

RULES and REGULATIONS

HIGH POINT REGIONAL ASSOCIATION OF REALTORS®, INCORPORATED

1. At the time of application for REALTOR® membership, applicants shall receive an orientation packet as from time to time adopted by the Board of Directors. Applicants agree by signing their application to abide by the Bylaws, Polices and the Code of Ethics.
2. The Association through the Education Committee shall offer an Orientation course, which is a requirement for REALTOR® membership. The Orientation course will be scheduled upon receipt of at least six (6) applications but in no case will more than sixty (60) days elapse between courses. All applicants will be required to take and pass the course within a period not to exceed the second course offering from the date of application. A score of less than seventy percent (70%) will require the applicant to retake the course and examination at the next scheduled course offering. A fee of \$100.00 per scheduled Orientation will be charged for the Orientation course. The \$100.00 fee will be waived if the applicant attends the first course offered after filing application. Emergency excuses will only be granted by the Chairman of the Education Committee. Any former REALTOR® whose experience is considered adequate by the Board of Directors may be exempted from taking the Orientation Course and examination, except the required New Member Code of Ethics Training per Bylaws **Article V, Section 4**. REALTORS® transferring from another association are exempt from attending Orientation, except the required New Member Code of Ethics Training per **Article V, Section 4**. RATIONALE: By signing their application form they are agreeing to abide by the Bylaws and Rules and Regulations of the Association. (See BOD minutes 3/27/02) (Amended 11/27/02)
3. Each new REALTOR® member will be given an appropriate pin and pledge.
4. Non Association members may purchase either mailing labels or a membership list on diskette at a cost of fifty dollars (\$50) provided that the nonmember agrees not to resell, give them away, or reproduce them. REALTOR® Members may purchase either mailing labels or a membership list on diskette at a cost of twenty dollars (\$20). Diskette updates thereafter, will cost five dollars (\$5) provided that a diskette is furnished to the Association.
5. Members shall be charged 10¢ for each copy produced when such copying charges are not included in the budget. (Adopted August 25, 1993) (Amended 3/27/02)
6. A REALTOR® or a non REALTOR® licensee transferring from one Designated REALTOR® to another or from one type of REALTOR® membership to another shall complete a form provided at the Association office and pay a twenty-five dollar (\$25) transfer fee. If a REALTOR® must transfer to another office because an office is closing, the transfer fee is waived. (See BOD minutes November 29, 1995)
7. There is a twenty-five dollar (\$25) processing fee which will be charged for applicants who withdraw their application prior to attending Orientation. If they withdraw after attending Orientation but prior to being installed the charge is fifty dollars (\$50). In either case, no refunds will be processed until all materials are returned to the Association office.

8. Active REALTORS® transferring from another association will pay a transfer fee in such amount as established annually by the board of directors. (See BOD Minutes 08/31/94) (Amended 3/27/02)
9. The EVP, after approval of the Treasurer, shall deposit excess moneys into an interest bearing account at an institution covered by the FDIC. At no time shall the deposit exceed the maximum dollar amount covered by the FDIC. (See BOD Minutes 11/30/94)
10. Jo Anna Edwards, EVP may submit all tax payments via electronic means (EFT). (Adopted 11/27/02)
11. Jo Anna Edwards, EVP may submit all NAR and NCAR dues via electronic means (EFT). (Adopted 12/22/04)
12. When there is a request for relocation materials from a company either relocating or consolidating operations to the High Point area, the president and the staff will evaluate the need. Materials will be charged at the wholesale rate, deducted from the contingency line item, and placed directly into reserves. (See BOD Minutes 11/30/94)
13. There are no personal files. All committee members and directors shall return all personal notes and any materials distributed to them at the end of their term.

Only the Officers, the Chairman of the Professional Standards Committee, and staff shall have access to REALTOR® and Professional Standards files as necessary to fulfill requirements for hearings.

Committee Chairman and Vice Chairman may request the appropriate committee file(s) from staff. No file may be removed from the Association office.

Staff shall deny requests for all files from any unauthorized individual.
14. A Director must have been a REALTOR® for at least two years prior to taking office.
15. A REALTOR® in order to be eligible as an officer must have been a member of the Board of Directors within the last five years. Newly elected directors will be an ex officio member of the Board of Directors for the remainder of the calendar year in which elected. (See BOD minutes 8/25/99)
16. The REALTOR® of the Year Committee shall consist of the recipients for the past five years with the fifth year recipient serving as chairman.
17. The Chairman of the High Point Multiple Listing Service, Inc., shall serve on the Finance Committee.
18. A Committee Chairman may request that the President remove any committee member who has three (3) or more absences annually from their committee. The President with the approval of the Board of Directors may remove such committee member who has three (3) or more absences annually from committee meetings. The President and the President-Elect with the approval of the Board of Directors may fill the vacancy created by such removal outlined above.

19. **NAR MEETINGS** The President and President-Elect shall attend the Mid Year and the Annual Convention meetings. The President-Elect shall attend the Leadership Summit. Travel, including cabs, subways, etc., airfare (to be the lowest airfare available), mileage at the IRS permissible rate, or rental car expenses, registration and hotel room expenses (not to exceed the lowest rate for a single room at the NAR Headquarters hotel) will be paid by the Association. The Executive Vice President with concurrence of the President shall determine the appropriate means of transportation. Any extreme expenses (i.e., Hawaii) must be approved by the Board of Directors in advance. The Association shall pay one hundred dollars (\$100) daily (average) for expenses. Upon verification of their expenses the Treasurer shall reimburse the person traveling for transportation expenses other than mileage or airfare. If the designee is unable to attend then the Board of Directors may authorize another officer to attend the meeting. All travel arrangements shall be made in advance by the office staff. Spouses expenses are not included and will not be paid. (Amended 2/23/00, 3/27/02, 5/28/03, 7/28/04)
20. **NCAR DIRECTORS & MEETINGS** Selection as an NCAR Director will be according to the following order: Immediate Past President, President, President-Elect, Secretary-Treasurer, and then additional Directors, if any, will be nominated by the Certifying/Recruiting Committee and elected by the membership as prescribed in the Bylaws. Registration and hotel room expenses shall be paid by the Association, only if the meetings are more than fifty (50) miles from High Point. Upon verification by the Treasurer, the Association shall pay up to seventy-five dollars (\$75) daily (average) for expenses other than mileage or airfare. Mileage expenses at the IRS permissible rate, rental car expenses, or air fare plus transportation expenses up to the actual mileage cost, whichever is lower, shall be paid by the Association for the NCAR Directors. The Executive Vice President with concurrence of the President shall determine the appropriate means of transportation. The Association shall pay for Past Presidents of NCAR who are members of the High Point Regional Association of REALTORS® Inc., in the amount of seventy-five dollars (\$75) daily (average). Spouses' expenses are not included and will not be paid. (See BOD minutes 09/07/94) (Amended 2/23/00, 3/27/02, 5/28/03, 8/27/03, 7/28/04)
21. Reimbursement will not be paid for attending any meeting unless the member is present at all required meetings for which he/she is reimbursed expenses to attend. (See required schedule attached exhibit 1) (Adopted 2/23/00)
22. The Board of Directors may authorize the staff and the Association's attorney to attend meetings at the Association's expense.
23. The Executive Vice President shall be required to attend the following meetings: NAR Midyear, NAR Convention, NAR Leadership Summit, NAR AE Institute, NCAR Business (January), NCAR Legislative, NCAR Convention and Regional Conference. (Adopted 2/23/00) (Amended 7/28/04)
24. The Board of Directors may retain an attorney to advise and represent the Association as needed.
25. All office personnel will be provided a job description and an office operations guide as approved by the Board of Directors.

26. It is recommended that earnest money deposits be held by the listing broker as recommended by the North Carolina Real Estate Commission.
27. All unspent budgeted and unbudgeted moneys not spent at the end of each fiscal year with the exception of moneys specifically received for the installation banquet or next years dues shall be placed in an interest bearing account to be used only for capital improvements and expenditures.
28. The Awards & Memorials Committee may present the following awards: Affiliate of the Year, Rookie of the Year and Broker/Owner of the Year award.
29. When staff receives a request for the name of a REALTOR® to whom a referral may be made, the staff shall supply the name of the President unless a specific request is made. (See BOD minutes 11/25/92)
30. The Association will not endorse products or services unless there is a financial return to the Association for such endorsement. (See BOD minutes 06/29/94)
31. The Designated REALTOR® shall pay a one hundred dollars (\$100) application fee to cover the costs of processing all licensees who join the firm.
32. Chairs and Vice Chairs are responsible for their committee's work. Staff is responsible to check with them, give help when needed, and follow up in writing. Staff shall not assume any committee work unless a response is critical, such as assuring that space is reserved for a meeting. Staff will not be held responsible for if the committee work is not done.
33. Only REALTOR® members may serve as Committee Chairpersons or Vice Chairpersons. (see BOD minutes 1/30/02)
34. If staff is needed to testify as an expert witness, the charge shall be one hundred fifty dollars (\$150) per hour. (see BOD minutes 1/19/96) (Amended 3/27/02)
35. In reference to **Article X, Section 7** of the Bylaws, The Designated REALTOR® or Broker-in-Charge shall be noticed. (Adopted 12/18/02)

LOCK BOX KEY POLICY

1. Every REALTOR® and every non-principal broker, sales licensee and licensed or certified appraiser affiliated with a REALTOR®, is eligible to hold a key subject to their execution of a lease agreement between the Association and the member or their licensee and payment of the fees as from time to time adopted by the Board of Directors. The lock box system shall at all times be operated in accordance with the policies of the National Association of REALTORS® as from time to time amended.
2. If a key is lost or stolen or otherwise unaccounted for, the member shall immediately notify the Association. A new key will be issued upon payment of the fees for another key.
3. An annual key audit shall be held during the month of November of each year. Each Designated REALTOR® and Affiliate member shall be mailed a certification form requesting the name of each key holder and the key which they hold. The certification form shall be returned to the Association prior to November 30th. On or before November 25th a telephone call shall be made to the Designated REALTOR® or Affiliate member alerting them that the certification form has not been received and that if it is not received prior to November 30th a fine of twenty-five (\$25) shall be assessed against the Designated REALTOR® or Affiliate member. (See BOD minutes 1/30/02)
4. **WRITTEN AUTHORIZATION FOR USE OF LOCK BOX:** All Designated REALTORS® shall have either as a part of the listing agreement or as a separate document authorization by the Seller(s) granting permission to install a lock box on the property.
5. **PENALTY FOR UNAUTHORIZED USE OF KEY OR LOCK BOX:** Should a key or a lock box be used without authorization then the member shall be fined fifty dollars (\$50) for the first offense. If there is a second offense the member and his licensee, if any, shall appear before the Board of Directors. Imposition of an amount of fine shall be the prerogative of the Board of Directors. Fines must be paid within twenty (20) days of receipt of final action by the association, unless the respondent requests a hearing before the Board of Directors. (See BOD minutes 03/29/95)
6. **OFFICE SUPERCARD:** A Designated REALTOR® (principal) or an office's broker of record may purchase an additional SuperCard that could be issued on a temporary basis to other SuperCard holders in the same office in the event their SuperCard becomes non-functional outside normal business hours or under circumstances where a replacement SuperCard is not reasonably available from the Association. When issued on a temporary basis, the Designated REALTOR® or the broker of record must advise the Association in writing within forty-eight (48) hours of the person to whom the SuperCard has been issued. The notice shall include the date and time that the SuperCard was issued. It shall also be the responsibility of the Designated REALTOR® or the broker of record to advise the Association in writing within forty-eight hours (48) after the possession of the previously issued SuperCard has been resumed. (See BOD minutes 08/30/95)
7. **AFFILIATE OR ALLIED MEMBERS:** Affiliate or Allied members may purchase a SuperCard upon signing an agreement to use the SuperCard only when authorized by the listing broker or his/her licensee.

SEXUAL HARASSMENT COMPLAINT PROCEDURES

The following procedures will be followed when considering complaints alleging sexual harassment of an Association or MLS employee(s), by an Association member(s) or MLS user(s):

Sexual harassment is illegal conduct and is contrary to the policy of the corporations.

Sexual harassment is any verbal or physical conduct of a harassing nature, requests for sexual acts or favors, unwelcome sexual advances, or any other conduct with the purpose or effect of unreasonably interfering with an individual's work performance by creating a hostile, intimidating or offensive work environment.

Complaint Procedure

Any employee who believes that he/she has suffered sexual harassment, by any member of the Association or an MLS user must bring the problem to the attention of the President or Executive Vice President. The complaint does not have to be in writing; however, it is helpful if details of dates, times, places and witnesses, if any, to the harassment alleged can be provided.

All complaints will be investigated promptly and with strictest confidentiality by an investigatory team comprised of the President, President-Elect and/or Vice President and one (1) member of the Board of Directors selected by the highest ranking officer not named in the complaint, after consultation with counsel for the board. If the complaint involves the President, President-Elect and/or Vice President, they shall be replaced on the investigatory team by the immediate Past President or, alternatively, by another member of the Board of Directors selected by the highest ranking officer not named in the complaint.

Both the complainant and the accused will be provided a full opportunity to present their cases. Witnesses interviewed will be provided only such information as is necessary to elicit from them their observations and other relevant information.

Disciplinary action against any member found to have sexually harassed a board or MLS employee may include verbal or written warning, probation, suspension or expulsion depending on the gravity of the incident. Prior incidents of similar behavior shall be taken into consideration when determining the appropriate disciplinary action. Such decision shall be made by the Investigatory Team.

Clear, strong, and convincing shall be the standard of proof by which alleged allegations of sexual harassment are determined. Clear, strong, and convincing shall be defined as that measure or degree of proof which will produce a firm belief as to the validity of the allegations sought to be established.

It is contrary to the policy of the corporations for a member to retaliate against any employee who files a charge of sexual harassment. All possible steps will be taken to eliminate the possibility of retaliation resulting from the filing of a complaint.

In the event a complaint of sexual harassment is found to be totally and completely without basis, appropriate disciplinary measures may be taken against the employee who brought the complaint. While this is in no way intended to discourage employees who believe they have been the victim of sexual harassment from bringing a complaint, the corporations recognize that a charge of sexual harassment can cause serious damage to the personal reputation and professional career of the accused. (See BOD minutes 01/25/95)

PROFESSIONAL STANDARDS POLICIES

The High Point Regional Association of REALTORS[®], Incorporated, hereby adopts the following in regard to the enforcement of the **Code of Ethics** of the National Association of REALTORS[®] (NAR):

1. The HPRAR adopts the entire **Code of Ethics and Arbitration Manual** as from time to time amended by the NAR where it does not conflict with laws in the state of North Carolina.
2. The name of this Association, the State Association and the State of North Carolina shall be inserted into any blank which so requires it.
3. Staff shall insert the names of all parties, witnesses, chairmen, panel members, officers, and directors as necessary to complete the sense of the forms and guides used for each case.
4. This Association will provide arbitration in those cases where arbitration is voluntary.
5. The Grievance Committee may and must do so if instructed by the Board of Directors, enjoin the REALTOR[®] Principal in any complaint filed against a REALTOR[®] (non principal) licensed with the REALTOR[®] or his firm. However, the REALTOR[®] principal with whom a REALTOR[®] non-principal is affiliated shall not automatically be joined in any ethics complaint against the REALTOR[®] non-principal.
6. Panels shall be utilized in all cases involving the Grievance Committee and in actions by or appeals to the Board of Directors. The Chairman of the Grievance Committee shall specify the composition of each panel. The President, or in his/her absence the next ranking officer, shall specify the composition of each Board of Director panel, one of whom must be an officer. All panels selections shall comply with the applicable sections of the **Code of Ethics and Arbitration Manual**.
7. Parties to a hearing may not tape record the hearing. Only the Association may tape record the hearings.
8. The High Point members of the Grievance Committee shall be appointed for staggered three year terms. All appointments for members shall be as established in the Bylaws. The Board of Directors must forward final ethics decisions holding REALTORS[®] in violation of the Code of Ethics to the North Carolina Real Estate Commission and/or North Carolina Appraisal Board in instances where there is reason to believe that the public trust may have been violated. The “public trust,” as used in this context, refers to demonstrated misappropriation of client or customer funds or property, willful discrimination, or fraud resulting in substantial economic harm. (Amended 5/28/03)
9. When notice is required and the time frame is not mandated by the NAR, the time shall not be less than 10 business days nor more than 21 business days.
10. A filing fee of two hundred and fifty dollars (\$250) must accompany a REALTOR[®]'s request for Arbitration. When a member of the public files a Request for Arbitration, the deposit for each party shall be fifty dollars (\$50). (see BOD minutes 12/13/00) A filing fee of one hundred dollars (\$100) must accompany any appeal of a decision by an Ethics Hearing Panel.
11. The disposition of all arbitrations deposits shall be by vote of the arbitrators.

12. Option #3, in the section Submission to Arbitration of the Professional Standards Manual is hereby adopted.
13. The decisions rendered during an Arbitration hearing shall be reviewed by legal counsel only if the President deems necessary after consultation with the appropriate staff.
14. The Association has a mediation service which will be offered first before the procedures outlined for Arbitration. If there is a mediation agreement, it will not necessarily preclude the Grievance Committee from reviewing allegations of unethical conduct concerning the same issue that was mediated.
15. Upon receipt of a phone call from either a REALTOR® or a member of the public, the staff shall send a cover letter and the necessary forms to the person who called. Upon receipt of the proper form, the staff shall mail a copy along with the proper forms to the person named as respondent prior to the time that the Grievance Committee meets to review the case. (See BOD minutes 10/28/92).
16. The members of the Professional Standards Committee shall be appointed for staggered three year terms.
17. The chairman and vice chairman of the Grievance and Professional Standards committees shall also serve as needed on NCAR regional hearing panels. (See BOD minutes 08/27/94).
18. Two mediators shall be appointed with staggered three year terms. (See BOD minutes 11/29/95)
19. All Board Officers and Directors as well as the members of the Professional Standards and Grievance committees are annually required to attend an appropriate training course on Professional Standards procedures.
20. The Association attorney shall be present for all hearings. (See BOD minutes 10/28/98) (Amended 5/28/03)
21. Staff shall offer the Optional Expedited Professional Standards Procedures to eligible REALTORS® when an Ethics Complaint is filed. (Adopted 2/28/96)
22. If the respondent is found in violation of the Code of Ethics a second time within three (3) years, the respondent's name, the fact that the respondent has been found in violation of the Code of Ethics, the Articles(s) violated, and the discipline imposed will be published in the official communication vehicle of the Association. Such publication shall not include the name of the firm the respondent is (or was) licensed or affiliate with. (Adopted 3/31/99)
23. An administrative processing fee of \$500 shall in all cases be imposed against respondents found in violation of the Code of Ethics, such fee to be an addition to and not part of any disciplinary sanction imposed. (Adopted 10/27/99)

RULES INTERPRETING BYLAW PROVISIONS

1. There are no leaves of absence. Any former REALTOR® must make application in accordance with **Article V, Section 1** of the Bylaws.
2. Per **Article X, Section 2** of the Bylaws, the Board of Directors shall establish the dues and budget for the succeeding calendar year before August 31st.
3. No dues will be refunded to any REALTOR® resigning from the Association. All dues, fees, fines or other assessments noticed to members are due and payable upon receipt and become past due on the last day of the month. Beginning with the first day of the following month and each month thereafter until the bill is paid or the member is terminated, a one and one-half percent (1½) service charge shall be assessed on the outstanding balance. (**See Bylaws, Article X, Section 4**) (See BOD minutes 11/24/93)
4. After ninety days has elapsed as provided for in the **Bylaws Article X, Section 4**, concerning nonpayment, the staff shall send all appropriate documentation to the Association's attorney. Staff shall determine the cost for the attorney's services prior to incurring expenses for the collection of the unpaid amounts. (See BOD minutes 02/24/93)
5. This rule interprets the provision found in the **Bylaws Article XII, Section 2. Meetings of Directors**. The Board of Directors shall designate a regular time and place of meetings. Absence from three regularly scheduled meetings during a calendar year without an excuse deemed valid by the Board of Directors shall be construed as resignation. More than fifty percent (50%) of the Directors shall constitute a quorum. The phrase "an excuse deemed valid" is personal or family sickness, emergency, death, childbirth, jury duty, court appearances or NAR/NCAR committee meetings. Excused absences must be voted on by the Board of Directors. Missing more than 50% of any meeting will be deemed an unexcused absence unless authorized by the Board of Directors. Removal from the High Point Regional Association of REALTORS®, Inc., Board of Directors will automatically result in removal from the Multiple Listing Service, Inc., Board of Directors. (See BOD Minutes November 29, 1995, May 27, 1998, September 26, 2001, March 29, 2006)
6. The intention of the **Bylaws, Article XIII, Section 1**, is to preclude persons other than REALTORS® from serving on committees. A REALTOR®'s unlicensed staff member(s) may attend committee meetings at the pleasure of the committee or council chairman. Their participation would be at the discretion of the chairman. A non REALTOR® licensee is not permitted to attend a committee meeting. The committee chair will deny them admittance. The President will send a letter to any REALTOR® whose non REALTOR® licensee attempts to attend along with an application for membership to the REALTOR® and to his non REALTOR® licensee. (See BOD minutes 01/27/93)

RELOCATION POLICY

Upon request from the Economic Development Corporation of the City of High Point staff shall assemble a relocation packet which contains the following:

1. Quality of Life video.
2. A REALTOR[®] folder which contains the inserts developed by the Relocation Committee
3. A color brochure
4. The names of all member real estate companies. Those companies which currently have a relocation coordinator will have an asterisk placed next to their name. The relocation coordinator must be:
 - Trained in assisting incoming and outgoing employees
 - Belong to a national relocation franchise organization.
5. If housing information is needed, staff shall qualify the price range desired. Using current software staff will prepare diskettes containing pictures and an accompanying text file. The text file shall not contain the names of the listing company or sales agent.

Staff will provide the first two packets free. Additional packets may be purchased at the same price charged to members.

Staff will send a notice to the Relocation Chairman.

If the relocating company desires a presentation on existing services offered by members, the company may choose between an individual company approach or a broker-team approach.

INDIVIDUAL COMPANY APPROACH

Since the relocating company will already have a list of member real estate companies, staff will only provide logistical support to facilitate the presentation by member companies. This could include a broadcast fax or a mailing but would not include a telephone canvass.

BROKER-TEAM APPROACH

A broker-team approach is where the relocating company desires multiple companies working for it. The companies would coordinate their joint efforts. Staff would notify all members by fax on the attached form.

If neither method is acceptable to the relocating company, the company's specific request will be handled by the Relocation Subcommittee.

Fax to: Insert Company

Concerning: Company relocating to High Point

A company has contacted the Economic Development Corporation of the City of High Point and has requested a broker-team approach. You will need to find another broker(s) with whom you desire to make a joint presentation. The company has provided the following information:

- # of employees relocating
- date of expected arrival
- length of time they will be in High Point

Additional information will be provided to you just as soon as it is available. Please fill out the following form. Your DEADLINE for faxing this information to the High Point Regional Association of REALTORS[®], Inc., is (INSERT DATE)

Your Name	Company	
(insert name)	(insert company)	Their Name
Teaming with		

REQUIRED MEETING ATTENDANCE

NAR Meetings

President:

Member & Director Forum
Board Leadership Forum
Presidents & Presidents-Elect Roundtables
Committees: (Which you are a member)
Regional Caucuses
Board of Directors (**Recommended**)

Convention only:

Delegate Body Forum
Delegate Body

President-Elect:

Member & Director Forum
Board Leadership Forum
Presidents & Presidents-Elect Roundtables
Committees: (Which you are a member)
Regional Caucuses
President-Elects Leadership Conference (Washington Meeting)
Board of Directors (**Recommended**)

Convention only:

Presidential Leadership Conference
Delegate Body Forum
Delegate Body

NCAR Meetings

NCAR DIRECTORS:

Board Leadership Forum
Committees: (Which you are a member)
Regional Caucuses
Board of Directors

.Revised 3/27/02