

PISMO COAST ASSOCIATION OF REALTORS®
ASSOCIATION POLICY

(revised 12/13/11)

OFFICE HOURS: 9:00 a.m. to 5:00 p.m. Monday through Friday

DIRECTOR MEETINGS – The Association will not include names as the maker and second of motions during Committee and Director meetings, and “accept” rather than “approve” financial statements during Director meetings.

MEETINGS:

- **Board of Directors:** Held the second Tuesday of each month, 8:30 a.m. at the Association office. Open to anyone except when considering personnel or legal/ethics matters; agendas to be supplied if requested.
- **Weekly Association and MLS meetings** to be completely separate, with MLS meetings to cover only property announcements/caravans and strictly MLS issues.
- **MLS portion** MLS portion open ONLY to MLS members
- **Association portion** open ONLY to REALTOR® and Affiliate Association members, and those invited to make speaking presentations.
- **Non-member “affiliates”** may attend one meeting only as a guest; no business promotion at that meeting.
- **Social Events:** e.g. picnic and installation; open to members, spouses and non-licensee guests.
- **Association office** conference room may be used by members during office hours if approved by staff; no evening use or use for meetings with clients.

ROSTERS

- **Rosters** containing company contact information can be given to non-members.

CONTRACTS:

- Contracts may only be signed by the CEO or person designated by CEO.

COMMITTEES:

- President to meet with committee chairs prior to beginning their terms to review Association policies and to outline committee goals for the year per the annual Goals or Strategic Plan.
- Any project planned or any use of the Association name is subject to prior approval of the Board of Directors.
- All committee meetings must be held at the Association office with CEO or designee in attendance.
- Advance agendas are to be provided to the CEO and minutes of all meetings are to be taken
- The President, as ex-officio member of all committees, is to be notified of all meetings.
- Committees/directors to coordinate with CEO for help needed and jobs are not to be assigned directly to staff
- Committee chairperson to receive “comp” ticket to events/seminars he/she arranges and implements (unless an outside company is collecting a per-member fee). In addition, the outgoing President, incoming President, 2 staff members shall receive one “comp” ticket to the annual Installation event, and MC receives 2 “comp” tickets.
- A past director serve on the Nominating Committee annually

PERSONNEL:

- **Association personnel reviews and staff salaries/benefits** to be reviewed annually in September per the Operations Manual.
- **CEO** sets staff salaries/benefits.

ASSOCIATION DUES/FEES:

- **Honorary Membership:** If CAR and/or NAR bestow the Honorary Member for Life status upon a member, the local association dues will be waived for that member thereafter.

FACILITY POLICY:

- **Facility Compensation & Representation Policy:** *The Associations policy towards Agency, Commission and the handling of “leads” generated by members/agents on possible lots/properties to purchase for the new facility*
Listing our current facility:
The listing Broker will be selected from the following – current Facility Chair, Association President, President Elect, State Director. There will be no compensation with the exception of agreed upon hard costs.
When Association acts as Buyer for new facility:
The Broker representing the Association in a sale will be selected from the following – current Facility Chair, Association President, President Elect, State Director. There will be no compensation with the exception of agreed upon hard costs. Any agent bringing a facility to the Association will not receive any compensation

from the Association

FINANCIAL / LEAVE OF ABSENCE:

- (a) **submit a written request** to the Board of Directors with a valid reason
- (b) **must remove license** from Broker and Broker must notify DRE of agent's returned license
- (c) **limited to** a period of one year
- (d) **not a member** during this time and receives no services
- (e) **can be reinstated** by paying all applicable fees of the Local Association, CAR and NAR

ELECTIONS:

- Anyone nominated to serve on the Board of Directors must have held local REALTOR® membership for 2 years prior to nomination.

REALTOR® & AFFILIATE OF THE YEAR:

- **REALTOR®-of-the-Year** suggestions can be made by any Association and Affiliate member; selection committee to consist of any five past recipients, to be chosen by the last recipient and CEO, thus avoiding the possibility of a nominee also serving on the Selection Committee.
- **Affiliate-of-the-Year** suggestions can be made by any Association and Affiliate member; selection committee to consist of Association President, President-Elect and two REALTOR or Affiliate representatives selected by Affiliate Chairman.

EDUCATION COSPONSORS: Sponsorships will be offered on a first-come-first-serve basis via email notification to potential sponsors, giving equal opportunity for response time. The benefits offered for sponsorships will be defined on a per-offering basis.

Educational offerings may be funded from other education income, e.g. video education and sale of correspondence courses, without being required to cover administrative expense.

EQUIPMENT: The Association does not loan association equipment to anyone

ADVERTISING AND NON-DISCRIMINATION POLICY: The Pismo Coast Association of REALTORS® is pledged to the letter and spirit of U.S. policy for the achievement of equal housing opportunity throughout the Nation. We encourage and support an affirmative advertising and marketing program in which there are no barriers to obtaining housing because of race, color, religion, sex, handicap, familial status or national origin or any other protected class. The Association recognizes that real estate advertising is subject to the Federal Fair Housing Act, which makes it illegal to advertise any preference, limitation or discrimination because of race, color, religion, sex, handicap, familial status or national origin, or any other protected class, or intention to make any such preference, limitation or discrimination. In addition, California has extended protection to people based on marital status. We are firmly committed to an advertising policy that adheres to the Federal Fair Housing Act. We will not accept any MLS listing or advertisement for real estate, which we are aware may violate the law.

GOVERNMENT AFFAIRS DIRECTOR (GAD) - The GAD will obtain his/her directives through the GAD Regional Steering committee, which will include representatives from Pismo Coast Association of REALTORS®.

AFFORDABLE HOUSING – PCAOR agrees to become a sponsor of the Workforce Housing Coalition on 3/9/04, based upon the Mission Statement as submitted by the Coalition, with any future revisions requiring subsequent Director approval.

POLITICAL CAMPAIGNS – PCAOR policy is to disallow campaign signs/materials from being posted on Association property.

LCRC COMMITTEE – All LCR Committee members are required to donate at least \$1.00 above the mandatory RAF Assessment in order to serve. The LCRC member will make decisions regarding IMPAC funds as well as BOPAC funds.

Up to 2 REALTOR® members may be approved by the Board of Directors to attend the Sacramento CAR State Director "Legislative Day" meeting using IMPAC funds to cover expense amounts for hotel lodging, hotel parking, mileage at the IRS rate, and an allotment of \$90 per day for meals. IMPAC funds will cover these costs for members to travel to Sacramento the day prior to "Legislative Day", until the day after "Legislative Day". REALTOR® members must complete the written application to be considered for approval. Those who are currently serving on the Board of Directors will be given priority consideration.

PROFESSIONAL STANDARDS:

Training requirements: All members of the Grievance and Professional Standards Committees are required to have taken the applicable Professional Standards training within three years prior to sitting on a hearing panel. All members of the Board of Directors shall be required to have taken the training within three years prior to taking office or during their first year of tenure and prior to sitting on a review panel.

C.A.R. criteria for Arbitration Tribunalists:

- Has been a member in good standing with C.A.R. for the last three years;

- Is currently active in the real estate industry, including, but not limited to, real estate sales production and/or sales or property management;
- Has served as an observer, alternate or a tribunalist on at least one hearing before acting as Presiding Officer on tribunal;
- Has successfully completed a C.A.R.-approved course for ethics and arbitration training, or an equivalent within the last three (3) years.

Reciprocal tribunal members: The Pismo Coast Association has agreements to share tribunal members (Grievance, Professional Standards and Directors) on a reciprocal “as needed” basis with the Santa Maria and San Luis Obispo Associations.

Mediation is to be offered on a voluntary basis prior to arbitration.

Designated REALTOR® notification: Current Designated REALTOR® to be notified when discipline is imposed on agent for actions committed while under a previous broker.

Fines - If PCAOR administers a Professional Standards ethics hearing on behalf of another local Association, PCAOR will give 50% of any fine collected from the Respondent(s) to the local Association where the ethics complaint originated.

Anonymous Complaints – There will be no anonymous complaints accepted by PCAOR.

NAR Quadrennial Ethics Training – This Association will accept California DRE approved ethics and survey courses to satisfy NAR’s mandatory quadrennial code of ethics training for all renewing members, with new licensee members taking NAR’s online course to satisfy the requirement upon joining the Association.

CITATION POLICY – PCAOR has adopted the following citation monetary schedule, to be administered per the CAR Professional Standards Manual. Along with the Grievance Committee’s ability to issue monetary citations, the Respondents must also complete an Ethics course. A Respondent who has received a citation always has the option of requesting a full Hearing. The monetary citation schedule is as follows...

<input type="checkbox"/>	Article 3: Attempt to change offer of compensation after being made aware of signed offer to purchase.	\$ 250.00
<input type="checkbox"/>	Failure to disclose existence of dual or variable rate commission.	\$ 250.00
<input type="checkbox"/>	Failure to disclose existence of accepted offers to cooperating brokers.	\$ 250.00
<input type="checkbox"/>	Article 4: Failure to disclose REALTOR® interest in property being bought or sold.	\$ 250.00
<input type="checkbox"/>	Article 5: Providing professional service without disclosing interest in property.	\$ 250.00
<input type="checkbox"/>	Article 6: Accepting any commission, rebate or profit on expenditures without client’s knowledge or consent.	\$ 250.00
<input type="checkbox"/>	Article 12: Failure to present a true picture in real estate communications and advertising.	\$ 250.00
<input type="checkbox"/>	Failure to disclose professional status in advertising and other representations.	\$ 250.00
<input type="checkbox"/>	Failure to disclose compensation from 3 rd party for services provided free to a client.	\$ 250.00
<input type="checkbox"/>	Advertisement offering to sell/lease property without authority of owner or listing broker.	\$ 250.00
<input type="checkbox"/>	Failure to disclose name of firm in advertisement for listed property.	\$ 250.00

<input type="checkbox"/>	Failure to disclose status as both owner/landlord and REALTOR® or licensee when advertising property in which REALTOR® has ownership interest.	\$ 250.00
<input type="checkbox"/>	Falsely claiming to have “sold” property.	\$ 250.00
<input type="checkbox"/>	Registration or use of deceptive URL or domain name.	\$ 250.00
<input type="checkbox"/>	Article 14: Failure to cooperate in any professional standards proceeding or investigation.	\$ 250.00
<input type="checkbox"/>	Article 16: Use of terms of an offer to modify listing broker’s offer of compensation.	\$ 250.00
<input type="checkbox"/>	Placement of for sale/lease sign on property without permission of seller/landlord.	\$ 250.00

Note: The Association has imposed an escalating fine schedule for repeat citations whereby the amount doubles with each repeat citation over a 3 year period, and has imposed a mandatory ethics training requirement that accompanies each citation issued.