shall be the responsibility of the Chief Executive Officer to make appropriate reservations in such a manner that the most favorable rates are obtained. Arrangements must be made by Association staff to ensure that the Association earns travel benefits for future travel, i.e. frequent flyer miles. If arrangements are made for leadership other than according to this section, the travel costs reimbursement will not exceed those arrangements made by staff. Example, the officer wants to stop at another location and the flight costs \$200 and the staff arranged for other officers at a price of \$150. The maximum reimbursement would be \$150. Special arrangements are to be made and paid for by the requesting officer.

If the officer wants to drive versus fly, the reimbursement will be based on the mileage cost per vehicle (federal mileage formula) or the staff arranged flight cost, whichever is less.

#### **Car Rental**

If it is necessary to rent a car, the collision damage waiver must be purchased. This is to ensure that the member will not be liable for out-of-pocket expenses should an accident occur. Car rental receipts **must** be submitted regardless of expense amount.

#### **Lodging**

Should a member find it necessary to cancel hotel reservations, the staff executive must be contacted during business hours (or the hotel if after hours) so Association does not incur "no show" charge. Those persons who are authorized and approved to travel in accordance with Policy 3.1.1.1 may be asked to share hotel accommodations.

#### **Reimbursement of other expenses**

The President, President-elect and Chief Executive Officer shall have their expenses relating to Association activities reimbursed for direct expenses incurred in attending other local organization installations and functions (ie. EDAWN, Chambers of Commerce, WIN), as budgeted in the President, President-elect and Chief Executive Officer's expense accounts.

Reno/Sparks Association of REALTORS® will reimburse the following additional expenses for those authorized and approved to travel in accordance with Policy #3.1.1.1:

1. Cost for first bag checked, if any.

Convenience Charges and personal entertainment expenses shall not be reimbursed. Convenience charges shall be defined as, but are not limited to: express security, travel insurance (except on international flights and at the discretion of the CEO), overweight baggage, early boarding, baggage in excess of one checked bag, books, magazines, in-room movies, internet access.

Automatic early check-in on a flight as permitted by some airlines for a fee, shall not be considered a Convenience Charge and will be arranged for by staff when making airline reservations.

#### **Spouse Travel**

The Association may pay the costs of the spouse's admission ticket to attend those "convention or installations" social functions which the Association's representative is expected to attend. The Association shall not cover travel costs associated with these functions.

**Accounting**

It will be the responsibility of the individual covered under this policy to account for expenses incurred while traveling on Association business. In the event that disbursements to an individual exceed \$600 per year, the Association will report that total disbursement to the IRS on Form 1099.

In the case of staff, those authorized to travel will receive a cash advance for the trip. The covered individual must provide the association with acceptable receipts and records for expenses incurred, such expenses will be considered direct reimbursements and will not be considered reportable disbursements.

Travel disbursements and reimbursements will be conducted in accordance with current accounting practices in consultation with the Association's accountant.

**Non-Reimbursable Expenses**

The following expenses are considered non-reimbursable for members traveling on behalf of the Association:

- Cost of premium airline/rail seating (ex.-first class, business class, economy plus, etc.) – however, note that fees for seat assignments within coach or economy classes are reimbursable
- Convenience charges such as fees for extra leg room, priority check-in and express security clearance fees, etc.
- Business use of frequent flyer miles and other discount instruments
- Fees for additional earning of miles
- Gas for personal vehicles (already covered by IRS mileage reimbursement rate)
- Traffic fines or parking violations
- Personal entertainment (ex. - in-room movies, airline headphones, books, magazines, etc.)
- Barber or beautician Services
- Clothing
- Air-to-ground (air phone) charges
- Change fees and added fare when the change is made at the direction of the traveler and not a scheduling change that may be required by RSAR.

Approved by Bylaws & Policy: 8/14/18

Approved by Board of Directors 8/21/18

### **3.1.1.3 NAR COMMITTEE STIPEND PROGRAM**

**PURPOSE:** To encourage local association members to pursue NAR committee appointments and leadership positions by helping to defray expenses to NAR meetings.

**ELIGIBILITY:** Applicants for the Stipend must be active Primary REALTOR® member of the Reno/Sparks Association and must meet the following criteria:

1. Applicant must have been appointed to membership on a committee of the National Association of REALTORS® for the year that assistance is requested;
2. Applicant must be interested in continuing service on the NAR Committee, or a related committee;
3. Interest in committee leadership is desirable;
4. Applicants, who are eligible, may receive supplemental funding from Nevada REALTORS provided the combined funding does not exceed total expenditures as evidenced by receipts provided. If an applicant is receiving funding from any other source other than Nevada REALTORS ie. another state, local or the National Association of REALTORS or any institute, society or council, the applicant will not be eligible for a stipend under this program.
5. Applications for stipend must be in writing and must be submitted to the Executive Committee on or before November 15<sup>th</sup> to be considered for the committee year which commences on January 1<sup>st</sup> of the following year.
6. Applications will be reviewed by the Executive Committee with final approval to be given by December 15<sup>th</sup>. Granting of a stipend is solely at the discretion of the Executive Committee. If any approved applicant fails to attend a meeting, the Executive Committee may review and redistribute the unused funds to remaining approved applicants.
7. Applicants may be asked to provide additional coverage of committee meetings, in addition to those committee(s) to which they have an appointment.
8. Recipients of the stipend must submit evidence of expenditures in the form of receipts for reimbursement, along with a typewritten report within 30 days of NAR meeting attendance to receive funds.
9. In the event a recipient is unable to attend a NAR meeting, the absence must be excused and continued funding must be approved by the Board of Directors.

**THE CHRONOLOGICAL PROCESS:** When application to NAR committee is requested by a member, they will receive a copy of this policy and an application for the Stipend pool of funds. The request for approval will be considered after the member delivers the completed application and the letter of acceptance to the National committee. The request for final approval will be taken to the Board of Directors at its next scheduled meeting and the member notified in writing.

**FUNDING:** Stipend will be granted for one year of committee service (Two meetings) by the Executive Committee from funds budgeted annually. The amount of annual stipend may vary based on the number of applicants, the meeting locations, and the individual circumstances. Accounting for funds received will be based on current Association policy.

**SHARING INFORMATION:** Recipients of NAR Committee Stipends are expected to share the information they receive with the members of the Association. They are required to provide a typed report before the Board of Directors and the membership. Failure to comply could result in forfeiture of the funding.

Approved by Bylaws & Policy: 8/14/18 (*Reviewed 07/21 no recommended changes*)

Approved Board of Directors: 8/21/18

### NAR COMMITTEE MEMBERSHIP

### STIPEND PROGRAM

### APPLICATION FOR CONSIDERATION FOR FUNDING

Applicants must be members of the Reno/Sparks Association of REALTORS® and must meet the following criteria:

1. Membership on a committee of the National Association of REALTORS®.
2. Must agree to attend all National Conferences at which committee meetings are conducted;
3. May not receive funding or reimbursement from any other source with the exception of Nevada REALTORS as defined in the Policy 3.1.1.3 NAR Committee Stipend Program.,
4. Must share information from the NAR Meetings in typed format with other members as called upon by the Association president.
5. Must provide copies of expense report and receipts for actual expenses incurred within 30 days of NAR Meeting attendance.

Applicants agree that funds are allocated based on a budget established by the Association and this application and policy does not constitute an obligation on the part of the Association to reimburse all or part of applicant's expenses.

I, \_\_\_\_\_,  request funding  decline funding under the Association's Stipend Program.

I have received notification and acceptance to the following National Committee/s (copy of letter of acceptance must be attached).

NAR Committee: \_\_\_\_\_  
\_\_\_\_\_

Committee Year: \_\_\_\_\_ Committee Position: \_\_\_\_\_

I agree to abide by the Association policy and submit expense reports and receipts as specified.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*\*\*\*\*  
\*\*\*\*\*

#### Notification of Approved Funding

This is to advise you that you  have been approved  have not been approved for the requested Stipend Program. Funding has been approved as follows:

\$ \_\_\_\_\_ NAR Mid-Year Conference

\$ \_\_\_\_\_ NAR Annual convention

\_\_\_\_\_  
Chief Executive Officer



### **3.1.1.4 Scholarship Program NVR Leadership**

#### **The Mission:**

The Reno/Sparks Association of REALTORS® Board of Directors assists any member who is interested in moving into a leadership position. To facilitate this, the Board of Directors may authorize funding for 100 (one hundred) percent of the cost of the tuition at the Nevada REALTORS® Leadership Program.

#### **Who's Eligible:**

Any REALTOR® member may apply that meets the following criteria:

1. Is a member in good standing with the Reno/Sparks Association of REALTORS® for a period of at least 2 (two) consecutive years.
2. Has completed the application and understands the reimbursement program.
3. During the year of participation in the NVR Leadership program, successful applicants must actively participate on a RSAR committee or in a leadership role with a local society, institute or council. Upon completion and graduation from the Nevada of REALTORS® Leadership Program, the Applicant must agree to serve, at a minimum as a chair or vice chair for at least one (1) year at the local level and/or submit name as a Board of Director or officer candidate, when eligible or within one year of graduation.
4. Applicant must maintain primary membership with RSAR throughout the NVR Leadership program year.

#### **The Process:**

1. Complete the Reno/Sparks Association of REALTORS® application and agree to the reimbursement policy.
2. Staff will bring the application to the Executive Committee as soon as practicable.
3. After review by the Executive Committee, the application and Executive Committee recommendation will be forwarded to the Board of Directors for final approval.
4. Whether accepted or rejected, staff will immediately notify the applicant of their status.
5. Upon notification from NVR that the applicant has been accepted into the program, RSAR shall disburse a tuition check to NVR for the full tuition. Candidate will be responsible for all other expenses, travel, etc., associated with the program.
6. If the applicant fails to complete and graduate from the NVR Leadership program, the full tuition amount shall be considered a financial obligation on the part of the member and shall be treated in accordance with the Bylaws Article X – Dues, Assessments, Transfers and Finances, Section 4 – Non-Payment of Dues/Financial Obligations

Approved by Bylaws & Policy: 07/20/21

Approved by Board of Directors: 08/31/21

## NVR LEADERSHIP STIPEND PROGRAM APPLICATION FOR CONSIDERATION FOR FUNDING

A Reno/Sparks Association of REALTORS® (RSAR) member may apply for 100% reimbursement of the NVR Leadership Program and must meet and agree to the following criteria:

1. Applicant must be a member in good standing with the Reno/Sparks Association of REALTORS® for a period of at least 2 (two) consecutive years.
2. Applicant must complete the application and acknowledge understanding of the scholarship program.
3. During the year of participation in the NVR Leadership program, successful applicants must actively participate on a RSAR committee or in a leadership role with a local society, institute or council. Upon completion and graduation from the Nevada REALTORS® Leadership Program, the Applicant must agree to serve, at a minimum as a chair or vice chair for at least one (1) year at the local level and/or submit name as a Board of Director or officer candidate, when eligible or within one year of graduation.
4. Applicant must maintain primary membership with RSAR throughout the NVR Leadership program year.

Upon notification of acceptance into the NVR Leadership Program and to be considered for a stipend, please complete this form and return to the Association office. Every effort will be made to notify the Applicant of approval or rejection of the stipend, prior to the start of the program.

I, \_\_\_\_\_,  request funding  decline funding  
under the Association's Stipend Program.

I have received notification and acceptance to the Nevada REALTORS® Leadership Program. (Please attach NVR Leadership Program Application.)

I am willing to serve on a committee at the RSAR level, or in a leadership position with a local society, institute or council during my year as a participant in the NVR Leadership program. Further, I am willing to serve at a minimum, as a committee chair or vice chair for one full year at the local level and/or submit my name as a Board of Director or officer candidate, when eligible within one year of graduation after completion of the NVR Leadership Program.

I understand that if I fail to complete the NVR Leadership Program, the full tuition amount will become a financial obligation due to the Reno/Sparks Association of REALTORS® and shall be treated as such in accordance with the RSAR Bylaws. \_\_\_\_\_ Initials

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Email: \_\_\_\_\_



### Notification of Approved Funding

This is to advise you that you  have been approved  have not been approved for the requested Stipend Program. Funding has been approved as follows:

\$ \_\_\_\_\_ For NVR Leadership Program

\_\_\_\_\_  
Chief Executive Officer

**4.1.1.1 STANDING COMMITTEE APPOINTMENTS AND DIRECTOR LIAISONS**

- A. No officer, director, or Board member of the Reno/Sparks Association of REALTORS® should chair more than one standing committee.
  
- B. Any standing committee which does not have an officer or director as one of its members shall have a director liaison appointed by the president with confirmation by the Board of Directors, with exception of Professional Standards and Grievance Committees.

Approved by Bylaws & Policy: 05/11/00

Approved by Board of Directors: 05/25/00

#### **4.2.1.1. E.N.E.R.G.Y COMMITTEE JOB DESCRIPTION**

E.N.E.R.G.Y stands for E = Events, N = Networking, E = Engaging, R = Rewarding, G = Generosity, Y = YOU!

##### **Purpose:**

- ◆ To provide opportunities to build strong networking ties in the real estate industry in a FUN and meaningful way
- ◆ Engage a large and diverse membership to build awareness of the Association in a FUN and meaningful way
- ◆ Reinforce REALTORS® as being partners in the community in a FUN and meaningful way
- ◆ Foster new leaders to provide a sustaining and evolving Association

**Committee Members:** Committee members are selected from volunteer forms submitted on an annual basis to the Association. Committee representation shall be a mix of REALTOR®, Affiliate and Individual Affiliate members.

**Term:** Committee year is as defined by the Association bylaws (one-year total)

**Chair:** The Chair is appointed by the Association President with confirmation of the Board of Directors.

**Vice-Chair:** The Vice Chair is appointed by the president-elect.

Duties of Vice Chair:

1. To fill in for the Chair whenever necessary at committee meetings

**Subcommittees:** Subcommittees may be formed by the chairperson utilizing volunteer committee members to address specific issues or concerns. All subcommittees will be disbanded upon completion of assignment.

**Meetings:** Committee meetings shall be at the call of the Chair, but shall be held at least quarterly.

**Attendance Requirements:** Any committee member missing two (2) regular or special meetings without excuse acceptable to the Chair or Vice-Chair shall be removed from the committee (Ref. 1.1.1.8).

##### **Duties of the Committee:**

- Host a FUN-raiser event to benefit the designated annual philanthropic partner; event may be open to the public (this event excludes the Annual Philanthropic Fundraiser)
- Host a FUN-working Sphere Event
- Host a FUN-gagement Event; may be open to the public
- Host a FUN-cation Event (this is not meant to restrict the event to a real estate division approved education course. This event may be focused on educating the membership on advocacy, the benefits of committee involvement, a new housing development in the area, etc.)

Approved by Joint YPN and Events Committee: 01/21/21

Approved by Bylaws & Policy: 03/25/21

Approved by Board of Directors: 02/23/21

#### **4.3.1.1. BUDGET AND FINANCE COMMITTEE JOB DESCRIPTION**

**CHAIR:** Treasurer

**MEMBERS:** NNRMLS Trustee/Director  
President-elect  
Past President

Committee members are selected from volunteer forms submitted on an annual basis to the Association. (Because the minimum criteria for election to an Association officer position may require having served at least one term on the Budget & Finance Committee; however no more than three REALTORS® shall be from the same brokerage company unless approved by the Board of Directors. (Ref.2.1.1.2 Minimum Criteria for Officer and Director Candidates).

#### **ATTENDANCE REQUIREMENTS:**

Any committee member missing two (2) regular or special meetings without excuse acceptable to the Chair or Vice Chair shall be removed from the committee (Ref. 1.1.1.8).

**TERM:** This committee shall serve for a term of one (1) year.

#### **DUTIES:**

1. In consultation with the Executive Officer, develop and present to the Board of Directors the annual budget 90 days before the start of the fiscal year (rev. Bylaws & Policy 3/16/00).
2. Review the income and expenses of the Association on an ongoing basis, reporting to the Board of Directors at least quarterly.
3. Make recommendations to the Board of Directors regarding the investment of funds not immediately necessary for operating expenses in consultation with the Executive Officer.
4. Perform such other studies and duties as directed by the President.
5. Any expenditure in excess of \$2,000 not approved as a budgeted item as part of the initial budget, must be reviewed by Budget & Finance Committee prior to approval by the Board of Directors. (B of D 4/30/98).
6. In accordance with Article X, Section 6 of the Association Bylaws, Section 6. Expenditures. The Board of Directors shall administer the finances of the Association but shall not expend or obligate any amount in excess of two (2) percent over the initially approved total annual budgeted expenditures without the plurality vote of REALTOR® Members present at a special meeting of the membership to consider said expenditure or obligation. (See Article XII, Section 4 - Notice of Meetings).

Approved by Bylaws & Policy: 02/18/10

Approved by Board of Directors: 02/25/10

#### **4.3.1.2 Emergency Expenditures**

**Definitions:** An emergency shall be defined as an event that denigrates the ability of members to make a living.

The Executive Officer shall be authorized to make an emergency expenditure with the verbal approval of a majority of the Executive Committee.

Approved by Bylaws & Policy: 9/22/00

Approved by Board of Directors: 9/28/00

#### **4.4.1.1 BYLAWS & POLICY COMMITTEE JOB DESCRIPTION**

**Committee Members:** Committee members are selected from volunteer forms submitted on an annual basis to the Association. Committee representation shall be a mix of REALTOR®, Affiliate and Individual Affiliate members. In accordance with officer job descriptions, the following officers shall also serve as committee members: president-elect and treasurer.

**Term:** Committee year shall be as defined in Article XIV, Section 2 of the Association bylaws. (one year total)

**Chair:** The Immediate Past President shall serve as Chair.

**Meetings:** Committee meetings shall be at the call of the Chair, but shall be held at least quarterly.

**Attendance Requirements:** Any committee member missing two (2) regular or special meetings without excuse acceptable to the Chair or Vice Chair shall be removed from the committee (Ref. 1.1.1.8).

**Duties:** The purpose of the Bylaws Committee is to ensure that the Association's governing documents are in compliance with the National Association of REALTORS®, the laws of the State of Nevada and federal laws.

Specific duties include:

1. Review requests for changes to the bylaws as brought forth by the leadership, committees, staff and membership.
2. Ensure the bylaws and/or policies of the Association are in compliance with NAR's governing documents.
3. In accordance with Article XI, Section 3(D), The Board of Directors will have the authority for establishing all policies for the Association. Such policies will be maintained in a formal policy manual and be reviewed annually.

Approved by Bylaws & Policy: 03/37/14 (reviewed 10/08/20 – no changes)

Approved by Board of Directors: 04/24/14

**4.6.1.1. Executive Committee Job Description**

Chairman: Association President

Term: To coincide with elective office.

Composition: President, President–Elect, Treasurer, Immediate Past President, Chief Executive Officer

Meetings: Meetings shall be at the call of the President, but shall be held at least quarterly.

Duties: To serve in advisory capacity to Association President. May make recommendations to Board of Directors and make decisions as specified by action of the Directors.

Oversees performance of Chief Executive Officer and conducts annual evaluation for recommendations to the Board of Directors.

The Executive Committee shall be empowered to authorize emergency expenditures, without the approval of the Board of Directors. Emergency expenditures shall be defined as those unbudgeted funds, requested by a committee of the Association or the Chief Executive Officer, requiring action between regular meetings of the Board of Directors.

Approved by Bylaws & Policy: 8/26/08

Approved by Board of Directors: 8/28/08



#### **4.7.1.1 EDUCATION COMMITTEE JOB DESCRIPTION**

The goal of the Education Committee is to ensure that quality education is available to members of the association.

**Committee Members:** Committee Members: Committee members are selected from volunteer forms submitted on an annual basis to the Association. Committee representation shall be a mix of REALTOR®, Affiliate and Individual Affiliate members.

**Term:** Committee year is as defined by the Association bylaws (one-year total).

**Chair:** Appointed by Association President-elect with confirmation of the Board of Directors.

**Vice Chair:** Appointed by the Association President-elect with confirmation of the Board of Directors.

**Meetings:** Committee meetings shall be at the call of the Chair, but shall be held at least quarterly.

**Attendance Requirements:** Any committee member missing two (2) regular or special meetings without excuse acceptable to the Chair or Vice Chair shall be removed from the committee (Ref. 1.1.1.8).

**Duties:** The purpose of the Education Committee is to:

Provide timely and valuable education offerings to the entire membership, including but not limited to:

New Member Orientation	Post Licensing
Continuing Education	Property Management
Broker Management	Appraisal
Residential & Commercial	Business Broker
Instructor Training	Instructor Development

Specific duties include:

- a. Schedule education offerings in balance with other education statewide
- b. Ensure courses are current
- c. Develop new courses
- d. Oversee the new-member orientation process and course content
- e. Review & evaluate education offerings from other sources
- f. Assure education opportunities keep pace with current technology and market conditions
- g. Recruit, train and develop new instructors
- h. Monitor instructors performance

Approved by Bylaws & Policy: 03/27/14

Approved by Board of Directors: 04/24/14

#### **4.7.1.2 INSTRUCTOR TRAINING & DEVELOPMENT (Page 1 of 2)**

**Purpose:** To ensure instructors have the highest possible level of knowledge, professionalism, and training.

#### **NEW INSTRUCTOR REQUIREMENTS**

1. Submit RSAR Instructor Application and Information Sheet along with a written recommendation from his/her broker.
2. After approval as an RSAR instructor, they must audit courses prior to teaching. The requirement to audit may be waived by the Committee upon written request by the instructor.

#### **MAINTAINING QUALIFIED INSTRUCTOR STATUS**

1. Complete at least one instructor training course per year, minimum 3 hours.
2. Be prepared for each course assignment.
3. Maintain an overall 2.5 Average on instructor/course evaluations. (3.0 max)
4. All Ethics instructors must attend an Annual Professional Standards Workshop or update
5. Code of Ethics instructors will emphasize course material as recommended by the Professional Standards Committee and/or the Education Committee.
6. Instructors will be neat and professional in appearance.
7. Instructors will be onsite a minimum of 30 minutes prior to scheduled course. More than two instances of not being onsite prior to 30 minutes of scheduled course may result in revocation of instructor status.

#### **CAUSES FOR INSTRUCTOR REMOVAL**

The Education Committee may revoke instructor status for cause. Cause for removal include, but are not limited to;

1. Failure to comply with Real Estate Division requirements as set forth in NAC 645.
2. Failure to maintain a minimum 2.5 overall average instructor/course evaluation score.
3. A preponderance of negative remarks on instructor/course evaluations.
4. Failure to show up for a class without notice not covered under Force Majeure.
5. Promotion and/or solicitation for personal or company benefit, including but not limited to, verbal requests, distribution of personal or company promotional materials, and/or gathering of student contact information, while instructing, without expressed written approval of RSAR. Absolutely no recruitment will be tolerated at RSAR sponsored education.
6. Making political, religious, and/or harassing statements or statements that would impugn the integrity or reputation of, RSAR, RSAR staff, instructors and/or volunteers may result in revocation of instructor status.
7. Violating laws related to the real estate industry.

#### **REMEDATION**

The Education Chair will appoint a Remediation Subcommittee consisting of the Education Committee Chair, Education Vice Chair and one active instructor to meet with any instructor that may be subject to revocation in an attempt to remediate any issues prior to instructor revocation.

The Remediation Subcommittee, at its option, may require the instructor to:

1. Attend an Instructor workshop; and/or
2. Work with a mentor to improve skills; and/or
3. Propose other alternative training.

#### **4.7.1.2 INSTRUCTOR TRAINING & DEVELOPMENT (Page 2 of 2)**

##### **APPEAL PROCEDURES**

1. If the Remediation Subcommittee recommends revocation of a Reno/Sparks Association of REALTORS® instructor status, staff shall notify the instructor no later than the next business day.
2. The instructor will be provided an opportunity to appeal the revocation of instructor status at the next regularly scheduled Education Committee meeting. If the Education Committee upholds the decision of the Remediation Subcommittee, the revoked instructor may appeal to the Board of Directors. Appeals to the Board of Directors must be made in writing in order to be added to the Board of Directors Agenda. The decision of the Board of Directors shall be final.
3. Courses assigned to an instructor who has been revoked, or is pending appeal, will be reassigned accordingly.

##### **INSTRUCTOR TRAINING**

Instructor training will be available for all instructors at no cost or at a minimal cost. In addition to the instructor workshop, presentations would be scheduled on topics of interest, i.e. varied presentation techniques, body language, issues affecting the industry, i.e. property disclosure, agency, property management, etc.

##### **ASSOCIATION RESOURCES AND TRAINING**

1. The Association will maintain a schedule of courses available to audit.
2. The Association will provide a minimum of one instructor training course and one Instructor Orientation course per year.
3. The Association will maintain lists of Instructors willing to team teach.
4. The Association will maintain a list of mentors.
5. The Association will provide a list of resources for improving instructor quality, and developing presentation skills. (compendium of articles resources)

##### **COURSE ASSIGNMENTS**

1. The Education Director shall make instructor course assignments.
2. Instructors will be provided with PowerPoint; Student Materials; Supplements and Instructor notes if available, no later than two weeks in advance of the assigned course.
3. Instructors are required to review lesson plans, visual aids, course materials and Instructor Notes no later than two weeks prior to scheduled instruction to ensure that the materials are current.
4. Any updates or changes made by Instructor to course materials must be provided to Education Director no later than one week prior to the scheduled course.

**CHANGES:** Changes shall be made to these policy and procedures as necessary to satisfy Real Estate Division requirements and/or to improve the quality of instruction.

Approved by Education Committee:	<u>02/03/2021</u>
Approved by Bylaws & Policy Committee:	<u>03/25/2021</u>
Approved by Board of Directors:	<u>04/21/2021</u>

**4.7.1.3 INSTRUCTOR APPLICATION (Page 1 of 2)**

Please be sure to complete the application in full to be considered by the Education Committee.  
100 Minimum points is required to be considered to be an instructor for the Reno/Sparks Association of REALTORS®.

Name \_\_\_\_\_ Company \_\_\_\_\_

Preferred Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Are you approved to teach Continuing Education credit through the Nevada Real Estate Division?  Yes  No  
If yes, indicate CE #, course name, and hours \_\_\_\_\_

Are you approved in another state(s) to teach?  Yes  No  
If yes, which state(s): \_\_\_\_\_

Do you currently have a course or courses approved for Continuing Education credit?  Yes  No  
If yes, indicate CE #, course name, and hours \_\_\_\_\_

I am interested in teaching the following courses or topics?

- Agency
- Property Management
- Ethics
- Code of Ethics
- Orientation
- Contracts
- Real Estate Investments
- Technology
- Law & Legislative
- Personal Development
- Financing
- 1031 Exchange
- Taxation
- Other \_\_\_\_\_
- Other \_\_\_\_\_
- Other \_\_\_\_\_

**Employment**

10 points for each year of employment experience with a maximum of 50 points will be awarded.

a. \_\_\_\_\_ years as a licensed real estate broker or salesperson.

OR

b. \_\_\_\_\_ years work experience in a specialized field directly related to real estate. Name of company(s): \_\_\_\_\_

OR

c. A licensed Nevada Attorney  Yes  No  
With emphasis in Real Estate  Yes  No  
How many years \_\_\_\_\_

Total Points (to be completed by committee): \_\_\_\_\_

**Professional Development**

A maximum of 50 points will be awarded.

Please indicate which designation(s) you currently hold:

- |   |           |   |           |
|---|-----------|---|-----------|
| <input type="checkbox"/> Accredited Buyer's Representative        | 10 points | <input type="checkbox"/> Certified Residential Specialist | 40 points |
| <input type="checkbox"/> Accredited Land Consultant               | 10 points | <input type="checkbox"/> Counselor of Real Estate         | 40 points |
| <input type="checkbox"/> Certified Comm. Investment Member        | 50 points | <input type="checkbox"/> General Accredited Appraiser     | 30 points |
| <input type="checkbox"/> Certified International Prop. Specialist | 30 points | <input type="checkbox"/> Graduate REALTOR® Institute      | 10 points |
| <input type="checkbox"/> Certified Property Manager               | 30 points | <input type="checkbox"/> Other _____                      |           |
| <input type="checkbox"/> Certified Real Estate Brokerage Mgr.     | 40 points | <input type="checkbox"/> Other _____                      |           |

Total Points (to be completed by committee): \_\_\_\_\_

**4.7.1.3 INSTRUCTOR APPLICATION (Page 2 of 2)**

**Instructor Development - (20 Points)**

Have you attended formal training in the techniques of organizing and presenting courses?

Yes  No If yes attach Certificate of completion)

Total Points (to be completed by committee): \_\_\_\_\_

**Education**

A maximum of 50 points will be awarded.

- Associate Degree 10 points
- Bachelor Degree 20 points
- Bachelor with a concentration in Real Estate 30 points
- Master Degree, LLD, CPA or JD 40 points

Total Points (to be completed by committee): \_\_\_\_\_

List how many transactions you have closed in the past 3 years?

Residential Buyer \_\_\_\_\_ Seller \_\_\_\_\_

Vacant Land Buyer \_\_\_\_\_ Seller \_\_\_\_\_

Multi Family Buyer \_\_\_\_\_ Seller \_\_\_\_\_

Commercial Buyer \_\_\_\_\_ Seller \_\_\_\_\_

Have you had any disciplinary actions imposed by any state or local REALTOR® Association and/or Multiple Listing Service within the past 5 years?  Yes  No If yes please explain

\_\_\_\_\_  
\_\_\_\_\_

Have you had any disciplinary sanctions imposed by any real estate regulatory agency or commission within the past 5 years?  Yes  No If yes please explain

\_\_\_\_\_  
\_\_\_\_\_

Have you been convicted of a misdemeanor, gross misdemeanor, or felony within the past 5 years?  Yes  No if yes please explain

\_\_\_\_\_  
\_\_\_\_\_

In 100-words or less please let us know why you would like to teach for the Association:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Approved by Education: 08/14/17  
Approved by Bylaws & Policy: 09/27/14  
Approved by BOD: 10/24/17

**Education Committee Instructor Review Worksheet**

**100 Minimum points is required to be considered for an RSAR instructor..**

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**1. Section One – Employment - A MAXIMUM OF 50 POINTS CAN BE CLAIMED IN THIS SECTION.**

- a. Licensed as a real estate broker or salesperson. \_\_\_\_\_ years  
Each year of experience = 10 points **1(a)** \_\_\_\_\_  
OR
- b. Work experience in a specialized field directly related to real estate. \_\_\_\_\_ years  
Each year of experience = 10 points **1(b)** \_\_\_\_\_  
**(Provide statement(s) from employer(s), on company letterhead, which verifies your experience)**  
OR
- c. Licensed Nevada Real Estate Attorney \_\_\_\_\_ years  
Each year of experience = 10 points **1(c)** \_\_\_\_\_

**2. Section Two – Professional Development - A MAXIMUM OF 50 POINTS CAN BE CLAIMED IN THIS SECTION.**

Do you hold any NAR Designations? Please indicate which designation you hold. **2** \_\_\_\_\_

- |  |           |  |           |
|--|-----------|--|-----------|
| <input type="checkbox"/> Accredited Buyer's Representative           | 10 points | <input type="checkbox"/> Certified Real Estate Brokerage Manager | 40 points |
| <input type="checkbox"/> Accredited Land Consultant                  | 10 points | <input type="checkbox"/> Certified Residential Specialist        | 40 points |
| <input type="checkbox"/> Certified Commercial Investment Member      | 50 points | <input type="checkbox"/> Counselor of Real Estate                | 40 points |
| <input type="checkbox"/> Certified International Property Specialist | 30 points | <input type="checkbox"/> General Accredited Appraiser            | 30 points |
| <input type="checkbox"/> Certified Property Manager                  | 30 points | <input type="checkbox"/> Other _____                             |           |

**3. Section Three – Instructor Development - (50 Points)**

Have you attended formal training in the techniques of organizing and presenting courses?

- Yes  No **(If yes attach Certificate of completion)** **3** \_\_\_\_\_

**4. Section Four – Only one degree may be used - A MAXIMUM OF 50 POINTS CAN BE CLAIMED IN THIS SECTION.**

Equivalent degrees will be considered. **4** \_\_\_\_\_

The holder of one of the following: **(Attach Transcript or Copy of Diploma)**

- Associate Degree 20 points
- Bachelor Degree 30 points
- Master Degree, LLD, CPA or JD 50 points
- Bachelor with a concentration in Real Estate 40 points

**TOTAL POINTS** \_\_\_\_\_

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#### **4.7.1.4 APPLICATION FOR INSTRUCTOR TRAINING REIMBURSEMENT**

As a part of the Association's commitment to provide quality education, a program has been established to assist instructors in their individual efforts to improve skills. Funds may be budgeted annually for instructor training. The allocated funds are available to Reno/Sparks Association REALTORS® instructors. RSAR instructors shall be defined as those instructors who have submitted a RSAR instructor application. Additionally, they must have contracted for, and presented a course in cooperation with RSAR under terms agreeable to the parties.

The reimbursement money is available annually on a first-come, first-served basis and is limited to not more than the registration fee of an approved training course with a maximum reimbursement of \$500 per instructor, per fiscal year. The total of available funds may vary depending upon the number of requests for reimbursement and annual budget considerations.

Approved instructor training courses shall be defined as any National or State recognized training program. Any other training program submitted for reimbursement will be subject to approval by the Faculty Committee. Instructor training courses sponsored by the RSAR will not be eligible for reimbursement.

Name \_\_\_\_\_

Company Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_ Email address \_\_\_\_\_

I'm requesting reimbursement for the following instructor training course:

Course Name \_\_\_\_\_

Course Date \_\_\_\_\_

Registration fee (attach copy of registration form and paid receipt) \_\_\_\_\_

Course registration forms should be submitted directly to the course sponsor.

Amount of reimbursement \_\_\_\_\_

Date of reimbursement \_\_\_\_\_

Approved by Faculty Subcommittee: 03/02/99

Approved by Education committee: 03/02/99

Approved by Bylaw & Policy: 04/07/99

Approved by Board of Directors: 12/14/00

#### **4.7.1.5 STUDENT CANCELTION POLICY**

Association cancellation policy shall be as follows unless changes are required by NAR, Societies, Institutes or Council of NVAR, the Real Estate Division, Designation Course Sponsor, or the contracted instructor. Cancellation policy shall be published prominently on all Association course advertisements.

Post Licensing, Continuing Education and Lunch N' Learns sponsored by the Association:

- 100% refund if cancelled 2 business days prior to the course
- Consideration for cancellation due to emergency circumstance within 48 hours of the course will be considered on a case by case basis by the Education Committee. The Education Committee may issue a voucher valued up to 100% of the cost of the course to be applied to a future Association course offering. Cancelling party may appeal Education committee decision to Board of Directors if they are not satisfied.

EdExpo Courses, Education Events sponsored by the Association:

- 100% refund if cancelled 7 business days prior to the event start date, excluding booth registrations.
- Consideration for cancellation due to emergency circumstance within 7 business days of the event will be considered on a case by case basis by the Education Committee. The Education Committee may issue a voucher valued up to 100% of the cost of the event to be applied to a future Association course offering. Cancelling party may appeal Education committee decision to Board of Directors if they are not satisfied.

Approved by Education: 06/14/11

Approved by Bylaws & Policy: 07/28/11

Approved by Board of Directors: 08/25/11



**4.7.1.6 INSTRUCTOR FILMING RELEASE LETTER**

**INSTRUCTOR FILMING**

All class instructed by Reno/Sparks Association of REALTORS® Faculty are to be filmed for educational improvement purposes. Instructors may review video tapes to improve teaching techniques or to review how other instructors have previously taught to help prepare them for a class. The Education Committee of Faculty Sub-Committee may review tapes as deemed necessary. Faculty must sign a release form authorizing the Association, the Education Committee and the Faculty Sub-Committee to video tape for educational demonstrations and any other purposes deemed necessary with the exception of commercial purposes.

Video tapes will be kept on file for six (6) months at the Association office. After the six-month period, videotapes will be destroyed.

Approved by Education Committee	<u>03/22/05</u>
Approved by Bylaws & Policy	<u>12/05/05</u>
Approve by Board of Directors	<u>12/15/05</u>

“Video Taping Authorization Form

I, \_\_\_\_\_ authorize the videotaping courses instructed by me on behalf of Reno/Sparks Association of REALTORS® for educational purposes. I understand the video tapes will be available to me for review, to other instructors in preparation of teaching a Reno/Sparks Association of REALTORS® course, and to the Education Committee and/or Faculty Sub-Committee as deemed necessary. I understand video tapes will be stored at Reno/Sparks Association of REALTORS® for six months from instruction date.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_

#### **4.8.1.1 GRIEVANCE COMMITTEE JOB DESCRIPTION**

##### **PURPOSE:**

The Grievance Committee receives ethics complaints and arbitration requests to determine, if taken as true on their face, a hearing is to be warranted. The Grievance Committee makes only such preliminary evaluation as is necessary to make these decisions. While the Grievance Committee has meetings, it does not hold hearings, and it does not decide whether members have violated the Code of Ethics. The Grievance Committee does not mediate or arbitrate business disputes.

##### **CHAIRMAN:**

The Chair shall be appointed by the Association President with confirmation of the Board of Directors.

##### **VICE CHAIRMAN:**

The Vice Chair shall be elected by the Grievance Committee not later than its second meeting in the new committee year, the Grievance Committee shall elect a vice-chair. Procedure for election shall be nominations from the floor, secret ballot conducted with a majority vote required for election. Vice Chair shall have served on the Grievance Committee twelve (12) of the proceeding twenty-four (24) months.

##### **MEMBERS:**

There shall be not more than 18 members nor less than 12 members of the Grievance Committee who are active REALTOR® members of the Board. Appointments shall be made by the President subject to confirmation by the Board of Directors from those who apply and meet the criteria (Ref. Policy #4.8.1.3). Appointments shall be made annually in such numbers and in such manner as to create staggered terms of three years to ensure continuity of knowledge and experience by the committee.

No more than one member from any firm within the Association's jurisdiction may serve on the Committee. In the event a conflict arises because of a transfer, such conflict shall be resolved by the Association president.

Members of the Nevada Real Estate Commission shall be precluded from serving on the Grievance Committee.

##### **DUTIES:**

1. Be thoroughly familiar with current editions of:
  - (A) The Code of Ethics, NATIONAL ASSOCIATION OF REALTORS®
  - (B) Interpretations of the Code of Ethics, NATIONAL ASSOCIATION OF REALTORS®
  - (C) Bylaws of the Reno/Sparks Association of REALTORS®, Inc.
  - (D) Code of Ethics and Arbitration Manual, NATIONAL ASSOCIATION REALTORS®
  - (E) NNRMLS Rules and Regulations
  - (F) Nevada Revised Statutes 645 and 119
  - (G) Antitrust Compliance Manual
2. Failure to live up to the responsibilities of committee membership may lead to the expulsion by the committee chair with approval of the Board of Directors.

## MEETINGS:

1. The Committee shall meet bi-monthly, or at the call of the chair.
2. Any committee member missing two (2) regular or special meetings without excuse acceptable to the Chair or Vice Chair shall be removed from the committee (Ref. 1.1.1.8) and the vacancy shall be filled by the President.

## GENERAL PROCEDURES:

1. Upon receipt of an ethics complaint or request for arbitration, a letter of acknowledgement will be sent to the complainant. Additionally, the respondent will be notified in writing and provided with a copy of the complaint. No response will be solicited from the Respondent, unless deemed necessary by the Grievance Committee or the assigned investigators.
2. The Grievance Committee chair shall assign two committee members to conduct a preliminary investigation of the complaint.
3. Investigators will not make direct contact with either the complainant or respondent. If deemed necessary, they will instruct staff to contact the parties in writing to obtain documentation or clarify statements.
4. Investigation of processing of ethics complaints shall be in accordance with Part Four, Section 20 (a –q).
5. Grievance Committee members will be required to sign a Certificate of Qualification for each case under deliberation. If disqualified for any of the reasons stated on the Certificate of Qualification, the committee member must be excused from the meeting during deliberations.
6. In accordance with Part Four, Section 20 of the *Code of Ethics and Arbitration Manual*, should the Grievance Committee require the respondent to furnish a response before making its determination, the respondent shall have ten days to provide response.
7. The REALTOR<sup>®</sup> principal with whom a REALTOR<sup>®</sup> (non-principal) is affiliated shall not automatically be joined in an ethics complaint.

## ADMINISTRATION:

1. The Chief Executive Officer will maintain a record tracking system to determine action completed and pending on all cases submitted to the Grievance Committee.
2. In the event pending action on a case before the Grievance Committee exceeds 30 days, the Executive officer will notify all parties of the status of said case.
3. All correspondence on cases before the Grievance Committee will be transmitted under the signature of the Chief Executive Officer.
4. Only the Chief Executive Officer or designated Association staff may divulge the status of any case pending before the Grievance Committee.
5. Upon action by the Grievance Committee to forward a complaint, the Chief Executive Officer will have appropriate copies of the complainant and response forwarded to the Professional Standards Chair and to Association counsel, when deemed necessary, prior to scheduling a hearing panel and date.
6. The Professional Standards Committee and the Grievance Committee shall conduct joint meetings as necessary.
7. The Chair of the Grievance Committee will serve as an ex-officio member of the Professional Standards Committee and vice versa.

Approved by Grievance Committee: 10/23/08  
 Approved by Policy Committee: 08/26/08  
 Approved by Board of Directors: 08/28/08

#### **4.8.1.3 CRITERIA FOR GRIEVANCE COMMITTEE APPOINTMENTS**

In addition to the following criteria, appointments shall be made in accordance with Part Two, Section 15 of the Code of Ethics Manual.

1. Applicants must be members in good standing of the National Association of REALTORS® for a minimum of five years.
2. Agents interested in an appointment must have their brokers recommendation.
3. Attention should be given to applicant's degree of activity in real estate.
4. Consideration will be given to applicants who have transferred from another board and who have served as a member of either Professional Standards or Grievance Committee for that Board.
5. Repeat offenders of the Code of Ethics should not be considered.
6. Applicants shall be reviewed for their excellence in business practices and adherence to the Code of Ethics.

Approved by Grievance Committee: 01/25/01

Approved by Bylaws & Policy: 01/13/01

Approved by Board of Directors: 02/22/01

**APPLICATION FOR APPOINTMENT TO  
GRIEVANCE COMMITTEE**

Name \_\_\_\_\_ Agent # \_\_\_\_\_

Firm Name \_\_\_\_\_

Firm Address \_\_\_\_\_

Home phone \_\_\_\_\_ Office Phone \_\_\_\_\_

Number of years in the real estate business? \_\_\_\_\_

Number of transactions completed or supervised in the past twelve months? \_\_\_\_\_

In what type of real estate do you specialize? (i.e. residential, commercial, property management, or managing Broker etc.) \_\_\_\_\_

Have you been a member of another board? \_\_\_\_\_ Board Name \_\_\_\_\_

List committee involvement in the above named Board.  
\_\_\_\_\_

List committee involvement in the Reno/Sparks Association of REALTORS® \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Have you ever been found in violation of the Code of Ethics? \_\_\_\_\_  
If yes, please explain each incident. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Have you ever been found in violation of any industry-related statute in any state? \_\_\_\_\_  
If yes, please explain each incident. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please give a brief explanation of your interest in serving on the Grievance Committee  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ I am fluent in a foreign language     Yes     No

Specify which language: \_\_\_\_\_

I, \_\_\_\_\_ highly recommend that the above applicant be appointed to a position on  
(Broker)  
the grievance committee.

Broker Signature: \_\_\_\_\_ Date: \_\_\_\_\_

#### **4.9.1.1 Real Estate Technology Committee Job Description**

**Purpose:** To serve as a conduit to the NNRMLS Trustees and to keep the membership abreast of current and new technologies.

**Committee Members:** Committee members are selected from volunteer forms submitted on an annual basis to the Association. Committee representation shall be a mix of REALTOR®, Affiliate and Individual Affiliate members.

**Composition:** The Real Estate Technology Committee shall consist of volunteer members plus, at least one of the appointed NNRMLS Trustees as approved by the Board of Directors. This committee includes REALTORS® from Sierra Nevada REALTORS® (SNR). SNR members are designated by SNR.

**Term:** Committee year is as defined by the Association bylaws (one year).

**Chairperson:** Chair appointed by the Association President with confirmation of the Board of Directors.

**Vice Chair:** Vice Chairperson shall be appointed by the President-elect.

**Meetings:** Meetings will be held monthly or at the call of the Chairperson. The chair or vice chair shall preside at all meetings. In their absence, a temporary chair from the membership of the committee shall be named by the chairman, or upon his failure to do so, by the committee.

**Attendance Requirements:** Any committee member missing two (2) regular or special meetings without excuse acceptable to the Chairperson or Vice Chairperson shall be removed from the committee (Ref. 1.1.1.8)

**Duties:** The purpose of the Real Estate Technology Committee is to:

1. Conduct research and recommendations on the latest real estate technology, including products complimentary to the current MLS product.
2. Provide comparison or review of technology products and share with members through communication means available through the Association.
3. Conduct surveys and focus groups to ascertain members needs in the area of business technology and develop means of meeting member needs.
4. Work in conjunction with NNRMLS and SNR to provide a technology event.
5. Make recommendations to the Education Committee on appropriate technology related training excluding MLS Training.
6. Work with the Budget & Finance Committee and the Board of Directors to prepare the annual Real Estate Technology budget.
7. Monitor computer programs for accuracy, enhancements, etc.; act as liaison to NNRMLS in reporting system problems and recommending enhancements.
8. Consider and respond to suggestions, ideas and complaints from members; forward to NNRMLS if appropriate.

Approved by Real Estate Tech.

03/18/2021

Approved Bylaws & Policy Committee:

03/25/2021

Approved Board of Directors

04/27/2021

#### **4.10.1.1 LEGISLATIVE COMMITTEE JOB DESCRIPTION**

Committee Members: Committee members are selected from volunteer forms submitted to the Association. Committee representation shall be a mix of REALTOR®, Affiliate and Individual Affiliate members. Members of the committee shall also serve as Trustees for the Reno/Sparks Association of REALTORS® Political Action Committee (RSARPAC), as defined in the RSARPAC Bylaws. New members to the Legislative Committee will not after March 1, of any year.

Term: Committee year shall be as defined in Article XIV, Section 2 of the Association bylaws. (one year total)

Chair: An appointee of the President shall serve as Chair.

Vice Chair: An appointee of the President-elect shall serve as Vice Chair.

Meetings: Committee meetings shall be at the call of the Chair, but shall be held at least quarterly.

Attendance Requirements: Any committee member missing two (2) regular or special meetings without excuse acceptable to the Chair or Vice Chair shall be removed from the committee (Ref. 1.1.1.8).

Duties: Statement of Philosophy

The Legislative Committee is responsible for all of our political activities in the local arena; which includes City Council meetings in both Reno ,Sparks, and Fernley and any of their committees or subcommittees, also any activities in Washoe, or Storey counties; also but not limited to any community effort that would have an effect on real estate. The committee is to promote political awareness among the membership while promoting the ideals of homeownership and its special needs with the local politicians.

While the committee understands that taxes are necessary to run the government, any increase must be coordinated with strong and convincing evidence that any additional tax burden is required and in the best interest of the community.

Legislative Committee members must disclose possible/potential conflicts of interest when engaged in the discussion and advocacy of an issue under consideration by the Committee.

Objective

1. To assist the leadership of the organization to become an effective force in the political activities of the Reno, Sparks, Washoe County, Fernley, and Storey County area.
2. The committee, in concert with the Executive Officer and the Governmental Affairs Director (GAD) may work with other boards when issues cross into other areas. This is not limited to working with other REALTOR® organization, this coordination may be with the Homebuilders, the Chambers of Commerce or others groups that the committee and Board of Directors feel appropriate.
3. The Committee is to give input and/or assistance in providing education and information when the leadership visits real estate office meetings.
4. To monitor issues that may be considered by the city, county, state and national governments and their agencies.
5. To write articles in the newsletter, faxes, e-mails and any other method that will help educate the members on the issues that may affect their livelihood or their client's ability to own property.
6. Goals are set annually, within the objectives, to determine the priorities for the particular year. This needs to be done due to the election cycles of the different governments. Issues may have white papers done on them and if necessary sub-committees may be established from volunteers in the area of expertise.

Approved by Legislative Committee: 9/18/14

Approved by Bylaws & Policy: 10/8/14

Approved by Board of Directors: 10/23/14

#### **4.10.1.2 Government Affairs Reserve Account Expenditure Policies**

The Government Affairs Reserve Account exists to raise the level of political involvement of the Reno/Sparks Association of REALTORS® in our community in order to raise awareness of REALTOR® issues and improve the quality of life in our region.

The non-deductible portion of member dues, which shall be allocated to the Government Affairs Reserve shall be established by the Board of Directors as part of the annual budgeting process.

Expenditures from the Account may be made to foster and improve relations with local government elected and appointed officials and staff to position the Reno/Sparks Association of REALTORS® as a participant in the policy arenas of our region.

Expenditures from the Account may be made to address an issue that has a direct impact on the real estate industry in our region.

- The Legislative Committee must have recommended and the Board of Directors adopted a position on the issue before an expenditure may be authorized.
- The Legislative Committee must recommend and the Board of Directors must approve a strategy or campaign to address the issue prior to expenditure approval.
- The Board of Directors upon recommendation of the Legislative Committee approves expenditures from the Government Affairs Reserve Account.
- Recommended expenditures must include consideration of any tax liability that may be incurred as a result of the expenditure.

Cross reference 7.3.1.1 Reserves Accounts

Bylaws & Policy Committee approval: 10/07/10  
Board of Directors approval: 10/28/10



#### **4.11.1.1 PROFESSIONAL STANDARDS COMMITTEE JOB DESCRIPTION**

##### **PURPOSE:**

Members of the committee to serve on hearing panels, as required; to hear matters of alleged ethical misconduct by board members, as referred by the Grievance Committee; or to decide arbitrations when invoked. The hearing panel's findings and recommendations for disciplinary action, if any, are forwarded to the Board of Directors for affirmation, rejection or modification. Committee should make recommendations to the Education Committee on courses that detail professional practice, etiquette, courtesies, and conduct.

##### **CHAIR:**

The Chair shall be appointed by the President who must use the following parameters:

1. Shall have been a member of the committee for at least the previous two years; or
2. shall have served as a member of two ethics or arbitration panels: or
3. shall have served as a chair of at least one ethics or one arbitration panel; or
4. shall have demonstrated leadership capability, i.e. served in an officer or director position for the Association.

In the event that there are no candidates who satisfy the criteria set forth above or those who are qualified refuse to accept, the President shall appoint a Chair who most closely fits the criteria set forth above.

##### **CHAIR DUTIES:**

When a case has been referred to a hearing by the Chair of Grievance Committee, the Chair sets a time, date, and place for the hearing, and recommends to staff those members of the committee who should comprise the hearing panel.

##### **VICE CHAIR:**

Shall be appointed by the Chair. Performs the duties of the Chair in his absence.

##### **MEMBERS:**

There shall be at least 18 members of the Professional Standards Committee who are members of the Board, appointed by the President subject to confirmation by the Board of Directors. They are appointed annually in such numbers and in such manner as to create staggered terms of three years to ensure continuity of knowledge and experience by the committee. Members of the Nevada Real Estate Commission shall be precluded from serving on the Professional Standards or Grievance Committee.

##### **DUTIES:**

1. Be thoroughly familiar with current editions of:
  - (A) The Code of Ethics, NATIONAL ASSOCIATION OF REALTORS®
  - (B) Interpretations of the Code of Ethics, NATIONAL ASSOCIATION OF REALTORS®
  - (C) Bylaws of the Reno/Sparks Association of REALTORS®, Inc.
  - (D) Code of Ethics and Arbitration Manual, NATIONAL ASSOCIATION REALTORS®, which will be provided annually to each committee member.
  - (E) NNRMLS Rules and Regulations
  - (F) Applicable Nevada Revised Statutes and Nevada Administrative Code
  - (G) Antitrust Compliance Manual

3. When appointed to a hearing panel for ethics or arbitration, panel members shall be thoroughly familiar with the case in advance of the hearing. Panel members shall impartially hear cases and render a decision based on the facts presented using their

experience and knowledge of the real estate profession, which in their mature judgment maintain the high ethical standards of that profession. If it is evident to a Hearing Panel Chair that a panel member has not thoroughly reviewed the case in advance of the hearing, it is the responsibility of the Chair to advise the panel member in private, of the importance of their role as a panel member and advance preparation. (Professional Standards Committee chair and the Chief Executive Officer should be advised if this situation arises.)

4. Failure to live up to the responsibilities of committee membership may lead to the dismissal from the committee by the committee chair with approval of the Board of Directors.
5. The Professional Standards Chair should consider a committee member who has served on at least two (2) hearing panels prior to appointing the member to act as chair of a hearing panel
6. Recommend topics for proper ethical conduct to be posted in the Association electronic newsletter.
7. Recruit new members to the Professional Standards Committee, promoting the value of the committee and the adherence to the Code of Ethics.

#### GENERAL PROCEDURES:

1. Speakers for Business Meetings – to speak on most common violations of the Code of Ethics – educational tool.
2. If a Respondent answers a complaint with a counter complaint dealing with the same transaction, the panel may, at its discretion, conduct one hearing.
3. Only officially signed and dated complaints shall be forwarded.
4. Any violations of the NNRMLS Rules and Regulations brought to the attention of a Hearing Panel during the course of a hearing should be referred to the NNRMLS Trustees at the conclusion of the Professional Standards hearing process.
5. Panel Members shall not circumvent the Professional Standards Committee by participating in hearings outside the structure of the Board.
6. The Professional Standards Committee and the Grievance Committee shall conduct joint meetings as necessary.
7. Any changes in the Code of Ethics and Arbitration Manual by the NATIONAL ASSOCIATION OF REALTORS® shall be disseminated as widely as possible.
8. Any discussion pertaining to a particular case should include the Chair of the Professional Standards Committee and the Chair of the Hearing Panel.
9. The Chair of the Professional Standards Committee will serve as an ex-officio member of the Grievance Committee and vice versa.
10. Professional Standards Hearing panels may recommend to the Board of Directors that a decision be forwarded to the Nevada Real Estate Division as a violation of the public trust. Public trust in accordance with the Code of Ethics and Arbitration Manual refers to demonstrated misappropriation of client or customer funds or property, willful discrimination, or fraud resulting in substantial economic harm.
11. Cases to be affirmed by the Board of Directors will not include the names of the parties, subject property or panel members who participated.

Approved by Bylaws & Policy: 8/26/08  
 Approved by Board of Directors: 8/28/08

#### **4.11.1.2 GRIEVANCE AND PROFESSIONAL STANDARDS TRAINING**

##### **ATTENDANCE REQUIREMENT**

An education program for the purpose of training Professional Standards Committee, Grievance Committee and Board of Directors members, shall be conducted as soon as practicable after the start of the committee year.

All appointed members of the Grievance Committee and Professional Standards Committee, must attend a designated training session on the Code of Ethics, Arbitration and related processes. Those appointed committee members who have not attended the required training will not be eligible to participate in Grievance Committee deliberations or serve on hearing panels.

All elected officers and directors, must attend a designated training session on the Code of Ethics, Arbitration and related processes. Any elected officer or director who has not attended the required training will not be eligible to participate in ethics affirmations, appeals or procedural reviews.

Attendance at the sessions will be recorded and maintained at the Association office. Staff will notify the Association president or the respective committee chairpersons of non-compliance with the stated policy.

Failure to attend the required training within the 1<sup>st</sup> quarter of the committee year will result in a drop from the appointed committee.

Approved by Professional Standards:	<u>03/02/05</u>
Approved by Bylaws & Policy:	<u>05/17/05</u>
Approved by Board of Directors:	<u>05/26/05</u>

**4.11.1.3 CRITERIA FOR PROFESSIONAL STANDARDS COMMITTEE APPOINTMENTS (Page 1 of 2)**

The Professional Standards Committee recommends that in choosing new members of this committee, the president of the Board should consider the following:

1. Applicants to be members in good standing of the National Association of REALTORS® and/or a local board of REALTORS® for a minimum of three years. A current application must be filed by each applicant before the appointment will be considered by the Board president.
2. Attention should be given to the applicant's degree of activity in active real estate.
3. Consideration will be given to applicants who have transferred from another board and who have served on Professional Standards or Grievance for that Board.
4. Applicants should be actively involved in activities and/or committees of the Board.
5. Repeat offenders of the Code of Ethics should not be considered.
6. Applicants shall be reviewed for their excellence in business practices and adherence to the Code of Ethics.

Approved by Professional Standards: 06/17/87

Approved by Bylaws & Policy: 10/17/00

Approved by Board of Directors: 10/19/00

**APPLICATION FOR APPOINTMENT TO  
THE PROFESSIONAL STANDARDS COMMITTEE**

(Page 2 of 2)

Name \_\_\_\_\_ Agent # \_\_\_\_\_

Firm Name \_\_\_\_\_

Firm Address \_\_\_\_\_

Home Phone \_\_\_\_\_ Office Phone \_\_\_\_\_

Number of years in the real estate business \_\_\_\_\_

Number of transactions completed in the past twelve months? \_\_\_\_\_

What type of real estate do you specialize in? (i.e. residential, commercial, property management, etc.) \_\_\_\_\_

Have you ever been found in violation of the REALTOR® Code of Ethics? \_\_\_\_\_

If yes, please explain each incident. \_\_\_\_\_

Have you been a member of another Board? \_\_\_\_\_ If so, name of Board \_\_\_\_\_

List committees and activities involved in, in the above named Board \_\_\_\_\_

List committees and activities involved in with the Reno/Sparks Association of REALTORS® \_\_\_\_\_

Please write an explanation as to the reasons you wish to be on the Professional Standards Committee.

What do you hope to see accomplished if appointed to the committee? \_\_\_\_\_

Other comments \_\_\_\_\_

**4.11.1.4 Professional Standards Procedures Addendum to Code of Ethics & Arbitration Manual**  
**(Page 1 of 3)**

Ethics

1. Subject to the agreement of the Complainant, an ethics complaint may be processed under the expedited procedures as outlined in Section 20 Items j - q.
2. Ethics complaints shall be processed in accordance with the NAR's Fast Track procedure as outlined in the Checklist: Seven Stages of Processing an Ethics Complaint which shall be attached and made a part of this policy.
3. The Association shall, and any party may, at his own expense, have a court reporter or recorder present at the hearing, or may tape record the proceeding, and, if transcribed, shall present a copy to the Chief Executive Officer.  
 The Association's tape recording, electronic recording, or transcription shall be considered the official record of the proceeding. Copies of any official recording may be requested in writing up to the date of affirmation at the Board of Directors.
  - a. The cost of duplicating a tape shall be \$75.00 per tape or \$75 per electronic recording if available.
  - b. Parties requesting a duplicate of the recording tape must agree in writing that they understand that the tapes may be used only for the purpose of appeals and rehearing. Further, if a party purchases a copy of the official record and subsequently has it transcribed, at his own expense, the party must provide a copy of the transcript to the Association at no cost.
  - c. Tapes of proceedings shall be destroyed one year following affirmation of the decision by the Board of Directors or upon compliance with the sanction imposed whichever is later, provided there is no threat of litigation by the parties against the Association.
4. The Association shall not impose an administrative processing fee against respondents found in violation of the Code of Ethics.
5. Hearing panels of ethics complaints shall be provided with the complaint and response not less than 15 days prior to the scheduled hearing.
6. The Association shall publish quarterly a Code of Ethics activity report in a similar format as Form #E-17 of the *Code of Ethics and Arbitration Manual*. In accordance with the *Code of Ethics and Arbitration Manual*, if a respondent is found in violation of the Code of Ethics a second time within three years, the respondent's name, the fact that the respondent has been found in violation of the Code of Ethics, the Article(s) violated, and the discipline imposed will be published in the Association electronic newsletter. Such publication shall not include the name of the firm the respondent is (or was) licensed or affiliated with. In cases, where the violator's name is similar to another member's name, the violator's license number or office address (or both) may also be published. (Implementation effective 1/1/2000). Note: This is an option. Joint Committees reaffirmed 04/02/15.
7. Those members of the Board of Directors eligible to affirm ethics decisions shall be provided with a copy of the decision with any reference to the parties, subject property, or panel members removed. Note: This is an option. Joint Committees reaffirmed 04/02/15.
8. As deemed necessary and at the discretion of the Chief Executive Officer, should either party be represented by counsel at an ethics hearing, Association counsel shall also be present at the hearing.
9. Convened hearing panels, shall include no more than two alternates. Alternates present at the hearing shall be seated apart from the panel pane, may not participate in any way unless called upon to replace a panel member, and are bound by the same duties that are applicable to panel members. If panel members are not called on to replace a panel member, alternates may observe post-hearing executive deliberations. Note: If allowed to be present, alternates may not be involved in deliberating or deciding the matter before the hearing panel.

Arbitration

1. In accordance with Article VII, Section 2 of the Reno/Sparks Association of REALTORS® Bylaws, the duty to mediate disputes arising out of real estate transaction as specified in Article 17, mediation shall be mandatory. In all other disputes, mediation is offered as a service of the Association. In the event mediation is unsuccessful, and the parties chose to arbitrate the dispute, the mediation fees paid by the parties shall be applied toward the deposit required for arbitration. (Reference Policy 4.11.1.5 Mediation)

**4.11.1.4 Professional Standards Procedures Addendum to Code of Ethics & Arbitration Manual**  
**(Page 2 of 3)**

- The Reno/Sparks Association of REALTORS® shall provide voluntary arbitration under the circumstances described in Part Ten – Arbitration of Disputes, Section 44 Duty and Privilege to Arbitration (4), (5), and (6) of the *Code of Ethics and Arbitration Manual*.
- 2 If a request for arbitration has been reviewed and deemed mandatory as described in Part Ten – Arbitration of Disputes, Section 44 Duty and Privilege to Arbitration (1), (2), and (3) of the *Code of Ethics and Arbitration Manual*, mandatory mediation will be invoked. If the parties fail to reach an agreement during mediation, an arbitration hearing will be scheduled to resolve the matter. Arbitration shall not proceed unless a signed Response and Agreement to Arbitrate form and deposit has been received from the respondent. Requests for Arbitration and subsequent Response and Agreement to Arbitrate must be accompanied by a \$100 filing fee from the claimant and the respondent. The deposits of the parties shall be used to cover the costs of the arbitration. Any portion not used specifically to cover the cost of arbitration shall go into the general operating fund of the Association.
  - 3 Optional adoption of Section 53. The Award 53 ( c ) – (f) Summarized. Once an award is rendered, the non-prevailing party must either pay the award to the parties or deposit the funds in a special Association, non-interest bearing trust account. Failure to satisfy the award or deposit funds will be considered a violation of a membership duty and subject the members to further disciplinary action.
    - a. If a procedural review is received, the funds deposited with the Association will be held in trust until the review is complete. If the arbitration award is confirmed following a limited procedural review, the non-prevailing party shall also cause legal counsel to advise the Association that a suit challenging the award has been filed. After 15 days, if written notice of a suit challenging the award has not been received, the funds shall be released from trust and paid to the prevailing party. If written notification is received within the 15 days, the funds will be held in trust pending determination by a court.
    - b. Any failure to make deposit will be referred for consideration at a special meeting of the Board of Directors. The offending party will be advised of the date, time and place of the meeting and have an opportunity to explain why the deposit was not made timely. The Board of Directors may impose discipline or may give the party an additional period to make deposits. Directors may also stipulate appropriate discipline to be automatically imposed if the party fails to make the deposit within the established time.
  5. The Board of Directors may, at its sole discretion, elect to cover a portion of court costs, expenses and legal fees, not to exceed \$500.00, incurred by the prevailing party in obtaining a judicial enforcement of an arbitration award. If extraordinary circumstances exist which justify a greater contribution, in the Board's sole discretion, reasonable additional sums, in whatever increments the Board deems appropriate, may be authorized. Should the claimant prevail in the legal action and recover court costs and legal fees, however, the claimant shall repay at least a pro-rata share the amount funded by the Association. (Language change recommended by legal counsel)
  6. Hearing panels of arbitration requests shall be provided with the complaint and response not less than 15 days prior to the scheduled hearing.
  7. If a procedural review is not requested within 10 days of the arbitration panel's decision, the award becomes final and binding upon the parties. The award shall be in accordance arbitration panel's decision and shall be directly disbursed between the parties.
  8. Part Eleven – Inter-board Arbitration Procedures
    - a. In the event of an inter-board (intra-state) arbitration, the Request for Arbitration shall be accompanied by a deposit of \$100.00
    - b. In the event of an inter-board (inter-state) arbitration, the Request for Arbitration shall be accompanied by a deposit of \$250.00
    - c. Within five days after the inter-board arbitration panel has been formed, the Chief Executive Officer shall send a copy of the arbitration request to the respondent, informing the respondent that he may file a written response with the Chief Executive Officer.
  9. As deemed necessary and at the discretion of the Chief Executive Officer, should either party be represented by counsel at an arbitration hearing, Association counsel shall also be present at the hearing.

**4.11.1.4 Professional Standards Procedures Addendum to Code of Ethics & Arbitration Manual**  
**(Page 3 of 3)**

10. Convened hearing panels, shall include one or more alternates. Alternates present at the hearing shall be seated apart from the panel pane, may not participate in any way unless called upon to replace a panel member, and are bound by the same duties that are applicable to panel members. If panel members are not called on to replace a panel member, alternates (may or may not) observe post-hearing executive deliberations. Note: If allowed to be present, alternates may not be involved in deliberating or deciding the matter before the hearing panel.
11. The fee for arbitration shall be \$100.00 from each of the parties (respondent and claimant). At the conclusion of the hearing, the hearing panel shall determine the disposition of deposits.

Mediation of Arbitrable Disputes

1. In accordance with Article VII, Section 2 of the Reno/Sparks Association of REALTORS® Bylaws, the duty to mediate disputes arising out of disputes of real estate transaction as specified in Article 17, mediation shall be mandatory. In all other disputes, mediation is offered as a service of the Association. In the event mediation is unsuccessful, and the parties chose to arbitrate the dispute, no additional fees will be required for arbitration from the parties. (Reference Policy 4.11.1.5 Mediation).
2. It shall not be necessary for a Request for Arbitration to be filed in order to initiate mediation. In the event mediation is unsuccessful, the parties may at their option file a Request for Arbitration.
3. Upon receipt of a Request for Arbitration, initiation of mediation proceedings shall be at the instigation of the Chief Executive Officer who will inquire whether the parties desire to participate in mediation prior to review by the Grievance Committee in accordance with Appendix VI, Part Ten Option 2 of the Code of Ethics and Arbitration Manual.
4. The fee for mediation of arbitrable disputes shall be \$100 and shall be non-refundable.

Appeals

1. In accordance with Statement of Professional Standards Policy #33, a panel of five (5) members of the Board of Directors shall be appointed by the President in all instances where an appeal is called for in accordance with the *Code of Ethics and Arbitration Manual*.
2. If the Board of Directors has reason to believe that the imposition of a proposed sanction will become the basis of litigation and a claim for damages, it will specify that the discipline become effective upon entry of the final judgment of a court of competent jurisdiction in a suit by the Board of declaratory relief declaring that the discipline proposed violates no rights of the member.
3. The fee for filing an appeal of ethics decision or arbitration procedural review shall be \$100.00.

Approved by Bylaws & Policy: 04/14/16

Approved by Board of Directors: 04/26/16



#### **4.11.1.5 MEDIATION AND DISPUTE RESOLUTION SERVICE POLICY**

##### **PURPOSE:**

The Reno/Sparks Association of REALTORS® shall provide mediation under the following circumstances.

1. Disputes between REALTORS® involving real estate transactions and or commissions;
  - a) It shall not be necessary for a Request for Arbitration to be filed in order to initiate mediation.
  - b) In the event mediation is unsuccessful, the parties, may at their option, file a request for Arbitration.
2. Disputes between a REALTOR® and a client arising out of an agency relationship in a real estate transaction.
3. Disputes between a buyer and a seller, provided a REALTOR® was involved in the transaction.
4. Mediation of ethics disputes as provided for in the NAR Code of Ethics and Arbitration Manual.

##### **CONDUCT OF MEDIATION:**

Mediation shall be conducted in accordance with Appendix XI, to Part Four, and Appendix VI, Part Ten of the Code of Ethics and Arbitration Manual and the Reno/Sparks Association of REALTORS® Dispute Resolution System Mediation and Rules and Procedures.

##### **MEDIATORS:**

With the exception of outside, certified professional mediators, mediators shall be appointed by the President in accordance with Appendix VI, "Selection of Board Mediation Officer" of the Code of Ethics and Arbitration Manual. Mediation officers shall be appointed for staggered three-year terms. There shall be at least three mediators appointed.

The President, at his option, may add certified professional mediators to the pool of REALTOR® mediators, provided the outside mediators agree to the guidelines established by the Association's Mediation Policy.

Mediators will be appointed to cases on a rotating basis. Parties to a mediation procedure shall have the option to accept or reject the assigned Mediators.

##### **CRITERIA FOR APPOINTMENT AS A MEDIATOR:**

1. Mediators must have held REALTOR® membership for at least two years. Certified Professional Mediators shall be exempt from REALTOR® membership requirement. Mediators should be those individuals who demonstrate a high ethical caliber, have substantial experience in the business. Among those who should be considered for appointment as mediators are past presidents, past members of the Board of Directors, current and past members of the Professional Standards Committee, as well as other members who may meet the criteria.
2. Mediators may serve as members of the Professional Standards Committee and hearing panels for cases in which they do not have a conflict of interest or have not conducted a prior mediation of the case.
3. Mediators may not serve on the Board of Directors.
4. Mediators must attend a mandatory training course and attend a refresher annually to maintain mediator status.

5. Newly appointed mediators must observe at least two mediations prior to assignment of a case as a mediator. In the case where a mediator can demonstrate previous mediation experience, he must observe only one mediation session prior to assignment of a case as a mediator. A certified professional mediator shall be exempt from observing a mediation session provided they can show evidence of having conducted more than two mediations in the past twelve months.

MEDIATION FEES:

1. The fee for mediation shall be \$\$100.00 from each of the parties and shall be non-refundable.
2. In the event of mediation between REALTORS® is unsuccessful, and the parties chose to arbitrate an arbitrable dispute no additional fees will be required for arbitration from the parties.

COMPENSATION TO MEDIATORS:

Mediators shall be compensated \$150.00 per mediation.

Bylaws and Policy  
Board of Directors

04/21/15  
04/28/15

**Policy # 4.11.1.6 Ethics Mediation Policy**

The following is modeled in part after Appendix XI to Part Four of the Code of Ethics and Arbitration Manual.

**Appointment of mediators**

The Board President will select one or more ethics mediators to act on behalf of the committee. Mediators should be thoroughly familiar with the Code of Ethics, state real estate regulations, and current real estate practice.

**Selection of Board Mediation Officer:**

Conducting successful mediation procedures requires tact, diplomacy, and a sense of equity. Careful consideration should be given by the Board President in selecting the Board's Mediation Officers.

A Board Mediation Officer(s) will be appointed for a term of three (3) years. It is strongly recommended that any individual serving as a Board Mediation Officer have extensive prior experience on the Board's Grievance Committee, Professional Standards Committee, and/or Board of Directors. The Mediation Officer should be thoroughly conversant with the Board's ethics procedures as well as with the real estate rules and regulations of the state. If Mediation Officers are members of the Grievance Committee, they shall not participate in the consideration of requests for arbitration or ethics complaints arising out of the same facts and circumstances giving rise to a matter they attempted to mediate. If Mediation Officers are members of the Professional Standards Committee, they shall not serve on an arbitration Hearing Panel in cases where they had initially attempted to resolve the dispute prior to an arbitration hearing, or on an ethics Hearing Panel in cases where an ethics complaint arises out of the same facts and circumstances giving rise to a matter they attempted to mediate. The Mediation Officer should be someone widely respected for fairness, experience, and impartiality.

**Complaints that may be mediated**

Complaints brought by the public or by other Realtors® may be mediated under these procedures. Complaints brought by the Grievance Committee and complaints alleging a violation of the public trust (as defined in Article IV, Section 2 of the NAR Bylaws) may not be mediated.

**Initiation of ethics mediation procedures**

The ethics mediation process can be initiated in two ways. First, through filing a written ethics complaint. Second, through a personal, telephone, or written inquiry or complaint generally alleging potentially unethical conduct but which (a) is not filed on the appropriate form or (b) is not specific as to which Article(s) may have been violated.

Where a written ethics complaint in the appropriate form is received, it will be reviewed by the Grievance Committee so a determination can be made whether a possible violation may have occurred or, alternatively, whether the complaint should be dismissed as not requiring a hearing. Where an informal inquiry or general letter of complaint that does not allege a potential violation of the public trust is received, it will not be reviewed by the Grievance Committee, but will be referred to an ethics mediator.

**Participation in ethics mediation is voluntary**

Persons inquiring about the process for filing ethics complaints will be advised that ethics mediation is available as an alternative to a formal ethics hearing provided that all parties agree to participate, and also be advised they may decline or withdraw from mediation and have their complaint considered at a formal ethics hearing. Similarly, Realtors® complained about have the right to decline or withdraw from mediation and to have complaints against them considered at a formal ethics hearing.

**Referral of complaints to the mediator**

When either a written ethics complaint in the appropriate form is reviewed by the Grievance Committee and the Grievance Committee concludes that a hearing is warranted, or when a general letter of inquiry or complaint is received, and the matter(s) complained of do not involve a possible violation of the "public trust", the materials received will be referred to the ethics mediator who will contact the parties to schedule a meeting at a mutually agreeable time. "Public trust" refers to misappropriation of client or customer funds or property, willful discrimination, or fraud resulting in substantial economic harm.

During the mediation session the mediator will encourage all parties to openly and candidly discuss all issues and concerns giving rise to the inquiry or complaint, and to develop a resolution acceptable to all of the parties. In the event the mediator concludes that a potential violation of the public trust may have occurred, the mediation process shall be immediately terminated, and the parties shall be advised of their right to pursue a formal ethics complaint; to pursue a complaint with any appropriate governmental or regulatory body; to pursue litigation; or to pursue any other available remedy.

#### **Nature of the mediated resolution**

The mediator and the parties have considerable latitude in fashioning a mutually acceptable resolution. Resolutions can include, but are not limited to, payment of disputed funds, repairs or restoration of property, written or oral apology, or acknowledgement of a violation of the Code of Ethics. In cases where a Realtor® acknowledges that the Code has been violated, that admission may be sufficient to resolve the matter or, alternatively, the parties may agree that discipline should be imposed. The discipline may, at the agreement of all parties, include any of the forms of discipline established in the *Code of Ethics and Arbitration Manual* and may also include payment of monies to the complainant or to a third party. Also, the parties may agree that the complainant will withdraw a complaint or agree not to file a formal, written ethics complaint in return for the respondent's action or acknowledgement. Again, any discipline imposed must be agreed to by all of the parties.

#### **Referrals to the Grievance Committee or to state regulatory bodies**

Ethics mediators cannot refer concerns they have regarding the conduct of any party to mediation to the Grievance Committee, to the state real estate licensing authority or to any other regulatory body. This prohibition is intended to ensure impartiality and avoid the possible appearance of bias. Mediators are, however, authorized to refer concerns that the public trust may have been violated to the Grievance Committee.

#### **Refusal to comply with agreed upon discipline**

Failure or refusal of a respondent to comply with the terms of any mutually agreed on resolution shall entitle the complaining party to resubmit the original complaint or, where a formal complaint in the appropriate form had not been filed, to file an ethics complaint. The time the matter was originally brought to the board or association's attention shall be considered the filing date for purposes of determining whether an ethics complaint is timely filed.

#### **Confidentiality of mediation process**

The allegations, discussions, and decisions rendered in ethics mediation proceedings are confidential and shall not be reported or published by the board, any member of a tribunal, or any party under any circumstances except those established in the *Code of Ethics and Arbitration Manual* of the National Association as from time to time amended.

#### **Cost of Mediation**

The fee for mediation shall be \$100.00 from each of the parties.

Bylaws & Policy Committee      04/14/16

Approved by Board of Directors:      02/24/15

#### **Policy #4.11.1.7 Ethics Citation Policy**

The Reno/Sparks Association of REALTORS® Board of Directors has adopted the following Ethics Citation Policy and a “Citation Schedule” of potential violations covered which shall be made a part of this Policy. Only those citable offenses identified under Articles 3, 4, 5, 6, 12, 14, and 16 shall be considered under the Ethics Citation Policy, provided the complaint does not also include articles which are not included in the Ethics Citation Policy, ie. Articles 2, 7, 8, 9, 10, 11, 13, 15 and/or 17. This information will be provided as part of the information sent to potential complainants considering filing ethics complaints.

#### **Appointment of a Citation Panel**

The President shall appoint with the approval of the Board of Directors a Citation Panel, comprised of at least five (5) individuals, 3 of which will review complaints 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. Individuals appointed to the Citation Panel shall have a high level of experience in hearing professional standards cases. Those qualified may include past presidents, past members of the Board of Directors and members of the Professional Standards Committee.

#### **Initial Review by Grievance Committee and Citation Panel**

- I. Complaints must be filed within one hundred eighty (180) days after the facts constituting the matter complained of could have been known in the exercise of reasonable diligence or within one hundred eighty (180) days after the conclusion of the transaction or event, whichever is later.
- II. When a 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.
- III. If the Grievance Committee determines that the complaint should be forwarded for a hearing, the Grievance Committee will first forward the complaint to the Association’s Citation Panel if it includes Articles and allegations covered by the Citation Schedule, i.e., if it is a “citable offense”.

- A. 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.
- B. If the complaint includes *only* allegations of violations included in the Citation Schedule, the Citation Panel will issue a citation pursuant to Section III (below) 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**

- I. 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.
  - A. Staff will prepare a written summary of the complaint and the summary will be included with the citation to give the respondent sufficient information to understand the basis of the citation.
  - B. The complaint itself and the identity of the complainant may be kept confidential and unavailable to the respondent. This practice has been established effective June 1, 2015, and shall be followed consistently. If an anonymous complaint is filed the identity of the complainant shall remain anonymous. Anonymous complaints are those where the complainant does not provide his identity and no attempt by staff will be made to secure the identity.

- C. See section on Anonymous Complaints for procedure.
- II. The respondent will have twenty (20) days from transmission of the citation to request a full due process hearing on the complaint.
- A. If the respondent does not reply within ten (10) days of transmission the citation, a notice shall be issued to the respondent reminding the respondent of the deadline for requesting a hearing.
  - B. If the respondent accepts the citation, or if the respondent does not request a hearing within twenty (20) days of transmission of the citation, this shall be deemed to have been acceptance by the respondent and the final resolution of the complaint, after which it shall not be appealable or subject to any further review.
  - C. If the respondent accepts the citation, or if the respondent does not request a hearing within twenty (20) days of transmission of the citation, payment must be received by the association no later than five (5) days after the date of acceptance or time period to request a hearing has elapsed.
    - 1. The case will be deemed to be closed upon receipt of payment, and notice will be provided to the complainant and the respondent's broker that a citation has been issued and paid.
    - 2. Failure to pay the citation amount within five (5) 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.
    - 3. When it is possible to correct a violation, ie. advertising, a respondent shall provide evidence to the Association that the violation has been corrected as soon as practicable but not to exceed 30 days from receipt of the citation notice.
    - 4. If the complaint is not anonymous, the Complainant will be notified of the Citation Panel's action.
  - D. If the respondent requests a hearing within the time specified, the complaint shall be referred for hearing. The complainant who initially filed the complaint shall be given

the option to proceed as the complainant for the purposes of the hearing, and will be afforded all due process rights provided for in the *Code of Ethics and Arbitration Manual*. Should the complainant be a member of the public who refuses or is unable to participate in the hearing, or should the complainant be a REALTOR® member who refuses or is unable to participate in the hearing, the provisions of Section 21(f)(3) in the NAR *Code of Ethics and Arbitration Manual* shall apply.

### **Anonymous Complaint Process**

- I. An anonymous complaint must include the following:
  - a. Full name of Respondent
  - b. Date of incident
  - c. Supporting documentationIf one of these elements is not included, the staff has the authority not to forward to the Grievance Committee for review.
- II. Anonymous complaints may only be considered under the citation program for alleged violations of Articles 3, 4, 5, 6, 12, 14 and/or 16 provided the complainant has provided sufficient documentation giving evidence of the alleged violation.
- III. The same procedures as outlined above are followed for anonymous complaints with the following exception:
  - a. Anonymous complaints alleging other than citable offenses under Articles 3, 4, 5, 6, 12, 14 and/or 16 shall automatically be dismissed by the Grievance Committee.
  - b. In the event the respondent does not accept the citation, the respondent will provide a reply before the citation complaint goes to the Citation Panel, and the Citation Panel will make the determination as to whether there is sufficient evidential documentation to support the alleged violation. If the Citation Panel determines there is sufficient evidential documentation, the Citation Panel will become the complainant. A member of the Citation Panel will present the case as the complainant at the hearing. If the Citation Panel determines there is insufficient evidential documentation, the Panel shall dismiss the anonymous complaint.
- IV. Reno/Sparks Association of REALTORS® staff has no authority to, and is prohibited from, taking additional steps to gather more information on behalf of the Citation Panel.
- V. Mediation will not be offered to the parties in anonymous citation complaint.
- VI. No assistance shall be provided by either an Ombudsman or a member of the Grievance Committee in filing an anonymous complaint.



## Limitations

- I. Any REALTOR® is limited in the number and type of citations that he/she may receive, according to the following rules:
  - A. No more than two (2) citations will be issued to a member within a consecutive twelve (12) month period, starting on the date the first complaint was filed, at the same association. After two (2) citations within a consecutive twelve (12) month period of the same citable offense, the alleged violation will be referred to the Grievance Committee and processed in preparation for an ethics hearing. The member will not be eligible for the Citation Program.
  - B. No more than three (3) citations will be issued to a member within a consecutive thirty-six (36) month period, starting on the date the first complaint was filed, at the same association. An allegation of the same citable offense within a consecutive thirty-six (36) month period, will result in the matter being automatically referred to a hearing. After three (3) citations within a consecutive thirty-six (36) month period of the same citable offense, the alleged violation will be referred to the Grievance Committee and processed in preparation for an ethics hearing. The member will not be eligible for the Citation Program.
  - C. No additional citations are permitted where the cumulative fine for the citations issued would be more than \$1,800.00 in any three (3) year period at the same association.
  - D. The Reno/Sparks Association of REALTORS® has adopted an escalating fine schedule for repeat citations. The Citation Panel may only consider the past citations for the particular conduct alleged in the complaint.
  - E. Escalating fine shall be as follows:
    - a. First Offense - \$300 plus additional education at the option of the Citation Panel
    - b. Second Offense - \$600, plus additional education the option of the Citation Panel
    - c. Third Offense - \$900, plus additional education at the option of the Citation Panel

- d. The citation shall be the same whether one article has been cited or several articles have been named as citable offenses, ie. there will be no increase in the citation because more than one Article has been cited.
- II. 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.
- III. 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.
- IV. 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 and the membership, but will not include details about the complaints, nor identify the complainants or respondents.
- V. The allegations, discussions and decisions made in the citation process are confidential and shall not be reported or published by the Association, or any member of a tribunal, or any party under any circumstances excepted those established in the Limitations Section of this policy and the Code of Ethics and Arbitration Manual of the National Association of REALTORS® as from time to time amended. (Added as an amendment by NAR 5/15)

Approved by the PAG on Ethics 02/12/15

Approved by the Board of Directors 02/24/15

Approved by NAR 3/18/15 with amendments per NAR 5/15

Part II of Policy # 4.1.1.7 Ethics Citation Policy

**Citation Schedule of Fines**

	<b>Applicable Article and Standard of Practice</b>	<b>Fine</b>	<b>Ethics Training</b>
		<p>The following escalating fines shall apply:</p> <p>1<sup>st</sup> offense - \$300</p> <p>2<sup>nd</sup> offense - \$600</p> <p>3<sup>rd</sup> offense - \$900</p>	<p>Additional education can be applied at the discretion of the Citation Panel at any tier of an offense.</p>
<b>Article 3</b>			
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		
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		
Failing to disclose existence of dual or variable rate commission arrangements	Article 3, supported by Standard of Practice 3-4		
Failure to disclose to cooperating brokers differential that would result in dual or variable rate commission arrangement if	Article 3, supported by Standard of Practice 3-4		

sale/lease results through efforts of seller/landlord			
Failing to disclose existence of accepted offers, including offers with unresolved contingencies, to cooperating brokers	Article 3, supported by Standard of Practice 3-6		
Misrepresenting the availability of access to show or inspect a listed property	Article 3, supported by Standard of Practice 3-8		
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		
<b>Article 4</b>			
Failing to disclose REALTOR®'s ownership or other interest in writing to the purchaser or their representative	Article 4 (second sentence)		
<b>Article 5</b>			
Providing professional services without disclosing REALTOR®'s present interest in property	Article 5 (limited to present interest, not contemplated)		
<b>Article 6</b>			
Accepting any commission, rebate, or profit on expenditures without client's knowledge or consent	Article 6 (first paragraph)		
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)		
Failure to disclose REALTOR®'s direct interest in an organization or business entity when recommending to a client or	Article 6, supported by Standard of Practice 6-1		

customer that they use the services of that organization or business entity			
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<b>Article 12</b>			
Failing to present a true picture in real estate communications and advertising	Article 12		
Failing to disclose status as real estate professional in advertising and other representations	Article 12		
Failure to provide all terms governing availability of a “free” product or service in an advertisement or other representation	Article 12, supported by Standard of Practice 12-1		
Failure to disclose potential to obtain a benefit from third party when REALTOR® represents their services as “free” or without cost	Article 12, supported by Standard of Practice 12-2		
Failure to exercise care and candor when communicating the terms and conditions of premiums, prizes, merchandise discounts or other inducements to list, sell, purchase, or lease	Article 12, supported by Standard of Practice 12-3		
Advertising property for sale/lease without authority of owner or listing broker	Article 12, supported by Standard of Practice 12-4		
Failing to disclose name of firm in advertisement for listed property	Article 12, supported by Standard of Practice 12-5		
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		
Falsely claiming to have “sold” property	Article 12, supported by Standard of Practice 12-7		

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		
Failure to disclose firm name and state of licensure on REALTOR® firm website	Article 12, supported by Standard of Practice 12-9		
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		
Registering or using of deceptive URL or domain name	Article 12, supported by Standard of Practice 12-12		
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		
<b>Article 14</b>			
Failing to cooperate in a professional standards proceeding or investigation in circumstances when cooperation has been demanded by the association and association has advised REALTOR® failure to cooperate could result in an allegation of a violation of Article 14	Article 14		
<b>Article 16</b>			
Conditioning submission of a buyer's offer on additional compensation from a listing broker	Article 16, supported by Standard of Practice 16-16		
Placing for sale/lease sign on property without permission of seller/landlord	Article 16, supported by Standard of Practice 16-19		

**NOTE:** Reno/Sparks Association of REALTORS® has adopted the above citations. Fines for each citable offense, as well as any possible training requirements, have been established in advance and shall be followed consistently.

The Reno/Sparks Association of REALTORS® has adopted an escalating fine schedule for repeat citations and also may impose a training requirement in addition to payment of a fine for any of the adopted citable offenses. The escalating fine schedule may only be used in circumstances where citations are issued by Reno/Sparks Association of REALTORS®. If a member held membership in a prior Association or holds membership in more than one Association and have been found in violation of a citable offense in the another Association, the Reno/Sparks Association of REALTORS® Citation Panel may not consider that in assessing an escalating fine.

The aggregated fines levied against any member may not exceed \$1,800 in any three (3) year period.

Bylaws & Policy 04/16/16

Approved by PAG 02/12/15

Approved by Board of Directors 02/24/15

Approved by NAR 3/18/15



#### **4.12.1.1 RISK REDUCTION/EQUAL OPPORTUNITY COMMITTEE JOB DESCRIPTION**

**Committee Members:** Committee members are selected from volunteer forms submitted on an annual basis to the Association. Committee representation shall be a mix of REALTOR®, Affiliate and Individual Affiliate members.

**Term:** Committee year is as defined by the Association bylaws (one year total)

**Chairman:** Chairman appointed by the Association President with confirmation of the Board of Directors

**Meetings:** Committee meetings shall be at the call of the Chairman, but shall be held at least quarterly.

**Attendance Requirements:** Any committee member missing two (2) regular or special meetings without excuse acceptable to the Chairman or Vice Chairman shall be removed from the committee (Ref. 1.1.1.8).

**Duties:** The purpose of the Risk Reduction & Equal Opportunity Committee is to:

1. Reduce risk
2. Determine the areas of risk
3. Implement new forms and contracts and update current forms to minimize member risk
4. Maintain an awareness of future need for changes and how they affect the industry
5. Be aware and proactive in the implementation of laws, rules and regulations that put members at risk and subject to liability.

Approved by Risk Reduction: 12/03/98

Approved by Bylaws & Policy: 03/27/14

Approved by Board of Directors: 04/24/14

#### **4.13.1.1 Strategic Planning Committee Job Description**

**CHAIRMAN:** A past president of the Association (the immediate past president shall not be eligible to avoid conflict with Policy 4.1.1.1)

**MEMBERS:** Current committee chairs and vice chairs. Additionally, committee members are selected from volunteer forms submitted on an annual basis to the Association or by appointment of the chairman. Committee representation shall be a mix of REALTOR®, Affiliate and Individual Affiliate members.

Leadership from the Societies, Institutes and Councils, affiliate member representation, representation from large, medium and small offices including broker representation.

Liaisons between the Association and community organizations, ie. Chambers of Commerce.

**TERM:** Committee year is as defined by the Association bylaws (one year total).

**MEETINGS:** Meetings will be held at the call of the Chairperson.

**ATTENDANCE REQUIREMENTS:** Any committee member missing two (2) regular or special meetings without excuse acceptable to the Chairperson or Vice Chairperson shall be removed from the committee (Ref. 1.1.1.8).

**DUTIES:** The Strategic Planning Committee will be responsible for ongoing evaluation of the Strategic Plan.

Specific duties include:

- ◆ Evaluate strategic plan to determine that goals and objective are being meet.
- ◆ Evaluate strategic plan to ascertain the goals, objectives and priorities are applicable to the current industry trends.
- ◆ Develop a timeline and action plan in line with annual budgeting process.
- ◆ Determine areas of weakness in implementation and make recommendations.
- ◆ Conduct member surveys and focus groups to assess member needs every three years with periodic surveys in the interim to ensure that the Association is meeting the Mission Statement.
- ◆ Make recommendations to the Board of Directors on changes to the Strategic Plan.
- ◆ A full re-evaluation of the Strategic Plan should occur every three years.

Approved by Bylaws & Policy: 04/14/16

Approved by Board of Directors: 04/26/16

#### **4.14.1.1 COMMUNICATIONS COMMITTEE JOB DESCRIPTION**

Committee Members: Committee members are selected from volunteer forms submitted to the Association. Committee representation shall be a mix of REALTOR®, Affiliate and Individual Affiliate members.

Term: Committee year shall be as defined in Article XIV, Section 2 of the Association bylaws. (one year total)

Chair: President-elect

Vice Chair: Treasurer

Meetings: Committee meetings shall be at the call of the Chair, but shall be held a minimum of four times per year.

Attendance Requirements: Any committee member missing two (2) regular or special meetings without excuse acceptable to the Chair or Vice Chair shall be removed from the committee (Ref. 1.1.1.8).

#### **Objective/Philosophy**

1. The core value to members is developing and supporting professional REALTORS® by setting the standards, providing education for licensing and skill development and promoting professionalism/ethical standards. Not only delivering this value, but also how the value is communicated underlies the effectiveness of RSAR as an organization. Timely and relevant communication to members is critical. As the technological landscape changes, communication methods must shift as the Association serves a broad spectrum of communication needs throughout the member base.
2. Committee objective is to maintain a positive image of the Association that communicates the value of being a professional REALTOR®.
3. Committee objective is to ensure continuous and regular communication to membership through multiple, diverse channels to reach every member.
4. Committee objective is to ensure a direct communication with brokers.

#### **Duties:**

1. Increase the awareness about the Association's community support and involvement.
2. Monitor and provide direction to staff on print, TV, radio, website, including the public facing portion of the website as it relates to the importance of using a REALTOR®.
3. Develop methods to promote real estate as a career opportunity through colleges, job fair, Pro-Net.
4. Consistently maintain improved communication on government affairs and advocacy to educate membership.
5. Develop and maintain an effective member feedback program including but not limited to two member surveys annually.
6. Explore and recommend implementation methods of communication to public and membership including but not limited to written, e-newsletter, office visits, social media, and any new developing methods of communication.
7. Assist in the development of a monthly President's message
8. Responsible for continuous, out-bound communication.

Approved by Communications Committee	<u>06/19/13</u>
Approved by Bylaws & Policy:	<u>03/27/14</u>
Approved by Board of Directors:	<u>04/24/14</u>

#### **4.16 Global Business Committee Job Description**

Committee Members: Committee members are selected from volunteer forms submitted to the Association. Committee representation shall be a mix of REALTOR®, Affiliate and Individual Affiliate members.

Term: Committee year shall be as defined in Article XIV, Section 2 of the Association bylaws. (one year total)

Chair: Appointed by the President

Vice Chair: Appointed by the President-elect

Meetings: Committee meetings shall be at the call of the Chair, but shall be held a minimum of four times per year.

Attendance Requirements: Any committee member missing two (2) regular or special meetings without excuse acceptable to the Chair or Vice Chair shall be removed from the committee (Ref.1.1.1.8).

#### **Objective/Philosophy**

1. To raise global awareness of Reno, Sparks and Washoe County as desirable economic places to do business, and buy and sell real estate
2. To help REALTORS® in their effort to connect with international clients on a local and global level.
3. To educate members on working with diverse cultures

#### **Duties**

1. Increase the awareness about global opportunities
2. Educate REALTORS® and affiliates about the intricacies of working with other cultures
3. Educate REALTORS® on state and federal legislation affecting non-resident buyers and sellers
4. Work with NVAR and other local association of REALTORS® to promote global events.
5. Create a strong communication program to develop a successful global business group. Engagement of global opportunities begins with a board that arms its members with the knowledge necessary for success. Communication may be in the form of regular e-mail to members on global topics or a global page on the Association website.
6. Provide education opportunities to grow global business in the form of Certified International Property Specialist (CIPS) designations courses, At Home With Diversity, and other courses deemed valuable to those members interested in the global market.
7. Create opportunities to foster networking, collaboration, and referral opportunities.
8. Form partnerships with other organizations and professional groups in their areas. Successful global committees act as REALTOR®-driven community organizations, working with local business and cultural groups toward common goals. The committee shall open its programs to non-REALTOR® businesses and organizations that foster collaboration between the groups and allows the real estate market to drive growth and profitability within the community at large.
9. Work with the staff and Communications Committee to create content, networking, brand development, and electronic communication to make members and the community aware of the association's efforts in fostering global real estate business locally.

Approved by:

Global Business Committee: 06/25/15

Bylaws & Policy: 10/15/15

Board of Directors: 10/27/15

### **5.1.1.1 REALTOR® Member**

REALTOR® membership shall be as described in Article IV, Section 1 and shall be granted to those individuals who meet the duties and obligations of membership as described in the Association Bylaws.

#### **Transfer within Association**

Transfer is the changing of a member's office affiliation or branch to another member office affiliation or branch. It is the responsibility of the REALTOR® member to notify the Association office of a new office affiliation within 30 days. If a termination is received and a transfer is not provided within 30 days of termination notice, the transferring member will be required to pay a reinstatement fee in lieu of a transfer fee. Transfer fees are established annually by the Board of Directors. If reinstatement is not completed within one year of termination, licensee must reapply as a new member, pay all applicable new member fees and meet the new member orientation requirement.

In accordance with Article X, Section 5 of the Association Bylaws, a transferring member must clear all non-current financial obligations at the time of transfer. Non-current financial obligations are defined as financial obligations that occurred at the former office up to the time of transfer.

#### **Transfer from another Association**

1. **Application:** Members transferring from another association or board are subject to an application fee to be determined by the Board of Directors and NVAR processing fee if applicable. Member to provide "Member in Good Standing" letter from previous board stating that member obligations have been fulfilled.
2. **Dues:** Prorated local and/or state and/or NAR dues if applicable.
3. **Orientation:** Full orientation attendance is required. Refer to policy 5.3 Orientation.

#### **Reinstatement**

A non-member may reinstate as a full REALTOR® member provided he pays a reinstatement fee, as designated by the Board of Directors; and provided said reinstatement is accomplished within one year of REALTOR® membership termination. Further any account delinquencies (if applicable) and full current year REALTOR® member dues must be paid.

#### **Termination**

It is the responsibility of the member Broker to notify the Association within ten days of termination of any REALTOR® member terminating within his office.

Bylaws & Policy 02/15/12

Board of Directors 02/23/12

### **5.1.1.2 Affiliate and Individual Affiliate Member**

#### **Affiliate Member**

Affiliate membership shall be as described in Article IV, Section 1 and shall be granted to those individuals who meet the duties and obligations of membership as described in the Association Bylaws.

#### **Privileges**

Affiliate Members may:

1. Establish an individual member account
2. Volunteer to serve on committees (excluding Grievance and Professional Standards)
3. Name will be published in member rosters
4. Receive information regarding RSAR Political Action Committee (RSARPAC)
5. Receive Association newsletter via email
6. Receive Affiliate Pin

#### **Individual Affiliate Member**

Individual Affiliate membership shall be as described in Article IV, Section 1 and shall be granted to those individuals who meet the duties and obligations of membership as described in the Association Bylaws.

#### **Privileges**

Individual Affiliate Members may:

1. Establish an individual member account
2. Volunteer to serve on committees (excluding Grievance and Professional Standards)
3. Name will be published in member rosters
4. Receive information regarding RSARPAC
5. Receive Association newsletter via email
6. Receive Affiliate Pin

#### **Transfer**

Transfer is the changing of an Individual Affiliate member office affiliation to another Affiliate member office. It is the responsibility of the Individual Affiliate member to notify the Association office of a new office affiliation within 30 days.

In accordance with Article X, Section 5 of the Association Bylaws, a transferring member must clear all non-current financial obligations at the time of transfer. Non-current financial obligations are defined as financial obligations that occurred at the former office up to the time of transfer.

#### **Termination**

Termination of Affiliate Membership occurs should the Affiliate Member become delinquent in a membership obligation. An Affiliate Member will need to rejoin once the membership has been terminated. Any outstanding delinquency must be satisfied prior to the re-application.

Bylaws & Policy 03/27/14

Board of Directors 04/24/14

**5.1.1.4 LIFE MEMBERSHIP NOMINATION REQUEST**

A "Life Member" is defined in the Bylaws of the Reno/Sparks Association of REALTORS® (Article IV, Sec. 1) as follows:

*"Life members shall have been REALTORS® members for not less than twenty-five (25) cumulative years and have performed notable service for the real estate profession, the community, and for the Association. Twenty of the twenty-five cumulative years must be as a member of the Reno/Sparks Association of REALTORS®. Nomination of Life Members shall be by the Executive Committee with final selection by a majority vote of the Board of Directors."*

Regarding Waiver of annual membership dues (Article VI, Sec.12):

*"Waiver of local dues for life members shall occur only after the member has reached the age of 65 or has experienced a permanent health disability Payment of national and state dues remain the responsibility of the Life Member."*

Members who have been granted Life Membership prior to 12/31/04, shall be grandfathered in with a full dues waiver of state, local and national dues.

Notable service shall be defined as a minimum ten years involvement – including but not limited to participating on a Reno/Sparks Association of REALTORS® committee, Nevada Association of REALTORS® committee or National Association of REALTORS® committee or holding an officer or director position in Reno/Sparks Association of REALTORS®, Nevada Association of REALTORS® or National Association of REALTORS®. Further, two of the ten years may be satisfied by active community service.

**Dear Executive Committee:**

Please accept this application as my request to be nominated for Life Membership in the Reno/Sparks Association of REALTORS®. I understand that I must meet the requirements outlined in the bylaws to qualify for the honor. I also understand that two letters of recommendation from current members must accompany this request.

Name \_\_\_\_\_ Member Since: \_\_\_\_\_  
Local Dues Waiver Requested: \_\_\_\_\_ Yes, I am at least 65 years old.  
\_\_\_\_\_ Yes, I have a permanent health disability.  
\_\_\_\_\_ No, I am requesting the title only at this time.

**Service Given to the Association:**

National Association: \_\_\_\_\_

Nevada Association: \_\_\_\_\_

Local Association: \_\_\_\_\_

Community Service: \_\_\_\_\_

I have held membership in the REALTORS® organization for a minimum of twenty-five cumulative years and twenty of the twenty-five years in the Reno/Sparks Association of REALTORS®. I understand that this nomination must be approved by the Executive Committee and confirmed by the Board of Directors. If requested, I will provide further documentation to verify the information above.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Approved by Bylaws & Policy: 8/26/08

Approved by Board of Directors: 8/28/08

### **5.1.1.5 Honorary Membership Policy and Nomination Request**

An "Honorary Member" is defined in the Bylaws of the Reno/Sparks Association of REALTORS® (Article IV) as follows:

*Honorary Members shall be individuals or organizations not engaged in the real estate profession who have performed notable service for the real estate profession, for the association or for the public. A waiver of the obligation of dues payments by Honorary Members shall be at the discretion of the Board of Directors.*

#### **Policy:**

Honorary Membership may be considered for a qualifying individual or organization under the following guidelines:

- a. Nominee shall not be a current active member of the Reno/Sparks Association of REALTORS® and shall not be actively engaged in the real estate profession.
- b. If nominee was formerly a REALTOR® member of the Reno/Sparks Association of REALTORS®, he/she must certify a minimum of ten years of REALTOR® membership.
- c. Nominee must complete an application to document the service provided to the Association, the real estate profession or the public.
- d. A member or committee of the Association may bring forth a nomination for Honorary Membership provided the application is completed on behalf of the individual or organization. The application must be accompanied by a letter of recommendation and will be subject to the approval of the Executive Committee, the Board of Directors and the nominated individual or organization.
- e. An Honorary Member certificate shall be presented upon approval by the Executive Committee and confirmation by the Board of Directors.
- f. There are no annual or monthly dues to hold Honorary Membership.
- g. Honorary Membership will be subject to review by the Executive Committee on an annual basis to determine continued eligibility. Re-application will not be required unless requested by the Executive Committee during the renewal process.

#### **Benefits of Honorary Member Status:**

Honorary Members shall be entitled to the following services:

- a. A complimentary copy of each Association Newsletter;
- b. Eligible to serve on Association Committees in a non-voting capacity;
- c. Participation in Association events at member rates (advance payment required – no billing privileges available);
- d. Honorary Member Organizations will be listed in the Association and MLS rosters.

Approved Bylaws & Policy: 07/26/00

Approved by Board of Directors: 08/24/00



**Application/Nomination for Honorary Membership  
Reno/Sparks Association of REALTORS®**

**Dear Executive Committee:**

Please accept this application for the following individual/organization for nomination as an Honorary Member in the Reno/Sparks Association of REALTORS®. I/we understand that the requirements of the Bylaws and Policies of the Association must be met and the application approved by the Executive Committee and affirmed by the Board of Directors.

Type of Nominee (select one)

**Individual Membership**

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_ email: \_\_\_\_\_

Former REALTOR® Member:       Yes       No  
 If Yes, Length of Membership: \_\_\_\_\_

**Organization Membership**

Name: \_\_\_\_\_  
 Contact: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_ fax: \_\_\_\_\_  
 Website: \_\_\_\_\_ email: \_\_\_\_\_

**Notable Service Given:**

The REALTOR® Organization: \_\_\_\_\_  
 \_\_\_\_\_

The Real Estate Profession: \_\_\_\_\_  
 \_\_\_\_\_

The Public/Community: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I/we acknowledge that we have reviewed the Honorary Membership policy and understand the requirements for approval and the benefits available. I understand that this nomination must be approved by the Executive Committee and affirmed by the Board of Directors. If requested, I/we will provide further documentation to verify the information above.

Signed \_\_\_\_\_ Date \_\_\_\_\_  
 (note: if submitted on behalf of an individual/organization, a letter of recommendation must accompany this application)

Staff Use Only			
To Executive Committee _____	Approved _____	Denied _____	
Board of Directors Confirmation _____	Approved _____	Denied _____	

### **5.1.1.6 Institute Affiliate Membership**

An "Institute Affiliate Member is defined in the Bylaws of the Reno/Sparks Association of REALTORS® (Article IV, Sec. 1) as follows:

*Institute Affiliate Members shall be individuals who hold a professional designation awarded by a qualified Institute, Society or Council affiliated with the NATIONAL ASSOCIATION OF REALTORS® that addresses a specialty area other than residential brokerage or individuals who otherwise hold a class of membership in such Institute, Society or Council that confers the right to hold office. Any such individual, if otherwise eligible, may elect to hold REALTOR® membership, subject to payment of applicable dues for such membership.*

Dues shall be in accordance with Article X. Sec 2 of the Bylaws of the Reno/Sparks Association of REALTORS®

*(c) The annual dues of each Institute Affiliate Member shall be in such amount as established in Article II of the bylaws of the NATIONAL ASSOCIATION OF REALTORS®.*

The following rights and privileges shall be conferred on Institute Affiliate Members except that no Institute Affiliate Member may be granted the right to use the term REALTOR® or the REALTOR® logo; to serve as President of the association; or to be a participant in the Multiple Listing Service.

An optional Institute Affiliate Package shall be available at an annual cost established by the Board of Directors. The formula for establishment of the minimum annual fee for local services shall be:

Local REALTOR® dues

Optional package Institute Affiliate Membership shall include general REALTOR® services such as Association Newsletter via email, ability to serve on Association committees (except MLS Oversight, Grievance and Professional Standards Committee), education courses and REALTOR® Store purchases at member prices (excluding any product that displays the REALTOR® logo) on a cash, check or credit card basis. The package also provides a menu of services such as voice mail, credit report, individual billing, and other services which may be added.

Approved by Bylaws & Policy: 8/26/08

Approved by Board of Directors: 8/28/08

**5.2 Leave of Absence Request**

**Policy:**

A leave of absence may be granted to a member of the Reno/Sparks Association of REALTORS® under the following circumstances:

- a. \_\_\_\_ (initial) Member must be in good standing. Good standing shall be defined as having paid the current year's annual dues and any outstanding financial obligations to the Reno/Sparks Association of REALTORS®.
- b. \_\_\_\_ (initial) Member's real estate license must be placed inactive during the Leave of Absence period. If member reactivates his/her real estate license and membership within six months of the approval date, the reinstatement fee will be \$50 plus the current year's membership dues, if applicable. If member reactivates his/her real estate license and membership from 181-365 days after approval, the reinstatement fee would be equal to the current membership reinstatement fee plus the current year's membership dues, if applicable. If member does not reactivate his/her real estate license and membership within one year, the leave of absence will automatically expire and reapplication for membership would be required. The fees and requirements for application for membership would be the same as the current requirements for new members.
- c. \_\_\_\_ (initial) To qualify for a leave of absence member must demonstrate one of the following circumstances:
  - \_\_\_\_ Life-threatening illness or incapacitation of member or immediate family member.
  - \_\_\_\_ Activation of military duty in time of conflict or National emergency.
- d. \_\_\_\_ (initial) Request for Leave of Absence must be received in advance of license inactivation and as soon as the situation is known.
- e. \_\_\_\_ (initial) Documentation of license inactivation must be provided within two weeks of approval of Leave of Absence request.
- f. \_\_\_\_ (initial) Completion of the Leave of Absence Request form (attached) with signatures acknowledging the conditions of the Leave of Absence.
- g. \_\_\_\_ (initial) Confirmation that the member has not been approved for a leave of absence within the last two years.

All leaves of absence shall be at the discretion of the Executive Committee with the consensus of the Board of Directors. The maximum duration of a leave of absence shall be one year. Request for leave of absence can not be submitted more than once in a two year period.

**Acknowledgement**

I, \_\_\_\_\_, the undersigned licensee, hereby request a leave of absence for a period not to exceed one year for the following reasons:

- Life threatening illness or incapacitation of member(documentation attached)
- Life threatening illness or incapacitation of immediate family member (documentation attached)
- Military Duty Activation (documentation attached)

I acknowledge, that by submitting this request, I must place my real estate license on inactive status and provide notification of such within fourteen days of the approval of the requested Leave of Absence. Additionally, by initialing above and my signature below, I acknowledge and accept the conditions of the Leave of Absence and confirm that I have not been approved for a leave of absence in the last two years.

I further understand that if involved in the National Association of REALTORS® Benefits Program, that coverage may lapse with the granting of a Leave of Absence.

Licensee \_\_\_\_\_ Date \_\_\_\_\_  
 Home Address \_\_\_\_\_  
 Home Phone# \_\_\_\_\_

Approved by Bylaws & Policy: 07/26/00  
 Approved by Board of Directors: 08/25/00

### **5.3.1.1 ORIENTATION ATTENDANCE & INDUCTION POLICY**

In accordance with the Bylaws of the Reno/Sparks Association of REALTORS®, applicants who are: applying for primary Membership; transferring from one Association to RSAR within 30 days of termination from prior Association; or applying for secondary membership with the Reno/Sparks Association of REALTORS® shall be required to attend a course of instruction known as “Orientation.” Requirements for attendance at orientation shall be as follows:

1. A sign-in sheet shall be established for each segment of instruction of Orientation.
2. Attendees shall be required to attend 100% of each segment of instruction. If any portion is missed, they shall be required to make up the entire missed segment of instruction at the next available Orientation.
3. Applicants to complete all segments of Orientation at the next available scheduled session, but no later than the next two available sessions. Failure to comply shall result in forfeiture of application fees and reapplication for membership will be required. An appeal of repayment of fees may be requested in writing and must be directed to the Board of Directors.
4. Exceptions to the attendance policy may be made by the Executive Committee for those that provide documented evidence of an emergency that prevented their attendance (i.e. hospitalization, death in the family or serious family crisis.)
5. Orientation may be expanded beyond the scope of content identified in the Association Bylaws Article V, Section 2(a) and 2(b).
6. *Those applicants who engage solely in the appraisal of real estate must attend the “member benefits” portion of new member orientation. Appraisers may, at their option, elect to satisfy the Code of Ethics portion of new member orientation at either the live presentation of orientation or by completing the NAR online bi-ennial Code of Ethics training.*
7. Formal induction shall be accomplished at the conclusion of Orientation.  
(BofD 3/23/00)

Approved by Bylaws & Policy: 09/27/17  
Approved by Board of Directors: 10/24/17

#### **5.4 Release of Account Information**

1. Individual or office account balance and payment information will not be released to anyone other than the member.
2. Upon request in writing from the member, staff will provide a potential broker with confirmation of the member's account status.
3. Employing broker will receive notification if a REALTOR® member in his firm is approaching delinquent status.

Approved by Bylaws & Policy: 09/22/00

Approved by Board of Directors: 09/28/00

**NEW 6.1.1.1 REALTOR Membership Benefits**

Realtor members of the Reno/Sparks Association of REALTORS® are entitled to the following member benefits.  
Note: This list may not be all-inclusive

1. Use of the term REALTOR® in accordance with NAR guidelines
2. Education classes in the form of continuing education, post licensing, and non-continuing education classes at a discounted member price
3. Association sponsored member events at discounted price.
4. Credit Reports for the purpose of tenant screening on a subscription basis
5. Purchase products at the REALTOR® Store at member pricing
6. Access to a member account for education and event registration
7. All member electronic communications
8. Purchase and access to electronic lockboxes, e-Keys, and Active Keys
9. Access to the Reno/Sparks Association of REALTORS® forms library by electronic means through third party vendors as identified by RSAR i.e ZipForms and DotLoop.
  - a. It shall be a violation to distribute RSAR Forms to any unlicensed person; a licensee who is affiliated with a Realtor office, but does not hold REALTOR membership; or a licensee who does not hold REALTOR membership. Should this occur it will be considered a violation of a membership duty and the REALTOR member may be subject to discipline imposed by the Board of Directors.
10. Access to the NVAR Legal Answer line
11. Access to member discounts through as may be established from by the Reno/Sparks Association of REALTORS®, the National Association of REALTORS® and the Nevada Association of REALTORS®.

Approved by Bylaws & Policy: 03/27/14

Approved by Board of Directors: 04/24/14

### **7.1.1.1 Delinquent Broker Accounts**

1. The monthly billing for member services shall occur on the 28<sup>th</sup> of each month. Payment on accounts is due the 10<sup>th</sup> day of the following month and delinquent on the 15<sup>th</sup> of that month.
2. Payments on account must be received in the Association office by 5:00 p.m. on the 10<sup>th</sup> of the month. In the event the 10<sup>th</sup> of the month falls on a weekend or holiday, the payment must be received by 5:00 p.m. on the next business day. Postmarks will not be accepted.
3. Brokers who have a balance over 30 days due will receive a "Courtesy Reminder of Account Status", indicating the minimum amount due by the 15<sup>th</sup> of the month in order to bring the account current. The Courtesy Reminder details the ramifications and additional fees that will be incurred should the account remain delinquent beyond the 15<sup>th</sup> of the month. It also documents the broker's right to appeal the matter to the Executive Committee and the Board of Directors. (See Appeal Procedures below)
4. If the minimum amount due on the delinquent account is not received by the 15<sup>th</sup> day of the month, member services are suspended and a \$50 late fee is incurred.
5. Agents within a broker's office will be impacted by the suspension of services; however, REALTOR® membership will not be affected. If the office remains inactive, the agent(s) must transfer to another REALTOR® firm within 30 days to maintain active REALTOR® status. If the broker's account remains delinquent and an agent does not transfer within the 30-day period, the agent will be considered inactive and relinquish REALTOR® membership. In this event, individual membership reinstatement fees will apply to the agent.
6. Staff may not release information about a broker account to broker's customers, clients or agents within the office. Persons inquiring will be advised to contact the broker.
7. If the broker fails to respond to the delinquency by the 15<sup>th</sup> day of the month, the delinquent broker will be notified by eCertified and 1<sup>st</sup> Class mail that the entire balance on the account is due, in addition to the \$50 late fee. Failure to remedy the account within 30 days will result in the matter being referred to the Board of Directors for revocation of broker's membership.  
If the revoked broker was an MLS Participant, NNRMLS will be notified and will process the MLS listings per the NNRMLS Rules and Regulations.
8. After revocation by the Board of Directors, the licensee must reapply as a new member, including attendance at orientation and payment of application fees, in order to regain REALTOR® membership. Prior to application, the broker must satisfy any unpaid balances owed to the Association.

#### Appeals

1. Brokers may appeal the late fee by remitting a payment for the minimum amount due, plus a second payment for the applicable late fee, along with a letter to the Executive Committee requesting a waiver of the fees and an explanation of the delinquency. The request for waiver letter must be received prior to the next scheduled Executive Committee. The payment will be applied to the minimum amount due and the payment for the late fee will be held pending the outcome of the Executive Committee. Upon receipt of the minimum amount due on the account, member services will be reinstated.
2. The Executive Committee will consider requests for waiver anonymously. Its decision will be to grant or deny the request for waiver. If the waiver is granted, the payment for the late fee will be returned to the broker. If the waiver is denied, the broker will be notified by eCertified and 1<sup>st</sup> class letter, advising that he may appear in person at the next scheduled Board of Directors meeting to appeal the decision of the Executive Committee. The decision of the Board of Directors will be final.
3. If the matter is not appealed to the Board of Directors, applicable late fees will be processed without further notice.

Approved by Bylaws & Policy: 10/07/10

Approved by Board of Directors: 10/28/10

### **7.1.1.2 Delinquent Agent Accounts**

1. The monthly billing for member services shall occur on the 28<sup>th</sup> of each month. Payment on accounts is due the 10<sup>th</sup> day of the following month and delinquent on the 15<sup>th</sup> of that month.
2. Payments on account must be received in the Association office by 5:00 p.m. on the 10<sup>th</sup> of the month. In the event the 10<sup>th</sup> of the month falls on a weekend or holiday, the payment must be received by 5:00 p.m. on the next business day. Postmarks will not be accepted.
3. Agents who have a balance over 30 days due will receive a "Courtesy Reminder of Account Status" indicating the minimum amount due by the 15<sup>th</sup> of the month in order to bring the account current. Copy of Courtesy Reminder will be mailed to the agent's broker. The Courtesy Reminder details the ramifications and additional fees that will be incurred should the account remain delinquent beyond the 15<sup>th</sup> of the month. It also documents the agent's right to appeal the matter to the Executive Committee and the Board of Directors. (See Appeal Procedures below)
4. If the minimum amount due on the delinquent account is not received by the 15<sup>th</sup> day of the month, member services are suspended and a \$50 late fee is incurred.
5. If the agent fails to respond to the delinquency by the 15<sup>th</sup> day of the month, the delinquent agent will be notified by eCertified and 1<sup>st</sup> Class mail that the entire balance on the account is due, in addition to the \$50 late fee. Copy of notification will be mailed to agent's broker. Failure to remedy the account within 30 days of suspension will result in the matter being referred to the Board of Directors for revocation of agent's membership. Upon suspension, the agent will become a non-member associated with a REALTOR® broker office. The agent will not be entitled to services at member prices and any future financial obligations, ie. membership dues, MLS services, etc. will be billed to the broker in the next applicable billing cycle.
6. After revocation by the Board of Directors, the licensee must reapply as a new member, including attendance at orientation and payment of application fees in order to regain REALTOR® membership. Prior to application, the agent must satisfy any unpaid balances owed to the Association.

#### Appeals

1. Agents may appeal the late fee by remitting a payment for the minimum amount due, plus a second payment for the applicable late fee, along with a letter to the Executive Committee requesting a waiver of the fees and an explanation of the delinquency. The request for waiver letter must be received prior to the next scheduled Executive Committee. The payment will be applied to the minimum amount due and the payment for the late fee will be held pending the outcome of the Executive Committee. Upon receipt of the minimum amount due on the account, member services will be reinstated.
2. The Executive Committee will consider requests for waiver anonymously. Its decision will be to grant or deny the request for waiver. If the waiver is granted, the payment for the late fee will be returned to the agent. If the waiver is denied, the agent will be notified by eCertified and 1<sup>st</sup> class letter (copy to broker), advising that he may appear in person at the next scheduled Board of Directors meeting to appeal the decision of the Executive Committee. The decision of the Board of Directors will be final.
3. If the matter is not appealed to the Board of Directors, applicable late fees will be processed without further notice.

Approved by Bylaws & Policy: 10/07/10  
 Approved by Board of Directors: 10/28/10



### **7.2.1.1 DUES BILLING AND APPLICATION FEES (page 1 of 2)**

**Category: Membership**

**Policy: Application fees, dues and reinstatement fee for non-payment of dues**

#### **NOTIFICATION OF NEW SALESPERSON AFFILIATION**

Application for active membership must be received by the Association office within 10 calendar days of receipt of the license. Upon completion of bi-annual audit, broker will be notified of non-member licensee affiliated with his office. Broker will have approximately two weeks of notification to: (1) ensure that agent applies as a REALTOR® member; (2) terminate non-member licensee and return license to the Real Estate Division; or (3) be assessed non-member dues for named licensee. Written appeal to the Executive Committee shall be considered. This 10-day notification is also applicable to each licensee who inactivates license or transfers to another REALTOR® member firm within the Association's jurisdiction. (See Agent Transfer Policy)

#### **REFUND OF REALTOR® APPLICATION FEES:**

There shall be no refund of the application fee once orientation has been started. If application is withdrawn in writing prior to attending any portion of orientation, \$75 shall be retained by the Association to defray administrative and hard costs of establishing licensee as a member of the Association and/or Multiple Listing Service and the remainder of the application fee will be refunded less any outstanding account balance. There shall be no refund of dues at any time.

#### **ANNUAL MEMBERSHIP DUES**

##### **AGENTS**

Annual membership dues are due and payable on December 1<sup>st</sup> and will be considered past due after December 31<sup>st</sup>, or the next business day if the 31<sup>st</sup> falls on a weekend. Dues must be received in the Association office by close of business on the date due. If not received by December 31<sup>st</sup>, then the account will be deactivated.

Broker will be notified of agents who have failed to pay annual dues and broker will be assessed non-member dues. Reinstatement may be accomplished pursuant to reinstatement policy as established by the Board of Directors. (See Membership Reinstatement Policy.) There will be no exception to this policy.

##### **BROKERS**

Annual membership dues are due and payable on December 1<sup>st</sup> and will be considered past due after December 31<sup>st</sup>, or the next business day if the 31<sup>st</sup> falls on a weekend. Dues must be received in the Association office by close of business on the date due. If not received by December 31<sup>st</sup>, then the account will be deactivated. Broker failure to make timely payment of annual dues will result in immediate suspension of REALTOR® and/or MLS services to office and to agents affiliated with the office.

Reinstatement may be accomplished pursuant to reinstatement policy as established by the Board of Directors. (See Membership Reinstatement Policy) There will be no exception to this policy.

### **7.2.1.1 DUES BILLING AND APPLICATION FEES (page 2 of 2)**

#### **ALL OTHER MEMBERSHIP CLASSIFICATIONS**

Annual membership dues are due and payable on December 1<sup>st</sup> and will be considered past due after December 31<sup>st</sup>, or the next business day if the 31<sup>st</sup> falls on a weekend. Dues must be received in the Association office by close of business on the date due. If not received by December 31<sup>st</sup>, then the account will be deactivated. Failure to make timely payment of annual dues assessment will result in loss of membership status.

#### **REALTOR® MEMBERSHIP REINSTATEMENT**

Reinstatement fee for annual REALTOR® membership shall be \$125. Reinstatement as a REALTOR® member may be accomplished at any time within one year of inactivation. Upon reinstating, member must pay any outstanding amount on account, reinstatement fees, and full year's dues. Individuals leaving Association membership, either on a voluntary or involuntary basis for more than one year from date of inactivation must reapply as if a new member.

#### **AFFILIATE MEMBERSHIP REINSTATEMENT**

After December 31<sup>st</sup>, affiliate members whose membership has lapsed due to non-payment of dues must reapply as a new member and pay any outstanding account balance.

#### **INSTITUTE AFFILIATE MEMBERSHIP REINSTATEMENT**

Reinstatement fee for annual Institute Affiliate membership must go through NAR.

#### **REFUND OF ANNUAL OR PRO-RATED DUES ASSESSMENT**

Refund of annual dues assessment may be accomplished by written request received prior to December 31<sup>st</sup> of the dues billing year. For requests received after December 31<sup>st</sup> of the dues billing year, there shall be no refund of state, local or national dues.

Approved by Budget & Finance: 03/18/21

Approved Bylaws & Policy: 03/25/21

Approved by Board of Directors: 04/27/21

### **7.3.1.1 RESERVES ACCOUNTS**

Reserve funds will be maintained as follows with the annual contributions as stated, assuming there is a profit from the previous year. Expenditures shall be in accordance with the Association Bylaws, Article X, Section 6.

- A. Equipment Reserve: Monthly contributions of \$1,500 are to be set aside until such time that \$50,000 is accumulated. All equipment purchases are to be taken out of this fund.
- B. Building Reserve: Monthly contributions will be deposited to this fund based upon the amount established as the monthly contribution in the Annual Reserve Study Analysis or 25% of the annual building budget (which ever is greater). These funds are to be used to repair or replace items currently on the property. New or additional considerations are to be sent to Building Ad Hoc, Budget and Finance and the Board of Directors prior to using money from this fund.

Operating Reserve: Operating Reserves shall be equal to a minimum of (3) three months of average monthly disbursements from the general checking account. The average monthly disbursement shall be calculated as a rolling average of the current and the preceding 11 months of disbursements.

- C. Government Affairs Reserve: Government Affairs Reserves shall be funded based upon a percentage of local dues collected from each member. The percentage shall be established annually by the Board of Directors as part of the annual budget approval. The fund shall be capped at \$250,000 Expenditures from the fund shall be at the discretion of the Legislative Committee, subject to approval of the Board of Directors.

Cross reference Policy 4.10.1.2 Government Affairs Reserve Account Expenditures Policies

Approved by Bylaws & Policy: 03/27/14  
 Approved by Board of Directors: 04/24/14

#### **7.4.1.1 Procedures for the Repayment to the Association of Money Overages**

On occasion, the Association provides Officers and/or Staff with advances for a specific Association purpose. The following process is to be followed to avoid the Association from having to require repayment from the person who originally received the advance.

1. A written request for the amount and the reason for the advance are to be given to the Accountant for distribution. This form is to be completed and initialed by the EO.
2. The check will be issued and attached to the request from for signing by the EO and an officer of the Association and delivered to the person whose name appears on the front of the check. The only exception to this procedure is in the event the named person on the check will not be a co-signer on the check. (I.E. the EO can not co-sign a check that is made out to him. In this case, two officers, who are authorized, will sign the check.)
3. Within a reasonable time frame after the money is used, the person who received the check will turn in all original receipts and the difference in cash. If the person turns in a check, rather than cash, the check will be placed on a deposit slip with no other items on that particular deposit slip. *A reasonable time will be deemed not to exceed 30 days or the end of the month, which ever is later.* Any exception to this must be done, in writing, and approved by an officer that's not making the request.

Bylaws & Policy Approved: 07/14/03

Board of Directors Approved: 07/24/03

### **7.5.1.1 NON-MEMBER BILLING PROCEDURES**

Definition of terms:

non-member - a licensee affiliated with a REALTOR® broker who is not a REALTOR® member, either by design or as a result of delinquent account status.

1. All recurring monthly charges for registered “non-members” will be on the broker’s monthly statement. This includes all recurring association charges, MLS charges, annual fees, etc.
2. Checks for payment on the broker’s account will not be accepted from “non-members”.
3. Non-members do not have an “account” and therefore must pay in advance for all purchases and course registrations at the current “non-member” price.
4. Non-members will not be able to list properties in the MLS under their identification number. All non-member listings must be entered under the broker’s agent ID to ensure that any advertising costs appear on the broker’s monthly statement.
5. Non-recurring charges incurred on behalf of a non-member can only be placed on the broker’s bill with prior written permission from the broker.
6. Any former member who has been “suspended” from membership due to non-payment of fees will automatically become a non-member.
7. The annual non-member assessment will be considered a part on the broker’s annual dues payment. The broker’s dues statement will include the assessment for each non-member licensee in addition to his/her annual dues. The total amount of the dues must be paid or the broker’s dues will be considered delinquent.

Approved by Bylaws & Policy: 09/22/00

Approved by Board of Directors: 09/28/00

### **7.6.1.1 Refund of Services and Products**

**1. Services Rendered:**

There will be no refunds for services that have been provided. -

**2. Products:**

If the product is returned unused within 15 days of purchase, a full refund or replacement will be made, provided no structural abuse is visible and the product is resalable.

There is no refund on forms.

There is no refund on software. If the product is defective it will be exchanged provided it is returned within 30 days of purchase.

Supra Active Key purchasers are entitled to a full refund if Key is returned within 30 days of the date of purchase. Supra Active Key holders may sell their key to another member with the understanding that a transfer fee shall be assessed upon the new owner.

Bylaws & Policy Approved: 4/22/11

Board of Directors Approved: 4/28/11

### **7.7.1.1 RETURN CHECK POLICY**

The Association shall charge a service charge for checks returned for insufficient funds. The service charge fee shall be prominently posted.

In the event of a returned check, member must make the funds good, plus the applicable late fee or reinstatement fee within 5 business days.

In the event an agent or broker **monthly account is 30 days delinquent** and a check is returned for insufficient funds, MLS services (if applicable) and member services shall be suspended immediately upon notice of the insufficient funds check. Late fees will be assessed plus the return check service charge. The account will be processed as a delinquent account in accordance with Policy #7.1.1.1 Delinquent Broker Accounts or 7.1.1.2 Delinquent Agent Account.

In the event a check is returned for insufficient funds in payment of an **agent or broker annual dues after January 31<sup>st</sup> or the next business day if January 31 is on a weekend**, MLS services (if applicable) and member services shall be suspended immediately upon notice of the insufficient funds check. Reinstatement fees associated with membership ~~reactivation~~ fees will be assessed plus the return check service charge. The account will be processed as a delinquent account in accordance with Policy #7.1.1.1 Delinquent Broker Accounts or 7.1.1.2 Delinquent Agent Account.

In the event a check is returned for insufficient funds in payment of an **agent new member application**, MLS services (if applicable) and member services shall be suspended immediately upon notice of the insufficient funds check. The member status will be changed to non-member and the broker will be charged for the non-member dues and associated MLS fees for a non-member until such time as the broker either terminates the agent or the non-sufficient funds check is satisfied. Reinstatement fees associated with membership will be assessed plus the return check service charge.

In the event a check is returned for insufficient funds in payment of a **broker new member application**, MLS Services (if applicable) and member services shall be suspended immediately upon notice of the insufficient funds check. Applying broker must satisfy the insufficient funds check, plus reinstatement fees associated with membership and return check service charge. The account will be processed as a delinquent account in accordance with Policy #7.1.1.1 Delinquent Broker Accounts and agents associated will be handled in accordance with Policy 7.1.1.1, paragraph 5.

If a member has three returned checks within a 12-month period, the member account shall go on a cash basis for a one-year period.

Approved by Bylaws & Policy: 04/14/16

Approved by Board of Directors: 04/26/16

### **7.8.1.1 Procedure for the Annual Financial Audit**

Full Audit to be done within every five (5) years or if a change in the staff (I.E. EO or Accountant) falls within the said five (5) years. Otherwise a "Review" by an outside CPA firm is to be conducted without exception. These audits are to be budgeted and do not require action by the Board of Directors (except for the vacancy by the EO or the Accountant).

1. The auditors are to be contacted annually, and given authority, to enter the Association to perform that years audit.
2. Upon completion of the process, the head auditor, EO, Accountant, and the Treasurer are to meet and review any recommendations by the auditor. The staff then is to set a date for the auditor to review the financials with the Budget & Finance Committee.
3. After the committee make their recommendations to the Executive Committee through the Treasurer.
4. Finally, the Treasurer makes his report to the Board of Directors, with the EO, Accountant and the auditor present to answer any questions. The Board of Directors shall then accept the report of the Auditor.

Bylaws & Policy Approved: 07/14/03

Board of Directors Approved: 07/24/03



**7.9.1.1 RECORD-RETENTION SCHEDULE**

**RECORD-RETENTION SCHEDULE**

<b>Record</b>	<b>Retention Schedule</b>
Accident reports and claims..... (settled cases)	30 years
Accounts payable ledgers ..... and schedules	7 years
Accounts receivable ledgers ..... and schedules	7 years
Audit reports .....	Permanently
Bank reconciliations .....	7 years
Capital stock and bond records;..... ledgers; transfer registers; stubs showing issues; record of interest coupons; options; and so forth	Permanently
Cash books .....	Permanently
Charts of accounts.....	Permanently
Checks (canceled; ..... see exception below)	4 years
Checks (canceled; for important ..... payments such as taxes, purchases of property, special contracts, and so forth, checks should be filed with the papers pertaining to the underlying transaction)	Permanently
Contracts and leases ..... (expired)	7 years
Contracts and leases still..... in effect	Permanently
Correspondence (routine) with..... customers or vendors	1 year
Correspondence (general).....	3 years
Correspondence (legal and ..... important matters only)	Permanently
Deeds, mortgages, and bills ..... of sale	Permanently
Depreciation schedules .....	Permanently

<b>Record</b>	<b>Retention Schedule</b>
Dividend checks/records ..... (canceled)	Permanently
Duplicate deposit slips.....	7 years
Employee personnel records ..... (after termination)	3 years
Employment applications.....	3 years
Expense analyses and expense ..... distribution schedules	7 years
Financial statements (end-of- ..... year other months optional)	Permanently
General and private ledgers..... (and end-of-year trial balances)	Permanently
Insurance policies (expired) .....	3 years
Insurance records, current ..... accident reports, claims, policies, and so forth	Permanently
Internal audit reports .....	7 years
Inventories of products,..... materials, and supplies	7 years
Invoices to customers .....	7 years
Invoices from vendors.....	7 years
Journals .....	Permanently
Minute books of directors and ..... stockholders, including bylaws and charter	Permanently
Notes receivable ledgers and ..... schedules	7 years
Occupational injury and ..... illness records	5 years
Payroll records and summaries ..... including payments to pensioners	3 years
Petty cash vouchers .....	7 years

**7.9.1.1 RECORD-RETENTION SCHEDULE**

<b>Record</b>	<b>Retention Schedule</b>	<b>Record</b>	<b>Retention Schedule</b>
Professional Standards		Tax returns and worksheets,.....	Permanently
Ethics.....	Permanently	revenue agents' reports, and	
Original decision in Permanent Ethics File with a		other documents relating to	
copy in the member's file. Remainder of file		determination of income tax	
destroyed one year after any discipline has been		liability	
complied with absent a threat of litigation.			
Arbitration.....	1 year	Tax records (affiliated .....	Permanently
Remainder of file destroyed one year after the		group)	
award has been paid absent a threat of litigation.		Tax records (bad debts or .....	7 years
		losses on securities)	
Property appraisals by outside appraisers		Time Books.....	7
Permanently		years	
Property records including.....	Permanently	Trademark registrations.....	Permanently
costs, depreciation reserves,		Voucher register and .....	7 years
end-of-year trial balances,		schedules	
blueprints and plans		Vouchers for payments to .....	7 years
		vendors, employees, and so	
Reorganization records .....	Permanently	forth (includes allowances and	
Sales records .....	Permanently	reimbursements of employees,	
Stenographer's notebooks .....	1 year	officers, and so forth for	
Stock and bond certificates.....	6 years	travel and entertainment	
(canceled)		expenses	
Subsidiary ledgers	7 year		

Bylaws & Policy Approved: 8/26/08  
 Board of Directors Approved: 8/28/08

### **8.2.1.0 AWARDS COMMITTEE POLICY**

#### **CHAIRMAN:**

The Chair shall be the previous year recipient of the REALTOR® of the Year Award. If the most recent recipient is not available, appointment shall be by the President.

#### **MEMBERS:**

Five of the most immediate past recipients of the REALTOR® of the Year Award.

#### **OTHER MEMBERS:**

At least two of the most immediate past recipients of the Affiliate of the Year Award appointed by the President. These members shall only participate in the discussion and voting as it relates to the selection of an Affiliate of the Year.

#### **TERM:**

One year or less, as necessary to accomplish assigned duties.

#### **DUTIES:**

The primary responsibility of the committee is to select the recipient of the REALTOR® of the Year Award for the Reno/Sparks Association of REALTORS® according the guidelines. Additionally, at the request of the President, the committee may select recipients of other special awards:

- REALTOR of the Year
- Affiliate of the Year
- Mat Gibbons Good Neighbor Award
- Abraham Curry Award (when a suitable person is identified)

#### **OTHER:**

##### **President's Award**

The President, at his discretion, may identify and award a member with the President's Award for his or her outstanding service at any level, ie. Community, government, the REALTOR organization. In no instance should the President's Award be awarded to someone who has been nominated or identified as receiving one of the above listed award.

Bylaws & Policy Committee: 09/27/17

Board of Directors: 10/24/17

### **8.2.1.1 REALTOR OF THE YEAR POLICY**

#### **GUIDELINES FOR SELECTION OF REALTOR<sup>®</sup> OF THE YEAR:**

The following guidelines will be used in the selection of the recipient:

- Must be an active member in good standing, either as a broker or a salesperson.
- Must have been outstanding in the following areas:
  - 30% REALTOR<sup>®</sup> Spirit
  - 5% Activity in Civic Affairs
  - 50% Activity in Local Association
  - 5% Activity in State Association
  - 5% Activity in National Association
  - 5% Business Accomplishments
- Must be nominated by a member of the selection committee or by another active member of the Association, and will be on a form developed by the committee, or by personal letter, but in no case will petitions be accepted or considered by the committee.
- Consideration should be given to contributions and activities in the most recent 12-18 months as opposed to the more distant past.

Will be honored at the Annual Installation.

Approved by Bylaws & Policy: 09/27/17

Approved by Board of Directors: 10/24/17

**8.2.1.2 REALTOR® OF THE YEAR NOMINATION FORM (page 1 of 2)**

- 1. Name of Nominee \_\_\_\_\_
- 2. Business Address \_\_\_\_\_
- 3. Achievements and Contributions: (use additional sheets of paper if necessary)

30% a) REALTOR® Spirit – (faithfulness to principles of organized real estate, laws and regulations of his board and the NATIONAL Code of Ethics; efforts to encourage good real estate practice among other real estate brokers; time spent with press and general public explaining the real estate profession.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5% b) Activity in Civic Affairs – (local, state, and national participation in civic and service clubs, charitable activities, political action, fraternal or religious groups.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

50% c) Activity in Local Board – (board office and committee work; special assignments; seminar activity and educational work; membership and offices held in local chapter of Institutes, Societies.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5% d) Activity in State Association – (same as (c) on state level.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(over)

**8.2.1.2 REALTOR® OF THE YEAR NOMINATION FORM (page 2 of 2)**

5% e) Activity in NATIONAL ASSOCIATION – (same as (c) on NATIONAL level.)

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5% f) Business Accomplishments – (public recognition of business conduct; service to clients; imaginative and creative advertising programs; rehabilitation work; land utilization, etc.)

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g) Other Comments:

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Return Completed Form to Board Office  
No Later than: \_\_\_\_\_

SIGNED \_\_\_\_\_

Address \_\_\_\_\_

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Phone \_\_\_\_\_

Approved by Bylaws & Policy 10/13/09

Approved by Board of Directors 10/22/09

### **8.2.1.3 AFFILIATE OF THE YEAR POLICY**

#### **GUIDELINES FOR SELECTION OF AFFILIATE OF THE YEAR:**

The following guidelines will be used in the selection of the recipient:

- Must be an active affiliate member in good standing.
- Must have been outstanding in the following areas:
  - Affiliate Spirit
  - Activity in Civic Affairs
  - Activity in Local Association
  - Committee Involvement
  - Chairmanships
  - Participation in REALTOR® Events
  - Business Accomplishments
- Must be nominated by a member of the selection committee or by another REALTOR®, Affiliate member or Institute Affiliate Member.
- While all years of service will be considered, more weight will be given to those contributions and activities in the most recent 12-18 months.

Will be honored at the Annual Installation.

Approved by Bylaws & Policy:

10/13/09

Approved by Board of Directors:

10/22/09

**AFFILIATE OF THE YEAR NOMINATION FORM**  
**(Page 1 of 2)**

1. Name of Nominee \_\_\_\_\_

2. Business Address \_\_\_\_\_

3. Achievements and Contributions: (use additional sheets of paper if necessary)

a) Affiliate Spirit – (faithfulness to principles of organized real estate, laws and regulations; efforts to encourage good real estate practice among other real estate brokers; time spent with press and general public explaining the real estate profession.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b) Activity in Civic Affairs – (local, state, and national participation in civic and service clubs, charitable activities, political action, fraternal or religious groups.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c) Activity in Local Association – (board office and committee work; special assignments; seminar activity and educational work; membership and offices held in local chapter of Institutes, Societies.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(over)



**AFFILIATE OF THE YEAR NOMINATION FORM**  
**(Page 2 of 2)**

- f) Business Accomplishments – (public recognition of business conduct; service to clients; imaginative and creative advertising programs; rehabilitation work; land utilization, etc.)

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- g) Other Comments:

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Return Completed Form to Board Office  
No Later than: \_\_\_\_\_

SIGNED \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

#### **8.2.1.4 Mat Gibbons Good Neighbor Award**

##### **Purpose:**

At the discretion of the president, award to be given to recognize member of the Reno/Sparks Association of REALTORS® for continuing volunteer service to the association, the industry and with an emphasis in giving back to the community.

##### **Recognition:**

An appropriate token of appreciation will be presented to the recipient at the annual installation ceremonies of the Reno/Sparks Association of REALTORS®. Recipient's name will be entered on a perpetual plaque on display at the Association office.

Press releases will be submitted to the local media and published internally.

##### **Selection Committee:**

The members Awards Committee (ref. Policy #8.2.1.1) shall be given the task of selecting a recipient for the award.

##### **Criteria for Selection:**

1. The recipient shall have been an active REALTOR® member of the local board for at least one year.
2. The recipient may have been active in local board affairs at some time during his membership; however minimal local board involvement shall not disqualify a nominee.
3. The recipient shall be of high ethical and professional caliber, and shall have distinguished himself through high level service to the community-in a volunteer capacity.
4. Special attention should be given to those members who have not received the REALTOR® of the Year Award.
5. Nominations may come in writing from active REALTOR® members. The final selection will be made by vote of a majority of the committee members.

Approved by Executive Committee: 8/19/10

Approved by Bylaws & Policy: \_\_\_\_\_

Approved by Board of Directors: 8/26/10

**8.2.1.5 Gifts & Awards**

The following gifts and awards shall be budgeted for as a line item on the annual budget.

1. Those awards presented at the annual installations dinner including the REALTOR® of the Year, Abraham Curry Award, Affiliate of the Year and Mat Gibbons Memorial Award
2. Those gifts presented at the annual installation dinner to the installing officer and master of ceremonies.
3. Those gifts and or recognition presented by the president to committee chairperson as named in the Association bylaws.
4. The gift and plaque presented to the president in recognition of his/her service.
5. The president's photo for display in lobby and a promotional print.

The funding of this account will go through the normal budgeting process, and in the event the account appears to be reaching its maximum prior to the budget-year end, the Chief Executive Officers may request that Budget & Finance Committee approve additional funds.

Approved by Bylaws & Policy: 05/01/01  
Approved by Board of Directors: 05/24/01

**8.2.1.6 Officer, Director, Committee Chair Recognition Plaques**

The Reno/Sparks Association of REALTORS® shall not award gratuities, other than plaques, gifts, or certificates to any members, affiliates, institutes or councils.

At the discretion of the president and within the budget limitation, the president may provide gifts or awards of recognition to his officers, directors, state directors and committee chairs.

Approved by Bylaws & Policy: 09/22/00

Approved by Board of Directors: 09/28/00

### **8.2.1.7 EDUCATOR OF THE YEAR POLICY (Page 1 of 2)**

#### **GUIDELINES FOR SELECTION OF EDUCATOR OF THE YEAR:**

The following guidelines will be used in the selection of the recipient:

- Must be an active member in good standing
- Must have taught at least four (4) courses within the last twelve months starting with the end of the selection process of the previous year example: October thru September.
- Must have an average score of 2.50 or higher

#### **DETAILS OF SELECTING THE EDUCATOR OF THE YEAR**

Scores will be calculated based on all instructor evaluations from the Reno/Sparks Association sponsored courses for the year. This will include but not be limited to locally approved instructors. The point system will be as follows:

- A) 50 points the highest score received from the instructor evaluations  
40 points for the second highest  
30 points for the third highest
- B) 15 points for each course written for and licensed to RSAR (with a maximum of 3 courses allowed in a year)
- C) 10 points will be awarded to Educators who serve as an Association Chairperson, Vice Chair, or on the Board of Directors for each position.
- D) 2 points can be awarded for other committee involvement within the realm of education such as State or National committees involved with education (with a maximum of 6 points earned) within the current year.

The Educator that receives the highest total number of points will be awarded the Educator of the Year. This determination shall be made by the Awards Committee as appointed by the president.

Educator of the Year will be included with the press release of the officers, directors and other award recipients from the Annual Installation.

#### **AWARD BUDGET**

The plaque for the award shall be a budgeted item under Gifts and Awards and shall not exceed \$100.

The Educator of the Year will be honored at the Annual Installation.

Approved by Bylaws & Policy: 11/18/15

Approved by Board of Directors: 12/04/15

**8.2.1.7 EDUCATOR OF THE YEAR POLICY (Page 2 of 2)****Example of Educator of the Year Points Formula**

Instructor: Joe Teacher

Criteria	Points
Overall weighted average: 2.98	<u>50</u>
<u>RSAR</u> Committee involvement:	
Director	<u>10</u>
Chairperson = Education Committee	<u>10</u>
Chairperson = Professional Standards	<u>10</u>
State & National Committee involvement:	
State Committee Member	<u>02</u>
National Committee Member	<u>02</u>
Course Author:	
What Every Licensee Should Know	<u>15</u>
Law and Agency	<u>15</u>
Total Points	<u>114</u>

Approved by Bylaws & Policy: \_\_\_\_\_  
 Approved by Board of Directors: \_\_\_\_\_

### **8.3.1.1. CONTRACT NEGOTIATING AND EXECUTING**

Contract negotiation will begin after the initiating committee, the Executive Committee and the Board of Directors have voted to move forward into such a process, unless specifically directed by the Board of Directors. The Executive Officer will be the negotiator for the association. It is the staff's responsibility to keep the initiating committee and leadership updated on any changes as soon as possible.

Once a final agreement has been drafted, the Executive Officer is to present it to the initiating committee for final recommendation to the Board of Directors. Once all conditions are met, the Executive Officer will be directed by a majority vote of the Board of Directors, to execute the contract.

If for any reason the Association and/or the signatories are sued as a result of the terms of the contract, the Association will bear all the expenses and judgments in defense of the position taken by the Board of Directors of the Reno/Sparks Association of REALTORS®. Those executing the contract are representatives of the Association are to be held harmless by Reno/Sparks Association of REALTORS®, providing this policy is followed. *Note Reference 1.2.1.3*

Exception: Contract negotiations between the Association and the EO are to be done by the Executive Committee, with the current President as the lead negotiator in conjunction with legal counsel. The final approval will be in accordance with this policy.

Approved by Policy Review Subcommittee: 03/20/00

Approved by Bylaws & Policy: 06/26/01

Approved by Board of Directors: 07/26/01

### **8.3.1.2 RETENTION OF CERTIFIED PUBLIC ACCOUNTANT (CPA)**

It shall be the policy of the Reno/Sparks Association of REALTORS®, Inc., to retain the services of a CPA for such purpose, as may be determined necessary. The following guidelines will pertain:

#### **DUTIES OF ASSOCIATION CPA:**

Duties of Association CPA shall include, but not be limited to:

- Advise the officers and directors of the Association concerning the financial aspects of Association operations.
- Advise members of the Budget and Finance Committee as to the financial aspects of the budget and annual financials.
- Advise trustees of the staffs' profit sharing needs.
- Represent the Association in any financial proceedings in which it may become involved.
- Other financial services as may be necessary.
- Perform the annual review and a full audit every five (5) years or at the termination of the EO or internal accountant.

Implicit in the above listed duties is the required effort to become totally familiar with the Nevada Revised Statutes pertaining to associations. Also familiarize themselves with the Federal Tax Code as it relates to the for profit, 501 (c)'s and foundation contributions.

#### **SELECTION OF ASSOCIATION CPA:**

The Board of Directors shall select the CPA who will serve as Association financial advisor. The Executive Officer will be responsible to provide Directors such information concerning potential candidates, as they require. This service agreement should be reviewed at least every five (5) years.

#### **CONFLICT OF INTEREST:**

At any time the Association believes that the CPA has a conflict of interest in providing service, the CPA will be replaced temporarily or permanently.

It shall be the responsibility of the CPA retained by the Association to identify potential conflicts of interest in his service to the Association. Further, it shall be the duty of the Board of Directors to take prompt action to replace the CPA when it is determined that a conflict exists, whether reported by the CPA himself or any other party.

#### **USE OF CPA:**

Assignment of tasks to the CPA will be made through the Association Executive Officer. In instances where there is a dispute with the EO's expenses, the Board of Directors will resolve the dispute.

Approved by Bylaws & Policy: 04/24/06

Approved by Board of Directors: 04/27/06



### **8.3.1.3 RETENTION OF A GOVERNMENT AFFAIRS DIRECTOR (GAD)**

The Association shall have access to a full time GAD by virtue of its affiliation with NVAR. The following guidelines will pertain:

#### **DUTIES OF ASSOCIATION GAD:**

Duties of Association's GAD shall include, but not be limited to:

- ❖ Represents the Reno/Sparks Association of REALTORS® in community functions as deemed appropriate by the BOD or Chief Executive Officer.
- ❖ Monitor and track issues directly impacting the real estate industry at the local and regional governmental meetings.
- ❖ Communicate with the various local elected officials and the staff of the local governmental entities.
- ❖ Report to the Legislative Committee, CEO, leadership, and membership as necessary.
- ❖ Assist in the campaign for the Reno/Sparks Association of REALTORS® Political Action Committee (RSARPAC).
- ❖ Assist in the candidate interview process.

Implicit in the above listed duties is the required effort to become totally familiar with the Nevada Revised Statutes and local regulations that pertain to real estate.

#### **CONFLICT OF INTEREST:**

At any time the Association believes that the GAD has a conflict of interest in providing services, NVAR will be notified immediately.

It shall be the responsibility of the GAD to identify potential conflicts of interest in his service to the Association.

#### **USE OF THE GAD:**

Assignment of tasks to the GAD will be made through the Association Chief Executive Officer.

Approved by Bylaws & Policy: 10/8/14

Approved by Board of Directors: 10/23/14

### **8.3.1.4 RETENTION OF LEGAL COUNSEL**

It shall be the policy of the Reno/Sparks Association of REALTORS<sup>®</sup>, Inc., to retain under contract the services of an attorney for such purposes, as may be determined necessary. The following guidelines will pertain.

#### **DUTIES OF ASSOCIATION COUNSEL:**

Duties of Association counsel shall include, but not be limited to:

- Advise the officers and directors of the Association concerning the legal aspects of Association operations.
- Advise members of the Grievance Committee as to the legal aspects of the investigations and deliberations.
- Advise members of the Professional Standards Committee and hearing panels as to the legal aspects of their deliberations.
- Represent the Association in any court proceedings in which it may become involved.
- Other legal services as may be necessary, such as, document review and preparation.

Implicit in the above listed duties is the required effort to become totally familiar with the Nevada Revised Statutes pertaining to real estate. Also familiarize themselves with the "Ethics and Arbitration Manual", the Interpretations of the Code of Ethics, and the "Professional Standards Training Manual" and should be documents with which the attorney should be conversant.

#### **SELECTION OF ASSOCIATION COUNSEL:**

The Board of Directors shall select the attorney who will serve as Association legal counsel. The Executive Officer will be responsible to provide Directors such information concerning potential candidate's as they require. This contract should be reviewed at least every three (3) years.

#### **ALTERNATE OR ACTING ASSOCIATION COUNSEL:**

In those instances when the attorney who is serving as Association Counsel is unavailable for whatever reason, including disqualification due to conflict of interest, acting Association Counsel will be appointed. This appointment will be made from a group of, pre-selected attorneys who have been approved by the Board of Directors for such service. A list of these attorneys will be maintained by the Executive Officer. The appointment will be made by formal action of the Board of Directors.

#### **CONFLICT OF INTEREST:**

At any time the Association believes that Counsel has a conflict of interest in providing service, counsel will be replaced by the acting Association Counsel.

It shall be the responsibility of the attorney retained by the Association to identify potential conflicts of interest in his service to the Association. Further, it shall be the duty of the Board of Directors to take prompt action to replace counsel when it is determined that a conflict exists, whether reported by counsel himself or any other party.

#### **USE OF LEGAL COUNSEL:**

Assignment of tasks to the attorney will be made through the Association Executive Officer. In instances where there is a dispute as to whether legal counsel should be utilized, the Board of Directors will resolve the dispute.

**PROPOSED LIST OF ALTERNATE COUNSEL**

A list of Reno area attorneys who have agreed to serve as alternate counsel in accordance with the policy shall be maintained by the Executive Officer. The list should be approved every three (3) years by the Board of Directors.

Approved Bylaws & Policy: 10/16/03

Approved Board of Directors: 10/23/03

### **8.3.1.5 Authorized Use of Legal Counsel**

It shall be the policy of the RSAR Board of Directors to act on any recommendations from legal counsel, which shall be presented in writing by legal counsel.

In order to ensure the proper utilization of service, all contact with the Association's legal counsel shall be authorized through the President and Executive Officer or their designee. Report of any action will be reported to the Board of Directors on a quarterly basis.

Exception 1: In matters of Professional Standards, the Director of Professional Services must only obtain authorization from the Executive Officer.

Exception 2: In matters of alleged harassment, authorization may be obtained from the President or the Executive Officer.

Approved by Policy Subcommittee: 03/20/00

Approved by Bylaws & Policy: 05/01/01

Approved by Board of Directors: 05/24/01

### **8.3.1.6 Vendor Contracts**

It shall be the policy of the RSAR that a copy of all proposed vendor contracts are to be given to the Budget & Finance Committee, Executive Officer and at the direction of the Board of Directors to legal counsel prior to presentation to the Board of Directors for final approval.

Once a vendor contract has been executed, a member of the Board of Directors may request a copy of the executed contract be made available for review on the premises with the understanding that it is for their use only and not for their personal gain or benefit. Members of the Board of Directors shall be prohibited from note-taking during review on the premises and may assume liability for the unauthorized dissemination of information contained in the contract.

Exception: Copies of an executed contract may not be made available except to signatories to the contract and the current Executive Committee and counsel where it is prohibited as a term of the contract.

Approved by Policy Review Comm.: 03/20/00

Approved by Bylaws & Policy: 05/01/01

Approved by Board of Directors: 05/24/01

### **8.3.1.7 WEBSITE PRIVACY/SECURITY POLICY**

We recognize the importance of protecting the personal information you provide at web sites owned and/or controlled by the Reno/Sparks Association of REALTORS®. At RSAR we maintain the following web site policy:

RSAR maintains security procedures and standards which are as safe as today's technology permits. The rsar.org website has sophisticated encryption and authentication tools to protect the security of your credit card information and we do our best to protect its security on our systems. Specifically, every page in the rsar.org ordering process that requests credit card information uses Secure Sockets Layer (SSL) encryption, which is designed to render information unreadable should anyone try to intercept it.

RSAR does not share, sell or distribute any of your personal information, including your email address, to any third party.

RSAR's computer is not set up to track, collect or distribute personal information about its visitors. While it recognizes the home server of visitors, it does not recognize email addresses. For example, it can tell which internet service provider visitors use, but not the names, addresses or other information about visitors that would allow RSAR to identify the particular visitors to its site.

Credit information that you and credit authorizers provide when you make payments by credit card or electronic check for products for services will only be used to process the transaction you request. This information will be provided to and maintained by reputable credit reporting databases, but will never be sold, shared or provided to other third parties.

By using this site, you are agreeing to this privacy policy. **IF YOU DO NOT AGREE WITH THIS POLICY, DO NOT USE THIS SITE.** If you continue to use this site and any affiliated sites after changes are made to this policy will mean that you accept those changes.

Approved by Bylaws and Policy: 5/10/07

Approved by Board of Directors: 6/28/07

### **8.3.1.8 PRIVACY POLICY (Page 1 of 2)**

We recognize the importance of protecting the personal information you provide to the Reno/Sparks Association of REALTORS® (RSAR). We maintain the following privacy policy:

1. We gather the following types of information needed to process your transactions, fulfill your requests, and maintain our membership records:
  - Contact information you provide (for example, your personal and business addresses, phone and fax numbers, firm affiliations and titles);
  - Tracking information which our Web server automatically recognizes each time you visit one of our sites or communicate with us by email (for example, your domain name, your email address, and what pages you visit); and
  - Information you volunteer, via applications or surveys (for example, education, designations, specialties, affiliations with other real estate organizations and general demographic data).
2. We use this information to:
  - Improve and customize the content and layout of our sites and other communication tools;
  - Notify you of updates to our sites;
  - Notify you of relevant products and services;
  - Notify you of upcoming events and programs;
  - Compile specialty directories about which you will be made aware;
  - Track usage of our sites;
  - Assist Reno/Sparks Association of REALTORS® its affiliate members, and Institutes, Societies and Councils in membership tracking and for their use for purposes similar to those listed above.
3. RSAR does not share, sell or trade email addresses, but may provide you with on-line informational or marketing messages that have been approved by RSAR for the purposes described in part 4 of this policy. This includes, but is not limited to persons or entities representing persons who are seeking election in city, state or federal elections.
4. We will not share, sell or otherwise provide other information about you to third parties, except for:
  - Notifying you of RSAR approved promotions;
  - To exhibitors at REALTOR® trade shows for the limited purpose of contacting you one time immediately before and after trade shows, through marketing vehicles approved by RSAR;
  - To other vendors for the limited purpose of contacting targeted groups of members, through marketing vehicles approved by RSAR;
  - To its Affiliate Partners for the purpose of direct email marketing;
  - When required by law or valid legal process, or to protect the personal safety of our members or the public;
  - Some or all of the data collected during the promotions or contests on our sites that are sponsored by third parties may be shared with the sponsor for the limited purpose of a one-time marketing follow-up by the sponsor. If information about you will be shared with a sponsor you will be notified prior to your participation in the promotion or contest and you can decide not to participate in the promotion or contest.

**8.3.1.8 PRIVACY POLICY (Page 2 of 2)**

5. Credit information that you and credit authorizers provide when you make payments by credit card or electronic check for products, dues or other services will only be used to process the transactions you request. This information will be maintained only as long as necessary to transact the payment, but will never be sold, shared or provide to other third parties.
6. We maintain security procedures and standards which we believe are as safe as today's technology permits. We test these procedures and modify them regularly as new technologies become feasible.
7. We utilize a strict opt-out policy for sending online notifications regarding services, products and programs. You may edit your communication preferences by contacting RSAR.
8. Some of our sites contain advertising pursuant to agreements between RSAR and the advertiser. We do not control these advertisers, the sites of third parties reached through links on our site, or their information collection practices and RSAR will not be responsible for the activities of these third parties. The advertisers may use cookies to collect certain non-personally identifiable information when you click on the banner ads appearing on our sites. This information is collected by the advertisers for purposes of measuring and reporting on RSAR advertising. The advertiser may also aggregate the information for certain other statistical and reporting purposes.

Approved by Bylaws and Policy: 04/14/16

Approved by Board of Directors: 04/26/16



**8.4.1.1 REQUEST FOR COMMUNITY/PUBLIC RELATIONS CONTRIBUTIONS**

1. The current president-elect shall recommend to the Board of Directors an identified charity or charities that will be the beneficiary of fundraising efforts for the coming year. Criteria for identifying a charity should include:
  - a. tie to real estate
  - b. the representation of a charity within in communities that encompass the Reno/Sparks Association of REALTORS® jurisdiction,
  - c. public relations impact within the communities served by the Reno/Sparks Association of REALTORS®
  - d. greatest involvement by the membership
2. The Board of Directors, may from time to time, make donations to additional charities other than those initially approved.
3. Each year the Budget & Finance Committee will consider the budgeting for community public relations in an amount up to the total amount requested by the approved organizations.

Approved by Budget & Finance:	<u>10/17/08</u>
Approved by Bylaws & Policy:	<u>8/26/08</u>
Approved by Board of Directors:	<u>8/28/08</u>

#### **8.4.1.2 Complimentary Tickets for Association Functions**

The Executive Committee shall have the authority to provide up to 30 complimentary tickets to the Association's installation dinner dance.

The complimentary tickets may be designated for use by the incoming president and the Executive Officer, for any dignitary they choose to invite, including community leaders, politicians and other persons in the real estate industry.

Additionally, complimentary tickets shall be provided to incoming Executive Committee members and their spouses.

Approved by Executive Comm: 10/05  
Approved by Bylaws & Policy: 12/05/05  
Approved by Board of Directors: 12/15/05

**8.4.1.3 DISCRETIONARY FUND**

The purpose of this budgeted line item is to send cards for members with illness, sympathy flowers or contributions to an organization designated by the surviving family in lieu of flowers.

The process will be as follows: once the Executive Officer has been notified of a situation, he will notify the president of the necessary action. The Executive Officer will take the appropriate action.

The funding of this account will go through the normal budgeting process, and in the event the account appears to be reaching its maximum prior to the budget year-end, the Executive Officer may request that Budget & Finance Committee approve additional funds.

Approved by Budget & Finance: 04/10/01  
Approved by Bylaws & Policy: 05/01/01  
Approved by Board of Directors: 05/24/01

#### **8.4.1.4 Alcohol**

Alcohol may be made available (may be consumed) during association activities under specific circumstances. In the event of an association-sponsored activity or while on association business at which alcoholic beverages may be served or allowed, you are expected to conduct yourself in such a manner that you do not represent a danger to yourself, to other employees, to the general public or the association's reputation.

1. The association may provide a limited number of alcoholic beverages per person at any event. Individuals may purchase additional alcoholic beverages beyond this limit at their own expense.
2. The association promotes the use of Designated Drivers at all events. It is the policy of RSAR to provide a safe ride home to all attendees of association events. At each event the EO, Committee chair or other designated person shall be available to ensure that all requests for safe/sober transportation will be accommodated. Every attendee of any RSAR event is expected to conduct themselves in a responsible manner, and request safe/sober transportation from the designated person if necessary.
3. When any RSAR event is concluded the president or chair will announce that "The event is over now"

Rationale: The intent of the alcohol policy is to develop a "culture" of safe and sound practices regarding alcohol use during any RSAR function. Although there is no sure way to prevent a lawsuit, developing this culture may help in any given situation.

Approved by Bylaws & Policy 04/24/06

Approved by BOD: 04/27/06

#### **8.4.1.5 Association Credit Card Policy**

##### **Officers**

The Association President and President-elect shall be permitted to obtain credit cards in the name of the association for purposes of conducting association business only.

The maximum authorized line of credit on each card shall be \$3,000.

In the event that any expenses of a personal nature are charged inadvertently or otherwise against said credit card, the officer shall reimburse the Association in a timely manner.

At the end of his/her term, the President shall return said credit card to the Executive Officer or Financial Administrator for cancellation.

At the beginning of his/her term, the Association shall request from the current credit card issuer that a credit card be issued for the incoming President-Elect.

##### **Staff**

The Association Executive Officer and Executive Assistant shall obtain credit cards in the name of the association for purposes of conducting association business only.

The maximum authorized line of credit on each Visa/MasterCard shall be \$5,000. There is no maximum credit established on the American Express Card.

Credit cards may not be used for personal use. In the event that any expenses of a personal nature are charged inadvertently or otherwise against said credit card, the staff member shall reimburse the Association immediately.

In the event the staff person terminates employment, they shall return said credit card to the Financial Administrator for cancellation.

Miles earned as a result of the use of business credit card purchases will be used for the benefit of the Association on items such as travel, gifts, office equipment, etc.

Approved by Bylaws & Policy: 04/24/06

Approved by Board of Directors: 04/27/06

### **8.5.1.1 DESK AUDITS**

A desk audit must be conducted annually for the purpose of determining the amount of staff time allocated to each committee. This internal audit is not to be construed as an absolute analysis of any staff person, but rather a quick snapshot of work performed on a particular month at each staff person's desk. This non-scientific, non-professional tool is just a tool that will show trends over the years.

The audit will be conducted, at least annually, under the supervision of the EO and his management team. Once a month is chosen, there must be an audit done during that same month each subsequent year. This is done to provide the best possible trend line given for that month.

Each staff person will monitor all of their work for the designated period and will, each Friday, do a summary sheet. Those six work sheets are to be given to their manager for tabulation. At the end of the monitored month, one (1) staff person will compile an aggregate of the month. This will be turned over to the EO and reported at the earliest opportunity to the leadership.

Approved by Bylaws and Policy: 12/12/01

Approved by Board of Directors: 12/13/01

### **8.5.1.2 ELECTRONIC MAINTENANCE OF MEMBERSHIP RECORDS POLICY**

The Reno/Sparks Association of REALTORS® shall maintain membership records in electronic format.

#### **Set up for Active Member Files:**

1. Active member files will be maintained in S:\MEMBERS
2. Folders will be created for breaks in the alphabet ie. A –C, D – F, G-H, etc.
3. Active member files will maintained indefinitely

#### **Set up for Terminated Member Files:**

1. A terminated member file will be established each year for the calendar year and will be maintained in S:\TERMINATIONS (applicable year)
2. Folders will be created within the File for breaks in the alphabet ie. A – C, D – F, etc.
3. In April of the following year, a disk will be created S:\TERMINATIONS (applicable year).
4. The disk will be labeled accordingly and maintained in the fireproof safe.
5. After creation of the disk, terminations for the year will be purged from the network system.
6. Terminated member records will be retained on disk for 10 years.
7. At the initial set up, only members who have been terminated within the last twelve months will be retained. In addition to the last twelve months of terminated members, records will be scanned for any terminated member who has been turned over to collection.

#### **Process for Scanning Active Member Files:**

1. Each member file will be reviewed and the following documents scanned:
  - a. Membership application form Page 1 of 2 and 2 of 2, including completed record of attendance at new orientation
  - b. NNRMLS Key Lease Agreement & Lockbox System Use Agreement
  - c. NNRMLS Application Form
  - d. NNRMLS Affirmation and Acknowledgement Form
  - e. Most current member photo, if available, saved as a .tif or .jpeg (photo will be mailed back to member)
  - f. Correspondence or notice of accounts sent for collection (if applicable)
  - g. Biographical sketch, if available
  - h. Additional documents as may be deemed by necessary by the Executive Officer
2. Each member file will be named last name, first name, application date (yyymmdd) ie. smith,john041230
3. Staff member will be responsible for maintaining a log of files scanned (see attached)

**Process for Scanning Terminated Member Files:**

1. In the event of termination, the scanned member file will be moved to S:\TERMINATIONS (applicable year)
2. Terminated membership file shall contain the items listed in active member files with the addition of the termination form
3. Staff member will be responsible for maintaining a log of files moved to TERMINATIONS folder for 10 years; (see attached)
4. Staff member will be responsible for maintaining a log of disks created for Terminated members.
5. Staff member will be responsible for upgrading storage of information based on technological advancements.

**Confidentiality and Destroyed Records:**

1. The Association will make every effort to maintain confidentiality of member records. After verifying that the member file has been successfully scanned, file will be professionally disposed of or staff will shred documents in house.

**Member Files Involving Disciplinary Action:**

1. A separate confidential file will be maintained by the Executive Assistant. These files will be maintained only for members who have been named as Respondents in Code of Ethics Matters.
2. Files will contain the ethics decision, including the Findings of Facts; Disciplinary Action Recommended by the hearing panel; Decisions of Appeal Panels, if any; Statement of Affirmation by the Board of Directors and evidence that the named member satisfied the discipline, if applicable.
3. Files will be maintained in hard copy and will not be made a part of the member's electronic file.
4. Decisions and related materials in regard to a disciplined member will be maintained indefinitely.
5. Such files will only be available to a Professional Standards Hearing panel in accordance with the Code of Ethics and Arbitration Manual.

Bylaws & Policy	<u>04/16/04</u>
Board of Directors	<u>04/22/04</u>