



REALTOR® Code of Ethics
Citation Policy and Schedule of Fines

Adopted by the CMR Board of Directors 10/2016; Notice to Membership 1/1/2017; Implementation 2/1/2017

The Code of Ethics obligates REALTORS® to demonstrate a high level of ethical practice with clients, customers, the public and each other. The enforcement process to file a written complaint through the hearing and appeal processes can take up to 45 to 60 days or longer.

The National Association of REALTORS® has created an expedited fine process for violations of specific Articles and Standards of Practice of the Code of Ethics. The ***"Citation Policy"*** provides an opportunity for a Respondent to admit to the violation, pay a stated fine and waive his/her rights to a hearing.

Only certain Articles or Standards of Practice are eligible to be included in the Citation Policy. CMR's Board of Directors has adopted the Citation Policy for twenty-one (21) Standards of Practice associated with following Articles of the Code. The full schedule of Citations follows on page 2.

- Article 1. REALTORS® protect and promote the interests of the clients
- Article 3. REALTORS® shall cooperate with other Brokers
- Article 4. REALTORS® shall disclose ownership or other interests
- Article 5. REALTORS® shall disclose present or contemplated interests
- Article 6. REALTORS® shall not accept commissions without the client's knowledge and consent
- Article 12. REALTORS® shall be honest and truthful in their real estate communications
- Article 14. Failing to cooperate in a Professional Standards proceeding or investigation
- Article 16. REALTORS® shall not interfere with exclusive relationships REALTORS® have with clients

Citation Policy Process

- 1 A Complainant files a written complaint with the Association alleging violation of one of more Articles of the REALTOR Code of Ethics. (Complaint form is on page 4).
- 2 The written complaint is forwarded by Association staff to a three-member Citation Panel who determines whether or not the Articles alleged violated are included in the Associations Citation Policy.
3. If verified by the Citation Panel that the Articles alleged violated are included in the Citation Policy, the complaint is forwarded to the Respondent to respond by either paying the stated citation within 30 days or requesting a hearing before the Professional Standards Committee within 20 days. **(A REALTOR® found guilty by a hearing panel of violating the Code of Ethics is assessed a \$500 administrative fee in addition to any other discipline imposed).**

Depending upon the specific allegation, the Complainant's name may be kept confidential unless the Respondent requests a hearing.

The full Citation Schedule is as follows:

CITATION SCHEDULE

The Article of the Code of Ethics is named first, followed by the Standard of Practice and Citation (fine).

Article 1 (1-16). \$250. Accessing or allowing others to access or use a property on terms other than those authorized by the owner or seller.
2nd offense \$500; 3rd offense \$1000; both 2nd & 3rd offenses require Code of Ethics class.

Article 3 (3-2). \$250. Listing broker's failure to communicate a change in offered compensation PRIOR TO a REALTOR® submitting an offer to purchase/lease.
2nd offense \$500; 3rd offense \$1000; both 2nd & 3rd offenses require Code of Ethics class.

Article 3 (3-2). \$250. Listing broker's attempt to modify the offered compensation after a REALTOR® has submitted an offer to purchase or lease.
2nd offense \$500; 3rd offense \$1000; both 2nd & 3rd offenses require Code of Ethics class.

Article 3 (3-4). \$250. Listing broker's failure to disclose to cooperating brokers the existence of a dual or variable rate commission arrangements. (Noting yes in the VRC field in Paragon)
2nd offense \$500; 3rd offense \$1000; both 2nd & 3rd offenses require Code of Ethics class.

Article 3 (3-6). \$250. Listing broker's failure to disclose to cooperating brokers the existence of accepted offers, including offers with unresolved contingencies. (changing status in MLS to Contingent in MLS within 24 hours.)
2nd offense \$500; 3rd offense \$1000; both 2nd & 3rd offenses require Code of Ethics class.

Article 3 (3-9). \$250. Accessing or providing access to listed properties on terms other than those established by the owner or the listing broker. (Failure to have explicit permission to access the property.)
2nd offense \$500; 3rd offense \$1000; both 2nd & 3rd offenses require Code of Ethics class.

Article 4. \$250. Listing Broker's failure to disclose REALTOR®'s ownership or other interest in writing to purchaser or his/her representative.
2nd offense \$500; 3rd offense \$1000; both 2nd & 3rd offenses require Code of Ethics class.

Article 5. \$250. Providing services without disclosing REALTOR®'s present or contemplated interest in the property.
2nd offense \$500; 3rd offense \$1000; both 2nd & 3rd offenses require Code of Ethics class.

Article 6 (6-1). \$250. Failure to disclose to a client or customer the REALTOR®'s direct interest in an organization or business entity when recommending to a client or customer that they use that service.

2nd offense \$500; 3rd offense \$1000; both 2nd & 3rd offenses require Code of Ethics class.

Article 12. \$250. Failure to disclose status as real estate professional in all ads and representations.

2nd offense \$500; 3rd offense \$1000; both 2nd & 3rd offenses require Code of Ethics class.

Article 12 (12-4). \$250. Advertising property for sale/lease without authority of owner or listing broker.

2nd offense \$500; 3rd offense \$1000; both 2nd & 3rd offenses require Code of Ethics class.

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Article 12 (12-5). \$250. Failure to disclose name of firm in advertisement of property.

2nd offense \$500; 3rd offense \$1000; both 2nd & 3rd offenses require Code of Ethics class.

Article 12 (12-6). \$250. Failing to disclose status as both owner/landlord and REALTOR® or licensee when advertising property in which REALTOR® has an ownership interest.

2nd offense \$500; 3rd offense \$1000; both 2nd & 3rd offenses require Code of Ethics class.

Article 12 (12-7). \$250. Falsely claiming to have "sold" a property.

2nd offense \$500; 3rd offense \$1000; both 2nd & 3rd offenses require Code of Ethics class.

Article 12 (12-8). \$250. Failure to take corrective action when it becomes apparent that information on REALTOR®'s website is no longer current or accurate.

2nd offense \$500; 3rd offense \$1000; both 2nd & 3rd offenses require Code of Ethics class.

Article 12 (12-9). \$250. Failure to disclose firm name and state of license on REALTOR®'s firm website.

2nd offense \$500; 3rd offense \$1000 (both 2nd & 3rd offenses require Code of Ethics class.

Article 12 (12-10). \$250. Misleading consumers through deceptive framing, manipulating content, deceptively diverting internet traffic, or presenting other's content without attribution permission.

2nd offense \$500; 3rd offense \$1000; both 2nd & 3rd offenses require Code of Ethics class.

Article 12 (12-12). \$250. Registering or using a deceptive URL or domain name.

2nd offense \$500; 3rd offense \$1000; both 2nd & 3rd offenses require Code of Ethics class.

Article 12 (12-13). \$250. Representing that the REALTOR® has a designation, certification, or other credential they are not entitled to use. (Examples: REALTOR, ABR, CCIM)

\$250. 2nd offense \$500; 3rd offense \$1000; both 2nd & 3rd offenses require Code of Ethics class.

Article 14. \$500. Failure to cooperate in a professional standards proceeding or investigation in circumstances when cooperation has been demanded by the Association and the Association has advised the REALTOR® that failure to cooperate could result in an allegation of Article 14.

2nd offense \$1000; 3rd offense \$2000; 2nd and 3rd offenses require Code of Ethics class

Article 16. (12-16). \$250. Buyer's agent conditioning the submission of a buyer's offer on additional compensation from the listing broker.

2nd offense \$500; 3rd offense \$1000; both 2nd & 3rd offenses require Code of Ethics class.

Article 16 (16-19). \$250. Placing a for sale/lease sign on property without permission of the seller/landlord.

2nd offense \$500; 3rd offense \$1000; both 2nd & 3rd offenses require Code of Ethics class.

[Complete REALTOR® Code of Ethics](#)

For additional information contact Jo Usry jo@centralmsrealtors.org or 601-948-1332

Ethics Complaint Form for Citation Policy

To the Code of Ethics Citation Panel of the Central Mississippi REALTORS®

Date Filed: _____, 2017

Complainant: _____ Respondent: _____
(Print or type) (Print or type)

Complainant: _____ Respondent: _____

Complaint(s) name(s) will be kept confidential when applicable unless the Respondent requests a hearing before the Professional Standards Committee.

Complainant charges:

An alleged violation of the REALTOR® Code of Ethics Article _____
as demonstrated in Standard of Practice _____ (if applicable) supported by the
attached statement which is signed and dated by the complainant and which explains when the
violation occurred.

This particular Article(s) and Standards of Practice alleged violated is/are governed by the Association's Citation Policy (attached). In accordance with the Association's Citation Policy the Respondent may admit to the violation and pay the fine stated in the

Citation Policy to the Association within ten days of receipt of notice causing the matter to be closed. Should the Respondent choose not to pay the fine the Respondent may, instead, request a hearing before the Association's Professional Standards Committee within 20 days from the date the Respondent is noticed of the alleged violation(s).

Date the violation took place: _____ OR
Date you became aware of the facts on which the alleged violation is based
_____.

I declare that to the best of my knowledge and belief, my allegation(s) are true.

Are there circumstances giving rise to this ethics complaint involved in civil or criminal litigation or any proceeding before the Mississippi Real Estate Commission?
___ Yes ___ No.

Complainant:

Print name

Signature

Phone Number

Email

Complaint form is to be provided to Jo Usry at centralmsrealtors.org.