

## ETHICS CITATION PROGRAM

Suburban West Realtors Association has established a Citation Schedule of offenses with fines that apply to specific potential violations of the Code of Ethics. A brief summary of the citation program appears below.

If an ethics complaint includes only allegations subject to the Citation Schedule, the Grievance Panel will review the information presented in the complaint and determine if there is a potential violation of the Code of Ethics. If the Grievance Committee determines that there is a potential violation of the Code of Ethics, it shall issue a citation to the respondent. If the complaint contains a mixture of citable and non-citable offenses the Grievance Committee will process the complaint in the regular fashion.

If a citation is issued, it will be sent to the Respondent and a copy sent to the Respondent's broker. The Respondent will have fifteen (15) days to provide notice as to whether the respondent will accept the citation and pay the fine or request a full hearing on the complaint.

### Citation Schedule

A. The following violations are subject to the ethics citation program:

#### Article 1:

- 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 (Standard of Practice 1-7)
- Accessing or using, or allowing others to access or use, property managed or listed on terms other than those authorized by the owner or seller (1-16)

#### Article 3:

- As a listing broker, attempting to unilaterally modify the offered compensation with respect to a cooperative transaction after a an offer to purchase or lease that property has been submitted (3-2).
- Failure to disclose existence of dual or variable rate commission (3-4)
- Failure to disclose existence of accepted offers to cooperating brokers (3-6)
- Providing access to listed property on terms other than those established by the owner or the listing broker. (3-9)

#### Article 4:

- Failure to disclose REALTOR® interest in property being bought or sold (Article 4)

#### Article 5:

- Providing professional service without disclosing present interest in property (Article 5)

#### Article 6:

- Accepting any commission, rebate or profit on expenditures without client's knowledge or consent (Article 6)

Article 12:

- Failure to present a true picture in real estate communications and advertising (Article 12)
- Failure to disclose professional status in advertising and other representations (Article 12)
- Failure to provide all terms governing availability of 'free' product or service in an advertisement or other representation. (12-1)
- Advertisement offering to sell/lease property without authority of owner or listing broker (12-4)
- Failure to disclose name of firm in advertisement for listed property (12-5)
- Failure to disclose status as both owner/landlord and REALTOR® or licensee when advertising property in which REALTOR® has ownership interest (12-6)
- Falsely claiming to have "sold" property (12-7)
- Failure to disclose firm name and state of licensure on REALTOR firm website (12-9)
- Registration or use of deceptive URL or domain name (12-12)
- Representing that the Realtor® has a designation, certification or other credential that the Realtor® is not entitled to use. (12-13)

Article 14:

- Failure to cooperate in any professional standards proceeding or investigation (Article 14)

Article 16:

- Use of terms of an offer to modify listing broker's offer of compensation (16-16)
- Placement of for sale/lease sign on property without permission of seller/landlord (16-19)