

The Garrett County Board of REALTORS®, Inc.

POLICIES & PROCEDURAL MANUAL

Adopted July 7, 2004

Revised 1/5/05, 10/05/05, 11/03/05, 1/5/2006, 04/19/06, 02/07/07, 04/04/07,
07/17/07, 10/03/07, 01/09/08, 12/03/2008, 01/07/09, 05/06/09, 08/05/09, 03/02/11,
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1/2/19; 3/6/19; 7/3/19, 9/4/19, 10/2/19, 3/4/2020, 7/1/2020, 5/5/21

POLICIES & PROCEDURES MANUAL

MISSION STATEMENT

To enhance our members' ability to conduct business professionally and ethically. To promote the image of REALTORS® as knowledgeable practitioners while advocating for property rights and the smooth transfer of property.

VISION

Continue to be Garrett County's trusted real estate source promoting and protecting the rights and benefits of property ownership.

SECTION ONE – OFFICERS AND DIRECTORS

SECTION 1.1	PRESIDENT
SECTION 1.2	VICE PRESIDENT
SECTION 1.3	SECRETARY
SECTION 1.4	TREASURER
SECTION 1.5	IMMEDIATE PAST PRESIDENT
SECTION 1.6	BOARD OF DIRECTORS
SECTION 1.7	EXECUTIVE OFFICER
SECTION 1.8	GCBR LEADERSHIP GUIDELINES

SECTION 1.1 PRESIDENT

The President is the executive head of the Garrett County Board of REALTORS®, Inc. and is responsible to the Board of Directors. He/she shall preside at all meetings, appoint special committees, subject to approval of the Board of Directors, and is an ex-officio member of all committees. He/she is expected to perform such duties as may be assigned by the Board of Directors.

The President serves as the chief spokesperson and represents the interests and objectives of the Association in dealing with the news media, allied organizations and industries, local, state and federal legislators and the general public.

The President should gather ideas for new programs and solutions. The president should make an effort to attend local, state and national meetings. The president is expected to be visible to the membership as well.

The President may be called upon to sign certain legal and banking documents as needed.

SECTION 1.2 VICE PRESIDENT

The Vice President shall assume all duties of the President during the absence or disability of the President or upon the vacation of the office of the President. He/she shall be familiar with the duties and responsibilities of said office. The Vice President shall serve duties as assigned. The Vice President may be called upon to sign certain legal and banking documents as needed.

SECTION 1.3 SECRETARY

The Secretary is responsible for presenting the minutes of Board meetings to the Board of Directors and for other duties as assigned. The Secretary shall serve on the Task Force of the association. The Secretary may be called on to sign certain legal and banking documents as needed.

SECTION 1.4 TREASURER

The duties of the Treasurer shall be of the financial nature. The Treasurer presents the association's financial statements to the Board of Directors. To do that, the Treasurer must become familiar with the statement format and content. The Treasurer chairs the associations Budget and Finance Committee, which reviews the budget, financial conditions, conducts staff salary review and works with the committee to develop the fiscal year budget. The Treasurer signs all checks in addition to the Executive Officer and may be called on to sign certain legal and banking documents as needed.

SECTION 1.5 IMMEDIATE PAST PRESIDENT

The Immediate Past President shall serve on the Board of Directors for one additional year as a Director. The primary role of this individual is to advise and recommend to the Board based upon the experience gained as a Board president. The Immediate Past President shall sit on the Nominating and Budget/Finance Committees.

SECTION 1.6 BOARD OF DIRECTORS

The primary responsibility of the Board of Directors is to serve as the governing body of the Garrett County Board of REALTORS®, Inc. It has the authority above all committees to carry out all duties, expressed or implied, that are included within the management jurisdiction of the Association. This responsibility is contained in the governing documents of the Association. The Board of Directors approves policies and plans that provide the framework with which major Board operations must be accomplished. Although the Board of Directors is responsible for the general overall management of the Board affairs, it is not responsible for the day-to-day operations. This is accomplished by the Executive Officer and staff of the Board in close coordination with elected officers and committees. Procedure for member input to the Board of Directors of the Garrett County Board of REALTORS®, Inc.: Any member of the Garrett County Board of REALTORS®, Inc., is welcome to attend the Board of Directors Meeting. Member input will either be at the request of a member of the Board of Directors or in the following manner:

- a. As a Committee report listed on the Board's agenda.
- b. Upon the member's request to address a specific agenda item (said request to be made prior to the convening of the Board meeting).
- c. Member input to be made in order of specified agenda item.
- d. Upon stating the agenda item, the President call on that member for input regarding that particular item.
- e. Each member offering input regarding a particular agenda item shall speak for a reasonable time to be determined by the Board of Directors. All comments to be pertinent to state agenda item.
- f. All member comments are welcome, but must neither be repetitive nor cumulative.
- g. At the conclusion of member's comments, any Board member may direct questions to that member.
- h. No person shall be heard more than once regarding the same item.
- i. At the conclusion of member comment period, the Board Meeting shall resume and no further member comment will be allowed, except at the discretion of the President.
- j. Voting by proxy is not permitted , in any circumstances. (Amended 10/3/18)
- k. In the absence of a quorum physically present, and officer or director may participate via conference call so business can be conducted contingent upon virtual attendance for the entire meeting from the Call to Order to Adjournment. (Amended 1/2/19)

SECTION 1.7 EXECUTIVE OFFICER

The Executive Officer is responsible to the Board of Directors for the effective conduct of the affairs of the Garrett County Board of REALTORS® Inc. The Executive Officer recommends and participates in formulation of the GCBR mission, goals, objectives and related policies with that framework. Plans, organizes, coordinates, controls and directs the programs and activities of the Board, serves as liaison between committees and the Board of Directors. Specific responsibilities for and has authority to accomplish the duties set forth below within the limits of the charter and bylaws of the Garrett County Board of REALTORS®, Inc. and policies established by the Board of Directors, Executive Officer with appropriate delegation:

POLICIES & PROCEDURES MANUAL

1. Plans, formulates and recommends for approval of the Board of Directors basic policies and programs which will further the goals and objective of the Board.
2. Executes all decisions of the Board of Directors except when other assignment is specifically made by the Board of Directors.
3. If needed, helps to coordinate all approved programs, projects and major activities of the GCBR.
4. Executes such contracts and commitments as may be authorized by established policies or by the Board of Directors.
5. Ensures that the Board of Directors, the officers and committees are informed on the conditions and operations of the Board and upon all-important factors influencing them. Attends the meetings of the Board of Directors and the General Membership.
6. Establishes the administrative policies and procedures for headquarters functions necessary for the day-to-day administration in accordance with the general policies established by the Board of Directors.
7. Works closely with any Board Office Staff in overseeing the services to the membership and the educational programs to enhance the professional/technical/managerial skills of the membership.
8. Organizes the annual election and the installation banquet and other events consistent with the objective of the GCBR.
9. Ensures the legal integrity of the GCBR is maintained.
10. Manages the GCBR bookkeeping, payroll and filing of quarterly payroll taxes from the annual budget set up by the GCBR Budget and Finance Committee.
11. Performs a secretarial function for the GCBR maintaining official minutes of the Board of Directors' meetings and other official meetings.
12. Maintains a working relationship with NAR, MR and other boards.
13. Carries out other general responsibilities as may be delegated by the Board of Directors.
14. Must complete and pass the NAR Professional Standards Administration Program to meet the NAR obligation of a Professional Standards Administrator and complete retraining every four (4) years to comply with NAR Core Standards.
15. Follow the Code of Ethics of NAR to ensure due process in the conduct of hearings to enforce the Code of Ethics and in the arbitration of business disputes arising out of the real estate business.
16. Participates in state and national activities and programs within the limits of the associations budget, to include at minimum: attendance at regular meetings of the MR Association Executive committee (approximately 3 times a year), attendance at special sessions designed for association executives during the MR Annual Conference (once per year or as funded by GCBR), and attendance at national or regional training events (as funded by GCBR, to include initial training at the earliest possible opportunity, and thereafter approximately once in three years) and attendance to NAR Association Executive Institute as afforded by GCBR.
17. Oversees the operation of the electronic key/key box system.
18. Overall management of the GCBR Office, organize and supervise staff work responsibilities.
19. To maintain compliance of NAR Core Standards, the Executive Officer must attend at least six hours of REALTOR® association professional development on an annual basis (i.e., state, regional or national).
20. To maintain compliance of NAR Core Standards, the Executive Officer must work with the Board of Directors, Government Affairs Director and the membership to ensure GCBR's compliance is met of the required NAR Core Standards each year.

21. In the event of the Executive Officer becomes incapable of fulfilling the duties required and resigns or is dismissed from the position, the Officers of the Board will have the duty to obtain office keys from the landlord, notify Keylock to open the office safe where an extra set of keys to office and security boxes will be held. There should always be at least two officers present when accessing the GCBR office, safe and files, etc.

SECTION 1.8 GCBR LEADERSHIP GUIDELINES

The Nominating Committee generally looks to several criteria in evaluating candidates. These may include:

1. Involvement in local board activities, including leadership;
2. Involvement in GCBR programs, committees and activities;
3. Involvement in MR functions and committees;
4. Demonstrated understanding of issues facing REALTORS® and the REALTOR® organization;
5. Leadership at the local and/or state level on key REALTOR® issues;
6. Demonstrated ability to work with all sectors of the GCBR membership;
7. Support for GCBR's political programs, including RPAC;
8. A clear vision of GCBR's future and its role with members, local boards and MR;
9. An excellent personal and professional reputation among REALTORS® and the public

SECTION TWO – COMMITTEES

SECTION 2.1	BUDGET & FINANCE
SECTION 2.2	EDUCATION/MEMBERSHIP
SECTION 2.3	EQUAL OPPORTUNITY & FAIR HOUSING
SECTION 2.4	GRIEVANCE
SECTION 2.5	LEGISLATIVE & RPAC
SECTION 2.6	NOMINATING
SECTION 2.7	PROFESSIONAL STANDARDS – Ethics & Arbitration
SECTION 2.8	PUBLIC RELATIONS/REALTORS® CONSUMER OUTREACH
SECTION 2.9	TASK FORCE
SECTION 2.10	CONTRACTS & STANDARD FORMS
SECTION 2.11	BYLAWS, POLICIES & PROCEDURES
SECTION 2.12	STRATEGIC PLANNING

COMMITTEES

The President shall appoint, from among the active members, subject to confirmation by the Board of Directors, the following standing committees. Each committee shall be of such size and shall have duties, functions, and powers as assigned by the President or the Board of Directors except as otherwise provided in the GCBR Bylaws. All committee Chairpersons are responsible for calling their committee members before the day of the meeting to remind them of the time, place, and date.

SECTION 2.1 BUDGET & FINANCE

This committee shall consist of the Chairperson, who is the current Treasurer, current President, current Vice President and Past President. It shall be the duty of the committee, under the supervision of the Board of Directors and to supervise the finances of the Board. Per the NAR Core Standards the committee must conduct an annual evaluation and performance of the Executive Officer by completing the NAR Competency Factors Evaluation form as well as a salary review of the Executive Officer and prepare the annual budget. This committee keeps abreast of investing GCBR money in an institution to get the best interest rate on a short-term commitment.

SECTION 2.2 EDUCATION/MEMBERSHIP

The primary function is to provide education programs to serve the needs of the members of the Garrett County Board of REALTORS®, Inc. The committee will provide educational programs, research and supporting resources to enhance knowledge, proficiency, and professionalism in the real estate industry. Works with the Executive Officer to coordinate, schedule instructors, book suitable facilities, registering/monitor class sessions, submit course and follow through procedures required in a timely manner. At the discretion of the Executive Officer a responsible party from the Education Committee can be assigned to monitor the class. The class monitor is waived from seminar fees.

This committee is charged with promoting membership in the Local Board. Encourage member awareness of and participation in benefits of Association involvement. Provide encouragement to members to become involved on committees and serve as officers & directors on local, state and national levels.

- a. Any member holding secondary membership in another Local Board should advise GCBR in order to eliminate paying National and State dues twice.

- b. No application for Membership can be approved until the application fee and dues are paid. Approval will be in accordance with Article V, Section 3 of the Association Bylaws.
- c. After review of application by the Executive Officer, notice of application will be published via email to the GCBR Officers/Directors. A 48 hours response time is given if any objections to application are found.
- d. Online New Member orientation will be provided through "The Learning Library" and all new members must complete the course as well as the online "NAR Code of Ethics for New Members" course within 30 days of applying for membership.
- e. Fees for membership are listed under the Dues section.

SECTION 2.3 EQUAL OPPORTUNITY/FAIR HOUSING

The committee strives to bring a solution to the housing need in Garrett County by working with the Government Affairs Committee. Education to the membership on civil rights laws, fair housing and equal opportunity legislation in order to assure equal services to all. Continues to seek participation of the selected Garrett County Elementary school for the MR Art Contest to select entries for the MR printed fair housing publication.

SECTION 2.4 GRIEVANCE

The function of this committee is to make preliminary investigation and evaluation of the complaint as required determining whether validity and substance of the complaint warrants further consideration by a hearing panel. This committee of seven (7) shall have staggered three-year terms and must have experience with the Code of Ethics and have completed Professional Standards courses. Once terms have expired, at the discretion of the Board of Directors, Committee members can move to serve on Professional Standards. Guidelines for this committee are set forth in the Code of Ethics and Arbitration Manual of the National Association of REALTORS®.

SECTION 2.5 LEGISLATIVE/RPAC

A GCBR Government Affairs Director is retained by Maryland REALTORS® at a salary determined by the MR. GCBR will pay for additional approved hours as deemed necessary by the Board of Directors. The committee will encourage members to take an active interest in the political affairs of the community, state and federal governments, disseminates legislative information affecting the industry, and will attempt to create/monitor government actions on all levels. The Committee works at raising awareness and funds for REALTORS® Political Action Committee to meet the yearly goal set by NAR.

The Government Affairs Director shall serve as spokesperson as directed by the Board of Directors and represents the interests and objectives of the Association in dealing with the news media, allied organizations and industries, local, state and federal legislators and the general public.

SECTION 2.6 NOMINATING (Amended 7/1/2020, 5/5/21)

- a. The Nominating Committee shall be comprised of the Vice President, President and Immediate Past President. They shall meet in March of each year to comprise a slate of officers and directors for the upcoming fiscal year. If a member of the Nominating Committee is nominated to the slate of officer and directors, the nominee would be required to resign from the committee.
- b. The Committee will send notification for candidates via email or fax notification to the membership to assure if a member is interested in running for office. Nominations from the committee must be contacted and agree to be placed on the slate as a candidate.

- c. The slate will be presented to the Board of Directors at their May meeting for approval. Once approved the Executive Officer proceeds to arrange the election pursuant of the GCBR Bylaws.
- d. Approved Slate of Officers/Directors for the upcoming fiscal year shall be emailed to the membership three weeks prior to the scheduled election as per Article XI, Section 4 of the GCBR Bylaws.
- e. Election shall take place via an electronic voting platform approved by the Board of Directors. Voting will open one business day before and close after the annual June General Membership meeting.
- f. The Executive Officer shall email the election results to the membership via an email notification.

SECTION 2.7 PROFESSIONAL STANDARDS

Members of the committee shall be selected to serve on Hearing Panels as required to hear matters of alleged misconduct by Board members or to provide arbitration as requested.

- a. Understand upon signing application to the Board that all parties have the duty to arbitrate business disputes in accordance with the Code of Ethics and Arbitration Manual. This includes the duty to pay all fees required by the Board.
- b. The Board voted to join in the cooperative enforcement procedure and guidelines as set forth in the NATIONAL ASSOCIATION OF REALTORS® Code of Ethics and Arbitration Manual. The cooperative enforcement will be with the following Boards: The Garrett County Board of REALTORS®, Inc., The Historic Highlands Association of REALTORS®, Inc. and the PenMar Association of REALTORS®, Inc. Each January a new document will be signed by the President and Secretary of participating associations. GCBR has entered into agreement with Maryland REALTORS® to handle all Professional Standards and Arbitration Services.
- c. The Board Attorney shall be present on all hearings.

GCBR Board of Directors Decisions in Regard to Compliance with the National Association of REALTORS® Code of Ethics & Arbitration Manual

Areas of the Code of Ethics & Arbitration Manual Requiring Board/Association Action

This manual is published yearly with Actions Items and these items will be shown in gray areas.

Ethics

October 2, 2002	Place the Administrative Processing Fee at \$100 for filing an Ethics complaint (Form E-3)
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February 3, 2010	Revision – No Administrative Processing Fee will be charged for filing an Ethics complaint
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October 2, 2002	First time Ethics violation fine is placed at \$100, second violation At \$250 and third and any additional violations the fine will be in the amount of \$500.(Form E-11)
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POLICIES & PROCEDURES MANUAL

December 3, 2008 **Revision** – Increase Ethics violation fines to first violation \$500, second violation \$750 and third and any additional violations the fine will be in the amount of \$1,000.

July 2, 2014 **Revision -**

The Professional Standards Hearing Panel will use the following guidelines in determining punishment for unethical conduct:

- **First time violation, the Hearing Panel to consider and/or use**
 - 1. Letter of Warning to be placed in the agent file**
 - 2. Letter of Reprimand to be place in the agent file**
 - 3. Attendance to relevant education session with no continuing education credit given within 90 days of hearing and at the agent's expense**
 - 4. A fine of \$500.00 or less**
- **Second violation, the Hearing Panel can impose a fine of \$750.00**
- **Third violation, the Hearing Panel can impose a fine of \$1,000.00**

October 2, 2002 Request for Ethics Appeal fee shall be \$250. (Form E-13)

February 3, 2010 **Revision – Request for Ethics Appeal fee increased to \$500 (Form E-13)**

August 3, 2005 Adoption of Expedited Ethics Administration Procedures. Part 4, Section 20 (f-q) (allows the respondent to waive the right to a hearing, acknowledge the conduct alleged & agree to accept the discipline for violation of the Code of Ethics)

April 1, 2005 No teleconferencing allowed at Professional Standards Hearings.

Arbitration

May 1, 2013 Motion made, seconded and approved that GCBR will offer disputing parties and opportunity to mediate prior to an arbitration request being filed.

May 3, 2017 Motion made, seconded and approved in an arbitration the hearing panel chair will offer the parties a brief time to settle the dispute themselves before the hearing panel goes into executive session. Motion made, seconded and approved if the parties settle the dispute themselves their filing fee will be returned less One Hundred Dollars for administrative costs.

The Request for Arbitration fee will be in the amount of \$250 each for complainant and respondent. (Form A-1 or A-2 and A-4)

POLICIES & PROCEDURES MANUAL

February 3, 2010	Revision – the Request for Arbitration fee will be increased to \$500 each for complainant and respondent.
October 2, 2002	At conclusion of Arbitration, the \$250 deposit will be returned to the prevailing party.
February 2, 2011	Revision - The Request for Arbitration fee (\$500) less \$100 administrative costs will be returned to the complainant and respondent if the party's dispute is resolved through mediation. <u>Dispute Resolution Procedures</u> “Where parties successfully mediate an otherwise arbitrable dispute and \$400 of their filing fee will be refunded” (NAR Section 54, Page 142) <u>Disposition of Arbitration Deposits</u> (NAR Section 48, last paragraph, Page 140)
October 2, 2002	Deposit for Request for Procedural Review of Arbitration will be in the amount of \$250 to be placed in the General Checking Account. (Form A-13)
February 3, 2010	Revision – Deposit for Request for Procedural Review of Arbitration will be in increased to \$500. (Form A-13)
April 1, 2005	No teleconferencing allowed at Professional Standards Hearings.
April 1, 2009	NAR amended Arbitration forms A-1, A-2 and A-4 and GCBR Board of Directors adopted use of these three forms.
March 7, 2012	NAR change to Code Manual that board/association can require REALTORS® (principals) to make mediation mandatory which would require a bylaw change or the board/association can leave mediation as voluntary. GCBR BOD voted today to keep mediation as voluntary and offer it to the parties prior to scheduling a hearing. NAR change to Code Manual that board/association must decide if the Hearing Panel Chair or the Professional Standards Chair rules on postponement requests. GCBR BOD voted today to allow the Hearing Panel Chair to rule on postponement requests.

September 7, 2011 GCBR signed and entered into “MR Agreement for Professional Standards and Arbitration Services” with Maryland REALTORS®.

SECTION 2.8 PUBLIC RELATIONS/REALTORS® CONSUMER OUTREACH

This committee is charged with promoting the REALTOR® organization in the local newspaper through news articles and photographs of GCBR activities. The Committee will work with the community and city officials and promote better working relationships with the REALTORS®. All press release articles must be reviewed by the President and Executive Officer for authorization prior to release for publication. To remain in compliance with NAR Core Standards, publication of not less than four meaningful consumer engagement such as publication of local market statistics and/or real estate trends and issues, promotion and engagement of community activities which enhance the image of the REALTOR®, engaging the public in legislative/political issues that impact real estate and related issues and organizing human resources or fundraising for the benefit of charitable/community organizations, (i.e. assisting in a Habitat for Humanity build, etc.)

SECTION 2.9 TASK FORCE

The Task Force will be on an “as-needed basis” comprised of a representative from each member office and shall include the current Secretary with three representatives from each of the larger offices. The Task Force will work throughout the year as needed with Programs, Awards (comprised from past recipients as the selection group) or as otherwise directed by the Board of Directors.

SECTION 2.10 CONTRACTS & STANDARD FORMS

The Committee shall ensure that the GCBR forms conform to current laws and that they respond to the members’ needs. The Committee shall review new and revised forms prior to submitting to DotLoop for release. Committee chair shall work with the Executive Officer to maintain updated GCBR forms on the Maryland REALTORS® website. (12/03/08)

SECTION 2.11 BYLAWS, POLICIES & PROCEDURES

Per NAR core standards GCBR must annually certify the 5 mandatory provisions in its bylaws are adopted verbatim. The Committee shall review the GCBR Bylaws each year in January. Any necessary additions, corrections or changes to these bylaws shall be presented to the Board of Directors for review prior to releasing to the membership for a vote of the change(s). Bylaws shall be kept current with respect to new policies, rules, regulations or bylaws adopted or recommended for adoption. The GCBR Policy & Procedures Manual shall be reviewed each year. Any additions, corrections or revisions must be brought to the Board of Directors in writing. The Board of Directors reviews and with a majority vote makes necessary changes. (03/02/11, 6/6/18)

SECTION 2.12 STRATEGIC PLANNING

To remain in compliance with the NAR Core Standards every association shall have a Strategic Plan in place. The Strategic Planning Committee will meet and develop a 2-Year Strategic Plan for GCBR that in accordance with NAR requirements will include areas of Consumer Outreach, Advocacy, Professionalism and Technology. The Board of Directors must review, revise and approve the Plan every year (January). (6/6/18)

SECTION THREE – BOARD OPERATIONAL POLICIES

SECTION 3.1 – SECTION 3.6	GENERAL POLICIES
SECTION 3.7 – SECTION 3.10	DUES AND FEES
SECTION 3.11 – SECTION 3.13	MEMBERSHIP
SECTION 3.14	SENTRILOCK LOCKBOX SYSTEM
SECTION 3.15	ADVERTISING
SECTION 3.16	ANTITRUST AVOIDANCE STATEMENT POLICY
SECTION 3.17	PRIVACY & SECURITY POLICY
SECTION 3.18	FINANCIAL SOLVENCY
SECTION 3.18-1	FRAUD POLICY STATEMENT
SECTION 3.19	WHISTLEBLOWER POLICY
SECTION 3.20	DOCUMENT RETENTION POLICY
SECTION 3.21	DOCUMENT RETENTION POLICY CODE OF ETHICS AND ARBITRATION PROCEEDINGS
SECTION 3.22	STATEMENT OF POLICY REGARDING CONFLICTS OF INTEREST
SECTION 3.23	STATEMENT OF POLICY REGARDING THE DUTY OF CONFIDENTIALITY
SECTION 3.24	COMMUNICATIONS POLICY
SECTION 3.25	CORPORATE DOCUMENTS
SECTION 3.26	STRATEGIC PLAN
SECTION 3.27	ONLINE FORUMS
SECTION 3.27-1	GCBR WEBSITE
SECTION 3.28	MEMBER COMMUNICATION
SECTION 3.29	HARASSMENT

SECTION 3.1 – SECTION 3.6 GENERAL POLICIES

Rules and policies which have been established by the Board of Directors and from time to time shall be updated and reflect date as to when the rule or policy has changed.

SECTION 3.1 FLOWERS/DONATIONS

- a. Flowers or a memorial sent to the funerals of REALTOR® members or spouse and Board Staff is at the discretion of the Board of Directors. Amount not to exceed \$50.00.
- b. Request for donations from the Board for charities are to be sent back to the requester with the names of each individual members of the board and instructions that they should contact them directly through their office address or phone number.

SECTION 3.2 OPERATING HOURS

The GCBR Office is open Monday through Friday 8:30 a.m. until 3:30 p.m.

SECTION 3.3 OFFICE KEYS

Keys to the Association office are held by the Executive Officer and his/her staff.

SECTION 3.4 MEETINGS (amended 10/19)

- a. Board of Directors meetings are held on the first Wednesday of November, January, March, May, July, and September at 9:00 a.m. at a specified location. If a member would like an item to be addressed on the agenda, they must notify the Executive Officer the Monday prior to the meeting. Approved minutes shall be emailed to the general membership upon request and approval by the Board of Directors.
- b. Resignations and Vacancies on the Board will be handled according to the Bylaws of GCBR, Article XI, Section 5.
- c. General Membership meeting will be held in June and Installation of Officers/Directors Banquet in October. All other membership meetings are held as needed.
- d. The Board will pay for dinners of the President and the Executive Officer when attending all GCBR Membership meetings.
- e. Members are responsible for all fees associated with reservations to Board functions unless a 24-hour cancellation notice has been given to the Board Staff.
- f. Committee meetings will be scheduled the first Wednesday of every other month, alternating months with the Board of Directors meetings.

SECTION 3.5 BOARD ATTORNEY

To remain in compliance with NAR Core Standards, GCBR must maintain, have access to and have legal counsel available.

- a. Board will maintain legal counsel on retainer.
- b. Board counsel must be available to Board of Directors and Executive Officer as needed.
- c. Board will pay for Attorney's dinner at meetings.
- d. Attorney invited to attend Board of Directors Meetings.
- e. Legal Counsel name and contact information must be submitted to NAR
- f. Assignment of a NRDS number to Legal Counsel will allow them access to legal information on the NAR website

SECTION 3.6 SNOW POLICY

Members are advised to check their email by 8:00 am to see if a scheduled meeting has been cancelled due to weather conditions. The Executive Officer will make every effort to call and advise you of any cancellations. If no notification is made, meetings will take place at the date and time previously scheduled.

SECTION 3.7 – SECTION 3.10 DUES AND FEES

SECTION 3.7 APPLICATION FEE (Membership Fees, amended 8/09)

The Broker Application fee shall be \$250.00 REALTOR® Member Application, Secondary Member Application fee shall be \$250.00. This application fee cannot exceed three times the amount of the REALTOR® dues. GCBR will waive the \$250.00 Broker Application Fee for active members of the Board when they open their own office and become broker of record.

SECTION 3.8 REINSTATEMENT

The Application Fee and Orientation Class fees can be waived to any member leaving GCBR in good standing and reapplies for membership within one year of their resignation. All current dues must be paid with reapplication to membership.

SECTION 3.9 AFFILIATE DUES

Affiliate dues shall be in the amount of \$250.00 per year for local membership and shall include free advertising in the GCBR Directory of Services and on the GCBR websites.(12/03/08, 03/02/11, 8/2/17)

SECTION 3.10 DUES (03/02/11)

- a. The dues of each REALTOR® Member shall be in such amount as established annually by the Board of Directors and the Budget Committee.
- b. New members joining GCBR after May 1st of the year will pay the pro-rated amount of one half the charge of the annual dues.
- c. Member dues are considered non-refundable.
- d. There will be a \$25.00 charge on all checks returned by the bank for insufficient funds.
- e. The Designated REALTOR® shall be required to pay that portion of the dues which is computed on the basis of the real estate salespersons employed by or affiliated as independent contractors, or who are otherwise directly or indirectly licensed with such firm, partnership, or corporation, and the remaining REALTORS® who are principals of such firm, partnership, or corporation. (Bylaws Article X, Section 2.)
- f. REALTOR® dues are due and payable in advance of November 1st of each year. Any dues not paid by the first of December incur a 10% compounding late fee per month.
- g. REALTORS® will have the opportunity and may pay their fiscal year dues on-line through the National Association of REALTORS® website via credit card.
- h. If dues, fines or assessments are not paid to the Board within one month after the due date, the nonpaying Member is subject to suspension at the discretion of the Board of Directors, two months after the due date, Member shall be terminated at the discretion of the Board and three months shall automatically be terminated. (Bylaws, Article X, Section 4)
Termination date is February 1st.

SECTION 3.11 – SECTION 3.13 MEMBERSHIP

SECTION 3.11 ORIENTATION/TRAINING (Amended 1/2/19)

3.11.a NAR ORIENTATION

All new members must complete the New Member Orientation course online at the Learning Library <http://learninglibrary.com> within 30 days of application. Should the member not meet this requirement they will be denied services of the board. Those applicants that have held previous membership in the board are exempt from attending orientation if they have held membership within three years from the date of application.

3.11.b NAR CODE OF ETHICS TRIENNIAL TRAINING (Amended 3/4/2020)

- a. REALTORS® are required to complete NAR Code of Ethics training of not less than 2 hours, 30 min. of instructional time within a three-year cycle.
- b. All new members REALTORS® must complete the New Member Code of Ethics Orientation course provided by NAR when they first join. A new member who has completed the New Member Code of Ethics Orientation course is not be required to complete additional ethics training until the next three-year cycle.
- c. A REALTOR® who has completed the required ethics training within a three-year cycle in one association shall not be required to complete any further ethics training for that same training cycle if the REALTOR® becomes or is a member of another association.
- d. A member may take any GCBR approved course to satisfy this ethics retraining requirement. The approved courses are:

- i. NAR's Code of Ethics Retraining Course for Existing Members
 - ii. Any Code of Ethics CE class offered by Maryland REALTORS® that compares MD law with NAR's COE.
 - iii. Any Code of Ethics CE class offered by GCBR that compares MD law with NAR's COE.
 - iv. The CE Shop's DL/Maryland Real Estate Code of Ethics course that offers a full review of Maryland's Code of Ethics as well as the NAR Code of Ethics and Standards of Practice.
 - v. Completion and maintenance of the C2EX designation.
 - vi. Any option available on the NAR microsite that compiles all available options for fulfilling the Code of Ethics training requirement, including C2EX ethics modules, NAR-approved online courses, and links to association-approved courses.
- e. The member must provide satisfactory documentation of completion of the approved course.
- f. Failure to satisfy the required periodic ethics training shall be considered a violation of a membership duty. Failure to meet the requirement in any three (3) year cycle will result in suspension of membership for the first two months (January and February) of the year following the end of any three (3) cycle or until the requirement is met, whichever occurs sooner. On March 1 of that year, the membership of a member who is still suspended as of that date will be automatically terminated.

SECTION 3.12 NOTIFICATION OF NEW, INACTIVE OR TRANSFERRING AGENTS

All Designated REALTORS®/Broker shall notify the Board of any New, Inactive or Transferring agents to their licensed sales staff within 7 days of such changes. All changes must be in writing on form provided and signed by the Designated REALTOR®/Broker. Failure to make notification within the designated period may result in a \$25 fine.

SECTION 3.13 MULTIPLE LIST SERVICE – Bright MLS

All licensed REALTORS® must subscribe to Bright within thirty days of the effective date of licensure with a subscribing Broker. Failure to do so will result in a Late Subscription Fee. Complete the interactive subscriber application to join by visiting the Bright website at <https://www.brightmls.com/#/home>.

SECTION 3.14 LOCKBOX SYSTEM

SENTRILOCK LOCKBOX SYSTEM (2/9/18)

- a. The keybox system is an activity of the Board. Every REALTOR®, non-principal broker, sales licensee and licensed certified appraiser shall be eligible to hold a key subject to their execution of the signed SentiLock Smart Card User Agreement and the SentiLock Rules & Regulations. The Board may, at their discretion, issue keycards to Affiliate Members who are actively engaged in a recognized field of real estate practice or in related fields. No one shall be required to have a keycard; it shall be done on a voluntary basis. The Board staff shall issue keycards to members. A Key holder must complete and sign the SentiLock Smart Card User Agreement and SentiLock Rules & Regulations and pay the required fees. The Key holder will watch a training video and should be given a Pocket Reference Guide, SentiLock Software and SentiLock Card Reader with the Keycard.
- b. The Board may refuse to issue keycards, may terminate existing key access, and may refuse to activate or reactivate any keycard held by an individual convicted of a felony or

misdemeanor if the crime, in the determination of the Board, relates to the real estate business or puts clients, customers, or other real estate professionals at risk. The Board may suspend the right of keycard holders to use the keycard following their arrest and prior to their conviction for any felony or misdemeanor which, in the determination of the Board, relates to the real estate business or which puts clients, customers, or other real estate professionals at risk.

- c. SentiLock key boxes may not be placed on property without written authority from the seller. This authority is established in the listing contract or in a separate document created for that purpose.
- d. The Board will hold an “Inventory Accountability” with each Designated REALTOR®/Broker quarterly each year. The report will be due as follows: January, February, March – **due April 15th**, April, May, June – **due July 15th**, July, August, September – **due October 15th**, October, November, December – **due January 15th** each year. The Broker shall submit the “SentiLock Broker Inventory Accountability Report” as well as a copy of their SentiLock online lockbox report by the due date. If at the time of inventory, a box is unaccounted for, or if a key holder refuses or is unable to demonstrate that the box is within their physical control, then the box will be considered unaccounted for and the Designated REALTOR®/Broker will be charged for the replacement of the said box at a cost of the current lease rate established subject to change.
- e. The Board will only issue SentiLock electronic key boxes and keycards. These can be deactivated if needed.
- f. The Board will accept full reciprocity to the Historic Highlands Association of REALTORS® (HHAR) and partial reciprocity with the remaining Regional Lockbox Consortium (RLC) members subject to completion of the SentiLock Reciprocity Agreement and the SentiLock Rules & Regulations.
- g. Each key holder has a responsibility to the Board to assure that keys are safeguarded and protected at all times. Key holders must report lost, stolen or otherwise unaccountable keys immediately to the Board for processing of paperwork. The Board shall take any steps deemed necessary to re-secure the system.
- h. Key holders who leave the Board must within 5 business days return SentiLock equipment to the Board office.
- i. If an agent transfers to a different office in the Board or becomes Inactive, the member must notify the Board Office of the change. All keyboxes currently in the possession of the agent shall be turned in to the Broker prior to leaving the brokerage office. Boxes are not transferable between offices unless they have been returned to the GCBR Office inventory and reassigned.
- j. Lending of the SentiLock Keycard or affixing the PIN number to the keycard is expressly prohibited and may cause the Key holder to have revocation of the privilege to use the SentiLock system.
- k. Before leaving a property, the showing agent will make sure that the premises are left secure and key is placed back into the keybox.
- l. In the event a lockbox must be cut off from a listing by a locksmith, GCBR will pay the locksmith invoice if the following conditions are met, as decided by the Executive Officer:
 - 1) The lockbox is deemed defective by SentiLock as evidenced by a support ticket and
 - 2) The lockbox was not the subject of a low battery notice from SentiLock that had been ignored causing the box to become defective and
 - 3) The lockbox has not suffered damage through negligence on the part of the listing agent;

otherwise, the listing agent's broker is ultimately responsible for the locksmith invoice.

SECTION 3.15 ADVERTISING (03/02/11)

- a. All display advertisements must contain REALTORS® name, Equal Opportunity Logo, REALTOR® Logo and any other mandated logos. All advertising must comply with current state license law.
- b. Internet advertising must comply with the National Association of REALTORS® (NAR) Internet Advertising Policy which can be found on the NAR web site at www.realtor.org
- c. GCBR Directory of Services Form – the directory is contained in the GCBR Library of Forms in the DotLoop program and available for handout to buyers and sellers of real estate. Cost of advertising is \$75.00 for one category and \$20.00 for each additional category.
- d. To maintain compliance with NAR Core Standards, advertising of an article or news segment that mentions the association's leadership in connection with the real estate market data.
- e. To maintain compliance with NAR Core Standards, advertising of an article or news segment that mentions the association in connection with a story about REALTOR® value to consumers and homeowners, business owners or commercial investors.
 1. Being the "Voice of Real Estate", Community Involvement, Advocacy Efforts, and/or Community Investment.

SECTION 3.16 ANTITRUST AVOIDANCE STATEMENT POLICY

- a. The Board provides a forum for exchange of ideas by members of GCBR in a variety of settings including its annual meeting, educational programs, committee meetings and board meetings. The Board of Directors recognizes the possibility that the board and its activities could be viewed by some as an opportunity for anti-competitive conduct. Therefore the board supports the Antitrust Policy for the Garrett County Board of REALTORS® to comply strictly in all respects with antitrust laws.
- b. This compliance includes the signatures of all GCBR members on the Antitrust Avoidance Statement at all meetings and social events of the association.
- c. All GCBR members, who are by policy also members of MR and NAR are governed and must abide by this policy and as members, are subject to any penalties that might be imposed by disregarding this policy. The Antitrust Avoidance Statement, as designated by the GCBR Board of Directors, will be reviewed and amended as needed periodically.

SECTION 3.17 PRIVACY & SECURITY POLICY

We recognize the importance of protecting the personal information you provide at the NRDS web site. We maintain the following privacy policy:

1. We gather the following types of information needed to process your transactions, fulfill your requests, and maintain our membership records:

The type of information we gather which may include contact information, office information, consent form information, and other data gathered from their web site, as well as information the member volunteers via surveys, applications, and general demographic information.

2. We use this information to:

Improve and customize the content and layout of our web site and other communications tools. For notifying members of upcoming events, programs, products and services, Call to Action, display on the board's web site, assist national and state associations in membership tracking and for their use for purposes similar to those listed above.

3. Email addresses:

We do not sell or trade email addresses however, email addresses are distributed to the membership, listed on our web site and provided to anyone requesting contact information of a member. We use member email addresses as the main point of contact from the board office to the membership.

4. We will not share, sell or otherwise provide other information about you to third parties, except for:

National and state associations, when required by law or valid legal process, or to protect the personal safety of our members or the public, vendors providing the board with new products and services, continuing education class instructors, etc.

5. Credit information that you and credit authorizers provide when you make payments by credit card or electronic check for products, dues or other services via the REALTOR® Electronic Commerce Network ("E-Commerce Network) will only be used to process the transactions you request. This information will be provided to and maintained by reputable credit reporting databases, but will never be sold, shared or provided to other third parties.

6. NAR maintains security procedures and standards which we believe are as safe as today's technology permits. They test these procedures and modify them regularly as new technologies become feasible.

7. NAR utilizes a strict Opt-Out policy for sending online notifications regarding services, products and programs. You may adjust your Communication Preferences by reviewing your REALTOR.org registration. Just login first. Then you can change your preferences.

If you choose to not participate in the GCBR List Serv, you may unsubscribe when receiving the GCBR List Serv Welcome Letter. Otherwise, you would need to call or email the Board Office Executive Officer or Assistant and request to be unsubscribed from the service.

8. You may edit your personal contact information directly in the NRDS system or by contacting the local REALTOR® Board office.

SECTION 3.18 FINANCIAL POLICY

- a. To maintain compliance with NAR Core Standards, GCBR must ensure the fiscal integrity of their financial operations.
- b. GCBR shall have a CPA to prepare fiscal year-end tax reports, personal property tax report and an annual Accountant's Review Report of the books at the end of each fiscal year.

- c. The Executive Officer and Officers of the Board must be bonded with the amount of coverage in GCBR funds through an insurance policy covered through GCBR.

FINANCIAL PLANNING, REPORTING & FLOW OF OFFICE ACCOUNTING PROCEDURES (amended 9/4/19, 10/19)

- a. Board accounts must be updated each year for bank account signatures to reflect current President, Vice President, Secretary, Treasurer and Executive Officer. All bank accounts will require two signatures. This shall mainly comprise of the Treasurer and Executive Officer but other officers shall be able to sign checks as needed or required.
- b. The Executive Officer will prepare all invoices for payment and the Treasurer or another Officer will review each invoice for payment before signing a check for payment using the follow procedure:
 - Invoice/statement received with all receipts attached
 - Check created for payment with Executive Officer's signature and clipped to the invoice/statement
 - Treasurer or another officer should review invoice/statement to make sure all receipts are in order with total amount to be paid.
 - Treasurer or officer should initial and date the invoice/statement and sign the check for payment
- c. If an invoice is to be paid online from a monthly vendor:
 - specific authorization to pay the vendor electronically must be issued by the Board of Directors;
 - then the confirmation of payment sheet must be reviewed, signed, and dated;
 - record of the payment will be included on the payment processing sheet.
- d. The Treasurer provides the Financial Report to the Board of Directors as their regularly scheduled meeting.

RESERVE LEVELS

- a. The Board of Directors and Executive Officer shall try to maintain a reserve amount in savings that would equal a fiscal year budget amount to have available as a precaution during economic downturns.

REVENUE & ACCOUNTS RECEIVABLE

- a. The Executive Officer is responsible and maintains the bookkeeping of the organization on a daily basis in the QuickBooks program which is not limited to but includes Invoice Preparation, Accounts Payable, Accounts Receivable, Deposits, Purchases, Reconciliation of Accounts, Payroll, Quarterly Payroll Tax Deposits, Filings, W-2 and 1099 preparation and filing.
- b. Any non-budgeted purchase of \$500.00 or more must be approved by the Board of Directors prior to purchase.
- c. Asset Management and Investments shall be the decision of the Board of Directors on investing the savings of the organization. The Executive Officer shall gather competitive rates of at least

POLICIES & PROCEDURES MANUAL

three banking institutes to provide to the Board of Directors for final decisions of the placement of the investment.

- d. The Board CPA will prepare the Fiscal Year End Taxes (Form 990 Non-Profit) of the association and the Personal Property Taxes. A Board President or Officer will sign the tax forms as required and the Executive Officer will file the tax paperwork via certified mailing. The 990 is available for review to the Board of Directors upon request.
- e. To remain in compliance with NAR Core Standards, the Board CPA will conduct a Review of the Books at the conclusion of each fiscal year providing a written Accountant's Review Report to the Board of Directors with a copy to be kept on file with the Executive Officer for submission in the yearly NAR Core Standards certification process.
- f. Payroll shall be twice a month payable on the 15th and the 30th/31st of each month. The Executive Officer shall maintain the staff time for payroll preparation. The Executive Officer is responsible for payroll tax reporting and shall deposit payroll taxes and payments via the EFTPS online transfer. The Executive Officer shall prepare W-2s/1099s and provide to employees by January 31 of each year.
- g. Online Payments via NAR's eMall Module (3/7/18, 6/6/18)
 - 1) Online payment effectively registers you for the classes/events paid for, but if your order includes payment for anyone other than yourself the registration form(s) must be submitted for that individual (those individuals).
 - 2) Cancellation within the 48 hours prior to the start of the class/event will not result in a refund.
 - 3) In the event the charge is disputed and the cardholder is refunded by his/her credit card company or bank contrary to this policy, the member will be considered to have an outstanding financial obligation to GCBR and will be subject to Article X Section 4 of the Bylaws.

BUDGETING (amended 10/19)

- a. The Executive Officer shall work with the Treasurer and Budget Committee to prepare the fiscal year budget to present to the Board of Directors for approval no later than the September meeting of the Board of Directors.
- b. The Budget Committee is responsible for the annual salary review of the employees and reports to the Board of Directors their recommendations no later than the September meeting of the Board of Directors.

DUES COLLECTION (2/9/18)

- a. The Executive Officer is responsible for dues billing, collection and deposit of funds.
- b. GCBR shall use the NAR e-Commerce System to set-up the annual dues billing that enables members to pay dues via credit card using this secure site. This availability of online payments must be released by October 30th of each fiscal year. Members may pay dues by cash, check or money order at the association office. Any member making a cash payment to GCBR shall have a receipt of payment provided to them at the time of the payment.
- c. NAR submits GCBR dues payments via electronic transfer to the GCBR general checking account.
- d. Dues payments to NAR shall be made by electronic transfer using the NAR e-Commerce System.

POLICIES & PROCEDURES MANUAL

- e. Dues payments to MR shall be made by electronic transfer using the NAR e-Commerce System.

REIMBURSEMENTS (6/6/18)

- a. All member reimbursements must be approved by the Executive Officer before the action, trip, or purchase is made. If the amount is greater than \$500 the Board of Directors must approve the reimbursement. If a reimbursement request is denied by the Executive Officer, the requesting member may appeal the decision to the Board of Directors at the next scheduled Board meeting.

FINANCIAL INFORMATION DISCLOSURE

- a. If any member other than a current member of the Board of Directors requests any financial information of GCBR, in addition to the Executive Officer there must be at least one representative from the Board of Directors present for the review.

INVESTING

- a. The Board of Directors shall direct the Executive Officer on the investments of GCBR savings funds and/or by advice of the CPA to enable maintaining the non-profit status.

TRAVEL POLICY AND PROCEDURES

TIMELINES

All expenses must be submitted within 14 days of the completed trip. Those submitted after the 14-day period may or may not be approved. In no case will any expenses be reimbursed more than 30 days after the completion of the trip.

RECEIPTS

The Garrett County Board of REALTORS® requires **original** receipts for all expenses. Your receipts should be stapled together with a cover sheet of detail.

TRANSPORTATION

AIR – You must reserve coach class reservation. Purchase tickets as far in advance as possible to take advantage of lowest cost fares.

AIRPORT LIMO/TAXI/BUS – You will be reimbursed for all Garrett County Board of REALTORS® business.

PERSONAL AUTOMOBILE – You will be reimbursed as per IRS Standard rate per mile driven for Garrett County Board of REALTORS® business. The mileage amount paid will be updated as needed to IRS Standards. Parking costs will be reimbursed as incurred. Tolls will be reimbursed as incurred.

LODGING

Room and tax will be covered for lodging. Use discretion and book rooms at the most cost-effective establishment.

TIPS

Actual cost up to \$1.00 per bag for skycap, doorman and bellman.

MEALS AND INCIDENTALS

POLICIES & PROCEDURES MANUAL

You will be reimbursed for all meals, including all reasonable tips. Remember original receipts are required for all expenses.
No alcoholic beverages shall be reimbursed

NON-REIMBURSABLE EXPENDITURES

Personal entertainment – i.e., in-room movies and airline headphones.
Purchase of books or magazines.
Barber or beautician service

MEETINGS ATTENDANCE POLICY

Presidents, Vice Presidents, Executive Officer and reimbursed members are expected to attend a majority of the meetings and trade show during the business portion of the trip. A report will be given to the Board of Directors on significant issues

This policy outlines reimbursable expenditures for Officers, Executive Officer and any appointed member whom the Board of Directors designates to travel on behalf of the Board. This policy has been approved by the Garrett County Board of REALTORS® to:

- a. Insure compliance with minimum Internal Revenue Service (IRS) requirements
- b. Insure that members are reimbursed on a fair and equitable basis.
- c. Avoid undue record keeping and reimbursement delays.

The Garrett County Board of REALTORS® will not reimburse expenses submitted which are not in compliance with IRS requirements or the Garrett County Board of REALTORS® Travel Policy. In those cases where expenses are not reimbursed, a memo will be attached to your reimbursement check indicating how much was not in compliance with the Travel Policy. You will be instructed to resubmit any items to the Garrett County Board of REALTORS® Board of Officers/Directors, if you feel there are special circumstances which make these expenses reimbursable.

SECTION 3/18-1 FRAUD POLICY STATEMENT Adopted 04/05/17

Background

This fraud policy is established to facilitate the development of controls that will aid in the detection and prevention of fraud against the Garrett County Board of REALTORS® (GCBR). It is the intent of GCBR to promote consistent organizational behavior by providing guidelines and assigning responsibility for the development of controls and conduct of investigations.

Scope of Policy

This policy applies to any irregularity, or suspected irregularity, involving employees as well as officers, and/or any other parties with a business relationship with GCBR.

Definition of Fraud and Fraudulent Activities

Fraud is defined as the intentional, false representation, or concealment of a material fact for the purpose of inducing another to act upon it to his or her injury.

A fraudulent act may be an illegal, unethical, improper, or dishonest activity, and may result in monetary losses for the Board. The following non-exhaustive list includes examples of the type of activities that would be considered fraudulent and in violation of this policy:

- Misappropriation or theft of funds, securities, supplies, or other assets.
- Impropriety in the handling or reporting of money or financial transactions.
- Profiting as a result of insider knowledge of GCBR activities.

- Accepting or seeking anything of material value from contractors, vendors, or persons providing services/materials to GCBR.
- Disclosing confidential and proprietary information to outside parties.
- Disclosing to other person(s) securities activities engaged in or contemplated by GCBR.
- Unauthorized destruction or unauthorized removal, or inappropriate use of records, furniture, fixtures, and equipment (including computers).

Investigation Responsibilities

- Under the guidance of Legal Counsel and Accountant to the Executive Officer or Board of Directors for internal audit/review shall have an investigation begin of suspected fraudulent activity as defined in the policy. Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship to GCBR. If the investigation substantiates that fraudulent activities have occurred, appropriate reports will be issued to the Board of Directors through the Budget & Finance Committee, with appropriate guidance and input from the Executive Officer or Officer of the Board.
- Decisions of the Board of Directors to prosecute or refer the examination results to the appropriate law enforcement and/or regulatory agencies for investigation.

Confidentiality

- All information received by the audit/review in the course of an investigation will be treated as confidential.
- Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct and to protect GCBR from potential civil liability.
- The investigators will have unrestricted access to all GCBR records and premises, whether owned or rented; and the authority to examine, or copy contents of files without prior knowledge or consent of any individual who might use or have custody of such items.

Reporting Procedures

- Great care must be taken in the investigation of suspected improprieties or irregularities so as to avoid mistaken accusations or alerting suspected individuals that an investigation is under way
- Any employee who suspects dishonest or fraudulent activity should notify the Executive Officer or Officer of the Board immediately. Employees should not attempt to personally conduct investigations or interviews/interrogations related to any suspected fraudulent act. An employee or other complainant may remain anonymous.
- All inquiries concerning the activity under investigation from the suspected individual, his or her attorney or representative, or any other inquirer should be directed to GCBR Legal Counsel. No information concerning the status of an investigation will be given out. The proper response to any inquiry is, "I am not at liberty to discuss this matter." Under no circumstances should any reference be made to "the allegation," "the crime," "the fraud," "the forgery," "the misappropriation," or any other specific reference.

The reporting individual should be informed of the following:

- Do not contact the suspected individual in an effort to determine facts or demand restitution

- Do not discuss the case, facts, suspicions, or allegations with anyone unless specifically asked to do so by GCBR Legal Counsel.

Disciplinary Action

- If an investigation results in a determination that a GCBR employee or officer has engaged in fraudulent activity, GCBR reserves the right to take appropriate disciplinary action against the employee/officer, up to and including termination of employee and suspension of membership of Board member upon advice of GCBR Legal Counsel.

SECTION 3.19 WHISTLEBLOWER POLICY Adopted 01/07/09, Rev.03/02/11

A whistleblower as defined by this policy is an officer, director, employee or member of the Garrett County Board of REALTORS® who, in good faith, reports an activity which he/she considers to be illegal or dishonest by one or more of the officers, directors or employees of the Board. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for good not delivered; and other fraudulent financial reporting.

If an officer, director, employee or member has knowledge of or a concern of illegal or dishonest fraudulent activity by an officer, director or employee, the officer, director, employee or the whistleblower is to contact the Executive Officer of the Board or the President of the Board. Any employee who intentionally files a false report of wrongdoing will be subject to disciplinary action including termination of employment. Officers, directors and members will be subject to removal from office and/or a potential REALTOR® Code of Ethics violation.

Whistleblower protections are provided in two important areas – confidentiality and a shield from retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, the identity of the whistleblower may have to be disclosed in order to conduct a thorough investigation; to comply with the law; and to provide accused individuals due process of law. The Board will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the Executive Officer or President of the Board immediately. If the perceived retaliation is by the Executive Officer, the whistleblower must contact the President of the Board. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

All reports of illegal and dishonest activities shall be promptly submitted, in writing, to the Executive Officer of the Board who is responsible for investigating and coordinating corrective action, unless the whistleblower is reporting on the activities of the Executive Officer, in which case the written report shall be promptly submitted to the President who shall be responsible for investigating and coordinating corrective action.

Officers, directors, employees or members with any questions regarding this policy should contact the Executive Officer of the Board.

SECTION 3.20 DOCUMENT RETENTION POLICY Adopted 01/07/09

I. Corporate/Organizational Records		
Incorporation documents including articles of incorporation, bylaws amendments and related documents	Store in corporate record book	<u>Permanent</u>
Tax-exemption documents including application for tax exemption (IRS Form 1023), IRS determination letter, and any related documents	Store in corporate record book	<u>Permanent</u> Federal law requires copies of these documents to be held at organization's headquarters office. These records must be made available for public inspection upon request.
Board of Directors and Committee meeting documents including agendas, minutes and related documents	Compile and file records on yearly basis. Store in corporate record book	<u>Permanent</u> Care should be taken to include only necessary information in these documents
II. Financial Records		
Year-end Treasurer's financial report/statement	Store in corporate record book	<u>Permanent</u>
Treasurer's reports, periodic	Compile and file records On yearly basis	<u>Three Years</u> Store with financial records. Destroy after three years.
Bank Statements, canceled checks, check registers, investment statements, and related documents	Compile and file records on a yearly basis	<u>Seven Years</u> Store with financial records. Destroy after seven years.
Annual information returns (IRS Forms 990)	Federal law requires that the three most recent years returns be kept in the organization's	<u>Seven Years</u> Store with financial records. Destroy after seven years.

	headquarters office and be made available for public inspection upon request	
III. Professional Standards and Code of Ethics See attached separate document		
IV. Membership Records		
Membership application forms and code of ethics violations	Store in secure file area either on site or off site	Three Years after membership lapses or since last ethics violation

SECTION 3.21 DOCUMENT RETENTION POLICY CODE OF ETHICS & ARBITRATION PROCEEDINGS Adopted 01/07/09

The NAR Code of Ethics and Arbitration Manual provides in question and answer number 6, as it appears on Page 237 of the 2008 Edition of the Manual, provides as follows:

“The National Association has no policy governing retention of professional standards records. Boards are encouraged to consult legal counsel in determining how long professional standards records should be kept. NAR recommends that records relative to ethics hearings be retained for one year after any discipline has been complied with, absent a threat of litigation. In arbitration cases, records should be retained for one year after the award has been paid, absent a threat of litigation. Minimally, all professional standards records should be retained until the appeal or procedural review period has expired and it is recommended that the final decision of the arbitration Hearing Panels and Board of Directors relative to ethics proceedings be retained permanently in the respondent’s membership file.”

A. Ethics Proceedings: The original signed Decision of the Ethics Hearing Panel (Form #E-11), signed by the members of the Hearing Panel and the original Action of the Board of Directors (Form #E-12), if applicable, shall be retained permanently.

All remaining documents, audiotape recordings, correspondence and exhibits pertaining to the case shall be destroyed one (1) year following the closing of the file except in the event of any pending litigation of which the Board or Association has actual knowledge.

For the purpose of the above-recommended policy, in an ethics proceeding where the Respondent has not been found in violation of the Code of Ethics, the term “closing of the file” shall mean thirty (30) days following the final action of the Board of Directors and dissemination of the Decision of Ethics Hearing Panel as provided for in the Code of Ethics and Arbitration Manual (the “Manual”), provided no appeal has been filed. In the event an appeal has been filed, the file shall be deemed closed thirty (30) days following the final action by the Board of Directors with respect to such appeal. In the case where a Respondent has been found in violation of the Code of Ethics and a sanction is imposed involving the payment of a fine, attendance at a specified course or

seminar or membership is suspended, the file shall be deemed closed on the date the Respondent pays the fine, presents satisfactory evidence of completion of the required course or seminar, or upon the expiration of the suspension period.

In the event an ethics complaint is dismissed by the Grievance Committee, the file shall be deemed closed thirty (30) days following the notice to the parties of such dismissal or thirty (30) days following the action by the Board of Directors with respect to any appeal filed by the Complainant concerning such dismissal. If a Respondent resigns or terminates membership in the Association during the pendency of an ethics complaint, the file shall not be deemed closed but shall be held in abeyance pursuant to the Code of Ethics and Arbitration Manual of the National Association of REALTORS® (the “Manual”).

B. Arbitration Proceedings: The original signed Request and Agreement to Arbitrate (Form #A-1); the original signed Response and Agreement to Arbitrate (Form #A-4); the original signed Award of Arbitrators (Form #A-12); the original signed Action of the Board of Directors (Form #A-14 modified), if applicable, shall be retained permanently.

All remaining documents, audiotape recordings, correspondence and exhibits pertaining to the case shall be destroyed one (1) year following the closing of the file except in the event of any pending litigation of which the Board or Association has actual knowledge.

For the purpose of the above-recommended policy, in an arbitration proceeding, the term “closing of the file” shall mean thirty (30) days following the mailing of the Award of Arbitrators or, if applicable, thirty (30) days following the final action of the Board of Directors with respect to any appeal based upon procedural error filed pursuant to the Manual.

In the event an arbitration request is dismissed by the Grievance Committee or determined and classified to be voluntary rather than mandatory, the file shall be deemed closed thirty (30) days following the notice to the parties of such dismissal or classification or thirty (30) days following the action by the Board of Directors with respect to any appeal filed concerning such dismissal or classification.

C. Limitation on Destruction of Documents: Under no circumstances shall the contents of any file in an ethics or arbitration proceeding be destroyed where the Board or Association has knowledge of any actual or threatened claim, litigation, administrative proceeding, including a pending complaint before the Maryland Real Estate Commission, or investigation and arising out of such ethics or arbitration proceeding, or where the Board or Association has been duly served with a subpoena to produce documents or audiotapes contained in such files.

SECTION 3.22

**GARRETT COUNTY BOARD OF REALTORS®, INC.
STATEMENT OF POLICY
REGARDING CONFLICTS OF INTEREST**

Adopted 01/07/09 Rev. 03/02/11

1. PURPOSE OF STATEMENT OF POLICY. The Garrett County Board of REALTORS®, Inc. (the “Board”) exists to promote the collective interests of its members in order that the members might better serve their clients, customers and the public interest.

As between the Board and its Board of Directors, officers and management employees, there exists a fiduciary duty which carries with it a broad and unbending duty of loyalty. Directors, officers and management employees of the Board have the responsibility and solemn obligation to administer the affairs of the Board honestly and prudently, and to exercise their best diligence, skill and judgment for the sole benefit of the Board and its members. Directors, officers and management employees shall exercise the utmost good faith in all actions and conduct in the discharge of their duties and shall not use their positions with the Board or knowledge gained there from for their own direct or indirect personal benefit.

2. PERSONS CONCERNED.

This Policy Statement is directed not only to directors and officers, but to all employees of the Board and volunteers acting on behalf of the Board who are in a position to influence the actions of the Board or its Board of Directors, or to make commitments on their own behalf. This Policy Statement, therefore is applicable to any person acting on behalf of the Board who makes purchasing decisions; all persons who might be characterized as “Management Personnel”; and all persons who obtain proprietary information concerning the Board.

3. AREAS IN WHICH CONFLICTS OF INTEREST MAY ARISE.

Conflicts of interest affecting directors, officers, volunteers, and management employees may occur in any transaction, action or matter involving third parties, including, but not limited to:

3.1 Persons or entities supplying goods and services to the Board (including hotels and conference centers).

3.2 Persons or entities from which the Board leases property and equipment.

3.3 Persons or entities with whom the Board is dealing or planning to deal in connection with the gift, purchase or sale of real estate, securities or other products and services.

3.4 Persons or entities paying honorariums or royalties for products or services delivered by the Board or its agents or employees.

3.5 Other nonprofit organizations.

3.6 Donors and others supporting the Board.

3.7 Agencies, organizations and associations that affect the operations of the Board, including local Boards and Associations of REALTORS®.

4. NATURE OF DIRECT CONFLICTS OF INTEREST.

A material and direct conflict of interest is defined as an interest, direct or indirect, between any person or entity mentioned in Section 3 and a director, officer, volunteer or management employee, which might affect, or might reasonably be thought by others to affect, the judgment or conduct of a director, officer, volunteer or management employee of the Board. Such an interest might arise through:

4.1 Owning stock or holding debt or other proprietary interests in any third party dealing with the Board.

4.2 Holding office, serving on the Board of Directors, participating in management or being otherwise employed (or formerly employed) by any third party dealing with the Board.

4.3 Receiving remuneration or anything of value for services with respect to individual transactions involving the Board.

4.4 Using the Board's personnel, equipment, supplies or good will for other than Board approved activities, programs and purposes.

4.5 Receiving personal gifts, loans or referrals of business from third parties dealing with the Board. The receipt of any gift is prohibited except those gifts of nominal value. No personal gift of money should ever be accepted.

4.6 Obtaining an interest in real estate, securities or other property that the Board might consider buying or leasing.

4.7 Expending staff time during normal business hours for personal affairs or for other organizations, civic or otherwise, unrelated to Board activities and programs.

5. NATURE OF INDIRECT CONFLICTS OF INTERESTS.

Conflicts of interest may also be indirect. A director, officer, volunteer or management employee will be considered to have an indirect conflict of interest in any entity or transaction if any of the following have an interest in the entity or transaction:

5.1 A family member of a director, officer, volunteer or management employee. (Family member is defined for these purposes as all persons related by blood or marriage).

5.2 An estate or trust of which the director, officer or management employee or member of his/her family is a beneficiary, personal representative or trustee.

5.3 A company of which a member of the family of the director, officer, volunteer or management employee is an officer, director or employee or has an ownership or other proprietary interests.

5.4 An individual with whom a director, officer, volunteer or management employee has a close personal or business relationship.

5.5 Additionally, an indirect conflict of interest may exist in those cases where an officer or director also serves as an owner, principal, partner or stockholder of a real estate brokerage business or serves as an officer or director of a local Board or Association of REALTORS® while simultaneously serving as an officer or director of the Board.

6. INTERPRETATION OF THIS POLICY STATEMENT.

The areas of conflict of interest, as enumerated in Section 3, and the relationships which may give rise to a direct or indirect conflict, as enumerated in Section 4 and Section 5, are not exhaustive. Conceivably, conflicts might arise in other areas or through other types of relationships. It is the responsibility of all directors, officers, volunteers, and management employees to recognize and identify such additional areas and relationships which may create a conflict of interest. The fact that any one of the relationships described in Section 4 or Section 5 exists does not necessarily mean that a conflict of interest exists, or that the conflict, if it exists, is material enough to be of practical importance, or, if material, that upon full disclosure of all relevant facts and circumstances regarding the relationship that the relationship is necessarily adverse to the best interests of the Board.

7. DISCLOSURE OF CONFLICTS OF INTERESTS AND RELATIONSHIPS. It is the policy of the Board that the existence of any conflict of interest or any relationships described in Section 4 or Section 5 shall be fully disclosed at the earliest opportunity when such conflict of interest could reasonably be expected to affect the contemplated transactions or action and, in any event, before any final decision as to any contemplated transaction or action is consummated. It shall be the continuing responsibility of directors, officers, volunteers and management employees to scrutinize their

POLICIES & PROCEDURES MANUAL

transactions and outside business interests and relationships for potential conflicts and to immediately make full disclosure of such conflict and interests or relationship.

Disclosure should be made to the President (or, if the President is the one with the conflict, then to another officer) of the Board who shall bring all facts and circumstances regarding the disclosure to the attention of the Board of Directors. The Board of Directors shall determine whether a material conflict of interest exists. In the event of a finding of an existing and material conflict of interest, the Board of Directors shall determine whether the contemplated transaction may be authorized as just, fair and reasonable as to the Board. The decision of the Board of Directors on all such matters shall be in the sole discretion of the directors and shall be determined based upon the best interests of the Board and its purposes. In any such transaction where the Board of Directors of the Board has determined that a material conflict of interest exists, the director, officer, volunteer or management employee with the conflict shall not participate in any capacity, directly or indirectly, in the transaction and shall not participate in any subsequent discussions or vote as to the transaction and shall not attempt, directly or indirectly, to influence the outcome as to the transaction.

PLEASE READ THE ABOVE STATEMENT OF POLICY CAREFULLY. COMPLETE AND SIGN THE ATTACHED CERTIFICATE AND RETURN IT TO THE BOARD.

CERTIFICATION CONFLICTS OF INTEREST

I have carefully read the Statement of Policy Regarding Conflicts of Interest as adopted by the Board of Directors of the Garrett County Board of REALTORS®, Inc., and, by signing this certificate, I have considered not only the literal expression of the policy, but also its intent. I hereby certify, except as hereinafter stated, that I do not, to the best of my knowledge: (1) have any of the relations described in Section 4 or Section 5 with any person or firm of the classes listed in Section 3; and (2) I have no interests conflicting with the interests of the Board, nor do I have any relationship that may appear conflicting. The EXCEPTIONS ARE:

If any situation should arise in the future which I think may involve me in a conflict of interest, I will promptly and fully disclose the circumstances to the President or another officer, directly or through my immediate superior. I further acknowledge the receipt of a copy of the Statement of Policy.

Date: _____

Signature: _____

Print: _____

**SECTION 3.23 STATEMENT OF POLICY REGARDING THE DUTY OF
CONFIDENTIALITY**

Adopted 01/07/09 Rev. 03/02/11

1. PURPOSE OF STATEMENT OF POLICY.

The Garrett County Board of REALTORS®, Inc. (“the Board”) exists to promote the collective interests of its members in order that the members might better serve their clients, customers and the general public interest.

As between the Board and its Board of Directors, officers, designated committee and task force chairpersons, designated committee and task force members and employees, there exists a fiduciary duty which carries with it a broad and unbending duty to maintain the confidentiality of certain matters pending before the Board. Directors, officers, designated committee and task force chairpersons, designated committee and task force members and employees of the Board have the responsibility and the solemn obligation to protect the confidentiality of certain business matters before the Board and to guard against the unauthorized disclosure of confidential facts or actions to third persons except as otherwise required by law.

2. APPLICATION OF STATEMENT OF POLICY.

This Statement of Policy is applicable to directors, officers, designated committee and task force chairpersons, designated committee and task force members and management employees of the Board who are involved in or participate in discussions and decisions concerning the business affairs of the Board and, in particular, those discussions and decisions of a sensitive and confidential nature as more particularly set forth in Section 4 of this Statement of Policy. The Board of Directors shall identify and shall designate those committees and task forces to which this Statement of Policy shall be applicable. All such individuals as identified above in this Section 2 and those committee or task force chairpersons and members as designated by the Board of Directors shall be referred to, collectively, as Management Personnel.

3. DUTY TO PROTECT CONFIDENTIAL FACTS, INFORMATION
AND DISCUSSIONS.

Except as otherwise required by law and as required in the exercise and discharge of their duties on behalf of the Board, Management Personnel shall not discuss with or disclose to third persons confidential matters of the Board as defined in Paragraph 4 below other than those Management Personnel involved in the matter and to legal counsel of the Board.

4. CONFIDENTIAL AFFAIRS OF THE BOARD.

For the purpose of this Statement of Policy, confidential matters of the Board, include, but are not limited to, the following:

4.1. Code of Ethics and Arbitration Proceedings.

4.1.1. The identity of any party to a past or pending ethics or arbitration proceeding.

4.1.2. Any action taken by the Grievance Committee regarding a pending ethics complaint or arbitration request.

4.1.3. The contents of any complaint or testimony and evidence made or received in a past or pending ethics or arbitration proceeding.

- 4.1.4. The decision of the Hearing Panel or of the Board of Directors following any appeal.
- 4.1.5. The discussions or statements made during any deliberations by the Grievance Committee, a Hearing Panel or the Board of Directors following any appeal.
- 4.1.6. The amount of any award or the nature of any discipline made in a past or pending arbitration or ethics proceeding.
- 4.2. Employment Matters.
 - 4.2.1. The terms and conditions of any employment contract between the Board and Board staff personnel, including the Executive Officer.
 - 4.2.2. The nature of any disciplinary action taken against an employee of the Board.
- 4.3. Board Business Matters - Personnel.
 - 4.3.1. The discussions or statements made regarding candidates for officer or director made during the nomination process.
 - 4.3.2. The identity of any individual being considered as a possible candidate for officer or director except as reported by the Nominating Committee.
 - 4.3.3. Any inquiry as to the interest or availability of a Board member to hold elective office or to be considered for nomination to an elective office in the Board unless authorized to do so.
 - 4.3.4. Any statement made by a Board member regarding the qualification or eligibility of an applicant for membership in the Board.
 - 4.3.5. Any inquiry, investigation or discussion regarding improper conduct of an officer, director or employee of the Board in the performance of his or her duties or the possible removal of such individual from elected office or employment.
 - 4.3.6. Any consideration or discussions regarding the suspension or expulsion of an Board member for non-payment of dues, fees, fines or charges or the identity of such members.
 - 4.3.7. Statements or discussions regarding the qualifications and selection of Board award recipients including REALTOR® of the Year.
- 4.4. Board Business Matters - Contractual.
 - 4.4.1. The terms and conditions of any bid or proposal made for the providing of goods or services to the Board by prospective service providers or vendors during the bid and selection process.
 - 4.4.2. Consideration and discussions relating to the possible termination of or non-renewal of existing contracts or relationship between the Board and third-party service providers or vendors including professional service providers.
- 4.5. Legal Matters.
 - 4.5.1. Any discussion regarding actual or threatened litigation against the Board and the legal strategy in defending against such litigation including any discussions, correspondence and documents otherwise protected by the attorney-client privilege.
 - 4.5.2. Any consideration of or discussions regarding the possible or actual institution of legal action by the Board and the legal strategy in maintaining such action

POLICIES & PROCEDURES MANUAL

including any discussions, correspondence or documents otherwise protected by the attorney-client privilege.

- 4.5.3. Any advice of legal counsel advising that the Board, its officers, directors, agents and employees have or are considering the commission of an illegal or impermissible act or activity.

4.6. Other Designated Confidential Matters.

Any matter, fact, information, consideration or discussion designated, from time to time, by the Board of Directors, President, President-elect or Committee Chairperson as being confidential.

5. SUBSCRIPTION.

All Management Personnel as defined in Section 2 of this Statement of Policy shall be required to read and to subscribe to this Statement of Policy prior to the commencement of his or her duties on behalf of the Board. Management Personnel who initially subscribe to this Statement of Policy shall not be subsequently required to re-subscribe annually or to re-subscribe whenever he or she undertakes a different duty or office or undertakes multiple duties or assignments on behalf of the Board so long as he or she has acted in the capacity of Management Personnel on a continuous basis since the initial subscription to this Statement of Policy. Any individual who ceases to act as Management Personnel for a period of one (1) year or more shall be required to read and re-subscribe to this Statement of Policy prior to the commencement of his or her duties as a subsequent Management Personnel.

PLEASE READ THE ABOVE STATEMENT OF POLICY CAREFULLY. COMPLETE AND SIGN THE ATTACHED CERTIFICATION AND RETURN IT TO THE BOARD.

CERTIFICATION DUTY OF CONFIDENTIALITY

I have carefully read the Statement of Policy Regarding the Duty of Confidentiality as adopted by the Board of Directors of the Garrett County Board of REALTORS®, Inc. and, by signing this certificate, I have considered not only the literal expression of the policy, but also its intent. I hereby certify that I shall not disclose confidential matters of the Board as enumerated in Section 4.0 of the Statement of Policy to third persons except as required by law and as required in the normal exercise and discharge of my duties on behalf of the Board. I further acknowledge the receipt of a copy of the Statement of Policy.

Date: _____

Signature: _____

Print: _____

SECTION 3.24

COMMUNICATIONS POLICY

- a. Copies of all correspondence between the Local, State and National Associations will be filed at the GCBR office
- b. The Association office will receive and keep on file copies of all current governing documents of the Local, State and National Associations, including bylaws, rules and regulations as well as the bylaws, rules and regulations of the Bright MLS.
- c. The Association will maintain on file a list of all current fees related to Association services.
- d. Dates for all functions of the Association will be submitted to the Board of Directors and the membership on a master calendar on or before the first of January or as soon as practicable. The President and Executive Officer shall establish a master calendar for acceptance by the Board of Directors at the first Board of Director meeting of the new term.
- e. All correspondence regarding policy, planned activities and/or requests by the Local Association submitted to the National Association should be copied and sent to the State Association.
- f. Copies of all significant incoming/outgoing Association correspondence should be forwarded to the President and the Board of Directors, as necessary.
- g. All Association written/published materials will emanate through the Association office.
- h. No member is authorized to generate written material on behalf of the Association except through established office procedures, this includes website content and social media posts and comments. Postings to the GCBR List Serv must be in compliance with the GCBR List Serv Rules & Regulations which are located on the member side of the GCBR website at www.gcbr.org or you can request a copy by contacting the Association office.
- i. Association stationery use is limited to staff at the Association office. Stationery will not be made available for use by members for any purpose whatsoever.
- j. CONFIDENTIALITY – Employees will not discuss or disseminate information on the Association, its activities or members to members or outsiders (including the media and government officials) without approval by the Executive Officer, except as directly related to their job in providing service to our members (i.e. processing membership, computer access). Violations of this policy will subject employee to disciplinary action, up to and including, immediate discharge. (Certain government representatives such as OSHA and EEOC are privileges to speak privately with any employee but only upon advance notice to the Association).

SECTION 3.25

CORPORATE DOCUMENTS

- a. To maintain compliance with NAR Core Standards, GCBR shall have all necessary filing of state and federal tax returns completed and filed on or before the due date.
- b. GCBR shall maintain a copy of the Certificate of Status of the business on file from the Maryland Department of Assessments and Taxation which means that all documents and fees required by law to be submitted to the Department have been received, and that no other government agency has notified the Department that the entity is delinquent in tax payments.
- c. The Resident Agent for the Corporation is the attorney on retainer and any changes to the Resident Agent must be filed with State Department of Assessments and Taxation, Charter Division with the filing fee.

SECTION 3.26

STRATEGIC PLAN

To maintain compliance with NAR Core Standards, GCBR shall have a 2-Year Strategic Plan in place in accordance with NAR requirements contains areas of Consumer Outreach, Advocacy, Professionalism and Technology.

- a. The plan shall be reviewed, revised and approved by the Board of Directors every two years (January) and amended as needed.

The Board of Directors shall review the GCBR Strategic Plan each new fiscal year asking the following questions of the plan:

- b. What are we doing that should be different?
- c. What are we not doing that we should be doing?
- d. What are we doing that we should not be doing?

SECTION 3.27

ONLINE FORUMS Adopted 3/6/19

- a. Where comments are permitted:
 - a. a disclaimer will be posted that "User comments do not reflect the views of the Garrett County Board of REALTOS®."
 - b. GCBR will not actively monitor comments.
 - c. GCBR will not engage with commenters, except to respond to legitimate complaints about user content, especially concerning copyright infringement, by consulting with legal counsel.
- b. GCBR will not encourage the development of user content.

SECTION 3.27-1

GCBR WEBSITE

- a. To maintain compliance with NAR Core Standards, GCBR must maintain an interactive website, which is defined as the ability to move between websites and create active links
- b. Must provide a link (Dispute Resource Center) for access to professional standards enforcement resources which includes arbitration filing processes..
- c. Must maintain links to the websites of the other levels of the association for promotion of member programs, products and services
- d. An active link for the public to search homes for sale on www.realtor.com
- e. An active link to the Maryland and National Associations of REALTORS®
- f. An active link to REALTORS® Property Resource (RPR) for the member
- g. The comments function on the GCBR website will not be turned on.

SECTION 3.28

MEMBER COMMUNICATION

- a. To maintain compliance with NAR Core Standards, GCBR must utilize an email and/or internet based means for member communication. The GCBR office will use MailChimp to comply with this requirement.
- b. The GCBR List Serv will be maintained as a member benefit for the distribution of information related to the conduct of members' business as regulated by the GCBR List Serv Rules & Regulations. (3/7/18)

SECTION 3.29

HARASSMENT (7/3/19)

- a. GCBR is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, or any other legally protected characteristic will not be tolerated.
- b. As used in this policy, harassment means any verbal or physical conduct including threatening or obscene language, unwelcome sexual advances, stalking, actions including strikes, shoves, kicks or other similar physical contact, or threats to do the same, or any other conduct with the purpose or effect of unreasonably interfering with an individual's work performance by creating hostile, intimidating or offensive work environment.
- c. Sexual harassment is defined as any unwelcome or unwanted sexual advances, requests for sexual favors or other conduct of a sexual nature either verbal or physical where (1) submission to or rejection of this conduct by an individual is used as a factor in decisions affecting hiring, evaluation, retention, access to training, promotion or other aspects of employment or participation in a GCBR sponsored function; or (2) such conduct substantially interferes with job performance or creates an intimidating, hostile or offensive work environment or an intimidating, hostile or offensive environment at GCBR sponsored functions/events.
- d. This policy covers all individuals in the GCBR workplace or at GCBR sponsored functions/events whether engaged in by GCBR members, employees, or representatives.
- e. GCBR encourages reporting of all incidents of harassments, regardless of who the offender may be, or of the offender's relationship to GCBR.
- f. Any allegation of harassment brought to the attention of GCBR will be promptly investigated. Confidentiality will be maintained throughout the investigatory process to the extent practical and appropriate under the circumstances.
- g. Complaints may be submitted to the Board's Executive Officer, President, Vice President, or the Board's legal counsel.
- h. The decision of the appropriate disciplinary action to be taken shall be made by the investigatory team comprised of the President and President-elect and/or Vice President and one member of the Board of Directors selected by the highest ranking officer not named in the complaint, upon consultation with legal counsel for the association.
- i. If the complaint names the President, President-Elect or Vice President, they may not participate in the proceedings and shall be replaced by the Immediate Past President or, alternatively, by another member of the Board of Directors selected by the highest ranking officer not named in the complaint.
- j. Any member of the association may be reprimanded, placed on probation, suspended or expelled for harassment of an association employee, Officer or Director, vendor or customer after an investigation in accordance with the procedures of the association. Disciplinary action may include any sanction authorized in the association's Code of Ethics and Arbitration Manual.
- k. GCBR will not tolerate any retaliation against any member or staff for reporting harassment or participating in the investigation or hearing of a complaint of harassment.