

LAAOR® Policy & Procedures



Los Alamos Association of Realtors® Policy and Procedure Manual approved
by the Board of Directors March 25, 2015

Los Alamos Association of Realtors®
Policy & Procedures Manual
Created February 2004
Amended March 2015

1. Membership in Los Alamos Association of Realtors®

All members of Los Alamos Association of Realtors® must adhere to the membership guidelines outlined in Articles 5 & 6 of the Los Alamos Association of Realtors®.

1.1 Obligation of the Designated REALTOR®

A. Notification to Association of New Licensees. Each principal broker or office manager is required to notify the Membership Committee Chair within 30 calendar days of the date when an individual becomes licensed with that broker or associated with that office (e.g., the date printed on the individual's license). Such notification shall be in the form of a copy of the individual's real estate license, along with written notification as to the primary office out of which that individual will work.

In the event a principal broker or office manager does not properly notify the Association in accordance with Association Policy 1.1; or a newly licensed or reinstated individual declines to apply for membership; the licensee's broker will be invoiced for dues based upon the date the license was issued to the broker. For new licensees who have not applied for Association Membership within the designated 30 days, the principal broker will be fined \$250.00 per licensee, payable according to the LAAOR Policy #1.7 as well as being responsible for the individual licensee's dues and fees.

B. Financial Obligation. The Member broker who accepts the license of a real estate agent (whether a new member, reinstatement or transfer) shall be responsible for payment of any necessary fee(s) and/or dues. The date of the invoice for such financial obligations shall be the date the license was placed with the Member broker; and the time limits pertaining to Late Fees shall commence with the date of the invoice. The Association will accept payment from the individual REALTOR® and will credit the Member broker for that payment, but the Member broker remains liable for that fee should the individual REALTOR® fail to pay within the specified time limits.

1.2 New Members

In compliance with the Los Alamos Association of Realtors® Bylaws, real estate brokers seeking membership in LAAOR shall be required to: submit an application, completed and signed to verify that they will comply with the NAR rules and regulations of the REALTOR® Association and most importantly that they will abide by the code of Ethics; pay the application fee and dues; and attend a New Member Orientation Course.

A. New Member Orientation Class. In compliance with the Los Alamos Association of Realtors® (LAAOR) Bylaws, Article 5.4, the New Membership Orientation Class shall be conducted on a regular basis. Any real estate broker must successfully complete the Orientation program within the first 2 sessions held following membership approval by the Board of Directors. Members who do not complete the course within the stated time frame will be changed to non-member status and be required to re-join and pay all associated fees (i.e., new member application fee of \$150.00). The format shall coincide with the recommended program

of the National Association of REALTORS®, including local information on Professional Standards, local rules and regulations, etc.

B. New MLS members are required to attend an MLS/Computer orientation within 60 days of joining the Association. If after 60 days, the new MLS member has not taken the orientation course, LAAOR will remove access to the MLS to enforce this requirement. All brokers attending New Member Orientation are allowed no more than a 15-minute window of missed class time including but not limited to tardiness in the AM session and a 15 minute window of missed class time including but not limited to tardiness in the PM session. Brokers not in accordance will be required to repeat the session or the entire day, whichever applies.

C. MLS Portion of New Member Orientation

The MLS portion of the New Member Orientation will be a stand-alone function in compliance with the NAR MLS Rules and Regulations; to be held in conjunction with computer training. Any applicant for MLS participations and any licensee (including licensed or certified appraisers) affiliated with an MLS participant who has access to and use of MLS generated information shall complete an orientation program of no more than 8 classroom hours devoted to the MLS Rules and Regulations and computer training related to MLS information entry and retrieval and the operation of the MLS within 60 days after the access has been provided.

D. Office Managers and Non-licensed Office Assistants

Any person being issued a level 6 security rating (giving them input and maintenance access to their firm) as of April 1, 2006 will be required to attend the Mandatory MLS and Computer Training, within 60 days of being issued their login accounts.

1.3 Reinstatement of Membership

A real estate broker who was previously a REALTOR® Member of the Los Alamos Association of Realtors® (LAAOR) and wishes to reinstate REALTOR® membership with LAAOR shall be considered a “Reinstatement” if application is made within one dues year of the resignation of membership. The application fee shall be \$87.50, which is one-half of the New Member Application Fee. Membership dues shall not be prorated if the licensee held REALTOR® membership during the preceding year. Thereafter, all other Association policies apply. Reinstatements shall not become effective until approved by the Directors following review for compliance with the Board Bylaws.

A former LAAOR REALTOR® Member who wishes to join LAAOR more than 2 years after the current LAAOR dues year, shall be considered a “new Applicant”, and that applicant shall be required to comply with all Bylaw provisions and Association policies pertaining to New Applicants.

In the case of resigning Members who were indebted to the Association for dues, fees, fines or other assessments of the Association or any of its services, departments, division, or subsidiaries, or had any pending complaints against them, the Directors may, at their discretion, condition the right of the resigning Member to re-apply for Membership upon payment in full for all monies owed, or upon payment of an additional application fee, or both. In the case of an ethics complaint, their acknowledgment and willingness to participate in the Professional Standards process must also be verified in writing.

1.4 Transfers within the Association

A REALTOR® Member whose license is returned to the New Mexico Real Estate Commission and is then placed with another member broker within the same LAAOR fiscal year shall be considered a “Transfer” and shall owe the Office Transfer Fee established by the Board of Directors to the Los Alamos

Association of Realtors®. Transfers of licenses from one office to another need to be reported using the Transfer of Office form and payment of a fee of \$50.00 paid within 30 days. If these requirements are not met within the 30 days, the new Principal Broker will be fined \$100.00 per licensee payable according to the Association Policy #100.07.

1.5 Dues Year

The dues year for the Los Alamos Association of Realtors® shall be January 1 through December 31 annually. Dues for all members shall be payable annually in advance on November 1. Dues for a new member shall be prorated monthly. Dues shall become payable upon receipt of application. The Board of Directors may establish fees for the late payment of dues.

2. Dues for Los Alamos Association of Realtors®

2.A The Los Alamos Association of Realtors® charges dues for all Realtor® members and Affiliates. The annual dues amount will be voted on annually by the Board of Directors. The dues year is January 1 – December 31. All members and Affiliates shall be billed at the end of October of each year and payable by November 20th. Dues for a new member shall be prorated quarterly. Dues shall become payable within 30 days from the date a new member is notified of membership or their membership shall become null and void. Attachment A to this document will show the current application fees, dues, and late fees.

2.B Pertaining to payment for Los Alamos Association of Realtors® dues, the Association accepts cash, credit card, or check. Payment to the Association for fees, assessments, or fines, the Association will accept cash or checks. If a check is returned to the Association dues to Insufficient Funds, that specific debt is considered unpaid and payment then must be made by cash, certified check, or money order. A \$25 penalty will also be charged and must be paid within 15 days of notification. Invoices not paid within 30 days of the date of the invoice will be considered late. A 1.5% service fee and \$5 administrative fee will be charged on the full amount of all late invoices, except the dues invoice. Failure to make payment on fees, assessments, or fines within 30 days of notification that they are late will result in discontinuation of services. With regard to dues invoices, the late fee schedule is listed on Attachment A.

2.3 The annual dues collection policy is as follows (dates are subject to change, and will be listed on the annual dues invoice each member receives).

November 20	Dues are due
December 2	\$25 Late fee charge is incurred
December 9	Notice to Qualifying Brokers concerning the number of Broker Associates that have not paid and that if left unpaid, the ENTIRE office will lose MLS and SUPRA service on December 31 st
December 16	A second \$25 Late Fee is incurred
January 2	All services are terminated for the ENTIRE firm.

3. Financial Policies for Los Alamos Association of Realtors@

3.1 Annual Budget. The current LAAOR® Treasurer is the Committee Chair for the Budget Committee. The Treasurer will gather a budget committee with at least one representative from each office, if possible. The Budget Committee will then develop a budget for the

upcoming year and present the proposed budget to the Board of Directors for approval prior to the end of the current fiscal year.

3.2 Association Reserve. LAAOR® recognizes that adequate reserve funds must be maintained by LAAOR® for emergency expenses and for the purpose of continuing to provide essential Member services during periods of reduced income, the following is established as the LAAOR® Reserve Policy:

- a. It is the goal of LAAOR® to maintain reserve funds in an amount equal to fifty percent (50%) of the current LAAOR® annual operating budget.
- b. At the end of each fiscal year, the Treasurer shall report the total of any funds remaining from the previous year. The Board of Directors shall designate what percentages of those unspent funds are to be deposited into the reserve and what percentage is to be included in the next year's operating budget.
- c. Annually, the President and the Treasurer shall recommend to the Directors the financial instrument(s) in which the reserve may be deposited; the directors shall designate which instrument(s) to be used.
- d. All funds utilized by LAAOR® shall be deposited in a financial institution that is insured by the FDIC. The balance of any account shall not exceed the amount covered by the FDIC.

3.5 Association Investing. Based on each year's finances, the Treasurer may recommend to the Board of Directors that some of LAAOR's fund be invested. The Treasurer shall seek out advice from a CPA or Investment Professional and bring this information to the Board.

3.4 Financial Information Disclosure. The Los Alamos Association of Realtors® shall provide timely, accurate, and sufficient disclosure of financial information to NAR, RANM, LAAOR® members, federal, and state government. LAAOR® commits to provide financial information using Generally Accepted Accounting Principles (GAAP). The Treasurer shall seek advice, if necessary, from a CPA concerning providing this information in the proper form.

4. Los Alamos Association of Realtors® Travel Policy

The travel policy for LAAOR® applies to current LAAOR® Board of Directors, LAAOR® RANM Director, and any member that has been approved for travel reimbursement by the Board of Directors. Reimbursements are made for ACTUAL expenses that are incurred and these expenses MUST be supported with a receipt. A Travel Reimbursement Form is available from LAAOR Board of Directors or from the LAAOR website. Claims must be submitted to the Treasurer within thirty (30) days of the travel. Reimbursement will be made within two (2) weeks of submission. Attendees are asked to share their meeting highlights in writing. The report will be presented to the Board of Directors and any information that is pertinent for the membership will be shared.

The expenses that generally will be reimbursed include: Airfare or train fare (coach or economy), car rental for compact or mid-sized cars, fares for shuttles to and from the airport, cab fare or other public transportation costs, the current IRS mileage if a personal vehicle is used, hotel accommodations in low to mid-priced hotels, motels, or similar lodging, cost of meals (no more lavish than would be eaten at the attendees own expense), Tips, not exceeding 15% for meals and 10% for cabs, and event registration.

ALL TRAVEL MUST BE APPROVED PRIOR TO ATTENDING THE EVENT.

5. Directors and Officers Duties and Responsibilities

The Directors and Officers of the Los Alamos Association of Realtors® will make sure the Association will meet any NAR, RANM, federal or state compliance requirements to operate as a chartered Realtor® association or corporation. The Directors and Officers of the Los Alamos Association of Realtors® shall:

- a. Attend all regularly scheduled Board of Director meetings. If a situation arises that requires a meeting to be held electronically, all Directors must agree to the meeting prior to any discussion or votes.
- b. As a member of the governing body of LAAOR®, be responsible for the general conduct of the affairs and finances of LAAOR®.
- c. Maintain confidentiality
- d. Have a complete knowledge of the Code of Ethics, Bylaws, and Policies of LAAOR®.
- e. Work cooperatively with the President, fellow Directors, and the membership in promoting and enhancing the image of the Los Alamos Association of Realtors®.
- f. Keep informed on the conditions and operations of the Association and the real estate industry.
- g. Serve as Director Liaison to a Committee as appointed by the LAAOR® President.
- h. Participate in formulating policies and programs which will further the goals and objections of LAAOR®.
- i. Participate in the activities of the Los Alamos Association of Realtors®.

5.2 Obligation of Directors to Maintain Confidentiality

If any Director of the Los Alamos Association of Realtors® reveals confidential information received from Board of Directors' meetings, when in executive session, without prior authorization from the President of the Association, this dissemination of confidential information shall be considered cause for removal from membership of the Board of Directors. Proper notification shall be given to such Director and a hearing shall be held in accordance with the ByLaws of the Los Alamos Association of Realtors®.

5.3 Annual Election Ballots

The Annual Election of Officers and Directors shall take place during the Annual General Membership meeting held in October. Election shall be by ballot containing the names of all candidates and the offices for which they are nominated, except as otherwise provided herein. A 25% quorum of the membership is required.

5.4 Association Spokesperson

The primary spokesperson for the Association is the current President. In the event the President is not available, the alternate spokesperson is the President Elect. In the event that both the primary and alternate spokespersons are not available, the Secretary of the Association is authorized to speak for the Association. In no case shall any volunteer member of the Association, acting in the capacity of a Committee Chair or otherwise be authorized to make any public announcements in the media (print or other) on behalf of the Los Alamos Association of Realtors® without express written consent from the current authorized Association Spokesperson.

5.5 Director Liaisons

The Board of Directors, recognizing that close cooperation between the Directors and the committees of the Association will be of benefit to the Association, authorizes the President to appoint one Director as liaison/Chairperson to each of the Association Committees.

Unless separately appointed and approved as a committee chairman or committee member, the Director Liaison shall have no voice or vote on the subject committee. It is intended that the Director Liaison will be able to assist the committee by advising on Association Policy and by being the "voice of the committee" on the Board of Directors.

It is not intended that any committee chairman be precluded from requesting to appear at a meeting of the Executive Committee to personally present his or her proposals for Association Policy or requests for special funding.

6. Association General Membership Meeting Purpose and Protocol

The Board of Directors will provide the schedule for General Membership Meetings in January of the current fiscal year.

The purpose of the general membership meetings is to further the objectives and Mission of the Los Alamos Association of Realtors®. The Mission of the Los Alamos Association of Realtors® is to enhance members' ability to conduct their individual business successfully and ethically, with confidence and professionalism.

The meetings are designed to benefit Realtor® members professionally and unite those engaged in the recognized branches of the real estate profession for the purpose of exerting a beneficial influence upon the profession and its related interest. In this vein, the meeting shall provide a means to facilitate the sharing of information, encourage on-going education, and be motivational.

The protocol for membership meetings shall be:

- a. The meetings shall take place at the date, time, and place selected as selected by the Board of Directors in January of the current fiscal year.
- b. All members in good standing with the Los Alamos Association of Realtors® are encouraged to attend. This includes Realtor® members and Affiliate members. All other guests or speakers will be invited by the individuals charged with organizing the meetings.
- c. The agenda and format for the meeting will be developed and coordinated by the current President of the Board of Directors, and the individual appointed to facilitate the meetings. All members are encouraged to make suggestions and recommendations for speakers and topics.
- d. Any and all announcements must be arranged and coordinated with the person responsible for facilitating the meeting and/or the agenda for the meeting.
- e. The individual(s) responsible for facilitating the meeting may contact any Affiliate member to sponsor the meeting, provide breakfast, and have time on the agenda to provide updates about their company at the meeting.

7. Records Retention

All documents shall be maintained for a full three (3) years prior to the documents generated in the current year. Included in this category are committee minutes, correspondence and all other documents relating to the general operations of the Association with the following exceptions:

- a. The Articles of Incorporation and Bylaws, with all Amendments should be maintained from the inception of the corporation. These should be maintained in chronological order from the date of the first entry.
- b. Financial documents, that are documents relating to income and expenses, of receipts and disbursement, should be maintained for seven (7) years.
- c. Documents of historical value, such as photographs of famous events or persons who have been active in the Association, can be kept in a separate category labeled "Documents of Historical Interest".

8. Association Committees

The following are the Standing Committees of the Association: MLS, Education, Bylaws, Finance, Professional Standards and Grievance, Membership, Affiliates, Legislative, Social, and Nominating/Election Committee.

Any Affiliate in good standing in the Association is eligible and encouraged to be the Chairman, Vice Chairman, or member of any of the Association's volunteer committees except Professional Standards and Grievance Committee.

9. Education Registration/Attendance/Cancellation/Refund and Credit Policy

REGISTRATION: The Chairmen of the Education Committee must confirm a member's registration and payment. Record of attendance will be verified by sign-in and sign-out sheets.

ATTENDANCE: Students **MUST be present for 90% of the class in order to be issued a certificate of completion.**

CANCELLATION AND REFUNDS: If a student is registered for a class, but unable to attend, the student may receive a refund for payment for the class. The student must contact the Education Chair and notify them that the student is unable to attend the class. The notification MUST take place before the class begins.

Fees for LAAOR® classes will be established based on each individual class presented.

10. Association Investigation

Association counsel and the Association President shall be notified immediately should any federal, state, or local governmental agency inform the Association, in writing or in person, that an investigation is being conducted or contemplated. Further, that Association Counsel be present during any discussions unless, in the Counsel's opinion, that presence is not required.

The President is directed to inform any investigative personnel that this Association policy is in effect.

11. Association Counsel

Only the current Board of Directors may approve the contracting of Association counsel. Any member who contacts counsel in regards to services for the Association will be directed to the President for proper procedures.

12. Antitrust Instruction

The Association will conduct training in antitrust matters at least once each calendar year. The training will be open to all members and may be provided by a class, CD, or internet webinar.

13. Whistleblower Policy

Purpose: The underlying purpose of this policy is to encourage reporting of violations of state, federal, or local laws, maintain confidentiality and prohibit retaliation.

If a member of the Los Alamos Association of Realtors® has information which s/he reasonably believes identifies a violation of state or federal law, the member “whistleblower” should contact the Association General Counsel. Members are also permitted to contact the appropriate law enforcement or government agency. The member must exercise sound judgment to avoid baseless allegations.

Confidentiality: The confidentiality of the whistleblower will be maintained to the extent possible. The identity may have to be disclosed to conduct a thorough investigation, to comply with the law or to provide accused individuals their legal rights of defense.

Retaliation: The Association will not retaliate against a whistleblower or any member who refuses to participate in an activity that would result in a violation of state, federal or local law. Any member who believes s/he is being retaliated against must contact the Association General Counsel immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated, or disclosures that would constitute a violation of the attorney-client privilege.

14. Conflict of Interest Policy

Purpose: This policy of ownership disclosure and prohibiting conflicts of interest applies to all members of Los Alamos Association of Realtors®.

Ownership Disclosure: Members must disclose ownership interest or financial interest in entities prior to speaking to a decision making body about the entity. After making the necessary disclosure, a member may participate in the discussion and vote on the matter unless the member has a conflict of interest as defined in Section 3–Conflict of Interest. Ownership interest is defined as the cumulative holdings of the member, the member’s spouse, children, siblings and to any trust, corporation or partnership in which any of the foregoing individuals is an officer or director, or owns, in the aggregate, at least 50% of the (a) beneficial interest (if a trust), (b) stock (if a corporation) or (c) partnership interests (if a partnership).

Financial interest means any interest involving money, investments, credit or contractual rights.

1. When Los Alamos Association of Realtors® has an ownership interest in an entity and a member has an ownership interest in that same entity, such member must disclose the existence of his or her ownership interest prior to speaking to a decision making body on any matter involving that entity.
2. If a member has personal knowledge that Los Alamos Association of Realtors® is considering doing business with an entity in which a member has any financial interest, or with an entity in which the member serves in a decision-making capacity, then such member must disclose the existence of his or her financial interest or decision making role prior to speaking to a decision making body about the entity.
3. If a member has a financial interest in, or serves in a decision-making capacity for, any entity that the member knows is offering competing products and services as those offered by Los Alamos Association of Realtors®, then such member must disclose the existence of his or her financial interest or decision-making role prior to speaking to a decision making body about an issue involving those competing products and services.

Conflict of Interest: Members must disclose conflicts of interest at the outset disclose their interest at the outset of any discussions by a decision making body pertaining to the Business or any of its products or services.

Members may not participate in the discussion relating to that Business other than to respond to questions asked of them by other members of the body. Furthermore, no member with a conflict of interest may vote on any matter in which the member has a conflict of interest, including votes to block or alter the actions of the body in order to benefit the Business in which they have an interest.

A member of any of Los Alamos Association of Realtors® decision making bodies will be considered to have a conflict of interest whenever that member:

1. Is a principal, partner or corporate officer of a business providing products or services to Los Alamos Association of Realtors® or in a business being considered as a provider of products or services ("Business:"); or
2. Holds a seat on the board of directors of the Business unless the person's only relationship to the Business is service on such board of directors as Los Alamos Association of Realtors® representative; or
3. Holds an ownership interest of more than 1 percent of the Business.

15. Adoption of NAR Code of Ethics and Arbitration Manual

The Los Alamos Association of Realtors® will review, adopt, and incorporate the NAR Code of Ethics and Arbitration Manual into the LAAOR® Bylaws. The review and adaptation is subject to initial reviewed by legal counsel to ensure that the procedures are consistent with policies adopted by NAR and with the requirements of law of the State of New Mexico. The current Code of Ethics and Arbitration Manual can be viewed at: <http://www.realtor.org/code-of-ethics-and-arbitration-manual>

NAR allows for local and State Boards/Associations to adopt a policy of publishing the names of members adjudged to have violated the code of Ethics with the following requirements:

- a. Publication can only occur after a 2nd violation within 3 years.
- b. Publication can only be made in an official communication vehicle of the Board (or Boards) in which the violator holds (held) membership.
- c. The name of the firm the violator is (or was) licensed with cannot be published.
- d. Publication must be consistent and uniform. This means that publication may not occur selectively but must be used in each instance where a 2nd violation is determined within 3 years.
- e. Other than the violator's name, the only additional information that may be published is the Article or Articles violated and the discipline imposed.
- f. At least 1 of the violations must be based on conduct, which occurs after the adoptions of these procedures

16. Professional Standards and Grievance

The Los Alamos Association of Realtors® will participate in and provide trained members I the Regional Professional Standards Process. The Regional Professional Standards Committee will process requests for Arbitration, Ethics complaints, and Grievance hearings.

Los Alamos Association of Realtors® also has access to Mediators and Ombudsman Program through the Realtor® Association of New Mexico.

16.1 Arbitration:

\$500.00 filing fee to the complainant

\$500.00 filing fee to the respondent

All parties to an Arbitration must first mediate the dispute (see section E). The parties to Arbitration may settle the issue between them by agreement at any time. In either event, upon notification to the Chief Executive of LAAOR, the Arbitration proceedings shall be terminated and the termination shall be recorded in the file. A portion (not to exceed 15%) of each party's deposit may be retained by LAAOR to cover the costs incurred up to the point of settlement of the dispute.

If a decision is made that a case is not arbitrable, the Complainant's and the Respondent's deposits of \$500.00 will be returned. In the case of an arbitration, the entire deposit of the non-prevailing party will be retained by LAAOR as an administrative processing fee. It will be determined by the Hearing Panel whether to retain any or all of the prevailing party's deposit. The deposits of the participating Associations will be returned in full or assessed any and all reasonable travel expenses, which may have been incurred by the members of the Hearing Panel in carrying out the due process of the hearing.

A written request for procedural review of the arbitration hearing procedures must be filed with the President within 20 days after the award has been served on the parties and be accompanied by a deposit in the sum of \$250.00. The request for procedural review should cite the alleged procedural deficiencies or other irregularities the party believes constitute a deprivation of due process (e.g., fraud, coercion, bias, prejudice, evident partiality, etc.) on the part of the Hearing Panel members or others acting on behalf of the board. The request for procedural review shall be reviewed by the Board President or the President's designee only for the purpose of determining whether the request states any legitimate basis for consideration by the Board of Directors. All other procedures for dealing with a request for procedural review shall follow the guidelines outlined in the National Association of REALTORS® Code of Ethics and Arbitration Manual.

16.2 Ethics.

The initial charge to the participating Associations in this Regional process for handling an Ethics complaint will be as follows:

\$15.00 per member per participating Association billed in advance and placed in the Professional Standards account of SFAR to cover any and all Administrative costs incurred by SFAR for Ethics complaint processing.

If a case goes to Hearing, all reasonable travel expenses incurred by members of the Hearing Panel (e.g., roundtrip mileage) will be borne by the hosting participant Association, if requested.

A \$250.00 fee must accompany requests for Appeal of an Ethics Decision. REALTORS® who are MLS participants but not members of one of the participating Regional partners shall be assessed an administrative processing fee of \$500.00 in addition to any discipline imposed (which may include fines) in instances where such individuals are found in violation of the Code of Ethics.

In addition to any discipline imposed, SFAR has adopted the policy of imposing an administrative processing fee of \$500.00 against each respondent found in violation of the Code of Ethics or other membership duties. (Revised February 2002, July 2005, April 2007, April 2009, September 2009)

Per the National Association of REALTORS® (NAR), the maximum fine an Association or Board can impose on a member found guilty of a violation of the NAR Code of Ethics is \$15,000.

16.3 Expedited Ethics Administration

The National Association of REALTORS® made available the Expedited Ethics Administration Procedures as of January 1, 1996. In cases where the expedited procedures are selected, NO HEARING will be held. Only when the respondent has not been found in violation of the Code by any REALTOR® board in the last three years, AND the respondent agrees to waive a hearing, will the expedited procedure be used.

16.4 Designated Realtor

The Designated Realtor for both parties to the complaint will receive hearing notifications and decisions.

16.5 Mediation

Mediation shall be mandatory in all arbitration disputes.–The Secretary (or Executive Officer), upon receipt of a request for arbitration, will advise all parties of their mediation obligations and options to participate in mediation prior to review of the arbitration request by the Grievance Committee. Regardless of whether mediation is voluntary or mandatory, if either party requests that mediation be deferred until after the arbitration request can be reviewed by the Grievance Committee, the arbitration request will be referred to the Grievance Committee for that committee’s determination whether (a) an arbitrable issue exists, and (b) whether arbitration would be voluntary or mandatory. Where any party initially declines to mediate pending the Grievance Committee’s review of the arbitration request, the parties shall in all instances again be offered the opportunity to mediate following the Grievance Committee’s review.

Boards may also offer disputing parties an opportunity to mediate prior to an arbitration request being filed. (Adopted 11/11)

NOTE: If a Board requires REALTORS® (principals) to mediate otherwise arbitrable disputes, there can be no allegation of a violation of Article 17 if a party refuses to mediate unless an arbitration request has been filed, the Grievance Committee has referred the arbitration request for hearing on a mandatory basis, and the party then refuses to mediate. (Adopted 11/11)

16.6 Postponement of Hearings

In view of the inconvenience to other parties and to Association staff, postponements of scheduled Ethics or Arbitration hearings should not be granted except in cases of unforeseeable personal emergency. The request should be made in writing, and forwarded to the Chair of the Professional Standards Committee with a copy to the Chief Executive. The Chair of the Professional Standards Committee will have final authority to grant or deny a postponement. In the event of a 2nd postponement requested and granted, a charge of \$250 shall be assessed against the requesting party to defray the costs of rescheduling and notification.

16.7 Escrowing of Arbitration Awards

In accordance with NAR recommended policy in Section 31 of the Code of Ethics and Arbitration Manual, the Santa Fe Association of REALTORS® (SFAR) will require that non-prevailing parties in Arbitration disputes deposit contested funds with the Chief Executive to be held in a special Association escrow account whenever said funds are not paid to the prevailing party within 10 days of notification of award decision of the Arbitration panel.

Failure to satisfy, to award, or to deposit funds with the Association within the 10 day period following notification may be considered a violation of a membership duty, subjecting the non-complying member to possible suspension from Association membership at the discretion of their Board of Directors with existing rules of reinstatement invoked.

16.8 Ethics Appeal Deposits

Within 20 days after the Hearing Panel's decision and granting that no petition for a rehearing has been filed and is pending, the Complainant or Respondent can file an appeal with the Board of Directors. An appeal basically asks for a revision to be made in the Hearing panel's decision. The Complainant can only appeal based upon alleged procedural deficiencies or other lack of procedural due process that may have deprived him/her of the opportunity for a full and fair hearing. The Respondent may appeal on the grounds that there has been a misapplication or misinterpretation of the Code of Ethics, a procedural deficiency or any lack of procedural due process or unfairness in the disciplinary action. All appeals must be in writing and must be accompanied by a \$250.00 filing fee. If the Board of Directors upholds the decision of the Hearing Panel, the board will retain the \$250.00 to cover costs of processing the appeal. If the Board of Directors rejects the decision of the Hearing Panel, the \$250.00 will be returned.

16.9 Arbitration Award Enforcement.

The judgment of any competent court of record in New Mexico or Federal may be rendered upon the award. If a member fails to comply with an award, the recipient to whom the award has been rendered by the arbitration panel shall be advised by the Board to seek judicial enforcement and to request reimbursement of legal fees incurred in seeking enforcement. At the discretion of the Board of Directors, the Board may support the request for judicial enforcement in the court, and at its further discretion, the Board may reimburse the individual for costs incurred in seeking such judicial enforcement if the court does not grant reimbursement of legal costs to the plaintiff

16.10 Professional Standards/Grievance Committee Requirements.

The following are the minimum requirements for appointment to serve on the Professional Standards/Grievance Committee of this Association.

1. Be a REALTOR® Member in good standing with this Association or one of the Regional Partners in the process for at least the period of 3 full years.
2. All members of the Santa Fe Association of REALTORS® (LAAOR) Grievance and Professional Standards Committees are required to take the Professional Standards Basic Training course at least once every 3 years.
3. SFAR recommends to the other boards in the Regional Professional Standards enforcement agreement that they consider requiring the same of the members they appoint to these committees;

4. All Board of Directors are required to take the Professional Standards Basic Training Course or its equivalent every 3 years. At the beginning of each calendar year, the President shall select 5 members and at least, 2 alternates from the Board of Directors to serve as the appeal panel as referenced in Section 33 of the NAR Code of Ethics and Arbitration Manual.
5. Whenever possible, the Professional Standards Chair shall strive to exceed these minimum requirements.

16.11 Recording of Proceedings.

The NAR Code of Ethics and Arbitration Manual allows for the recording of the proceedings of a hearing, either ethics or arbitration. The Santa Fe Association of REALTORS® uses the practice of recording all hearings and making recordings available to those involved in the complaint only for the purpose of appeals and rehearings. The Professional Standards Committee recommends that participants not have the ability to make recordings of the process on their own due to the potential for breach of confidentiality.

17. Los Alamos Association of Realtors® Charitable Donations

Los Alamos Association of Realtors® Board of Directors will have a “Voluntary LA Community Service Contribution” on its annual dues bill. The Board will choose a local organization to make a donation to on an annual basis.

18. Los Alamos Association of Realtors® Scholarship

Los Alamos Association of Realtors® may offer two (2) scholarships annually. One (1) to a graduating high school student who is the child of a Realtor® and one (1) to a child of a Realtor® who is either obtaining their Masters, PHD, or obtaining a 2nd degree. The amounts will be determined by the Budget Committee on an annual basis.

19. Los Alamos Association of Realtors® Strategic Plan

The Board of Directors will meet and develop a 3 year Strategic Plan every three years. The first plan was developed and approved March 25, 2015.

Los Alamos Association of Realtors®
Attachment A (Revised September 9, 2016 by LAAOR® Board)

Los Alamos Association of Realtors® Dues – January 1, 2016 – December 31, 2016

LAAOR® Dues	\$315.00
RANM Dues	\$230.00
NAR	\$120.00
NAR Mandatory Assessment	\$ 35.00
Optional RPAC Contribution	\$ 20.00
Voluntary LA Community Service Contribution	\$ 15.00
LAAOR MLS Dues	\$372.17
LAAOR New Member Application Fee	\$150.00
RANM New Member Application Fee	\$ 40.00
MLS New Member Application Fee	\$150.00
LAAOR New Office Fee	\$150.00
Office Transfer Fee	\$ 25.00

Mediators:

NAME	BOARD	PHONE	EMAIL
Bernstein, Carol	GAAR	505-266-1448	italamber@aol.com
Colvin, Cathy	GAAR	505-884-0020	cathycolvin@comcast.net
Denio, Connie	Roswell	575-622-7191	Cdenio@remax.net
Holiday, Mary	Las Cruces	505-522-3698	maryh@steinborn.com
LaBonte, Kathleen	GAAR	505-892-1000	kathylabonte@gmail.com
Mitchell, John	GAAR	505-321-4800	john@abqrealty.net
Mitchell, Sharon	SFAR	575-758-2723	Sharon@taosrealestatebroker.com
Stearley, Diane	GAAR	505-281-3755	dmstear@att.net
Strebe, Sue	SFAR	505-387-6203	suestrebe@nmt.net

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