



REALTOR® Code of Ethics
Citation Policy and Schedule of Fines
Revised 1/2019

The **Citation Policy** is an expedited fine process for violations of specific Articles and Standards of Practice of the REALTOR® Code of Ethics. It provides an opportunity for a Respondent to admit to the violation, pay a stated fine, waive his/her rights to a hearing and the matter is then closed. Only certain Articles and Standards of Practice are eligible to be included in the Citation Policy. Where buyer and seller are used it also applies to landlords and tenants. The process for filing a complaint is listed following the Articles and Standards of Practice (SOP) that apply.

Article 1. Protecting and promoting the interest of clients while treating all parties honestly, SOP 1-5. Failure to disclose and obtain consent from both parties when representing both seller and buyer in the same transaction

1st offense \$250; 2nd \$500; 3rd \$1000. Both second & third offenses require Code of Ethics class.

SOP 1-7. Failure on the part of a listing broker to provide 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. (1/2019)

1st offense \$250; 2nd \$500; 3rd \$1000. Both second & third offenses require Code of Ethics class.

SOP 1-16. Accessing or using or allowing others to access or use a listed or managed property on terms or conditions other than those authorized by the owner or seller.

1st offense \$250; 2nd \$500; 3rd \$1000. Both second & third offenses require Code of Ethics class.

Article 3. Cooperating with other Brokers (sharing listings and listing information)

SOP 3-2. Failure to communicate a change in cooperative services prior to the time that REALTOR® submits an offer to purchase the property. Also, 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.

1st offense \$250; 2nd offense \$500; both 2nd and 3rd also required Code of Ethics class.

SOP 3-4. Failing to disclose to cooperating brokers the existence of dual or variable rate commission arrangements. (VRC in MLS)

1st offense \$250; 2nd offense \$500; both 2nd and 3rd also required Code of Ethics class.

SOP 3-6. Failing to disclose existence of accepted offers, including offers with unresolved contingencies, to cooperating brokers (changing status in MLS from Active to Contingent/Pending upon having an accepted offer.

1st offense \$250; 2nd offense \$500; both 2nd and 3rd also required Code of Ethics class.

SOP 3-8. Misrepresenting the availability of access to show or inspect a listed property
1st offense \$250; 2nd \$500; 3rd \$1000. Both second & third offenses require Code of Ethics class.

SOP 3-9. Providing access to listed property on terms other than those established by the owner or the listing agent. (Failure to follow showing instructions in MLS)
1st offense \$250; 2nd offense \$500; both 2nd and 3rd also required Code of Ethics class.

Article 4. Disclosing ownership interests

Failing to disclose REALTOR®'s ownership or other interest in writing to the purchaser or purchaser's representative.

1st offense \$250; 2nd offense \$500; both 2nd and 3rd also required Code of Ethics class.

Article 5. Disclosing present interests

Providing professional services concerning a property or its value where they have a present interest unless such interest is disclosed to all affected parties.

1st offense \$250; 2nd offense \$500; both 2nd and 3rd also required Code of Ethics class.

Article 6. Accepting compensation or other profits only with client's consent

Accepting any commissions or rebates or profits on expenditures made for their client without the client's knowledge and consent. Also, failure to disclose to a client or customer the REALTOR®'s financial benefits or fees received as a direct result of recommending real estate products or service.

SOP 6-1. Failure to disclose REALTOR®'s direct interest in an organization or business entity when recommending to a client or customer that they use the service of that organization or business.
1st offense \$250; 2nd offense \$500; both 2nd and 3rd also required Code of Ethics class.

Article 12. Painting a true picture in advertising, communication and representations

Failure to present a true picture in their advertising, marketing and other representations. Failure to disclose status as real estate professional in advertising and other representations.

1st offense \$250; 2nd offense \$500; both 2nd and 3rd also required Code of Ethics class.

SOP 12-4. Advertising property for sale/lease without authority of owner or listing broker.
1st offense \$250; 2nd offense \$500; both 2nd and 3rd also required Code of Ethics class.

SOP 12-5. Failure to disclose name of real estate firm in advertisement for listed property.
1st offense \$250; 2nd offense \$500; both 2nd and 3rd also required Code of Ethics class.

SOP 12-6. Failure to disclose status as both owner and REALTOR® or licensee when advertising property in which REALTOR® has ownership interest.
1st offense \$250; 2nd offense \$500; both 2nd and 3rd also required Code of Ethics class.

SOP 12-7. Falsely claiming to have "sold" property.
1st offense \$250; 2nd offense \$500; both 2nd and 3rd also required Code of Ethics class.

SOP 12-8. Failure to take corrective action when it becomes apparent that information on a REALTOR®'s website is no longer current or accurate.
1st offense \$250; 2nd offense \$500; both 2nd and 3rd also required Code of Ethics class.

SOP 12-9. Failure to disclose firm name and state of licensure on REALTOR® firm website
1st offense \$250; 2nd offense \$500; both 2nd and 3rd also required Code of Ethics class.

SOP 12-10. Misleading consumers through deceptive framing, manipulating content, deceptively diverting internet traffic, presenting other's content without attribution or permission, or using misleading images.
1st offense \$250; 2nd offense \$500; both 2nd and 3rd also required Code of Ethics class.

SOP 12-12. Registering or using of deceptive URL or domain name.
1st offense \$250; 2nd offense \$500; both 2nd and 3rd also required Code of Ethics class.

SOP 12-13. Representing that the REALTOR® has a designation, certification or other credential he/she is not entitled to use.
1st offense \$250; 2nd offense \$500; both 2nd and 3rd also required Code of Ethics class.

Article 14. Participating in Professional Standards proceedings

Failure to cooperate in Professional Standards proceedings or investigations after having been advised that failure to cooperate can result in a violation of Article 14.
1st offense \$500; 2nd \$1000; 2nd and 3rd require completion of a Code of Ethics class.

Article 16. Inferring with exclusive relationships other REALTORS® have with clients

SOP 16-16. Conditioning the submission of a buyer's offer on additional compensation from a listing broker.
1st offense \$250; 2nd \$500; 3rd \$1000. Both second & third offenses require Code of Ethics class.

SOP 16-19. Placing for sale/lease sign on property without permission of the seller/landlord,
1st offense \$250; 2nd offense \$500; both 2nd and 3rd also required Code of Ethics class.

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 through Form E-1.

2 The written complaint is forwarded to the Grievance Committee who determines if the complaint, if true on its face, meets specific criteria and is a possible violation occurred.

3. If the Grievance Committee determines that a possible violation occurred, and if the Articles named are among those covered the **Citation Policy**, the complaint is sent to the Citation Panel who determines if it is appropriate for a Citation or if it should be forwarded to the Professional Standards Committee to schedule a hearing.

4. If appropriate, the Citation panel will issue the Citation and impose discipline consistent with the Citation Schedule. Alternatively, if the Citation panel determines that the complaint is sufficiently egregious to warrant a hearing rather than issue a citation, the complaint will be referred to the Professional Standards Committee of the Mississippi Association of REALTORS® to schedule a hearing.

5. If a citation is issued the Respondent will have 20 days from the transmittal of the citation to either pay the stated citation (fine) to the Association or request a hearing before the Professional Standards Committee.

For information on the Citation Policy or Complaint Process contact Jo Usry jo@cmr.realtor or 601-948-1332

Central Mississippi REALTORS® 620 N. State Street Jackson, MS 39202 601-948-1332 Ext. 18 jo@cmr.realtor

**ETHICS COMPLAINT
Form E-1**

To the Grievance Committee of Central Mississippi REALTORS®

Date Filed _____

COMPLAINT(S)

RESPONDENT(S)

Complainant(s) charge(s):

An alleged violation of **Article(s)** _____ of the Code of Ethics.

The above alleged charge(s) is/are supported by the **attached typed statement**, which is signed and dated by the complainant and which explains when the alleged violation(s) occurred and, if a different date, when the complainant(s) first knew about the alleged violation(s). **Standards of Practice** may be used in the statement as demonstrations of the alleged violation(s) if applicable.

This complaint is true and correct to the best knowledge and believe of the undersigned and is filed within 180 days after the facts constituting the matter complained of could have been known in the exercise of reasonable diligence or within 180 days after the conclusion of the transaction, or event, whichever is later.

Date(s) alleged violation took place: _____ or date(s) you became aware of the facts on which the alleged violation(s) is/are based: _____.

I (we) declare that to the best of my/our knowledge and belief, the allegations in this complaint are true.

Are their circumstances giving rise to this ethics complaint involved in civil or criminal litigation or in any proceeding before the Mississippi Real Estate Commission or any other state or federal regulatory agency? Yes. No

You may file an ethics complaint in any jurisdiction where the REALTOR® is a member or MLS participant except that the Code of Ethics, Standard of Practice 14-1 provides that "REALTORS® shall not be subject to disciplinary proceeding in more than one Association of REALTORS® with respect to alleged violation of the Code of Ethics relating to the same transaction or event. Have you filed, or do you intend to file a similar or related complaint in another Association of REALTORS(s)? Yes. No . If so, name the Association: _____ Date filed: _____

I understand that should the Grievance Committee dismiss the ethics complaint in part or in total, that I have 20 days from the transmittal of the dismissal to appeal to the CMR Board of Directors.

Complainant(s):

Type/Print Name
Cell phone: _____

Signature
Email address: _____

Type/Print Name
Cell phone: _____

Signature
Email Address: _____