

PUEBLO ASSOCIATION OF REALTORS

Policy Manual

This document is intended to define Association policies that are determined by the Pueblo Association of REALTORS, Inc. regarding all association actions not covered under the current By-laws or MLS Rules and Regulations or incorporation with these documents.

MEMBERSHIP:

As a requirement for continuing membership, All REALTOR members must complete either the Ethics Review MRE Course or the Ethics & Professional Standards GRI Course once every three years.

Membership Meeting – December 1998

Personal assistants who are licensed will need to become members of PAR according to bylaws. If personal assistant is not licensed and they are showing homes without a licensed agent, the members are encouraged to file a grievance against the employing company.

BOD 2-22-96

PAR Orientation - Procedure

- Overview, PAR, CAR, NAR - performed by Executive Vice President
- Committee Involvement - Performed by President or President Elect
- Broker & Associate Day to Day Cooperation - performed by Past PAR President
- CAR Video & Best Sale is Safe Sale Video - Shown at Orientation
- MLS Overview - performed by MLS Committee Member
- Title Commitments & Closing Check List - RELATE Committee Chairperson
- Education - (encourage designations and attendance to quarterly meetings) -Education Committee Member

BOD 4-21-95 revised 1-18-96, 11-21-96

*(Each new applicant has 1 year from time of application to complete membership requirements.

If it is not complete within one year of joining then they must start the application process over. This means they must pay the \$80 application fee again and start the application process over.)

Any individual transferring membership from an Active Colorado Board (REALTOR status) has to complete the New Member Orientation only, if they have taken a Ethics and Professional Standards course within the last three years in the state of Colorado. Their membership dues would be paid to CAR & NAR at the time of Board Approval.

BOD 5-23-96 *revised 11/29/02

REALTOR-Appraisers need to take Ethics and Orientation as any REALTOR member does.

BOD 5-13-93

Any member who has been inactive for six months or less does not have to RE-complete PAR orientation.

BOD 3-24-94

REALTOR of the Year, Rookie of the Year, Salesperson of the Year - If no qualified candidate is received, no award will be given out for that year.

BOD 11-21-96

Any candidate for membership must have completed Ethics and Professional Practices within the last three years or will need to complete again.

BOD 3-24-94

MULTIPLE LISTING SERVICE (MLS)

Laplink Services for On-Site downloads will be done by CTI - Canyon Technologies Inc.

BOD 9-21-95

Clean Up fees are enacted at \$25 fine for any data not filled in after one week of date inputted. Fines will be levied three times, and then member will be shut off MLS until training is accomplished at the PAR office by Executive Vice President regarding errors.

BOD 6-22-95 revised 1998

Listing Brokers who have not been paid on transactions may be excused from compensating co-op brokers if arbitration panel decides it was impossible or financially unfeasible for the listing broker to collect the commission.

BOD 11-21-96

Auctioned Properties will not be included or allowed in the MLS

BOD 9-19-96

MLS Access Levels:

REALTOR/Licensees - Full Input/Full retrieval access

REALTOR Appraisers/Licensees - NO input/Full Retrieval Access

Affiliates (Lenders) - Input Rates Only

Other Affiliates (Title Companies-Home Inspectors etc.) No Access

Non-Licensed/Non-REALTORS - No Access

BOD 7-21-94

Unlicensed Personal Assistants – Board of Directors has adopted a policy that No Unlicensed Personal Assistant shall be allowed to give access to any property listed within the Association. Unlicensed personal assistants can still hold open houses on behalf of licensees, but that is the extent of any access they are allowed to provide.

BOD 6/21/2002

ADVERTISING

Non -Members may advertise in the MLS books except if the advertisement/flyer is regarding the sale of real estate (Examples: Builders (non-members) advertising their homes, Real Estate

Salespersons/Brokers (Non-Members) who want to advertise a particular home)
BOD 4-25-96

On-Line Advertising Fee = \$25.00 for Non-MLS PAR Members
BOD 11-17-94

MLS Sold Information=\$5.00
BOD 8/22/96

Membership Mailing Labels = \$25.00, free to affiliate members
BOD 11-17-94 revised 1/23/97

The membership roster will be sold at \$25.00 at the discretion of the AE.
BOD 8/22/96

Newsletter Advertising Cost Guidelines:

Ads to run 4 x per year

Business Card Ad - \$50.00

1/4 page Ad - \$65.00

1/2 page Ad - \$100.00

Full page Ad - \$175.00

BOD 2-24-94

MLS Flyer Advertising: Members: \$25 per advertisement - Non-Members \$50 per advertisement, free to Builder REALTOR Counsel (BRC) for any advertisements regarding meetings of the BRC.

BOD 6-23-94 revised 1-23-97

TRAVEL - COMPS

Adopt IRS Per Diem Travel Change

BOD 3-24-94

LEADERSHIP MEETING -ATTENDANCE GUIDELINES

<u>DATE</u>	<u>MEETINGS</u>	<u>ATTENDEES</u>
*Oct.	State Convention (The Broadmoor) President --(3) nights at Broadmoor / Registration/Guest Banquet/ Mileage/Meals President Elect --(2) night at Broadmoor/Meals/Mileage/Guest Banquet CAR Directors --(2) night at Broadmoor/Registration/Guest Banquet/ Mileage/Meals EVP -- (2) night at Broadmoor/Registration/Banquet/Mileage/Meals	Pres, Pres. Elect, CAR Dirs, EVP
Nov.	NAR Convention	Pres, EVP
Feb.	CAR Meetings	Pres, Pres Elect, CAR Dirs, EVP
April/May	NAR Midyear Conference	Pres, Pres Elect, EVP
May	NAR Executive Officer Seminar	EVP

June CAR Summer Conference Pres, Pres Elect, CAR Dirs, EVP
APPROVED BY BOARD OF DIRECTORS 6/23/94 Meal allowance for PAR staff to
Attend (1) day CAR Mtgs.
APPROVED BY BOARD OF DIRECTORS 6/25/98 Will pay for Convention Registration
for CAR Directors, EVP, President
& President-Elect for all CAR
Meetings.
*APPROVED BY BOARD OF DIRECTORS 7/29/99

The following are guidelines for expense reimbursements for approved persons traveling on Association Business:

Airfare - Document on Expense Report - Attach copy of invoice or receipt to expense report

Hotel - Document on Expense Report - Attach copy of invoice or receipt to expense report

Ground Transportation - Document on expense report. Attach copy of receipt, if provided

Per Diem - A per diem of \$26, \$30, \$34 or \$38 per day is allowed for meals as per new IRS Guidelines. Receipts are not required for per diem expenses. Unless you go over the per diem rate.

*Please make sure that all attached receipt copies are legible

*Please sign and date Expense Reporting Form and turn in to EVP.

BOD 3-24-94

EXECUTIVE VICE PRESIDENT - ASSOCIATION EXECUTIVE - EXECUTIVE OFFICER, STAFF

Simplified Employee Pension Plan, that is available for employees employed at PAR for at least three years. PAR will put a 6% percent of the employee's salary on the 3rd year anniversary date in this fund and the employee will be 100% vested at that time.

BOD 2-22-96 revised 2-18-99, revised 9/28/2004 to coincide with the employee hand book

AE can attend local education courses with PAR paying for the \$10 student fee and books as schedule permits.

BOD 2-22-96

FINANCE

Event complimentary meals, drinks, etc.

* Meal comps only: President, EVP, 1 PAR Staff, Guest Installer & Spouse, Legal Counsel & Spouse

* No Non-REALTOR comps

* No Drink Comps

BOD 5-19-94

Investments will not be tied up for more than five years at a time

BOD 1-18-96

Association will make quarterly tax payment to the IRS
BOD 1-23-97

A \$25.00 late fee will be charged for all accounts over \$100.00. A \$10.00 late fee will be charge
for all accounts under \$100.00
BOD 1-20-00

For "Not Sufficient Funds" (NSF) Checks \$25.00 charge or 20% of total on check to be assessed
to NSF check holder.
BOD 3-23-95

All PAR Credit Card purchases will be reviewed by finance committee (President/EVP business
travel, hotel, and airfare, ground transportation, meals)
BOD 1-20-94

Partial Payments do not count as a payment and members must pay the amount in full in order to
receive services.
BOD 4-27-99

EDUCATION

PAR Refund Policy on Education Courses

1. A full refund if the course is cancelled or the student withdraws prior to 2 days of the course.
2. If the student withdraws 2 days or less of the course offering they have the option of either a refund less a \$15.00 handling charge or having the full tuition go towards another course.
3. 50% refund if the student is unable to complete the course because of emergency reasons, before 10% of the course has commenced.
4. No refund if the student is unable to complete the course after 10% of the course has commenced. Also, if the student fails to show (No Show)
5. A \$15.00 handling fee will be assessed for persons scheduled for course but did not attend. This fee will be billed at the end of each course.

BOD 11-16-95

Association will cancel any Education Course with less than 12 students for either an eight- (8) hour or sixteen (16) hour course or 24 students for a twenty-four-- (24) hour course.
BOD 11-21-96

Request for rental of meeting room and use of equipment in the downstairs room is \$75.00 per day during normal business hours if schedule permits.
BOD 3-19-98

Ethics & Professional Standards courses will be offered at the Association at a minimum of three times a year, even if the Association has to underwrite it due to the lack of (15) fifteen students.
BOD 3-25-99

BOARD STORE

All contracts and lock boxes sold to members will be paid by company check, or placed on company monthly billing.

BOD 6-21-93 revised 8/22/96

All photocopies made at the PAR office will be charged by company office billing at the rate of \$.10 per copy side.

BOD 6-21-93

PROFESSIONAL STANDARDS - ARBITRATION & GRIEVANCE

The President, with advice from the Executive Vice President; will determine the Committee Chairperson & members of the Grievance Committee and the Professional Standards Committee. (In the event a member of the Board of Directors serves on a Professional Standards hearing panel, that member of the Board of Directors rescues herself/himself from any subsequent Board of Director review of that particular hearing.)

BOD Amended 10/17/02 Last Sentence was amended

The Grievance Committee shall be made up of 6 committee members plus the chairperson (7 total). All committee members must have completed Ethics & Professional standards course within three years and are strongly encouraged to attend this course the first year while serving on this committee. Committee members must have been a REALTOR for at least two years prior to serving on this committee and must be a member of the Association in good standing with all fees and dues currently paid.

The Professional Standards Committee shall be made up of 10 committee members plus the chairperson (total of 11 members), number of committee members per office is restricted to no more than two. The committee members must have served on the Grievance committee for a minimum of two years prior to their serving on the professional standards committee and have reviewed at least three complaints. The Committee members will serve on three year staggered term. All committee members must have completed Ethics & Professional standards course within three years and are strongly encouraged to attend this course the first year while serving on this committee. Committee members must have been a REALTOR for at least three years prior to serving on this committee, must be a member of the Association in good standing with all fees and dues currently paid.

BOD Amended 04/29/99

The Association will make a tape recording of the hearing (Ethics/Arbitration) and either the complainant or the respondent may also record the proceedings if the opposite party gives it consent at the beginning of the hearing. If a party purchases a copy of the Association's official tape recording and subsequently has it transcribed at their own expense, that party must provide a copy of the transcript to the Association at no cost. After the Association has received a copy of the transcript (made from the Board's official tape recording), the Association shall make copies of the transcript available to any other party subject to their payment of the Board's duplication costs.

The Hearing panel and Grievance committee will have the Association Attorney present at all meetings and hearings to order to make sure due process is allowed. The fees collected for Arbitration (\$100.00 from each party) will be retained by the Association and paid to the Association Attorney after the Arbitration Hearing has ended to cover administrative costs. The association attorney shall review the decisions of the hearing panels prior to the final decisions being presented to the complainant and respondent.

Once a Grievance/Arbitration has been received in writing, the executive officer will send a copy of the complaint to the respondent. The respondent will have fifteen days from which to respond. After that time if no response is received or if a response is received, both the complaint and the response will be sent to the grievance committee members and the committee will meet at its earliest convenience. Committee members will be excluded from the proceedings if either they are a party mentioned or if either the complainant or the respondent is from the same company, or the committee member may resign from the case for personal reasons.

The Broker (and previous broker if applicable) will be notified with a courtesy copy (cc) of any complaint against one of their salespersons at the time of original complaint.

BOD 1/20/00

An appeal request shall include a deposit of \$100.00. The Appeals Panel shall be appointed by the Association President and consist of the five (5) Board of Directors or a quorum of the Board of Directors, whichever is less. If the recommendation of the hearing panel is adopted or modified, the deposit by the appellant is retained by the Association. If the recommendation of the hearing panel is overturned, the deposit shall be returned to the party who made the deposit.

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

The expedited ethics administration procedures as offered in the Code of Ethics & Arbitration Manual Section 20(f) will not be adopted by the Association.

Mediation - Parties subject to a formal request for arbitration will not be offered mediation prior to the review of the grievance committee or prior to the Arbitration hearing.

All parties are required to submit a written notice of all witness' and if they will have legal council present; ten (10) days prior to the hearing to the Executive Vice President and to all other parties.

The Association shall offer mandatory arbitration but will offer voluntary arbitration (Section 44) if all criteria are met according to the Code of Ethics and Arbitration Manual.

BOD 2-21-97

Guidelines in forwarding Ethics or Arbitration to the CAR Professional Standards Program:
The PAR EVP & President will choose to forward an Ethics or Arbitration Complaint on Arbitration using the following guidelines:

Arbitration Request: Too legally complex or monetary amount too large (Over \$25,000).

Ethics Complaints: Multiple complaints against same member or multiple complaints of members from same office.

Both Arbitration requests and Ethics Complaints: Are filed if staff work overload or overload in complaints, any reason that may prohibit a member from receiving due process, impartial panel, legal expense for PAR attorney, both parties or one party represented by PAR legal counsel, complaints against PARs Board of Directors, complaint or Respondent request that it be heard by CAR, Perception of impartiality by complainant or respondent, too expensive to justify process at local board, political reasons.

Procedures:

The EVP will continue to act as the recipient of the Ethics and Arbitration complaints (as per NAR guidelines, policies and procedures). The EVP will call the Grievance Chairperson to set the Grievance Committee Meeting. If during the Grievance committee meeting the members find that any of the reasons exist to warrant forwarding the complaint to CAR, the committee will "make no decision" concerning the complaint. Once the committee finds that they will "make no decision" they will be excused. The EVP will then transfer the complaint to the Professional Standards Chairperson. The AE will advise the Chairperson that our Grievance committee made "no decision" regarding the complaint. The Chairperson will then determine whether or not the complaint should be forwarded to the CAR Grievance Committee. If so, the Chairperson will instruct the EVP to forward the complaint to CAR. If not, the chairperson will instruct the EVP to call the Grievance Chairperson for the purposes of requesting another meeting. The complaint will be looked at again by the same committee; they will determine whether it should be forwarded to the CAR Professional Standards committee for a hearing. The President of PAR will be informed by the EVP that an Ethics or an Arbitration complaint has been filed with the association, however, no specific information about the complaint will be proved to the President, only that a complaint has been filed. In addition, upon forwarding a complaint to the CAR the AE will again notify the President that a decision to forward the complaint has been made.

BOD 6-27-96

The board of directors has adopted a policy to assess an administration-processing fee of \$0.00 should a respondent be found in violation of the code of ethics or other membership duty. Note: The board of directors states that the Hearing Panel should make any decision of any fines imposed to a member. The Association Attorney will inform the panel of any administration charges that the Association has incurred for the administration processing of the hearing.

BOD 3-25-99

Local Arbitration's are \$100 per party but if for any reason detailed in PAR policy that it is to be held with the CAR Professional Standards program (Arbitration hearings) that the filing fee is \$250.00 per party and both parties are responsible for the remainder \$150.00 per party.

BOD 6-27-96

Recommend minimum fines start at \$500.00 and maximum fines of \$2,500 to be doubled with guilty verdicts of each infraction. Note: This fine does not include the additional processing fee for Ethics Hearings.

BOD 03/29/99 – Revised 04/20/00

A copy of Notice of Decision of all hearings, for salespersons, will be forward to the broker of their current company and the previous company if the violation took place under another broker.

BOD 03/29/99

If a member is suspended, notification will be sent to all Managing Brokers of the Pueblo Association of REALTORS, Inc. Note: This includes MLS participants and published in the quarterly "Pueblo REALTOR News" newsletter.

BOD 03/29/99

No names of any parties in question will be printed on any Board of Directors correspondence (including Membership Roster).

BOD 04/27/99

All appeals filed with the Pueblo Association of REALTORS must be filed with the executive officer within two weeks of the original notification of decision of professional standards committee, or one week with dismissal of complaint from the Grievance Committee.

BOD 04/20/00

FAIR HOUSING/EQUAL OPPORTUNITY

The Pueblo Association of REALTORS will follow the Colorado Association of REALTORS agreement with the Department of Housing & Urban Development – Fair housing Resolution, being under their umbrella and adopting the REALTOR Fair Housing Declaration as the Association Board Policy.

BOD 3-18-98

ELECTRONIC LOCKBOXES

What to charge per agent 1st, 2nd, thru 6th year?

1st year 1999 - \$25.00 2nd year 2000 - \$35.00, 3rd year 2001 - \$45.00 4th year 2002 - \$55.00 5th year 2003 - \$65.00, 6th year 2004 \$75.00 – recommend charging something the first year in order to have agents take care of the system, if it was free they would tend to lose the boxes and would not care about it as much.

*Revised October 1999 – 2nd Year \$25.00

Deposits for Keys/Lockboxes: \$75.00 for keys - \$75.00 for MLS participates for usage of Lockboxes

* Revised May 2000 - BOD

Responsibility – Damaged/Lost Boxes by Agent of listing – Charges:

\$80.00 charge per box, \$25.00 readout fee, \$10.00 key return -Possible Total \$115.00

Pro-ration of Fees? No Pro-ration, Agents pay their \$50.00 issuance fee plus the full years lease if the association pays for it.

Policy on training of Agents: Video checkout at time of membership – 24 hour return policy w/\$25.00 late fee for failure to return video

Purchase or Lease System? Association Lease – we will bill each agent the cost of the system (minus Association discount-if any) every July for the amount of the ratio-lease. Controls are in house and can be adjusted for discount, contract was negotiated to save \$1.00 per agent if we doing the billing.

Distribution of Keys – Per Agent – Per Office – Per Listings: Per Office – inventory control would be at the broker level, very easy to see if one office has extra boxes other than agent, MLS system can tell me who has listings by office. Example RE/MAX 218, Jones-Healy 142, Abetter 22 – etc. and if a office needs more boxes they can get more at the board office, we have better control, and listings that are not MLS can not use the system.

Turn in old Lockboxes for new one for one or give agents money credits? No credit, no returns
Allowed using the system: REALTORS, Non-Realtors (licensees), Licensed Personal Assistants, Certified Appraisers, MLS participants (minor due to PPAR/RGAR), Affiliate members who can prove a use for it (Home Inspectors e.g.) NOT Allowed: clerical/unlicensed assistants due to liability.

Audit of Lockboxes: Done Annually in June & Payment of annual fees in June

Administration of Lockboxes Assoc. of Realtors or MLS Committee: MLS committee to do taxable expense of time

Copies of PIN numbers: Brokers must have the numbers in their possession, not the Assoc. of Realtors

MLS Participates: Issue Lockboxes to MLS Participates per residential listings in the Pueblo MLS, and that the broker is responsible for these boxes and a deposit of \$75.00 is required per office.

May 2000 – BOD

OTHER

Rookie of the Year qualifications to state: "Nominee must have become a "REALTOR" via board of director's approval in the previous 18 months. Transactions must have been completed from July 1st, 2000 to July 1st, 2001. Nominees must have less than 18 months experience as an active Real Estate Salesperson.

BOD 6-27-96