



REALTORS® are real estate professionals who are members of local, state and national association of REALTORS® and abide by the National Association of REALTORS®' strict *Code of Ethics*. Should a violation of the *Code* be suspected, we adhere to the National Association of REALTORS®' *Code of Ethics and Arbitration Manual* and proceed with the grievance procedures therein. Please allow me to explain the complaint process.

In filing an Ethics Complaint the National Association has designated one hundred and eighty (180) days within which the alleged offense could reasonably have been known by the complainant and an ethics complaint is filed arising from a transaction.

Complainants are provided with a copy of the National Association's *Code of Ethics*, a Complaint Form, and the General Instructions and Information for Filing and Replying to Complaints. We must ask you to study the *Code of Ethics* and cite in writing the circumstances and the Article or Articles of the *Code* that you feel have been violated.

Should the Grievance Committee find an ethics hearing is warranted by the Professional Standards Committee, an ethics proceeding has two essential purposes: education and vindication. It is educational in that it raises the consciousness of members to the meaning and significance of the *Code*. Many ethics violations occur inadvertently or through ignorance, and the hearing proceeding serves as an effective educational tool.

Complaints against members of this association are viewed only in the light of the *Code of Ethics*, and in no case may the association assume a judicial role and adjudicate the rights of parties to any transaction. We cannot, for instance, cancel or enforce a contract or lease.

The association has latitude in the sanctions which may be applied for violations of the *Code of Ethics*: 1) Letter of Warning; 2) Letter of Reprimand; 3) Requirement to attend the ethics portion of the Association Orientation Course or other appropriate course; 4) Appropriate and Reasonable fine – retained by the association – not to exceed \$5,000.00; 5) Member placed on probation for a stated period not to exceed one year; 6) Membership suspended for stated period not to exceed one year, with automatic reinstatement; or 7) Expulsion of individual membership for a specified period of one to three years.

After receiving a formal complaint I immediately forward it to the Grievance Committee for review. This committee performs a screening function much like that of a grand jury and confidentially determines whether an ethics hearing panel (composed of members of the Professional Standards Committee) should be called. The Grievance Committee will send a copy of the complaint to the respondent and ask for a response prior to making a determination as to the disposition of the complaint/request – forwarding to hearing panel(s) or dismissal.

Should a hearing tribunal be impaneled, all parties would be given due notice to appear to present their sworn or affirmed testimony, documentation, and witnesses (if any). After receiving all of the information and hearing testimony, the Hearing Panel dismisses all parties and witnesses to leave and holds an Executive Session. Both complainant and respondent are notified in writing of the decision after legal review. After confirmation of the decision by the Board of Directors of the Association, the decision is considered final, subject to appeal for procedural errors only.

You will find the NAR Code of Ethics, Ethics Complaint Form and these instructions on our public web site www.leecorealtors.net under LCAR Community Resources/Real Estate Links. Please complete the Ethics Complaint Form, attach a statement regarding the complaint and return to me at jsergen@leecorealtors.com. Should you have difficulty putting your complaint in the proper form, a member of the Grievance Committee may be appointed by the Chairman to assist you. That member of the Grievance Committee does not then become an advocate in presenting the complaint, but would be excused from any sessions concerning the complaint. I shall forward your complaint to the Grievance Committee immediately after receiving it (typewritten, which cites the **Article** or **Articles** you feel have been violated). Standards of Practice may be used to support the complaint, but Article(s) must be cited in the complaint. After the Grievance Committee Meeting, you will be notified of their findings. (Members of the public need not supply extra copies of the complaint.)

Please be aware that violation of Alabama Real Estate License Law must be reported to the Alabama Real Estate Commission at 1201 Carmichael Way, Montgomery, AL 36106, or phone 334-242-5544.

Sincerely,
Jamie Sergen
Association Executive