

# PROFESSIONAL STANDARDS ETHICS COMPLAINT PROCESS



*The pre-printed portion of this form has been drafted by the Arizona Association of REALTORS®. No modifications are permitted and any changes will result in unenforceable terms not available for consideration by Professional Standards policy and procedures.*



## CODE OF ETHICS ENFORCEMENT

1. Once an individual becomes licensed by the Arizona Department of Real Estate, that individual may become a REALTOR® by joining the Arizona Association of REALTORS® (AAR), which is a private trade association. AAR members agree to abide by the NATIONAL ASSOCIATION OF REALTORS® (NAR) Code of Ethics and thereby enhance the public and professional image of themselves and all other REALTORS®.
2. The enforcement of the NAR Code of Ethics is achieved through an ethics complaint process.
3. The NAR **Code of Ethics and Arbitration Manual** (CEAM) sets forth the rules and procedures related to REALTOR® Code of Ethics complaints.
4. The CEAM may be purchased through a local REALTOR® association, AAR, NAR or is available online at
  - <http://www.realtor.org>
5. Adaptations to the CEAM specific to AAR can be found online at
  - <http://www.aaronline.com/about-us/#govdocs>

## LICENSING COMPLAINTS OR MONETARY CLAIMS

6. AAR has no jurisdiction over an individual's Arizona real estate license. To file a licensing complaint, contact the Arizona Department of Real Estate
    - <http://www.azre.gov/Inv/InvForms.aspx>
- AAR Ethics Hearing Panels cannot award money or other damages. If you are seeking money or other relief, consider AAR Mediation
- Mediation Information: <http://www.aaronline.com/resolve-disputes/mediation/>
  - Seek legal counsel: <http://www.azbar.org>

## SUBMISSION OF AN ETHICS COMPLAINT

8. A fillable version of the Ethics Complaint Form is attached and is located at:
  - <http://www.aaronline.com/resolve-disputes/ethics/>
9. Your complaint must cite one or more of the Articles of the Code of Ethics which may have been violated.
10. Date, sign, and complete the entire Ethics Complaint Form before submitting. **Incomplete Forms may slow the process.**
11. If the same complaint has been filed with a regulatory agency or filed in court, include a copy of such complaint and related material.
12. Include all relevant documents, etc.
13. Complete a Notice of Witness/Counsel Form if applicable
  - <http://www.aaronline.com/resolve-disputes/dispute-resolution-forms/>

# PROFESSIONAL STANDARDS ETHICS COMPLAINT FORM



The pre-printed portion of this form has been drafted by the Arizona Association of REALTORS®. No modifications are permitted and any changes will result in unenforceable terms not available for consideration by Professional Standards policy and procedures.



Please type and complete the following to assist AAR in processing your ethics complaint.

Date/Time \_\_\_\_\_

## TO THE GRIEVANCE COMMITTEE OF THE ARIZONA ASSOCIATION OF REALTORS®

Complainant(s) allege(s) a violation of the Code of Ethics or other membership duty as set forth in the Bylaws of the Association, which may have been violated and (is/are) supported by the information contained herein and any attached signed and dated statement.

### 1. PARTIES – Complainants Name(s) of the party(ies) filing the complaint [Complainant(s)]

#### 1a. COMPLAINANT #1

1. Complainant Name #1: \_\_\_\_\_

*If Applicable:*

Affiliated Firm Name: \_\_\_\_\_

Principal Broker Name: \_\_\_\_\_

Will your principal broker join you in this complaint?  Yes  No

If yes, please ask your broker to sign line 43 of Section 10

2. Send case correspondence to Email Address: \_\_\_\_\_

3. Mailing Address: \_\_\_\_\_

4. Fax: \_\_\_\_\_ 5. Phone: \_\_\_\_\_

#### 1b. COMPLAINANT #2

6. Complainant Name #2: \_\_\_\_\_

*If Applicable:*

Affiliated Firm Name: \_\_\_\_\_

Principal Broker Name: \_\_\_\_\_

Will your principal broker join you in this complaint?  Yes  No

If yes, please ask your broker to sign line 43 of Section 10

7. Send case correspondence to Email Address: \_\_\_\_\_

8. Mailing Address: \_\_\_\_\_

9. Fax: \_\_\_\_\_ 10. Phone: \_\_\_\_\_

*If you are requesting that case correspondence be sent to more than one address, please list the additional contact information on a separate page, and attach the page(s) to this form.*

**NOTE: AAR will send all correspondence relating to this complaint to the address above. You must notify AAR in writing of any change in your contact information.**

1. PARTIES – Respondents Names of the person(s) against whom you are filing the complaint [Respondent(s)]

1c. RESPONDENT#1

11. Respondent Name #1: \_\_\_\_\_

12. Affiliated Firm Name (if applicable): \_\_\_\_\_

1d. RESPONDENT #2

13. Respondent Name #2: \_\_\_\_\_

14. Affiliated Firm Name (if applicable): \_\_\_\_\_

More than one respondent can be named in the complaint if involved in the same transaction. If you are naming more than two respondents, please list the additional respondents and their affiliated firm names on a separate page and attach the page(s) to this form.

1e. 15.  Yes  No The Respondent(s) is/are a member(s) of the AAR

2. REPRESENTATION – Name of the attorney or REALTOR® counsel representing you in this complaint, if any

If Applicable:

2a. 16.  Attorney /  REALTOR® Counsel Name: \_\_\_\_\_

17. Law Firm / Company: \_\_\_\_\_

18. Mailing Address: \_\_\_\_\_

19. Fax: \_\_\_\_\_ 20. Phone: \_\_\_\_\_

21. Email: \_\_\_\_\_

3. DATE OF EVENT

3a. 22. \_\_\_\_\_ (mo/day/yr) is the date the alleged violation or the conclusion of the transaction.

23.  Yes  No The complaint is being 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.

4. RELATED COMPLAINTS

4a. 24.  Yes  No The same complaint has been filed at another REALTOR® Association.

25. If yes, which one? \_\_\_\_\_ Date Filed: \_\_\_\_\_

Note: 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."

26.  Yes  No The same complaint has been filed with a regulatory agency. [for example, the Arizona Department of Real Estate (ADRE)]

27. If yes, Attach a copy of the regulatory agency complaint and related material. Date Filed: \_\_\_\_\_

28.  Yes  No The same complaint has been filed in court.

29. If yes, Attach a copy of the complaint and related material. Date Filed: \_\_\_\_\_

## 5. COMPLAINT ALLEGATIONS

5a. 30. What was your role in the situation?:  buyer  seller  tenant  landlord  another REALTOR®  
 buyer's agent  seller's agent  other \_\_\_\_\_

5b. 31. What was the Respondent's role?:  buyer  seller  tenant  landlord  property manager  
 another REALTOR®  buyer's agent  seller's agent  other \_\_\_\_\_

5c. 32. Did the situation result in a closed transaction?  Yes  No

33. If yes, **when did it close escrow?** **Close of Escrow Date:** \_\_\_\_\_

## 6. CODE OF ETHICS ARTICLES ALLEGED

[\*Your complaint must cite one or more Articles of the Code of Ethics which may have been violated. Determinations are based upon whether the Article(s) cited were violated, not whether the Preamble & the Standards of Practice were violated. Incomplete complaints can result in delays or dismissals.]

6a. 34. I believe that Respondent \_\_\_\_\_ violated Article \_\_\_\_\_ \* of the 

SUMMARY:

35. I believe that Respondent \_\_\_\_\_ violated Article \_\_\_\_\_ \* of the 

SUMMARY:

36. I believe that Respondent \_\_\_\_\_ violated Article \_\_\_\_\_ \* of the 

SUMMARY:

37. I believe that Respondent \_\_\_\_\_ violated Article \_\_\_\_\_ \* of the 

SUMMARY:

38. I believe that Respondent \_\_\_\_\_ violated Article \_\_\_\_\_ \* of the 

SUMMARY:

**NOTE:** If you are naming additional Respondents or Articles, please list the allegations on a separate page and attach to this form.

## 7. NARRATIVE

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

A narrative is a story or an account of the sequence of events in the order in which they happened. Any narrative should be **TYPEWRITTEN** in a simple, concise, clearly-stated format so that someone unfamiliar with the situation can understand the series of events and how those events relate to the alleged Code of Ethics violation(s). A narrative should include all important dates, reference any relevant supporting documents, and identify any witnesses.

39. **A narrative is attached?**      Yes      No

## 8. SUPPORTING DOCUMENTATION AND EVIDENCE

Supporting documentation and evidence includes any relevant contracts, agreements, correspondence, or other papers that support the claim of an alleged Code of Ethics violation(s). If you are submitting supporting documentation/evidence, block out sensitive information such as social security number(s), driver license numbers(s), bank detail, birth dates, and employment information. Attach complete and accurate copies and indicate to which allegation the documentation relates. Please submit pertinent documentation/evidence only. Parties are encouraged to limit their submittals to 100 pages or less and acknowledge that it is the party's obligation to direct a hearing panel's attention to relevant information.

40. **Supporting documentation and evidence is attached?**      Yes      No

## 9. ACKNOWLEDGEMENT

I (we) acknowledge that all relevant information pertaining to the Code of Ethics allegations should be included in this complaint. The Grievance Committee will review the complaint to determine if the allegations made, if taken as true, may support an Ethics violation. If the allegations support a potential Ethics violation, the complaint will be forwarded for a hearing. If the Grievance Committee determines that the allegations do not support an Ethics violation even if true, the Committee will dismiss the complaint. If the complaint is dismissed, no additional information can be submitted, but you will have twenty (20) days from receipt of the dismissal notice to appeal the dismissal. AAR will notify you of the Grievance Committee's determination.

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

## 10. COMPLAINANT(S)

41. \_\_\_\_\_  
COMPLAINANT #1                      TYPE/PRINT                      SIGNATURE

42. \_\_\_\_\_  
COMPLAINANT #2                      TYPE/PRINT                      SIGNATURE

43. \_\_\_\_\_  
BROKER                                      TYPE/PRINT                      SIGNATURE

Complete the complaint and submit to:

Attn: Ethics / 255 E. Osborn Rd., Suite 200, Phoenix, AZ 85012

or

ethics@aaronline.com