

# **BROKER MANAGEMENT CLINIC #2**

## **POLICIES & PROCEDURES**



**OBJECTIVES:**

1. Explore suggested policies addressing top issues in Arizona including agency, federal issues - including RESPA, anti-trust, do not call and conflict resolution.
2. Identify key components of well written office policies to minimize risk and clarify interpretation to better provide a clear understanding and expectations of licensees under the supervision of a broker (R4-28-1103)
3. Review general office operations and processes and discuss how they are addressed need to be clearly understood by agents and employees

**BROKER DELIVERY OF THE MANUAL:**

**WHY: A POLICY AND PROCEDURE MANUAL?**

The Arizona Department of Real Estate Policy and Procedure Manual is intended to provide an example of the written policies, procedures and systems that a Real Estate Broker is required to establish and enforce pursuant to A.A.C. R4-28-1103.

A.A.C. R4-28-1103 (D)

*An employing broker is responsible for the acts of all associate brokers, salespersons, and other employees acting within the scope of their employment.*

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**WHEN SHOULD AGENTS AND STAFF RECEIVE YOUR POLICY MANUAL?**

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**WHO GETS A COPY OF YOUR POLICY AND PROCEDURE MANUAL?**

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**WHAT IS NEEDED IN A POLICY AND PROCEDURE MANUAL?**

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**LET'S TALK POLICIES:**

**Advertising**

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**Agency Relationships**

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**Anti-Trust Compliance**

[www.realtor.org/letterlw.nsf/pages/0802antitrust?OpenDocument&Login](http://www.realtor.org/letterlw.nsf/pages/0802antitrust?OpenDocument&Login)  
<http://www.ftc.gov/bc/realestate/index.htm>

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**Assistants & Team Policies**

[www.azre.gov/lawbook/documents/sps](http://www.azre.gov/lawbook/documents/sps)  
<http://www.realtor.org/field-guides/field-guide-to-personal-assistants>  
<http://www.realtor.org/field-guides/field-guide-to-partnerships-and-teams>

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**Broker Signatures**

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**Commissions**

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**Customer Care**

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**Disclosure Policies**

<http://www.aaronline.com/law-ethics/forms/residential.aspx> (login required)

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**Independent Contractor Agreements vs. Employees**

Michelle Lind Article:

<http://www.aaronline.com/law-ethics/risk-management/Feb07.aspx>

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**Unlicensed Assistants**

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**License Renewal**

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**Termination Policies**

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**Offers**

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**Privacy Policy/Data Security**

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**Transaction Paperwork & Management**

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**Trust Accounts**

<http://www.azre.gov/Aud/TrustAccountBasics.aspx>  
[http://www.azre.gov/Aud/Documents/Trust Account Requirements.pdf](http://www.azre.gov/Aud/Documents/Trust_Account_Requirements.pdf)

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**TOP TEN COMMON COMPLAINTS**

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**RESOURCES:**

<http://www.realtor.org/field-guides/field-guide-to-real-estate-office-policy-manuals>

<http://www.bizmanualz.com/?gclid=CJ3n9qeXvbICFeV7QgodR0IA4A>

<http://www.inc.com/guides/2010/06/what-to-include-in-employee-handbook.html>

ADRE Model Policy and Procedure Manual

[http://www.azre.gov/Aud/Documents/Broker\\_Office\\_Policies\\_Manual.pdf](http://www.azre.gov/Aud/Documents/Broker_Office_Policies_Manual.pdf)

NAR Sample Policy & Procedure Manual (Member Price \$105):

<http://www.realtor.org/prodser.nsf/products/E126-155?OpenDocument>

Real Estate Brokerage Essentials (Member Price \$34.95)

<http://www.realtor.org/prodser.nsf/products/126-358?opendocument>

Field Guide to Real Estate Office Policy Manuals

<http://www.realtor.org/field-guides/field-guide-to-real-estate-office-policy-manuals>