



## **POLICY MANUAL**

### **CONTAINS ALL POLICIES AND RULES AND REGULATIONS OF THE YOUNGSTOWN COLUMBIANA ASSOCIATION OF REALTORS, INC. REVISED AND ADOPTED BY THE BOARD OF DIRECTORS AS OF MARCH 2021**

A professional association is set up to accomplish certain definite purposes for its members. It therefore must be governed by certain policies, procedures and rules.

The purpose of this manual is to define the policies, procedures and rules for the functioning committees and the staff of the Youngstown Columbiana Association of REALTORS, Inc.

This manual will include all Association policies that are required to support the current Bylaws of the Association and those approved policies necessary to administer the Association's day to day operations.

This manual will also include a procedural guide for all standing committees within this Association. The secondary purpose of this manual is to provide volunteer leadership and REALTOR Members with a standard guide to professionalism in the management of this Association.

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**SECTION 1 - OFFICERS AND DIRECTORS OF THE  
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## **SECTION 1. DUTIES OF THE OFFICERS AND DIRECTORS OF THE YOUNGSTOWN COLUMBIANA ASSOCIATION OF REALTORS, INC.**

### **(1.1) PRESIDENT (05/2018)**

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. He/she is authorized to appoint committees, subject to the approval of the Board of Directors and is an ex-officio member of all committees (except the Nominating Committee, the Professional Standards Committee and the Grievance Committee). He/she is expected to perform such duties as may be assigned by the Board of Directors.

Other duties of the President are:

- 1) To serve as a Director of the Youngstown Columbiana Association of REALTORS;
- 2) To provide objective leadership and administration of the Directors, committees and volunteers of the Youngstown Columbiana Association of REALTORS;
- 3) To delegate authority to the Chief Executive Officer to maintain sufficient supervisory contact to create successful performance;
- 4) To represent the Youngstown Columbiana Association of REALTORS in community activities, in person or through a representative;
- 5) To implement a short term and long-term program of positive action as approved by the Directors;
- 6) To analyze the Association's problems and provide appropriate solutions;
- 7) To eliminate outmoded Association policies that are different from updated NAR policies;
- 8) To encourage membership participation to the fullest;
- 9) To keep the Youngstown Columbiana Association of REALTORS free of policies and programs that are not within the prerogative of a trade association;
- 10) To provide sound fiscal leadership;
- 11) To strengthen the Association's internal committee structure;
- 12) To cooperate with the Ohio Association of REALTORS and the NATIONAL ASSOCIATION OF REALTORS in joint programs;
- 13) To become familiar with the operations and policies of the State and National Associations and attend their conventions and appropriate meetings;
- 14) To report to the Board of Directors and the membership on the affairs of the Association;
- 15) To serve as a Director of the Ohio Association of REALTORS representing the Youngstown Columbiana Association of REALTORS;
- 16) To become familiar with the NAR President's Leadership Manual, the Bylaws of the Youngstown Columbiana Association of REALTORS, the Policy Manual, the Rules & Regulations of the Association, and the current edition of Roberts Rules of Order.
- 17) To maintain confidentiality and annually sign the "Board of Directors Code of Ethics";
- 18) To attend required annual Leadership Training.

### **(1.2) PRESIDENT ELECT (05/2018)**

The President Elect shall serve in the absence of the President and familiarize himself/herself in other duties and responsibilities of said office.

Other duties of the President Elect are:

- 1) To serve as a Director of the Youngstown Columbiana Association of REALTORS;
- 2) To keep abreast of all Association activities to aid the President;
- 3) To be aware of the short term and long-term programs as approved by the Directors;

- 4) To be familiar with the Bylaws of the Youngstown Columbiana Association of REALTORS, the Policy Manual and the Rules and Regulations of the Association and Roberts Rules of Order;
- 5) To attend all meetings of the Board of Directors and any special meetings of the membership;
- 6) To serve as a Director of the Ohio Association of REALTORS;
- 7) To perform such duties as may be assigned by the President.
- 8) To maintain confidentiality and annually sign the “Board of Directors Code of Ethics”;
- 9) To attend required annual Leadership Training.

#### **(1.4) TREASURER (05/2018)**

The Treasurer is designated to be the custodian of the Association’s funds and ensures that those funds, the physical assets and other properties of the Youngstown Columbiana Association of REALTORS are appropriately safeguarded and administered.

Other duties and responsibilities of the Treasurer include:

- 1) To serve as a Director of the Youngstown Columbiana Association of REALTORS;
- 2) To serve as a member of the Budget and Finance Committee;
- 3) To ensure that the Youngstown Columbiana Association of REALTORS operates within the limits of the annual approved budget;
- 4) To exercise such other powers and perform such other duties as may be assigned by the President;
- 5) To keep abreast of all Association activities to aid the President;
- 6) To be aware of the short term and the long-term programs as approved by the Directors;
- 7) To be familiar with the Bylaws of the Youngstown Columbiana Association of REALTORS, the Policy Manual, the Rules & Regulations of the Association and Roberts Rules of Order;
- 8) To attend all meetings of the Board of Directors and any special meetings of the membership;
- 9) To present in person (or designate a representative to present) a financial summary of the Youngstown Columbiana Association of REALTORS operations at all Board of Directors meetings and any business or special meetings of the membership;
- 10) To serve as a Director of the Ohio Association of REALTORS.
- 11) To maintain confidentiality and annually sign the “Board of Directors Code of Ethics”;
- 12) To attend required annual Leadership Training.

#### **(1.5) CHIEF EXECUTIVE OFFICER (05/2018)**

The Board of Directors may employ a competent person in the capacity of a Chief Executive Officer. The Chief Executive Officer shall have no conflict of interest with any person engaged in the real estate profession and may not maintain an active real estate license. The Chief Executive Officer shall take over such of the Secretary/Director’s duties as may be detailed by the Board of Directors.

Other duties and responsibilities of the Chief Executive Officer are:

- 1) To see that notices of all meetings of the Board of Directors and the general membership are issued and that minutes of such meetings are kept;
- 2) To exercise such other powers and perform such other duties as may be assigned by the President or the Board of Directors;
- 3) To keep abreast of all Youngstown Columbiana Association of REALTORS activities to aid the President;
- 4) To be aware of the short term and the long-term programs as approved by the Directors;
- 5) To be familiar with the Bylaws of the Youngstown Columbiana Association of REALTORS, the Policy Manual, the Rules & Regulations of the Association, the Employee Handbook and Roberts Rules of Order;
- 6) To attend all meetings of the Board of Directors and any special meetings of the membership.
- 7) To maintain confidentiality and annually sign the “Board of Directors Code of Ethics”;
- 8) To attend required annual Leadership Training.

#### **(1.6) IMMEDIATE PAST PRESIDENT (05/2018)**

The Immediate Past President shall automatically serve as an Officer/Director of the Youngstown Columbiana Association of REALTORS for one (1) additional year. In the event the Immediate Past President is not available to serve, the position will be filled in accordance with the Association's Bylaws. The primary role of the Immediate Past President is to advise the current Association leadership and make recommendations based upon the experience gained as an Association President.

Other duties and responsibilities are:

- 1) To keep abreast of all Youngstown Columbiana Association of REALTORS activities to aid the President;
- 2) To be aware of the short term and the long-term programs as approved by the Directors;
- 3) To be familiar with the Bylaws of the Youngstown Columbiana Association of REALTORS, the Policy Manual and the Rules & Regulations of the Association and Roberts Rules of Order;
- 4) To attend all meetings of the Board of Directors and any special meetings of the membership;
- 5) To perform such duties as may be assigned by the President;
- 6) To serve as a Director of the Ohio Association of REALTORS
- 7) To maintain confidentiality and annually sign the "Board of Directors Code of Ethics";
- 8) To attend required annual Leadership Training.

#### **(1.7) THE BOARD OF DIRECTORS (05/2018)**

The primary responsibility of the Directors of the Youngstown Columbiana Association of REALTORS is to serve as the governing body of the Association. The Directors have the authority over all committees to carry out all duties, expressed or implied, that are included within the total management jurisdiction of the Association. This responsibility is contained in the governing documents of the Association. The Board of Directors approve policies and plans which provide the framework within which major Association operations must be accomplished.

Although the Directors are responsible for the general overall management of the Association's affairs, they are not responsible for the day to day operations. This is accomplished by the Chief Executive Officer of the Association in close coordination with the elected officers and committees.

Specific duties and responsibilities of the Directors are:

- 1) To familiarize themselves with the following documents:
  - a. The Bylaws of the Youngstown Columbiana Association of REALTORS;
  - b. The Policy Manual and Rules & Regulations of the Association;
  - c. The Bylaws and Rules & Regulations of the Multiple Listing Service;
  - d. The Professional Standards Manual of NAR;
  - e. The Code of Ethics of NAR
  - f. Roberts Rules of Order
  - g. The Employee Handbook
- 2) To maintain confidentiality and annually sign the "Board of Directors Code of Ethics";
- 3) To approve an annual financial plan for Association operations and cause to have such a plan published in the form of a budget;
- 4) To approve new policies as required;
- 5) To serve the best interest of the membership in all matters pertaining to the community;
- 6) To be aware of the goals and objectives established by the President of the Association;
- 7) To keep abreast of all Association activities to aid the President;
- 8) To attend all meetings of the Directors and any special meetings of the membership;
- 9) To participate in the activities of the Youngstown Columbiana Association of REALTORS;
- 10) To attend all meetings of the Ohio Association of REALTORS if appointed to serve as an OAR Director;
- 11) To attend required annual Leadership Training.

## **SECTION 2 - ASSOCIATION COMMITTEES**

- (2.1) NOW THAT YOU'RE GOING TO CHAIR A COMMITTEE**
- (2.2) GUIDELINES FOR CHAIRING A COMMITTEE**
- (2.3) BUDGET AND FINANCE COMMITTEE**
- (2.4) PERSONNEL COMMITTEE**
- (2.5) BYLAWS AND POLICY COMMITTEE**
- (2.6) EXECUTIVE COMMITTEE**
- (2.7) COMMUNICATIONS & MEDIA COMMITTEE**
- (2.9) EDUCATION COMMITTEE**
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- (2.13) LEGISLATIVE COMMITTEE**
- (2.14) REALTOR PARTY COMMITTEE**
- (2.15) STRATEGIC PLANNING COMMITTEE**
- (2.21) PROFESSIONAL STANDARDS COMMITTEE**
- (2.22) GRIEVANCE COMMITTEE**
- (2.23) MEDIATION OFFICERS**
- (2.24) CITATION PANEL COMMITTEE**
- (2.25) SPECIAL AD HOC COMMITTEES**
- (2.27) INVESTMENT COMMITTEE**
- (2.28) PAST PRESIDENTS COUNCIL**
- (2.29) YOUNG PROFESSIONALS NETWORK (YPN) LEADERSHIP COMMITTEE & MEMBER GROUP**

## **SECTION 2 - ASSOCIATION COMMITTEES**

### **(2.1) NOW THAT YOU'RE GOING TO CHAIR A COMMITTEE (05/2018)**

Your appointment to chair a committee of the Youngstown Columbiana Association of REALTORS presents you with a special opportunity for service serving no more than three (3) consecutive 1-year terms. Under your guidance the committee will work toward the goals established by the Association and thereby contribute to its continuing successful growth. You must serve one (1) year actively on the committee prior to being appointed as the committee chair.

These guidelines are designed to help you in your task so that the year will be a time of accomplishment and fulfillment.

#### **COMMITTEE CHAIRMAN (05/2018)**

When you chair a committee, a great deal depends on you. The decisions of the Board of Directors are based on the information and recommendations supplied by committees. Your committee, therefore, can do a great deal to contribute to the efficient operation of the Association, if you provide it with strong leadership.

It is your job to keep your committee productive by keeping it focused on its mission and by giving its members the encouragement and latitude they need to perform their tasks. Your committee will work best if you make your expectations clear, delegate responsibilities and expect results.

As the committee's presiding Chairman, you must be a good listener as well as a good communicator. If you put your interpersonal skills into play, inspire participation and welcome new ideas and new approaches, your committee's contribution to the Association will be significant.

You will be required to attend annual Leadership Training.

#### **WHAT YOUR COMMITTEE IS EXPECTED TO DO**

The objective and responsibilities of your committee are explained in its statement of organization which is set forth in the Constitution and Bylaws of the Youngstown Columbiana Association of REALTORS. This statement should be reviewed with your committee members at the first meeting of the year and used as a permanent reference.

Your committee will also be assigned goals and objectives for the year established within the context of the Long-Range Planning Committee recommendations.

#### **MEETINGS**

Regular committee meetings of the Youngstown Columbiana Association of REALTORS should be held on a regular monthly basis and should be conducted at the Association Office or virtually via web conference. (03/2021)

#### **SETTING THE AGENDA**

An agenda needs to be drawn up and, if possible, sent to members of your committee before the scheduled meeting date. It should include all topics to be discussed at the meeting. Any supporting or background information to further explain or detail the items on the agenda should also be included. The chairman should check with the Youngstown Columbiana Association of REALTORS, Executive Officer and the Vice Chairman to determine the agenda items.



## **(2.2) GUIDELINES FOR CHAIRING A COMMITTEE**

The success you achieve as head of the committee will depend on your ability to preside and guide the meetings of the committee to a definite goal. The following guidelines should assist you in reaching that goal:

- \* Always start the meeting on time and work with a definite agenda.
- \* The reason for the meeting should be stated at the beginning briefly and clearly.
- \* Make sure that committee members get all the information relating to an issue, both pro and con.
- \* Keep a low profile while taking charge of the direction of the meeting.
- \* Review the committee's objectives relative to the Association's objectives.
- \* Keep the meeting moving. Interest lags when action lags. Get as much participation as possible.
- \* Keep responses short, get to the point.
- \* Speak clearly. If you can't be heard you can't exercise control.
- \* Insist on order.
- \* Talk to the group, not to individuals.
- \* Make sure each individual taking the floor talks clearly and audibly. Sum up what the speaker has said, initiate discussion and obtain a decision.
- \* Control airless discussion by recommending further study.
- \* Retain control but don't stifle free comment. Invite constructive criticism and even disagreement. Ask for support. Clarify issues by obtaining a consensus then move on.
- \* Don't argue with the person who has the floor. Ask questions if you disagree but remember, as the committee chairman you should remain neutral.
- \* If you have a comment ask for the floor as a participant.
- \* Make sure adequate minutes are kept of each meeting and that they are distributed to each committee member.
- \* Attendance sheet should be filled out and turned in immediately after the meeting is called to order.
- \* Motions should clearly express the committee's intentions. These suggestions can help your committee frame more effective motions.
  - 1) Entertain only one main motion at a time.
  - 2) Be sure that each motion is seconded.
  - 3) The motion should be clearly stated before discussion is begun.
  - 4) The member who makes the motion should have the first opportunity to discuss it.

- \* The most common ways to vote are acclamation or voice, show of hands, rising, secret ballot and roll call.
- \* The meeting should not be adjourned until the committee is satisfied that all subjects have been adequately covered.

## **HOW A COMMITTEE MEETING IS STRUCTURED**

Following is the generally accepted sequence or order of business that is observed for a meeting:

- 1) Call the meeting to order;
- 2) Minutes of the previous meeting;
- 3) State the purpose of the meeting;
- 4) State briefly the program for the meeting;
- 5) Discuss and resolve agenda items as they appear;
- 6) New Business;
- 7) Unfinished Business;
- 8) Adjourn the meeting.

The Youngstown Columbiana Association of REALTORS gratefully acknowledges your contributions of time, talent, experience, energy and enthusiasm during this year as you chair your committee.

### **(2.3) BUDGET AND FINANCE COMMITTEE**

This committee shall consist of the Association's current Treasurer who will be the chairman, the officers, the immediate past president and the Chief Executive Officer. It shall be the duty of the Budget and Finance Committee, under the direction of the Board of Directors, to supervise the finances of the Association and to prepare an annual budget in the month of December of every year, to be presented to the Directors for approval at their first meeting in January and cause a copy of the approved budgets to be emailed to each Realtor® member of the association. (03/2021)

The newly elected Treasurer will be a member of the Budget and Finance Committee's December meeting.

This committee shall meet at least once each quarter and report to the Directors on the financial status of the Association.

### **(2.4) PERSONNEL COMMITTEE**

There shall be a standing Personnel Committee which shall consist of the members of the Executive Committee and three (3) other members at large. The three other members shall be appointed to staggered two (2) year terms by the President of the Association subject to confirmation by the Board of Directors.

The primary function of the Personnel Committee is to assist the Executive Officer in reviewing the salary/benefit program for all staff employees. This committee shall review the 10-Step Pay Scale annually and make any necessary cost of living increase recommendations to the Budget and Finance Committee.

This committee shall review the employee hospitalization benefit and year-end holiday bonus policy annually.

This committee shall also be responsible for the yearly evaluations of the association's legal counsel and accounting firm.

## **(2.5) BYLAWS COMMITTEE**

This committee is charged with the responsibility for recommending amendments to the Association's Bylaws and the Association's Policy Manual and Rules and Regulations and other regulations as needed so that our Association can fulfill its purpose, function and obligations to its members and the Ohio and NATIONAL ASSOCIATION OF REALTORS.

The Bylaws Committee must review the Association Bylaws and Rules and Regulations at least annually for consistency and compliance with the policies, constitutions and Bylaws of both the state and national organizations and be certain that the Bylaws of the Youngstown Columbiana Association of REALTORS are clear, enforceable and practicable. Additionally, the committee must be prepared to provide interpretation of any article or section of our governing documents when requested to do so.

## **(2.6) EXECUTIVE COMMITTEE (03/2019)**

An Executive Committee comprised of the President, President Elect, Treasurer, Immediate Past President and Chief Executive Officer shall meet at the Presidents discretion to handle matters and/or conduct affairs of the board arising during the intervals between meetings of the Board of Directors. Except as otherwise provided in the Constitution or in resolutions adopted by the Board of Directors, the Executive Committee shall possess all powers of the Board of Directors in the management of the business and affairs of the Board in accordance with the policies and instructions of the Board of Directors or to make recommendations for action to the Board of Directors.

## **(2.7) COMMUNICATIONS & MEDIA COMMITTEE (03/2021)**

This committee is responsible for navigating how to promote YCAR activities, events, community service involvement & educational offerings across social media platforms and the YCAR website.

This committee will also develop a plan to engage the media with the YCAR President for regular interviews, promoting the REALTOR® brand to the public and provide key talking points to the President.

This committee will develop a press/media & interview training for the YCAR Executive Committee.

This committee will develop a Leadership Academy to train potential future leaders to a place of understanding and engagement in the association.

## **(2.9) EDUCATION COMMITTEE**

The primary function of the Education Committee is to promote real estate education and to assist in providing such educational opportunities to the membership of the Youngstown Columbiana Association of REALTORS.

It is the responsibility of this committee to:

- 1) Provide, plan, co-ordinate and promote all educational programs and seminars conducted by the Association;
- 2) Provide local educational programs with quality instructors;
- 3) Encourage members to continue their individual education programs in real estate;
- 4) Encourage regular attendance at educational meetings;
- 5) Co-ordinate real estate educational programs between our organization and community agencies;
- 6) Provide support for OAR's GRI programs and courses;
- 7) Promote professional designations;
- 8) Raise and allocate scholarship funds;
- 9) Provide monthly educational articles for the Association's publication, The Mahoning Valley REALTOR.

This committee shall cooperate with the Education Committee of the Ohio Association of REALTORS and other Boards in any way possible to provide educational opportunities which are consistent with the responsibilities of the committee.

This committee shall be responsible for providing a proposed budget of income and expenses to the Budget and Finance Committee by September 1st of each year for approval by the Board of Directors for the calendar year of the committee.

#### **(2.11) DIVERSITY, EQUITY & INCLUSION and FAIR HOUSING COMMITTEE (03/2021)**

This committee analyzes the demographics of the membership of the association. This analysis is used to increase diversity, equity & inclusion in YCAR activities, leadership & membership. The committee will be responsible for promoting or planning activities throughout the year for Diversity, Equity & Inclusion.

This committee also studies issues and makes recommendations for programs encouraging equal opportunity in housing. This committee is responsible for assisting Members in understanding their obligations to give equal service to all clients and customers regardless of race, color, religion, age, sex, disability, military status, familial status or national origin.

Committee members should be familiar with THE REALTORS GUIDE TO PRACTICE EQUAL OPPORTUNITY IN HOUSING booklet.

This committee is responsible for nominating the recipient of the Dick Alt Fair Housing Award each year for approval by the Board of Directors. The award is presented to the recipient each year at the General Membership Meeting.

#### **(2.13) LEGISLATIVE COMMITTEE (05/2018)**

The primary functions of the Legislative Committee are to:

- 1) Disseminate legislative information affecting the real estate industry and private property rights;
- 2) Educate members on legislative activity and the importance of political awareness;
- 3) Encourage Members to take an active interest in the political affairs of the local, state and federal government through analysis and suggested action on important legislation affecting the REALTOR.
- 4) Monitor government action on all levels.

This committee shall also have the duty of recommending requests to the Board of Directors for expenditure of such funds to further the candidacy of individuals for nomination or election to local, state or federal office.

The Legislative & Realtor Party Committees can meet together.

#### **(2.14) REALTOR PARTY COMMITTEE (05/2018)**

The Realtor Party Committee shall be organized and operated for the primary purpose of collecting political contributions.

This committee should conduct an annual campaign for contributions to the Realtor Party and utilize the Realtor Party materials, information and technical assistance provided by NAR for use in state and local Realtor Party fundraising drives. NAR's publication REALTOR PARTY RESOURCE GUIDE & RPAC FUNDRAISING GUIDE is a useful aid.

The Legislative Committee shall be responsible for providing a proposed budget of income and expenses to the Budget and Finance Committee by September 1st of each year for approval by the Board of Directors for the calendar year of the committee.

The Legislative & Realtor Party Committees can meet together.

#### **(2.15) STRATEGIC PLANNING COMMITTEE**

This committee provides continuing direction, sets objectives, identifies opportunities and threats and effectively allocates resources. This committee will consist of past presidents and the officers of the Association. The

immediate past president will be the chairman.

This committee shall also be responsible for gaining ideas and strategies in order to effectively implement sections of the Strategic Plan task by task annually to be approved by the Board of Directors.

#### **(2.21) PROFESSIONAL STANDARDS COMMITTEE**

There shall be a Professional Standards Committee of at least twelve (12) REALTOR Members in good standing, of whom a majority shall be REALTOR Brokers. Members shall be appointed annually to staggered terms by the President of the Youngstown Columbiana Association of REALTORS subject to confirmation by the Board of Directors.

No more than three (3) REALTOR Members from any one real estate company shall serve on this committee at the same time.

The President of the Youngstown Columbiana Association of REALTORS shall annually designate the chairman of this committee.

The function of the Professional Standards Committee is to enforce the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS and to handle the arbitration of business disputes.

Members of the Professional Standards Committee shall be selected to serve on hearing panels as required to hear matters of alleged unethical conduct by Association Members or to provide arbitration as requested.

Committee members should be knowledgeable of the following documents:

- 1) The Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS
- 2) Code of Ethics and Arbitration Manual
- 3) Interpretations of the Code of Ethics
- 4) The Bylaws of the Association
- 5) The Association's Policy Manual and Rules and Regulations
- 6) OAR and NAR Constitution and Bylaws
- 7) Professional Standards Training Manual

A secondary function of the Professional Standards Committee is to educate the membership on the meaning and interpretation of the Code of Ethics and to assist the Member Services Committee with the conduct of the Code of Ethics portion of the Association's Orientation Course for new members.

If possible, a member should have had previous experience as a member of the Youngstown Columbiana Association of REALTORS Grievance Committee in order to be appointed to the Professional Standards Committee.

MANDATORY TRAINING IS REQUIRED YEARLY.

#### **(2.22) GRIEVANCE COMMITTEE**

There shall be a standing Grievance Committee of at least five (5) Association Members in good standing, of whom a majority shall be designated REALTOR Brokers. Members of this committee shall be appointed annually to staggered three (3) year terms by the President of the Youngstown Columbiana Association of REALTORS subject to confirmation by the Board of Directors.

The President shall annually designate the chairman of this committee.

No more than one (1) REALTOR Member from any one real estate company shall serve on this committee at the same time.

The function of the Grievance Committee is clearly distinguishable from the function of the Professional Standards Committee. The Professional Standards Committee makes decisions on matters involving ethics or arbitration.

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, does not decide whether members have violated the Code of Ethics, and does not dismiss ethics complaints because of a lack of evidence. Complainants are not required to prove their case upon submission of their ethics complaint or arbitration request. The Grievance Committee does not mediate or arbitrate business disputes. The Grievance Committee will hold regularly scheduled meetings and/or review complaints/arbitration requests not later than forty-five (45) days after receipt of the complaint/request. (01/2018)

In evaluating ethics complaints, the Grievance Committee may require a written response from the respondent(s) only if the committee is in need of additional information pertaining to the questions in Section 19, Grievance Committee's Review of an Ethics Complaint, Code of Ethics and Arbitration Manual, and the complainant cannot provide such information. In such instances the respondent(s) should be provided with a copy of the ethics complaint and advised that failure to respond may be the basis for a charge of having violated Article 14 of the Code of Ethics. (See Form #E-4, Grievance Committee Request for Information [Ethics Complaint] and Form #E-5, Response to Grievance Committee Request for Information, Part Six of this Manual). In evaluating arbitration requests, the Grievance Committee may request a written response to the arbitration request from the respondent(s) only if the Committee is in need of additional information pertaining to the questions in Section 42, Grievance Committee's Review and Analysis of a Request for Arbitration, Code of Ethics and Arbitration Manual, and the complainant cannot provide such information. (See Form #A-5, Grievance Committee Request for Information [Arbitration Request] and Form #A-6, Response to Grievance Committee Request for Information, Part Thirteen of this Manual.) If no response is filed within the time allotted, the Grievance Committee shall make its determination as to whether an arbitration hearing should be scheduled based upon the information set forth in the arbitration request. (01/2018)

The committee meets at the call of the chairman regarding complaints which require committee consideration.

Committee members should be thoroughly familiar with the following documents:

- 1) The Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS
- 2) The Code of Ethics and Arbitration Manual (NAR)
- 3) Interpretations of the Code of Ethics
- 4) The Bylaws of the Association
- 5) The Association's Policy Manual and Rules and Regulations
- 6) The Professional Standards Training Manual

MANDATORY TRAINING IS REQUIRED YEARLY.

### **(2.23) MEDIATION OFFICERS**

There shall be a standing panel of mediation officers of no more than five (5) REALTOR Members, appointed by the President for staggered three (3) year terms.

Any individual serving as a Mediation Officer shall have had extensive, prior experience on the Association's Grievance Committee, the Professional Standards Committee and/or the Board of Directors.

It is recommended that the Mediation Officer not serve concurrently as either an officer or director of the Youngstown Columbiana Association of REALTORS or as a member of the Association's Grievance Committee.

MANDATORY TRAINING IS REQUIRED TO SERVE AS A MEDIATION OFFICER.

#### **(2.24) CITATION PANEL COMMITTEE (04/2020)**

There shall be a standing panel of citation committee members of no more than three (3) Broker Members, appointed by the President for staggered three (3) year terms.

Two (2) out of the three (3) brokers serving as a Citation Committee member shall have had extensive, prior experience on the Association's Grievance Committee and/or the Professional Standards Committee.

It is recommended that the Citation Committee member not serve concurrently as either an officer or director of the Youngstown Columbiana Association of REALTORS or as a member of the Association's Grievance Committee.

The Citation Committee member may serve concurrently on the Professional Standards Committee.

Two (2) alternate committee members will be appointed to step in if there is a conflict of interest for a panel member in reviewing a possible violation (i.e. works at the same brokerage as the respondent, is or was involved in the transaction, has a personal relationship or conflict with the respondent, is related to the respondent, etc . . .). The alternate committee members MUST meet the criteria to serve on the Citation Panel and will be appointed staggered two (2) year terms.

Committee members should be thoroughly familiar with the following documents:

- 1) The Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS
- 2) The Code of Ethics and Arbitration Manual (NAR)
- 3) Interpretations of the Code of Ethics
- 4) The Bylaws of the Association
- 5) The Association's Policy Manual and Rules and Regulations
- 6) The Professional Standards Training Manual

MANDATORY TRAINING IS REQUIRED YEARLY.

#### **(2.25) SPECIAL AD HOC COMMITTEES (03/2021)**

The President shall appoint, subject to the confirmation of the Board of Directors, such special committees or task forces as they may deem necessary.

#### **(2.27) INVESTMENT COMMITTEE**

It shall be the primary responsibility of the Investment Committee to oversee the stock and mutual fund investments of the Youngstown Columbiana Association of REALTORS and the Youngstown Columbiana REALTORS Service Corp. Committee members would initially be appointed to stagger two and three-year terms. Each year the association's current elected Treasurer would automatically be appointed to this committee for a three-year term. The President shall have the option to appoint additional members to this committee yearly with the size of the committee not to exceed eight members.

#### **(2.28) PAST PRESIDENTS COUNCIL (08/2018)**

**Make-up:** The incoming President selects 7 to 10 past presidents including but not limited to (2) two that have served within the most recent (5) five years and (2) two that have served within the most recent (10) years.

**Purpose:** To advise the President and Chief Executive Officer on timely questions involving the operation of the Board Office, issues affecting services provided to our membership, communication issues with members, interpreting the bylaws, procedural questions, and rules affecting ethical conduct & arbitration.

**Involve the Past Presidents in the Ombudsman Program:** Ombudsman service is offered to attempt to informally resolve complaints, ethical questions, general questions about real estate practices and enforcement issues. Each Past President Council member will be asked to volunteer as an Ombudsman and will be assigned to those duties individually as needed.

**Scheduled Meetings:** Members of the Past Presidents Council will meet quarterly each year and as required. The appointed members will also meet with the immediate Past President, current President and the incoming President to review the purpose, as well as priorities, if any, outlined by the incoming President. That organizational meeting is to take place in December of each year.

## **YOUNG PROFESSIONALS NETWORK (YPN) LEADERSHIP COMMITTEE & MEMBER GROUP (10/2018)**

### **Mission Statement:**

“YPN aims to shape the future of our industry by supporting the growth in education of the local real estate professionals in this Tri-County area. YPN creates opportunities for local REALTORS® of all ages to build relationships, expand their skills and advance their careers.”

### **Committee Structure:**

The YPN Leadership Committee & Member Group will be comprised of YCAR members.

The YPN Leadership Committee will be comprised of one (1) Chair, one (1) Vice Chair, & a Treasurer. The Vice Chair will move up to serve as Chair the following year. The Vice Chair & Treasurer will be voted on by and appointed from within the current YPN Leadership Committee. The Treasurer will be responsible for overseeing the YPN bank account and will manage the checkbook for this account. The Treasurer will present a financial report to the YPN Leadership Committee monthly. The YPN Leadership Committee will appoint other positions as needed to divide duties and/or other new committee members as they see fit.

The YPN Leadership Committee members will sign and submit to an Accountability Contract, committing to regular meeting attendance and active participation. The YPN Leadership Committee reserves the right to remove committee members that violate the Accountability Contract from the committee.

The YPN Leadership Committee will meet at regularly scheduled monthly meetings. The YPN Leadership Committee will plan the YPN events and activities for the year and manage the YPN bank account.

A YPN Membership Group will be open to all YCAR membership to join. The YPN Membership Group will have one (1) meeting per year and will be invited to all YPN events and planned activities.





### **SECTION 3 - PROFESSIONAL STANDARDS**

- (3.1)      ARBITRATION FILING FEE**
- (3.2)      INTERBOARD ARBITRATION FILING FEE**
- (3.3)      ETHICS APPEAL FILING FEE**
- (3.4)      ARBITRATION ESCROW ACCOUNT**
- (3.5)      AUDIO RECORDINGS OF ETHICS AND ARBITRATION HEARINGS**
- (3.6)      CITATION POLICY**
- (3.7)      CITATION SCHEDULE OF FINES & DISCIPLINE**

## **SECTION 3 - PROFESSIONAL STANDARDS**

### **(3.1) ARBITRATION FILING FEE (11/2018)**

A \$375.00 (01/2015) filing fee must accompany any request for arbitration with \$100.00 of the filing fee of both parties to a dispute being non-refundable. The \$100.00 portion shall be retained by the association in the event that after a request for arbitration has been reviewed by the Grievance Committee and has been forwarded on to the Professional Standards Committee for a hearing, the dispute is 1) settled or withdrawn prior to receiving the filing fee of the respondent; 2) resolved in mandatory\*\*\* mediation; 3) settled prior to or during the hearing; or 4) withdrawn by the complainant prior to the hearing. The disposition of the remaining \$275.00 (of the filing fee to any prevailing party or the disposition of the filing fee to each party should the award rendered by an amount other than that requested by any of the parties, shall be determined by the arbitrators.

\*\*\*Effective December 1<sup>st</sup>, 2018, it is mandatory for mediation to be attempted prior to an arbitration hearing when a request for arbitration is filed with the Youngstown Columbiana Association of REALTORS®.

### **(3.2) INTERBOARD ARBITRATION FILING FEE**

A \$375.00 (01/2015) deposit must accompany any request for inter-board arbitration.

### **(3.3) ETHICS APPEAL FILING FEE**

A \$100.00 fee is charged to any Member requesting an Ethics appeal.

### **(3.4) ARBITRATION ESCROW ACCOUNT**

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

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

Such hearings should be conducted according to Part Twelve, Conduct of an Arbitration Hearing.

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

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

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

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

### **(3.5) RECORDINGS OF ETHICS AND ARBITRATION HEARINGS (01/2018)**

At any ethics or arbitration hearing, every party has the right to present any witnesses, to submit any evidence pertinent to the case, and to cross-examine witnesses. Witnesses giving oral testimony shall be sworn in by the Chairperson. Before permitting testimony relating to the character or general reputation of anyone, the tribunal shall satisfy itself that the testimony has a direct bearing on the case at issue. Attendance at any hearing is limited to the parties and the parties' respective counsel and/or witnesses (witnesses are excused from the hearing except during their testimony); the Hearing Panel members (including alternates); Board staff and/or counsel, as deemed necessary; any court reporter, as requested; and, in any ethics proceeding, the Respondent's Realtor® principal, consistent with Part Two, Section 13(d) of the Code of Ethics and Arbitration Manual.

The Association shall have a court reporter or recorder present at the hearing or shall record\* the proceeding. Any party may, at the Board's discretion, record the proceeding or utilize a court reporter at their own expense. If a party utilizes a court reporter and orders a transcript, a copy of the transcription shall be made at the party's expense and presented to the Professional Standards Administrator. If the Board utilizes a court reporter in lieu of recording, the parties may not be prohibited from making their own recording. (See Form #E-9, Outline of Procedure for Ethics Hearing, Part Six, and Conduct of an Ethics Hearing, Part Five.)

Videotaping of the proceedings shall not be permitted except by advance express consent of all parties and all members of the tribunal.

Appeals or procedural review proceedings shall not be recorded by the Board or the parties.

The Board's recording or transcription shall be considered the official record of the proceeding. Copies of any recording or any transcript prepared from any recording of the hearing are confidential and are to be used only for the purpose of appeals or procedural reviews and may not be introduced into evidence at any subsequent hearing, or otherwise disclosed, except pursuant to a court order. Boards, at their discretion and upon the advice of counsel, may prohibit the parties from obtaining a copy of the recording or transcription if the request is received outside of the time frame allowed for appeals or procedural reviews. Any unauthorized use of the recordings or transcripts may be construed as a violation of Article 14, as interpreted by the applicable Standards of Practice, and as a violation of these procedures.

Any party to a hearing has the right to obtain a copy of the Board's official recording, subject to the aforementioned limitations, and subject to payment of the Board's duplication costs— Any duplication will be conducted under the supervision of the Board. If the Board transcribes its official recording, any party to the hearing may obtain a copy of the transcript, subject to the aforementioned limitations and paying the Board's transcription costs. If more than one party requests copies of the transcript, the Board's costs will be apportioned between or among the parties. If a party purchases a copy of the Board's official recording and subsequently has it transcribed at his own expense, that party must provide a copy of the transcript to the Board at no cost. After the Board has received a copy of the transcript (made from the Board's official recording), the Board shall make copies of the transcript available to any other party subject to their payment of the Board's duplication costs.

\*It is recommended that recordings produced by the Board be maintained in the confidential professional standards files until a date when any sanction imposed by the Board has been completed.

### **(3.6) NAR CITATION POLICY (04/2020)**

This citation policy and schedule of fines can be adopted by state and local associations. The policy includes information on the process, how citations are issued, and the circumstances where it can be used. The schedule of fines details “citable” conduct so state and local associations can determine in advance the fines or education requirements applicable for each citable offense.

Associations adopting this Citation Policy model must also adopt a “Citation Schedule” of potential violations covered and must specify the fines that apply to those violations. Information about the Ethics Citation Program, including the Citation Schedule, will be provided as part of the information sent to potential complainants considering filing ethics complaints with the association.

Associations adopting this Citation Policy shall establish a Citation Panel, comprised of at least three (3) individuals, who will review complaints to determine eligibility for the citation program and the appropriate citations. It is recommended that the Citation Panel be a subset of the association’s Professional Standards Committee, and that the individuals on the Citation Panel have a high level of experience in hearing professional standards cases.

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.

Any citation policy adopted by local or state associations after approval of this policy by the NAR Board of Directors cannot cite violations based on Articles or Standards of Practice other than those spelled out in this policy, cannot impose fines in excess of those in the policy, and cannot be utilized more frequently than provided for in this policy.

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

- I. 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.
- II. 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 to determine if it includes 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 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.
  - C. When an ethics complaint and an arbitration request arising out of the same facts and circumstances are filed at the same time, the arbitration hearing shall be held first, and the citation(s) issued or ethics hearing held after the conclusion of the arbitration hearing consistent with Professional Standards Policy Statement #35, Separation of Ethics Complaint and Arbitration Request, *Code of Ethics and Arbitration Manual*.

## 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 will be kept confidential and unavailable to the respondent. The practice of the association should be followed consistently. The complainant shall be advised when filing a complaint that their identity will not remain confidential should the respondent request a hearing.
- 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 of the citation, a notice shall be transmitted 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 be a final resolution of the complaint, which 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 thirty (30) calendar days after the date of acceptance or time period to request a hearing has elapsed. Code of Ethics CE requirement must be completed no later than ninety (90) calendar days after the date of acceptance or time period to request a hearing has elapsed.
    1. First offense: \$150. If \$100 is paid within thirty (30) calendar days from the date of the citation acceptance or time period to request a hearing has elapsed, then the balance will be waived.
    2. Second offense: \$550. If \$500 is paid within thirty (30) calendar days from the date of the citation acceptance, or time period to request a hearing has elapsed, then the balance will be waived.
    3. A Code of Ethics CE will be required in addition to the fine for a REALTOR® agent found in violation and must be completed in person at an association approved Code of Ethics/Pathways to Professionalism course.\*\*
    4. A Broker Management course will be required in addition to the fine for a REALTOR® Broker found in violation and must be completed in person at an association approved Broker Management course. \*\*
    5. The case will be deemed to be closed upon receipt of payment, and notice will be provided to the complainant that a citation has been issued, paid & the Code of Ethics/ Broker Management CE requirement has been completed.
    6. Failure to pay the citation amount within thirty (30) 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.
  - 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.

- E. Associations should determine in advance what information will be provided to complainants prior to citations being issued and paid, or respondents requesting a hearing, including the point at which complainants will be notified of the status of their complaint, and what information will be provided to complainants about citations issued, including the amount of any fine. These procedures should be established in advance and followed consistently.

**\*\*** The Chief Executive Officer of the Association has the authority to approve the Code of Ethics and/or Broker Management Course required in addition to the citation fine, in accordance with the requirements set forth by the National Association of REALTORS® for the Code of Ethics training. If an in-person course is not available within the required ninety (90) days, an appropriate virtual course approval or time extension may be given at the discretion of the Chief Executive Officer.

### **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.
  - 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.
  - C. No additional citations are permitted where the cumulative fine for the citations issued would be more than \$1000 in any three (3) year period at the same association.
  - D. Associations may, at their discretion, adopt an escalating fine schedule for repeat citations. If an escalating fine schedule is used, the citation panel may only consider the past citations for the particular conduct alleged in the complaint.
- 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. Citations will not be considered in any publication of violations should such rules be adopted by the association.
- IV. 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.
- V. Association staff will track the number of citations issued, the number of citations paid, and the violations for which citations were issued. This information may be provided in the aggregate to the Board of Directors, but will not include details about the complaints, nor identify the complainants or respondents.

- VI. The allegations, discussions and decisions made in the citation process 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 Limitations, Section V of this policy and the *Code of Ethics and Arbitration Manual* of the National Association as from time to time amended.

**(3.7) SCHEDULE OF FINES & DISCIPLINE (IN PROCESS)**

	<b>Applicable Article and Standard of Practice</b>	<b>Fine</b>	<b>Ethics Training in addition to fine?</b>
<b>Article 1</b>			
Failure to fully disclose and obtain consent from both parties when representing both the seller/landlord and buyer/tenant in the same transaction	Article 1, supported by Standard of Practice 1-5	<b>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
Failure to submit offers and counter-offers objectively and as quickly as possible	Article 1, supported by Standard of Practice 1-6	<b>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
Failure on the part of a listing broker to provide, as soon as practical, written affirmation that an offer was presented or written notification that the seller/landlord has waived the obligation to have the offer presented, upon written request of a cooperating broker submitting an offer.	Article 1, supported by Standard of Practice 1-7	<b>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
Failure to advise sellers/landlords of information specified in Standard of Practice 1-12 prior to entering into a listing contract	Article 1, supported by Standard of Practice 1-12	<b>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
Failure to advise buyers/tenants of information specified in Standard of Practice 1-13 prior to entering into a buyer/tenant agreement	Article 1, supported by Standard of Practice 1-13	<b>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
Accessing or using, or allowing others to access or use, a property managed or listed on terms other than those authorized by the owner or seller	Article 1, supported by Standard of Practice 1-16	<b>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
<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	<b>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>

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	<b>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
Failing to disclose existence of dual or variable rate commission arrangements	Article 3, supported by Standard of Practice 3-4	<b>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
Failure to disclose to cooperating brokers differential that would result in dual or variable rate commission arrangement if sale/lease results through efforts of seller/landlord	Article 3, supported by Standard of Practice 3-4	<b>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
Failing to disclose existence of accepted offers, including offers with unresolved contingencies, to cooperating brokers	Article 3, supported by Standard of Practice 3-6	<b>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
Misrepresenting the availability of access to show or inspect a listed property	Article 3, supported by Standard of Practice 3-8	<b>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
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>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
<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>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
<b>Article 5</b>			
Providing professional services without disclosing REALTOR®'s present interest in property	Article 5 (limited to present interest, not contemplated)	<b>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
<b>Article 6</b>			
Accepting any commission, rebate, or profit on expenditures without client's knowledge or consent	Article 6 (first paragraph)	<b>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
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)	<b>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
Failure to disclose REALTOR®'s direct interest in an organization or business entity when	Article 6, supported by Standard of Practice 6-1	<b>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b>	<b>YES</b>



recommending to a client or customer that they use the services of that organization or business entity		<b>(\$50 waived if paid within thirty (30) calendar days)</b>	
<b>Article 12</b>			
Failing to present a true picture in real estate communications and advertising	Article 12	<b>1<sup>st</sup> offense: \$150 2<sup>nd</sup> offense: \$550 (\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
Failing to disclose status as real estate professional in advertising and other representations	Article 12	<b>1<sup>st</sup> offense: \$150 2<sup>nd</sup> offense: \$550 (\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
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	<b>1<sup>st</sup> offense: \$150 2<sup>nd</sup> offense: \$550 (\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
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	<b>1<sup>st</sup> offense: \$150 2<sup>nd</sup> offense: \$550 (\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
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	<b>1<sup>st</sup> offense: \$150 2<sup>nd</sup> offense: \$550 (\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
Advertising property for sale/lease without authority of owner or listing broker	Article 12, supported by Standard of Practice 12-4	<b>1<sup>st</sup> offense: \$150 2<sup>nd</sup> offense: \$550 (\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
Failing to disclose name of firm in advertisement for listed property	Article 12, supported by Standard of Practice 12-5	<b>1<sup>st</sup> offense: \$150 2<sup>nd</sup> offense: \$550 (\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
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	<b>1<sup>st</sup> offense: \$150 2<sup>nd</sup> offense: \$550 (\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
Falsely claiming to have “sold” property	Article 12, supported by Standard of Practice 12-7	<b>1<sup>st</sup> offense: \$150 2<sup>nd</sup> offense: \$550 (\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
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	<b>1<sup>st</sup> offense: \$150 2<sup>nd</sup> offense: \$550 (\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
Failure to disclose firm name and state of licensure on REALTOR® firm website	Article 12, supported by Standard of Practice 12-9	<b>1<sup>st</sup> offense: \$150 2<sup>nd</sup> offense: \$550 (\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>

Misleading consumers through deceptive framing, manipulating content, deceptively diverting internet traffic, presenting other's content without attribution or permission, or using misleading images	Article 12, supported by Standard of Practice 12-10	<b>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
Registering or using of deceptive URL or domain name	Article 12, supported by Standard of Practice 12-12	<b>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
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>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
<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>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
<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	<b>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>
Placing for sale/lease sign on property without permission of seller/landlord	Article 16, supported by Standard of Practice 16-19	<b>1<sup>st</sup> offense: \$150</b> <b>2<sup>nd</sup> offense: \$550</b> <b>(\$50 waived if paid within thirty (30) calendar days)</b>	<b>YES</b>

**NOTE:** Associations may adopt all or some of the above citations. No additional citations may be added. Fines for each citable offense, as well as any possible training requirements, must be established in advance and should be followed consistently.

Associations, at their discretion, may adopt an escalating fine schedule for repeat citations and also may impose a training requirement in addition to or as an alternative to payment of a fine for any of the citable offenses adopted. If an escalating fine schedule is adopted, it may only be used in circumstances where citations are issued by the same association.

The amount of fine for any citation is at the option of the association, but aggregated fines levied against any member may not exceed \$5,000 in any three (3) year period.

## **SECTION 4 - MEMBERSHIP POLICIES**

- (4.2) MEMBERSHIP CHANGES**
- (4.4) TRANSFER STATUS**
- (4.6) REINSTATEMENT STATUS**
- (4.7) FORMER REALTOR MEMBER AS NEW APPLICANT**
- (4.9) APPLICATION FOR REALTOR MEMBERSHIP**
- (4.10) 90 DAY PROVISIONAL MEMBERSHIP**
- (4.11) CERTIFICATION BY DESIGNATED REALTOR**
- (4.13) DUES AND ASSESSMENTS**
- (4.14) AFFILIATE MEMBER ADDITIONAL REPRESENTATIVES**
- (4.15) SENIOR MEMBERSHIP**
- (4.17) ASSOCIATION MEMBER SERVICES**
- (4.21) BRANCH OFFICES**
- (4.23) IDENTIFICATION OF MEMBERS**
- (4.25) CONFIDENTIALITY OF MEMBERSHIP FILES**
- (4.27) HARASSMENT POLICY**
- (4.28) HARASSMENT COMPLAINT PROCEDURES**
- (4.30) DEFENSE AND INDEMNIFICATION OF OFFICERS AND DIRECTORS**
- (4.31) MEMBER EMAIL REQUIRED ON FILE**

## **SECTION 4 - MEMBERSHIP POLICIES**

### **(4.2) MEMBERSHIP CHANGES**

All Designated REALTORS or managers shall notify the Association Office in writing of any changes to their licensed sales staff within thirty (30) days of such change.

### **(4.4) TRANSFER STATUS**

A REALTOR Member whose license is returned to the Ohio Division of Real Estate and is then placed with another Member Broker shall be considered a “Transfer” if the license is placed with the Member Broker by a date WITHIN 15 WORKING DAYS from the date it was previously returned to the Division.

The fee for “Transfers” shall be determined by the Board of Directors.

The Member Broker who accepts the license of a “Transfer” shall be responsible for payment of the necessary fee. The date of the invoice for such fee 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 that Member Broker remains liable for that fee should the individual REALTOR fail to pay within the specified time limit.

### **(4.6) REINSTATEMENT STATUS**

A REALTOR Member whose license is returned to the Ohio Division of Real Estate and is then placed with a Member Broker shall be considered a “Reinstatement” if the license is placed with the Member Broker by a date more than fifteen (15) working days but NO LATER THAN TWENTY-FOUR CALENDAR MONTHS from the date it was previously returned to the Division.

Reinstatements shall not become effective until approved by the Directors following review for compliance with the Association’s Bylaws.

The fee for “Reinstatement” shall be determined by the Board of Directors.

The Member Broker who accepts the license of a “Reinstatement” shall be responsible for payment of the necessary fee. The date of the invoice for such fee shall be the date the license was placed with that 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 limit.

### **(4.7) FORMER REALTOR MEMBER AS NEW APPLICANT**

A former REALTOR Member whose license is returned to the Ohio Division of Real Estate and is then placed with a Member Broker MORE THAN TWENTY-FOUR CALENDAR MONTHS from the date it was previously returned to the Division shall be considered a “New Applicant” and that applicant shall be required to comply with all Bylaws provisions and Association policies pertaining to New Member Applicants.

#### **(4.9) APPLICATION FOR MEMBERSHIP**

Each REALTOR Member application shall have a copy of their real estate license attached or a letter from the Division of Real Estate acknowledging that the person is licensed. A \$125.00 application fee is charged.

REALTORS that have an active license with the State of Ohio but belong to another board association, will not be charged the YCAR Application Fee of \$125 to join YCAR. (10/2016)

#### **(4.10) 90 DAY PROVISIONAL MEMBERSHIP PROCEDURES**

The new membership procedures of the Youngstown Columbiana Association of REALTORS reduces the time required to achieve REALTOR status and also provides candidates for membership with comprehensive Association services on a "PROVISIONAL" \* basis. (\*Provisional is defined as a maximum 90-day period beginning with the date of application.)

TO ACQUIRE COMPREHENSIVE ASSOCIATION SERVICES ON A PROVISIONAL BASIS, A CANDIDATE FOR MEMBERSHIP MUST:

- 1) Complete and return an application form with a copy of license attached;
- 2) Pay a \$125.00 application fee to the Youngstown Columbiana Association of REALTORS;
- 3) Pay a \$50.00 application fee to the Ohio Association of REALTORS;
- 4) Pay local, state and national dues prorated monthly from the date of application.

TO MAINTAIN REALTOR STATUS A CANDIDATE MUST COMPLETE THE FOLLOWING STEPS WITHIN NINETY (90) DAYS FROM THE DATE OF APPLICATION:

- 1) Complete the steps outlined for provisional membership;
- 2) The applicant must be approved by the Board of Directors;
- 3) Attend a mandatory new member orientation class;

#### **REMEMBER**

- \* It is the responsibility of the Broker to notify the Association Office of any new agents or transferees (agents from outside the Association's jurisdiction) within thirty (30) days of the licensee associating with the Broker.
- \* If steps for provisional membership are not initiated, the amount the Broker is assessed for a nonmember licensee will increase for each nonmember sales associate whose license remains with said Broker.
- \* After thirty (30) days from the date of a new sales agent's licensing or thirty (30) days from the date of an agent's transfer a Broker with new agents or transferees who has not notified the Association Office of these agents will be fined \$25.00 per month.
- \* If a candidate obtains provisional membership and does not complete the required steps for membership within ninety (90) days from the date of application, all Association services and REALTOR status shall be terminated at the discretion of the Board of Directors.

#### **(4.11) CERTIFICATION BY DESIGNATED REALTOR**

The association office will provide each “Designated REALTOR” Member (Broker) of the Youngstown Columbiana Association of REALTORS an office roster generated from the association’s current membership database at the time of annual dues billing. As per the association’s Bylaws, on or before the thirty-first (31<sup>st</sup>) day of December each year, the Designated REALTOR must return this roster to the association office noting all individuals currently licensed with the Designated REALTOR’s firm(s) and designate a primary Board for each individual who holds REALTOR Membership. The Designated REALTOR shall also identify any non-member licensees in their firm(s) and if Designated REALTOR dues have been paid to another Board based on said non-member licensees, the Designated REALTOR shall identify the Board to which dues have been remitted. The Designated REALTOR is also responsible for noting on the roster any individual licensees whose license has been or is going to be returned to the Ohio Division of Real Estate and Professional Licensing by the end of the current year. (12/2017)

FAILURE TO SUBMIT THIS ROSTER TO THE ASSOCIATION OFFICE BY DECEMBER 31ST WILL SUBJECT THE DESIGNATED REALTOR MEMBER TO A \$25.00 FINE.

#### **(4.13) DUES AND ASSESSMENTS**

In accordance with Article X of the Bylaws of the Youngstown Columbiana Association of REALTORS the following will be the dues and assessments schedule to be adhered to annually: (01/2022)

Dues:

REALTOR Members	\$200.00 (local)
Affiliate Members	200.00 (one contact)
Additional Affiliate Contacts	50.00 (each additional contact)
Public Service Members	75.00
Secondary Members	200.00
Honorary Members	-0-
Student Members	25.00
Ohio REALTORS®	180.00
NAR	150.00

All dues will be prorated in accordance with the Association’s Bylaws.

Voluntary Community Service Fee

REALTOR Members	\$10.00 (not pro-rated)
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Ohio REALTORS® Assessment (not pro-rated) shall be:

REALTOR Members	\$40.00
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NAR Assessment (not pro-rated) shall be:

REALTOR Members	\$35.00
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Voluntary RPAC contribution \$20.00

Voluntary Disaster Relief Fund \$ 5.00

Application fees shall be:

REALTOR Members	\$125.00
Affiliate Members	125.00
Public Service Members	75.00
Secondary Members	125.00
Honorary Members	-0-
Student Members	25.00
Primary to YCAR Primary	75.00

Miscellaneous Membership fees shall be:

Transfer Fee	\$25.00
Reinstatement Fee	35.00
Non-Member Sales Associate	605.00

#### **(4.14) AFFILIATE MEMBER ADDITIONAL REPRESENTATIVES**

Affiliate Membership dues of \$200.00 a year entitles an Affiliate Member Company to one primary representative and one association mailing or email on file. Additional representatives for additional mailings & email notifications to an Affiliate Member company are available at \$50.00 per representative per year. (03/2021)

#### **(4.15) SENIOR MEMBERSHIP**

Any member who qualified for Senior Membership status as of the 2010 dues billing will continue to maintain their Senior Membership status and have their local dues waived.

#### **(4.17) ASSOCIATION MEMBER SERVICES**

All active REALTOR Members of the YCAR shall have access to and use of all Association services including purchase of all resale items at a cost not to exceed the Association's approximate cost plus 10%.

#### **(4.18) NON-ASSOCIATION MEMBER SERVICES**

All Association and Ohio Association of REALTORS forms shall be available for purchase by Non-Association Members at a cost not to exceed approximate cost plus 50%. (12/94).

#### **(4.21) BRANCH OFFICES**

Any Broker Member of the Association setting up a branch office must pay a \$50.00 fee to offset administrative costs.

#### **(4.23) IDENTIFICATION OF MEMBERS**

Active YCAR Membership will be confirmed prior to being granted Association services. (03/2021)

#### **(4.25) CONFIDENTIALITY OF MEMBERSHIP FILE**

Information in the membership files maintained by the Association Office shall be deemed confidential and shall not be made available to Members or others except to the extent required for proper administration of the Association or for the purpose of Professional Standards sanctions, and then, only upon authorization of the Chief Executive Officer, or except as compelled by lawful subpoena, court order, or demand, or any other lawful process. Notwithstanding, a Member may review their own file. (12/2017)

#### **(4.27) SEXUAL HARASSMENT POLICY**

Sexual harassment is illegal conduct and is contrary to the policy of the Youngstown Columbiana Association of REALTORS. Each employee and member is responsible for assuring that he or she does not engage in sexual harassment or any conduct which could be viewed as sexual harassment.

Sexual harassment includes:

- a) Unwelcome sexual advances.
- b) Unwelcome requests for sexual acts or favors.
- c) Other verbal or physical conduct that has the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile or offensive working environment.
- d) No employee will be subject to sexual advances, conduct or requests, either verbal or physical. Submitting to or tolerating such advances or requests will never be considered or form the basis for making any employment decision, nor shall submission or toleration be a term or condition of employment; similarly, refusal to submit to or tolerate sexual harassment shall not operate to the disadvantage of any employee. Such advances interfere with an individual's work performance and will not be tolerated by the Youngstown Columbiana Association of REALTORS.

#### **(4.28) HARASSMENT COMPLAINT PROCEDURE (12/2017)**

Any employee who believes that he or she has suffered harassment by any other employee or by any Director or Member of the Youngstown Columbiana Association of Realtors or by any guest or visitor of the Association, should follow the complaint reporting procedure set forth in the Employee Handbook.

Any Member and/or the Chief Executive Officer of the Youngstown Columbiana Association of Realtors who believes that he or she has suffered harassment by any other Member of the Youngstown Columbiana Association of Realtors, should follow the complaint reporting procedure set forth in the Youngstown Columbiana Association of Realtors By-Laws.

Discipline against a Director or Member found to have harassed a Youngstown Columbiana Association of Realtors Chief Executive Officer or Member may include documented verbal warning from the President of the Youngstown Columbiana Association of Realtors, written warning maintained in the Youngstown Columbiana Association of Realtors' files, suspension from membership in the Youngstown Columbiana Association of Realtors, or from participation in the Multiple Listing Service, or dismissal from membership in the Youngstown Columbiana Association of Realtors.

#### **(4.30) DEFENSE AND INDEMNIFICATION OF OFFICERS AND DIRECTORS (12/2017)**

The Youngstown Columbiana Association of Realtors shall indemnify any current or past officers or directors or employees against expenses (including attorney fees), judgments, decrees, fines, penalties, amounts paid in settlement, and other liabilities in connection with the defense of any pending or threatened claim, action, suit, or proceeding, whether criminal, civil, administrative, or investigative, to which such person is or could reasonably expect to be made a party, provided:

1. that such person was not guilty of willful or wanton misconduct in the performance of their duties;
2. that such person acted in good faith in what they reasonably believed to be in the best interests of the Youngstown Columbiana Association of Realtors; and
3. that if the matter was the subject of a criminal action, suit or proceeding, such person had no reasonable cause to believe that their conduct was unlawful.

When a termination as to (a), (b) and (c) above shall be made:

1. by a majority vote of a quorum of the Board of Directors consisting of said Directors who are not or were not parties to or threatened with such action, suit, or proceeding; or
2. if such quorum is not available or even obtainable, if a majority of such quorum of such disinterested Directors so directs, by a written opinion of independent legal counsel to whom the matter may be referred by a majority of Directors.



Determination of any claim, action, suit, or proceeding by judgment, order, settlement, conviction, or plea shall not create a presumption that such person did not meet the standards of conduct set forth in this Section.

To the extent that any such person has been successful on the merits, on a procedural basis or otherwise, with respect to any such action, suit, or proceeding, or in the defense of any claim, issue or matter therein, such person shall be indemnified against expenses, including reasonable attorney fees, incurred in connection therewith, regardless of the determination specified in the above paragraphs of this Section.

**(4.31) MEMBER EMAIL REQUIRED ON FILE**

All REALTOR Members shall be required to maintain on file with the Association Office, a current, accurate and active email address at which they may be contacted and at which they will receive all correspondence from the Association Office.

## **SECTION 5 - FINANCIAL**

- (5.1) BILLING SERVICE**
- (5.2) MINIMUM CHARGE**
- (5.3) CREDIT LIMIT**
- (5.4) RETURNED CHECKS**
- (5.5) DELINQUENT OFFICE ACCOUNTS**
- (5.7) CREDIT CARD SERVICE**
- (5.8) ASSOCIATION CREDIT CARD**
- (5.9) TRANSFER ASSOCIATION MONEY TO HIGHER INTEREST-BEARING ACCOUNT**
- (5.10) REFUNDS**
- (5.11) CONTRACTS**
- (5.12) TRAVEL COSTS**
- (5.13) EXPENSE REPORTS**
- (5.14) PER DIEM RATES/MILEAGE**
- (5.17) LOWER LEVEL ASSOCIATION TRAINING/MEETING ROOM**
- (5.19) BUILDING FUND**
- (5.20) FUND FOR NEW ASSOCIATION HEADQUARTERS BUILDING**
- (5.21) RPAC AUCTION ITEM PAYMENTS**
- (5.23) INVESTMENT POLICY**
- (5.27) PROCTORING FEES**

## **SECTION 5 - FINANCIAL**

### **(5.1) BILLING SERVICE**

Billing service is provided by the Association to each Broker member. No agent may charge supplies to their office unless the Broker provides a notice to the Association stating otherwise.

### **(5.2) MINIMUM CHARGE**

The minimum amount that can be charged is \$4.00 (four dollars).

### **(5.3) CREDIT LIMIT**

A \$100.00 credit limit will be extended to any one Broker. The account must be paid within 30 days or no more credit can be extended.

### **(5.4) RETURNED CHECKS**

There will be a \$25.00 service charge on checks returned to the Association Office by the bank for non-sufficient funds. Checks are not to be redeposited. Issuer is to replace the amount of the check and \$25.00 fee with cash, money order or bank check within 5 business days.

### **(5.5) DELINQUENT OFFICE ACCOUNTS**

Any office account that is 30 days past due will be put on CASH ONLY basis until the account has been brought current. Amounts over thirty (30) days past due are subject to a 1.8% per month finance charge.

### **(5.7) CREDIT CARD SERVICE**

The association shall provide a credit card service for members to pay their annual dues, auction purchases, event registrations or other transactions with the convenience fee charged to member determined by the amount of the charged transaction. (12/2017)

### **(5.8) ASSOCIATION CREDIT CARD**

The Chief Executive Officer of the Association will be provided with an Association Credit Card.

### **(5.9) TRANSFER ASSOCIATION MONEY TO HIGHER INTEREST-BEARING ACCOUNT**

The Chief Executive Officer and the Association's Treasurer can move money to higher interest-bearing accounts as they come due.

### **(5.10) REFUNDS**

There will be no refund of Association dues except at the discretion of the Board of Directors of the Youngstown Columbiana Association of REALTORS.

#### **(5.11) CONTRACTS**

All obligations, financial or otherwise, to initiate contracts and purchases for the Association must be approved by the Association President or the Executive Officer. Any contracts over \$500.00 must have two (2) signatures of Officers of the Association.

#### **(5.12) TRAVEL COSTS**

All travel priorities are approved in the budget or by special arrangements by the Board of Directors.

#### **(5.13) EXPENSE REPORTS**

Expense reports for staff and Members must be submitted to the Chief Executive Officer on a monthly expense report form by the end of each month. Receipts are required on all items.

#### **(5.14) PER DIEM RATES AND MILEAGE**

Per diem rates and mileage for Association travel will be determined annually by the Budget and Finance Committee and approved by the Board of Directors.

#### **(5.17) LOWER LEVEL ASSOCIATION TRAINING/MEETING ROOM**

The Association's lower level meeting room is available for rent to Association Members only. The cost to rent room for 2 hours (minimum) is \$25.00 which includes coffee; \$10.00 for each additional hour or any part thereof. Renters are not to use the parking spaces on the south side of the association building. Association phones are to be used for emergency purposes only. Room is available to rent during normal association office weekday work hours. Pop is available to purchase at \$.50 a can. The room is expected to be left in the condition in which it was found.

#### **(5.19) BUILDING FUND**

Beginning at the end of 1993 and each year end after that, at the discretion of the Board of Directors, the Youngstown Columbiana Association of REALTORS will allot \$3,000 to the Building Fund to be either taken from excess revenue or reserve funds. 10/93 (12/2017)

#### **(5.20) FUND FOR NEW ASSOCIATION HEADQUARTERS BUILDING**

Beginning January, 2003 and each year thereafter, at the discretion of the Board of Directors, the Youngstown Columbiana Association of REALTORS will allot \$10,000.00 from the association's current reserves to a separate reserve account earmarked for a future association headquarters office building. (12/2017)

#### **(5.21) RPAC-AUCTION ITEM PAYMENTS**

The top bidder of any item(s) in the RPAC Live and Silent Auction must pay for the item(s) by cash or check or credit card at the end of the auction event. No billing and/or credit will be extended. All auction items are sold "as is" and are final. No refunds for RPAC auction donations and purchases will be given for any reason. Upon payment of the item(s), the top bidder releases the Youngstown Columbiana Association of REALTORS® of any and all liability for the item(s) and any details related to the item(s) purchased.

### **(5.23) INVESTMENT POLICY**

The Budget and Finance Committee, with approval of the Board of Directors, shall determine annually the amount of money needed to meet the current year's operational needs and shall invest this money in liquid investment vehicles such as checking accounts, savings accounts, certificates of deposits, money market funds and sweep accounts so as to maximize the return on this money.

Recognizing that adequate reserve funds must be maintained by the Association for special projects; emergency expenses; and for the purpose of continuing to provide essential Member Services during periods of reduced income, it is the goal of the Youngstown Columbiana Association of REALTORS to maintain reserve funds in an amount equal to at least 50% of the Association's annual operating budget.

It is also recommended that a separate reserve account be established for a future Association headquarters building.

The Investment Committee, with the approval of the Board of Directors, shall invest these reserves in investment vehicles that are anticipated to bring in a higher rate of return, such investments to be considered less liquid and of a higher risk.

The Board of Directors shall act in a prudent manner with any investment funds and may employ one or more investment managers to assist in the placement of these funds.

The following types of instruments are expressly approved for investment purposes:

**Securities:**

Publicly traded common stocks listed on all major U. S. stock exchanges.  
SEC registered mutual funds.

**Bonds:**

Investment grade bonds and U. S. Treasuries.

### **(5.27) PROCTORING FEES**

If the association office is asked to proctor a “designee’s” exam the following charges will apply:

YCAR member:	N/C
REALTOR but not YCAR member:	\$50.00
Non REALTOR member	\$75.00

## **SECTION 6 - TRAVEL POLICIES**

- (6.1) TRAVEL COSTS**
- (6.2) REQUIRED MEETINGS**
- (6.3) DESIGNATED TRAVELERS**
- (6.4) CHIEF EXECUTIVE OFFICER EXPENSE**
- (6.5) OHIO REALTORS® DIRECTOR EXPENSE**

**(6.1) TRAVEL COSTS**

All travel priorities have been approved and are listed here as follows:

**(6.2) REQUIRED MEETINGS (12/2017)**

The following is a list of the State and National meetings for which Association representation is important, the normal month for the meeting and the “Designated Travelers” for that meeting:

**NAR:**

	<b>MEETING</b>	<b>DATE</b>	<b>DESIGNATED TRAVELER</b>
1)	AE Institute	March	CEO
2)	Washington Legislative	May: 3 days attendance	Legislative Chairman (08/2017)
3)	Leadership Summit	August	CEO; President-Elect
4)	Annual Convention	November	CEO; President-Elect

**OHIO REALTORS®:**

1)	Spring Legislative Conference	April	CEO; President; Pres.-E; Treasurer Past-President and the (RPAC or Legislative) Chairman
2)	AE Seminar	June	CEO
3)	Leadership Summit	July	CEO; President-Elect
4)	Annual Convention	September	CEO; President; Pres.-E; Treasurer Past-President and the (RPAC or Legislative) Chairman

### **(6.3) DESIGNATED TRAVELERS**

Designated Travelers to In-State (Ohio) meetings, other than the Chief Executive Officer, will be reimbursed:

- 1) hotel room expense (only for as many nights as necessary) with copy of hotel bill\*\*;
  - 2) registration fees\* (as required);
  - 3) ticketed events\* (as required);
  - 4) not to exceed \$100.00 per diem for meals (receipts are required) (12/2017)
  - 5) mileage @ current government rate per mile to cover use of vehicle and gasoline
  - 6) parking fees (5/08)
- (See Section 6.5 Ohio REALTORS® Directors).

Designated Travelers to Out-of-State meetings, other than the Chief Executive Officer, will be reimbursed:

- 1) hotel room expense (only for as many nights as necessary) with copy of hotel bill;
- 2) registration fees\* (as required);
- 3) ticketed events\* (as required);
- 4) mileage to and from meeting site or airport (mileage expense report required);
- 5) toll road fees (with receipts);
- 6) parking fees at meeting site, hotel site or airport (with receipts);
- 7) taxi, limo, shuttle fares (with receipts);
- 8) tips;
- 9) air travel when necessary;
- 10) not to exceed \$100.00 per diem for meals (receipts are required) (12/2017)

\*Fees paid directly by association.

\*\* Nights covered are determined by the Chief Executive Officer with the discretion of the Board

An Association expense report with a copy of hotel bill and any other required receipts attached must be signed by the Designated Traveler and submitted to the Association for approval by the Treasurer and the Chief Executive Officer in order for travel expenses to be reimbursed immediately following each meeting.

Claims for reimbursement must be submitted to the executive officer within thirty (30) days following the completion of the meeting for which the claim is made. CLAIMS SUBMITTED PAST THIRTY (30) DAYS WILL NOT BE PAID.

### **(6.4) CHIEF EXECUTIVE OFFICER**

The Chief Executive Officer is to be covered as above with these exceptions: travel expenses to include mileage as defined in the contract for this position and the per day\* rate for meals for all trips in or out-of-state will be \$100.00. (12/2017)

### **(6.5) OHIO REALTORS® DIRECTORS**

The President, President-Elect, Treasurer, Past President and other specified Ohio REALTORS® Directors' travel expenses will be charged to the travel expense account that coincides with their respective positions on the Board. (12/2017) Ohio REALTORS® Directors must be present for the ENTIRE Ohio REALTORS® Board of Directors meeting to receive their travel expense reimbursements from YCAR. (10/2019)

**NOTE:** (\* per day is defined as the amount of days away NECESSARY per trip).



## **(6.6) TRAVEL EXPENSES**

- NOTE 1:** The Chief Executive Officer is only responsible for making the travel arrangements of the "Designated Travelers".
- NOTE 2:** Designated Travelers are responsible for payment of their travel expense and will be reimbursed for their expenses upon completion of each meeting.
- NOTE 3:** Only convention room rates and applicable taxes and parking charges are covered by the Association. Not covered are long distance phone calls, internet access, movie rentals, bar bills, room service. Arrangements should be made with the hotel to have these items paid for by the person responsible at check-out.
- If using express check-out, the Association will deduct any of the above not covered items from your reimbursed expense money.
- NOTE 4:** While each "Designated Traveler" is entitled to their own single room when staying away overnight, "Designated Travelers" are encouraged to share, when practical, in order to conserve expenses. The room expenses will be divided evenly to the appropriate accounts of the "Designated Travelers". When the person sharing is someone other than a "Designated Traveler" if there is a cost difference between a single and a double room, the amount of the difference between a single room and a double room will be passed on to the individual (i.e. spouse, fellow REALTOR, relative, friend, etc.) with the "Designated Traveler". (12/2017)
- NOTE 5:** Designated Travelers are encouraged to make every effort to "car pool" whenever possible when traveling in order to save on mileage expenses.
- NOTE 6:** At all times the hotel where the meetings are being held should be the #1 choice for reservations, the next closest should be #2 and so on, in order to save on transportation and for safety reasons.
- NOTE 7:** The Legislative Chairman and RPAC Chairman will attend his/her respective meetings to which He/she is a "Designated Traveler". All other "Designated Travelers" to these same meetings (i.e. Officers) will cover all other Ohio REALTORS® Committee meetings.
- NOTE 8:** The current government rate for mileage reimbursement will be the mileage reimbursement rate.

## **SECTION 7 - EDUCATION**

**(7.1) ACCREDITED COURSES**

**(7.2) REPLACEMENT OF CONTINUING EDUCATION CERTIFICATES**

**(7.3) PAYMENT**

## **SECTION 7 - EDUCATION**

### **(7.1) ACCREDITED COURSES**

All courses and seminars offering continuing education credits must be administered in accordance with the Ohio Division of Real Estate regulations.

No approved entity shall certify to the attendance of a person who was not physically present during at least ninety (90) percent of the course time. All offerings must be successfully completed. If you arrive at a seminar late or leave a seminar early, you will not receive continuing education credit. NO EXCEPTIONS.

### **(7.2) REPLACEMENT OF CONTINUING EDUCATION CERTIFICATES**

There will be a \$5.00 charge for replacement of any Continuing Education Credit certificate from the Association.

### **(7.3) PAYMENT**

No pre-payment of continuing education courses will be made in advance without the approval of the Executive Officer.

## **SECTION 8 - GOVERNMENT AND POLITICAL AFFAIRS**

**(8.1) CANDIDATES/ISSUES/POSITIONS**

**(8.2) REPRESENTATION**

**(8.3) NAR AND OAR SUPPORT**

## **SECTION 8 - GOVERNMENT AND POLITICAL AFFAIRS**

### **(8.1) CANDIDATES/ISSUES/POSITIONS**

The Legislative Committee may recommend an endorsement, support or opposition on an issue or candidate through the following process: A motion is approved by the Committee and presented to the Board of Directors via the committee for consideration.

### **(8.2) REPRESENTATION**

No members of the Legislative Committee may represent themselves as representing the Youngstown Columbiana Association of REALTORS opinion or position in public testimony, written or oral communication, with any governmental agency or representative or any segment of the media, without prior approval of the Board of Directors and/or vote by the general membership.

### **(8.3) NAR AND OAR SUPPORT**

Those subjects calling for expedient action that are within current OAR or NAR policy statements (i.e. Red Alerts, Call For Action) may be appropriately responded to without the Board of Directors action when time does not allow it. In the event the Association has taken a prior position not in support of OAR or NAR policy on a specific subject, no action may be taken without the approval of the Directors.

**SECTION 9 - YOUNGSTOWN COLUMBIANA ASSOCIATION OF REALTORS MISCELLANEOUS  
POLICIES (03/2021)**

**(9.1) ASSOCIATION E-NEWSLETTER**

**(9.2) MEETINGS OF THE ASSOCIATION COMMITTEES & BOARD MEMBERS**

**SECTION 9 - YOUNGSTOWN COLUMBIANA ASSOCIATION OF REALTORS MISCELLANEOUS  
POLICIES (03/2021)**

**(9.1) ASSOCIATION E-NEWSLETTER (12/2017)**

The association will publish a monthly e-newsletter that will be emailed to all active members and made available to view on the YCAR website.

**(9.2) MEETINGS OF THE ASSOCIATION COMMITTEES & BOARD MEMBERS**

The association may hold committee and board meetings in person at the association office. The association will also maintain the ability to hold meetings virtually via a web conference software application. The decision to hold a meeting virtually will be at the discretion of the Chief Executive Officer or the President of the Association, unless otherwise mandated by a government ordinance. (03/2021)

## **SECTION 10 - GENERAL POLICIES**

- (10.1) EXAMINATION OF BOOKS, RECORDS & MINUTES**
- (10.2) RECORDS RETENTION**
- (10.3) REVIEW OF ASSOCIATION COUNSEL AND ACCOUNTING FIRM**
- (10.5) PRESIDENT'S GIFT**
- (10.7) MEMORIALS**
- (10.9) OFFICIAL CORRESPONDENCE**
- (10.11) TELEPHONE POLLS**
- (10.13) RESERVATION NO-SHOWS**
- (10.15) ANNUAL INSTALLATION DINNER DATE**
- (10.17) EMAIL BLAST SERVICE (12/2017)**
- (10.18) POLICY ON FIREARMS OR DEADLY WEAPONS ON ASSOCIATION PREMISES**
- (10.19) ADMINISTRATION PROCEDURES OF AFFINITY PRODUCTS & SERVICES**
- (10.21) TRADE FAIR VENDOR CRITERIA**



## SECTION 10 - GENERAL POLICIES

### (10.1) EXAMINATION OF BOOKS, RECORDS & MINUTES (12/2017)

Except as otherwise prohibited by this Section, a Member may examine and copy the books, records, and minutes of meetings of the Youngstown Columbiana Association of Realtors pursuant to reasonable standards set forth by the Board, which may include, but are not limited to, requiring the reason for the inspection, the times and locations at which these documents may be examined or copied, and the specification of a reasonable fee for assembling, and copying the documents. Notwithstanding anything herein to the contrary, the Board is not required to permit the examination and copying of any of the following from books, records, and minutes:

1. information pertaining to employee/personnel matters;
2. communications with legal counsel or attorney work product;
3. information that pertains to contracts or transactions under negotiation, or information that is contained in a contract or other agreement containing confidentiality requirements and that is subject to those requirements;
4. information that relates to the enforcement of the By-Laws, Policy Manual, Employee Handbook, or any other governing document;
5. information the disclosure of which is prohibited by state or federal law.
6. Information deemed confidential pursuant to Section 4.25 herein.

### (10.2) DOCUMENT RETENTION POLICY

#### **Legal Preventative Maintenance:**

Minutes of meetings should only reflect action taken with such minimum explanation as is absolutely necessary to make the action clear.

#### **Document Retention: (12/2017)**

Form 1023 IRS Application for

Exemption if a 501(c) (3) Corporation; the Articles of  
Incorporation, the By-Laws, and Minutes of Meetings

Permanently

All other books and records of the Youngstown Columbiana  
Association of Realtors

8 years

#### **Retention and disposal of all documents is essential:**

**First**, the disposal on a systematic basis of all documents and records which are no longer necessary to corporate operations;

**Second**, the prohibition of personal files by any member;

**Third**, the recovery of all records and correspondence in the possession of officers and committee members at the expiration of their respective terms.

### (10.3) REVIEW OF ASSOCIATION COUNSEL AND ACCOUNTING FIRM

The Personnel Committee will review the Association/MLS counsel and Association/MLS accounting firm annually during the month of October and report their findings to the Board of Directors at the November Director's meeting. Any recommendations for considerations for association legal counsel and/or Association accounting firm may be submitted from the general membership to the Personnel Committee annually by September 1st.

**(10.5) PRESIDENT'S GIFT**

An amount, not to exceed \$150.00, shall be established for the outgoing President's gift. However, the Board of Directors may approve a higher expenditure at their discretion.

**(10.7) MEMORIALS**

It is up to the discretion of the Chief Executive Officer to send flowers or a fruit basket when a member is ill. When a member passes away \$50.00 will be contributed to the scholarship endowment fund established at Youngstown State University in the name of the deceased member.—There will be an amount budgeted annually under Memorial Expenses.

**(10.9) OFFICIAL CORRESPONDENCE**

Any official committee correspondence of the Association, may, upon approval of the President or Chief Executive Officer, carry the signature of the committee chairman.

**(10.11) TELEPHONE POLLS**

The Board of Directors of the Youngstown Columbiana Association of REALTORS cannot make decisions via telephone poll.

**(10.13) RESERVATION NO-SHOW**

If a member or non-member makes a reservation for an Association sponsored function and does not attend without giving at least 24 hours' notice of cancellation, the Association will bill the individual a No-Show Fee to cover the cost of the dinner or registration, but no less than \$10.00. In the case of extreme extenuating or emergency circumstances, this fee may be waived at the sole and absolute discretion of the Chief Executive Officer. (12/2017)

**(10.15) ANNUAL INSTALLATION DINNER DATE**

The month and date of the annual installation party shall be set each year by the current President with approval by the Board of Directors.

**(10.17) EMAIL BLAST SERVICE (12/2017)**

The association will provide an email blast service to members for REALTOR related business at \$35.00 per email blast. The content must be complete and appropriate in the form of a flyer upon submission with a specific date(s) and/or time(s) requesting the blast to be sent. YCAR will not be liable for misinformation or mistakes printed on the flyer that was submitted for email blast. Email blast requests must be approved by the Chief Executive Officer prior to being sent out.

**(10.18) POLICY ON FIREARMS OR DEADLY WEAPONS ON ASSOCIATION PREMISES**

Pursuant to Ohio Revised Code it is illegal to carry a firearm, deadly weapon or dangerous ordnance anywhere on the premises of the Youngstown Columbiana Association of REALTORS headquarters building unless authorized by law. Those individuals with a current and valid Conceal & Carry Weapon License are considered authorized by law to carry on the premises. (12/2017)

## **(10.19) PROCEDURES FOR ADMINISTRATION OF AFFINITY PRODUCTS AND SERVICES**

### **I. Practice**

It is the practice of the Youngstown Columbiana Association of REALTORS to offer affinity products and services to its members as a benefit thus serving as a source of non-dues revenue.

NOTE: Affinity products and services are defined as those programs extended to members of the Association that could provide a benefit to them either professionally or personally. The Association is able to offer these products to its members, usually with preferred pricing, because of the utilization of the "group buying power" concept, i.e. the strength of the combined purchasing power of more than 700 members.

No dues dollars are used in the development and maintenance of any of the Association's affinity programs; they are all self-supporting programs that are voluntarily purchased by Association members.

Association members and their families are eligible to participate in most of the sponsored programs (certain programs may have some geographic restrictions) and participation may be continued after resignation or retirement from the Association.

### **II. Purpose**

The objectives of the affinity products and services are to offer voluntary programs of economic benefit designed to serve the needs of Association members by providing high quality products at a value. Participation in the Association affinity products and services is voluntary and Association members can be assured that the programs offered represent the best combination of quality, convenience, reliability and service.

Affinity products and services should generate non-dues revenue to the Association.

### **III. Product/Service Suppliers**

The Association's affinity product and service suppliers must meet the rigorous approval process described in the following criteria:

A product or service:

- 1) Should have a broad-based appeal to Association members.
- 2) Should contribute to the Association's ability to attract and/or retain members.
- 3) Should fulfill the personal and/or professional needs of Association members.
- 4) Must be a product of high quality, service and value, at a competitive price.
- 5) Must have a sound historical performance, or, in the case of new products, the supplier must be able to demonstrate capacity to perform via financial resources and management skills, and provide documented projections for performance.

#### **Affinity Product Providers:**

- 1) Must agree to work with the Association in the development of an annual plan for marketing the program to Association members as appropriate.
- 2) Must execute promotion of the program as agreed upon.
- 3) Must provide the Association with revenue-generating projections, based upon well-documented history, for the expected Association member participation.

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## **AFFINITY SERVICE CRITERIA**

### **Affinity Product Providers:**

- 1) Must agree to make all programs available to all eligible Association members regardless of race, color, religion, sex, disability, familiar status or national origin.
- 2) Must provide an account manager to work on a day to day basis with the Association and Association members if feasible and available.
- 3) Must provide evidence of capacity to service the Association members.
- 4) Must provide adequate toll-free phone access for members.
- 5) Must agree to a predetermined complaint resolution process.
- 6) Must agree to resolve all complaints to both the members' and the Association's satisfaction in the event the service is below the established standards.
- 7) The marketer/broker providing the product or service must agree that the names, addresses and phone numbers of Association members will not be sold, rented, exchanged, used or offered in any manner by the company for any purpose outside the Agreement with the Association. Further, the company agrees that this provision shall survive the termination of the Agreement; and the company, upon termination of the Agreement, shall terminate all use of any membership lists provided by the Association.
- 8) Acknowledge the right of the REALTOR organization to own and control the use of the registered marks REALTOR and REALTORS and the REALTOR R logo. Affinity partners must receive the Association's prior approval before using the Association's name or other trademarks on or in connection with their goods or services.

#### ***Suggested language for Agreement:***

*Neither party shall use the other's trade name, trademarks or service marks, whether owned by the other party or used by the other party pursuant to a license, without the prior written approval of the other party. Neither party shall display or use the other's Marks, nor permit the same to be displayed or used by third parties, except in connection with the performance of this Agreement. Nothing in this Agreement creates in a party any rights in the Marks of the other party.*

*Neither party shall impugn, challenge, or assist in any challenge to the validity of the other party's Marks, any registration thereof, or the ownership thereof now or in the future. Each party will be solely responsible for taking such actions as it deems appropriate to obtain trademark, service mark, or copyright registration for its respective owner, and all rights with respect to the Marks not specifically referred to in this Agreement shall be and are hereby reserved to the respective owner. The provisions of this paragraph shall survive the termination of this Agreement and shall run to the benefit of the owner of the Marks.*

## **FINANCIAL CRITERIA**

### **Affinity Products Providers**

- 1) Will provide necessary documentation of financial resources which will substantiate financial viability, and which can be verified; documentation must substantiate the fiscal condition of the spanning several years, and evidence of current fiscal health.
- 2) Must provide assurances of the safety of members' monies.

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## **AFFINITY SPONSORSHIP PROCEDURES**

Prior to recommendation for sponsorship of any affinity products or services, assurances must be made that all of the elements of sponsorship criteria, service criteria and financial criteria, as outlined above have been met. In order to provide such assurances, at the least, the following steps should be taken:

- 1) Secure a written proposal for the product or service, detailing its features, its pricing, its availability to Association members and others.
- 2) Secure a written proposal for projected compensation to the Association based upon sponsorship of the product and/or service.
- 3) Meet with the supplier's representative(s) to discuss the proposed program, seeking answers to questions that the written proposal may not have addressed.
- 4) Secure documentation that provides evidence of the fiscal soundness and history of the proposed supplier.
- 5) Conduct independent research to determine the fiscal soundness of the prospective supplier and the proposed product or service.
- 6) Secure references of other associations that have sponsored the program, including information about the length of sponsorship and number of participants in the program.
- 7) Conduct a reference check.
- 8) Secure a written proposal plan to market the program to Association members, including projected response rates and projected program participation.
- 9) Understand the marketplace for the product/service being proposed, and compare the program to other similar programs currently available in the marketplace.
- 10) Determine the segment of Association members who are eligible to participate in the program.
- 11) Visit the supplier and determine whether the facilities and personnel you see mesh with the proposal that has been made.
- 12) Provide Association management with an analysis of the potential risks associated with sponsorship of the product/service.
- 13) Provide Association management with a written recommendation for sponsorship making reference to all of the above points and indicating how the product/service fared, how the prospective supplier fared, and what the projected benefits are.
- 14) Provide Association management with a draft Contract or Agreement for preliminary review by Association legal counsel.

### **(10.21) TRADE FAIR VENDOR CRITERIA**

Vendors participating in the association's Trade Fair are to be limited to Affiliate Members and companies that have interests related to the real estate industry only, or at the sole and absolute discretion of the Trade Fair Committee; individual real estate companies cannot participate in the Trade Fair. (12/2017)

## **SECTION 11 - ELECTION PROCEDURES**

**(11.1) BALLOTS FOR OFFICER AND DIRECTOR ELECTION**

**(11.2) BALLOT RETENTION POLICY**

## **SECTION 11 - ELECTION VOTING PROCEDURES**

### **(11.1) BALLOTS FOR OFFICER AND DIRECTOR ELECTION (12/2017)**

Ballots are sent, via email, as per the Association Bylaws, within fifteen (15) days but no later than seven (7) days before the first Monday in October each year. Paper ballots will be made available at the Association for members to come vote in person, if they do not have email access to the electronic ballot or simply prefer to vote on paper. The paper votes will be kept confidential just as the electronic votes. Paper votes will be added to the final electronic vote totals when the ballot closes at twelve o'clock noon on the first Monday in October. The final results will be posted immediately at the association office and included in the first Association publication after the election results are known. No voting extensions will be granted except at the discretion of the Chief Executive Officer for extenuating circumstances (i.e. A city-wide power outage or Association computer malfunctions) or a prior approval by the Board of Directors to extend the time for the entire election.

### **(11.2) BALLOT RETENTION POLICY**

Staff will retain the excel spreadsheet of the official winners for a period of ninety (90) days.

## **90 DAY PROVISIONAL REALTOR® MEMBERSHIP PROCEDURES**

### **ATTENTION YCAR BROKERS:**

- \* A Broker MUST notify the office of the Youngstown Columbiana Association of REALTORS® of any new agents within 30 days of their licensing by the Ohio Division of Real Estate and Professional Licensing.
- \* A Broker MUST notify the Association office of any agent transfers or reinstatements within 30 days.
- \* Since candidates for REALTOR® membership pay local dues from the first day of the month of application and state and national dues from the first day of the month of application, it is logical for Brokers to explain and initiate membership procedures as quickly as possible.
- \* **If steps for Provisional Membership are not initiated within 30 days from the date of licensing, the Broker's personal dues will increase for each non-member sales associate whose license remains with the Broker, said dues amount established annually by the Board of Directors prior to October 1st.**
- \* After 30 days from the date of a new sales agent's licensing or 30 days from the date of an agent's transfer or reinstatement, a Broker with new agents, transferees or reinstatements who has not notified the Association office of these agents will be fined \$25.00 per month.
- \* If a candidate obtains Provisional Membership and does not complete the required steps for full membership within 90 days from the date of application, all Association services and REALTOR® status shall be terminated at the discretion of the Board of Directors.

**The new membership procedures of the Youngstown Columbiana Association of REALTORS® reduces the time required to achieve REALTOR® status and also provides candidates for membership with comprehensive association/MLS services on a PROVISIONAL basis. (Provisional is defined as a maximum 90-day period beginning with the date of application.)**

### **TO ACQUIRE ASSOCIATION SERVICES ON A PROVISIONAL BASIS A CANDIDATE MUST:**

- 1) Complete and return an application form with a copy of license attached within 30 days from the date of licensing by the Ohio Division of Real Estate and Professional Licensing.
- 2) Membership Records Secretary verify application properly completed.
- 3) Pay a \$125.00 application fee to the Youngstown Columbiana Association of REALTORS®;
- 4) Pay local, state and national dues prorated from the first day of the month of application;
- 5) Pay a \$50.00 application fee to Ohio REALTORS®; (03/2021)
- 6) Pay the applicable fees for the Multiple Listing Service if Broker is a member.

### **TO OBTAIN REALTOR® STATUS A CANDIDATE MUST COMPLETE THE FOLLOWING STEPS WITHIN NINETY (90) DAYS FROM THE DATE OF LICENSING:**

- 1) Provisional Membership approved by the Board of Directors;
- 2) Applicant must complete the steps outlined above for Provisional status;
- 3) MANDATORY attendance at New Member Orientation class.