

**Filing an Ethics Complaint** against a REALTOR® is a time consuming process. With the Citation System, respondents can elect to avoid a lengthy hearing process when a REALTOR® or a member of public files a complaint against them

#### **HOW THE CITATION SYSTEM WORKS**

- A REALTOR® or member of the public would file a complaint in the customary manner
- If the Grievance Committee decides that the Articles cited in the complaint make the case eligible for the Citation System, the respondent will be notified and given ten (10) days to elect to participate in the Citation System or request an Ethics Hearing.
- If the respondent agrees to the Citation System, he/she would pay the standard pre-set fine associated with that article.
- Included in this brochure is a list of violations that are eligible for this process.

- A REALTOR® can only take advantage of the citation system once for each specific violation. If the public or another REALTOR® files a complaint for the same violation the REALTOR® must participate in the hearing process.

- Any fines paid through the citation system will be deposited into the Board education fund.

#### **TO FILE A COMPLAINT:**

Contact the Northwest Iowa Regional Board of REALTORS® at 712-255-8810 or [NWIAKelly@gmail.com](mailto:NWIAKelly@gmail.com) to obtain a copy of the appropriate complaint forms.



### **NORTHWEST IOWA REGIONAL BOARD OF REALTORS®**

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### **CITATION SYSTEM FOR CODE OF ETHICS VIOLATIONS**



**NWIA's ongoing effort to increase professionalism in the marketplace for our membership, streamline the ethics hearing process and protect the interests of the general public.**



## **BACKGROUND**

NWIA's Professional Standards and Grievance Committee is charged with upholding the highest principles of the Association and ensuring that members adhere to the REALTOR® Code of Ethics. Over the years, members have sought ways to avoid time-consuming ethics complaint filings and hearings. In response, NWIA introduced a new Citation System.

## **WHY SHOULD A RESPONDENT ELECT TO USE THIS SYSTEM?**

- For Respondents, electing the citation system avoids an uncomfortable and often time-consuming hearing process while still respecting their due process rights since they may elect NOT to use the Citation System and proceed with a full hearing. The Citation System is as confidential as the hearing process
- For Complainants, there may be less time involved, yet justice will be served, thereby protecting the industry from unethical behavior. However, if the respondent elects to have a hearing, the Complainant would need to be prepared to attend.

## **CODE OF ETHICS VIOLATIONS**

**\$250** SOP 1-5. Failure to disclose dual representation and obtain written informed consent from both parties.

**\$500** SOP 1-16. Accessing or using or allowing others to access or use a property managed or listed on terms other than those authorized by the owner or seller.

**\$250** SOP 3-4. Failure to disclose existence of a dual or variable rate commission.

**\$250** SOP 3-6. Failure to disclose the existence of other contracts to cooperating brokers.

**\$500** SOP 3-9. Providing access to listed property on terms other than those established by the owner or the listing broker.

**\$250** Article 4. Failure to disclose REALTORS® interest in a property being bought or sold.

**\$250** Article 5. Providing professional services without disclosing interest in the property.

**\$100** Article 9. A. Failure to fill out all necessary forms fully and completely.

**\$250** Article 6. Accepting any commission, rebate or profit on expenditures without client's knowledge or consent.

**\$100** Article 9. b. Failure to obtain necessary signatures on forms.

**\$250** Article 12. a. Failure to present a true picture in real estate communication and advertising.

**\$100** Article 12. b. Failure to disclose professional status in advertising or other real estate communications.

**\$250** SOP 12-4. Advertisement offering to sell/lease property without the authority of the owner or the listing broker.

**\$100** SOP 12-5. Failure to disclose name of firm in advertisement for listed property.

**\$100** SOP 12-7. Claiming to have "sold" a property when not the listing broker or cooperating broker.

**\$500** Article 14. Failure to cooperate in any professional standards proceedings.

**\$500** Article 16. Interfering with exclusive representation or exclusive brokerage relationship agreement.

**\$250** SOP 16-16. Use terms of an offer to modify listing brokers offer of compensation.

**\$200** SOP 16-19. Placement of "for sale" or "for lease" sign on property without the permission of seller/landlord.

## **NWIA RULE VIOLATIONS**

**\$2500** Distribution of NWIAMS or REALTOR® copyrighted forms for use by general public, non-realtor, or affiliate member in a situation where no REALTOR®/NWIAMS member is involved.

**\$2500** first offense intentional misuse of VOW/Data aggregate RETS feed.

**\$5000** second offense intentional misuse of VOW/Data aggregate RETS feed.

**Termination** third offense for intentional misuse of VOW/Data aggregate RETS feed.