

## Tri-County Suburban REALTORS® Ethics Citation Program

Tri-County Suburban REALTORS® has established a Citation Schedule of offenses with fines that apply to specific potential violations of the Code of Ethics. A summary of the citation program is as follows:

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 a citation is issued, it will be sent to the Respondent with a copy sent to the Respondent's broker.

The Respondent will have the option to accept the citation and pay the fine or request a full hearing on the complaint.

**Citation Schedule** - The following violations are subject to the ethics citation program:

Article 1:

- Failure to fully disclose and obtain consent from both parties when representing both the seller/landlord and buyer/tenant in the same transaction. (Standard of Practice 1-5)
- Failure on the part of a listing broker to provide, as soon as practical, 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)
- Failure on the part of a buyer's/tenant's broker to provide, as soon as practical, written affirmation to the listing broker stating that the counter-offer has been submitted to the buyers/tenants, or a written notification that the buyers/tenants have waived the obligation to have the counter-offer presented (Standard of Practice 1-8)
- 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 (Standard of Practice 1-16)

Article 3:

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

Article 4:

- Failing to disclose REALTOR®'s ownership or other interest in writing to the purchaser or the purchaser's representative. (Article 4; second sentence)

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)
- Failing to disclose REALTOR®'s direct interest in an organization or business entity when recommending to a client or customer that they use the services of that organization or business entity (Standard of Practice 6-1)

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)
- Representing brokerage services to a client or customer as free or available at no cost when the REALTOR receives compensation from any source for those services. (Standards of Practice 12-1)
- Advertisement offering to sell/lease property without authority of owner or listing broker (Standard of Practice 12-4)

- Failure to disclose name of firm in advertisement for listed property (Standard of Practice 12-5)
- Failure to disclose status as both owner/landlord and REALTOR® or licensee when advertising property in which REALTOR® has ownership interest (Standard of Practice 12-6)
- Falsely claiming to have “sold” property (Standard of Practice 12-7)
- Failure to take corrective action when it becomes apparent that information on a REALTOR®’s website is no longer current or accurate. (Standard of Practice 12-8)
- Failure to disclose firm name and state of licensure on REALTOR firm website (Standard of Practice 12-9)
- Registration or use of deceptive URL or domain name (Standard of Practice 12-12)
- Representing that the Realtor® has a designation, certification, or other credential that the Realtor® is not entitled to use. (Standard of Practice 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)

**Fines for citations shall be as follows:**

1. For the first violation: \$1250
2. For a second violation: \$1500
3. For a third violation: \$1750

## **Limitations**

H. Any individual Realtor® is limited in the number and type of citations that he/she may receive, according to the following rules:

1. No more than two (2) citations within a consecutive twelve (12) month period, starting on the date the first complaint is filed.
2. No more than three (3) citations within a consecutive thirty-six (36) month period, starting on the date the first complaint is filed.
3. No more than three (3) citations for the same violation at any time.
4. No additional citations are permitted where the cumulative fine for the citation, if issued, would be more than \$5000, in any three (3) year period.