

In response to your telephone call concerning a member of the Rockford Area Association of REALTORS®, the following should assist you in filing a formal complaint.

Ethics complaints are generally an alleged violation of the REALTOR® Code of Ethics or the Bylaws of the Rockford Area Association of REALTORS®. Available on this web site is an Ethics Complaint Form (PS-E1) for filing a complaint with the Grievance Committee of the Rockford Area Association of REALTORS® and a copy of the Code of Ethics. Please select from the Code of Ethics the Article(s) you feel were violated, fill in the form and return it to the Association Office. Please include with this form any information that will substantiate the alleged violation of the Code of Ethics. “Standards of Practice” are interpretations of the Articles and should not be cited in the Complaint.

Please complete the enclosed form and return it, along with a detailed letter of explanation, so that this matter can be formally presented to our Grievance Committee. Please present all evidence supporting your case, including copies of all contracts and correspondence.

An Ethics Complaint must be filed with the Board within one hundred eighty days (180) after the matter could have been known. There is no fee for filing an Ethics Complaint. Once a complaint has been filed with the Board of REALTORS® a copy of that complaint, along with any papers, are sent to the Respondent (the other party). The respondent has 15 days to respond and whether they respond or not the case is given to the Grievance Committee for their recommendation as to whether a hearing should be held.

The Grievance Committee is similar to a grand jury. Its members cannot decide guilt or innocence; they only determine if there is enough information to proceed with the case and if the facts correlate with the Articles specified as allegedly violated. If the Grievance Committee decides to send it to a hearing, another committee takes over. The Grievance Committee could determine not to send the matter on for a hearing and in that case you can appeal their decision to the Board of Directors of the Association.

If the Grievance Committee dismisses the Complaint, you can appeal the decision to the Board of Directors within 20 days from your receipt of the Dismissal Notice.

If the Grievance Committee forwards your case to a formal hearing, the Rockford Area Association of REALTORS® will not prosecute for you nor defend you. As Complainant, it is your responsibility to attend the Hearing and provide the necessary evidence and witnesses to support your claim.

If there is to be a formal hearing, all parties will be notified in writing of the date and time. Attorneys may be present (please notify us) and if witnesses are to be called, their names must be provided 10 days prior to the hearing. During the hearing both parties state their case and may ask questions of the other. The panel of five may also ask questions. All discussion is to pertain to the specific articles addressed in the complaint. After all parties have presented their case the panel goes into executive session.

The panel can decide there is no violation of the specific articles. If the panel determines there has been a violation of one or more of the specified articles, they can fine the Respondent up to \$2,500 (which goes into the Board treasury), suspend, reprimand, expel, censure, or require that the Respondent take an Ethics course.

The Rockford Area Association of REALTORS® has adopted the Code of Ethics and Arbitration Manual of the National Association of REALTORS®. The procedures specify that the Board:

- (1) Cannot “try” a Board member as to any alleged violation of the state real estate license law or any other alleged violation of law.
- (2) Cannot suspend or terminate a license.
- (3) Cannot award money “damages”.

ETHICS COMPLAINT

ROCKFORD AREA ASSOCIATION OF REALTORS®

6776 East State Street
Rockford, Illinois 61108

To the Grievance Committee of the Rockford Area Association of REALTORS®

Filed _____

Complainant(s)

Respondent(s)

Complainant(s) charge(s):

An alleged violation of Article(s) _____ of the Code of Ethics or other membership duty as set forth in the bylaws of the Board in _____
Article(s), Section(s)

And alleges that the above charge(s) (is/are) supported by the attached statement, which is signed and dated by the complainant(s).

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

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

Are the circumstances giving rise to this ethics complaint involved in civil or criminal litigation or in any proceeding before the state real estate licensing authority or any other state or federal regulatory or administrative agency? _____ YES _____ NO

You may file an ethics complaint in any jurisdiction where a REALTOR® is a member or MLS participant. Note that the REALTORS® Code of Ethics, Standard of Practice 14-1 provides, in relevant part, "REALTORS® shall not be subject to disciplinary proceeding in more than one Board of REALTORS®...with respect to alleged violations of the Code of Ethics relating to the same transaction or event."

Have you filed, or do you intend to file, a similar or related complaint with another Association(s) of REALTORS®?

_____ Yes _____ No

If so, name of other Association(s): _____ Date(s) filed: _____

I understand that should the Grievance Committee dismiss this ethics complaint in part or in total, that I have twenty (20) days from my receipt of this dismissal notice to appeal the dismissal to the Board of Directors.

Complainant(s):

(Type/Print)

(Signature)

(Type/Print)

(Signature)

Address _____ Phone # _____

