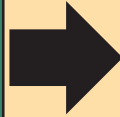


The Ethics Complaint Process: Step-by-Step

STEP #1

Request Forms. Contact the Professional Services Department of your association. Staff must verify that the respondent (i.e. the target of the complaint) is a member of your association.

Helpful Hint: With Board of Choice, a REALTOR® can belong to any local REALTOR® association within the state. Only the local association where the REALTOR® holds his or her membership may process a case. If the REALTOR® belongs to another association, your local association can refer you to the proper contact person.



STEP #2

Complete and return forms to your local association. Include a written letter explaining what happened and any supporting evidence (contracts, advertisements, correspondence, etc.) that documents your allegations.

Helpful Hint: The complaint forms include a checklist of documents that may be relevant in your case.



STEP #3

Copies of the complaint are sent to the respondent and his broker. Respondents are asked to provide a written response to the allegations. A copy of the response is sent to the complainant.



STEP #3A (OPTIONAL)

The case may be assigned to a **Reviewer** if the Grievance Committee needs more information.

STEP #4

The Grievance Committee reviews the complaint, the response, and any information obtained by the Reviewer. After review, the Grievance Committee determines if the complaint fulfills the criteria for convening a formal hearing.



OUTCOME X

The complaint is **forwarded** "as is" to the Professional Standards Committee for a formal hearing.



OUTCOME Y

The complaint is **amended**. Some allegations may be forwarded while others are dismissed. Charges not filed in the original complaint may be added. Respondents may be added or deleted.



OUTCOME Z

The complaint is **dismissed** because it does not satisfy the criteria for convening a hearing panel.

This process can't happen without you! Someone must file a complaint and take it through the process.

STEP #5
The Professional Standards Committee convenes a Hearing Panel to consider the case. The complainant must attend this hearing and present a case to the panel.

OUTCOME X
A case will be dismissed if there is insufficient evidence to prove the allegation.

OUTCOME Y
Violation Found: When clear, strong, and convincing evidence of a violation is found, the hearing panel recommends to the Board of Directors a specific disciplinary action.

STEP #4A (OPTIONAL)
Appeal: If the complaint is amended or dismissed, the complainant (and only the complainant) may appeal the decision of the Grievance Committee. In the event of an appeal, the Board of Directors convenes a panel to review the decision and determine if it should be overturned or upheld.

STEP #5A (OPTIONAL)
Appeal: Either party may appeal the decision of the Hearing Panel to the Board of Directors.
Complainants may appeal on the grounds that they did not receive a fair hearing.
Respondents may appeal on the grounds that: 1) they did not receive a fair hearing; 2) they believe the Hearing Panel has misinterpreted the association rules; or 3) they believe the recommended sanction is too severe.

STEP #6
The Board of Directors reviews all decisions of the Professional Standards Hearing Panels.

OUTCOME X
Accept and implement disciplinary recommendations.

OUTCOME Y
Return case to the Hearing Panel with a recommendation to increase the recommended discipline.

OUTCOME Z
Decrease the recommended discipline.