



“ REALTOR®... the best prepared
real estate practitioner with the highest standards ”

PROFESSIONAL STANDARDS NEWSLETTER

March 2025

“Ethics is what guides us to tell the truth, keep our promises, or help someone in need.” - Unknown

2024 YEAR-IN-REVIEW

- In 2024, there were a total of:
 - **210** ethics complaints filed, with **87** forwarded for a hearing.
 - **12** arbitration requests filed, **9** of which were forwarded for mandatory mediation.
 - **54** ethics hearings and **5** arbitration hearings were held.
- Our Ombudsman Program received:
 - **20** Requests. Of those **20**, **10** were in the scope of the program, and **all 10** were successfully resolved.
- Our Mediation Program received:
 - **31** mediation requests, with **18** of those requests refused by a party. **10** mediations were held, **8** of which were successful.

Thank you for all that you do and for making 2024 such a great year!

2025 MARY LEE GREASON AWARD RECIPIENT – LISA SUAREZ



The Mary Lee Greason Award is bestowed upon a past or current Arizona REALTORS® Professional Standards Committee member who exhibits a passion for professional standards through exceptional service, commitment, preparation, and leadership. Specific factors to be considered include length of service, roles in leadership positions, diversity of roles within the Professional Standards Committee, and contributions made. Past recipients include Larry Hibler, Marge Lindsay, Holly Eslinger, Duane Fouts, and Ron Roberts.

This year's recipient was Lisa Suarez. Since joining the Professional Standards Committee, she has served as a Panel member at 8 hearings, chaired 51 ethics and arbitration hearings, and served as an Ombudsman 41 times.

Lisa has been instrumental in the success of the Arizona REALTORS® Professional Standards program. She is a constant example of what it means to be a REALTOR® and shows an unwavering passion for professional standards and upholding the Code of Ethics.

Marge Lindsay, a past Mary Lee Greason Award recipient, expressed that Lisa is “passionate about her desire to hold REALTORS® above licensees and is proud to say we accomplish that through our Code of Ethics. She's quiet, but never silent. When we need her, she is there and willing to speak proudly about why we are REALTORS® and what the benefit is to the public as well as our peers.”

Needless to say, Lisa is a worthy recipient of the Mary Lee Greason Award.

Congratulations Lisa and thank you for your many years of service to the Arizona REALTORS® Professional Standards program.

FEBRUARY 12, 2025, PROFESSIONAL STANDARDS WORKSHOP

At this year's Professional Standards Workshop, we were thrilled to welcome speaker Diane Disbrow. Diane kept the training entertaining and informative with examples that painted a clear

picture and conducted engaging group exercises. For those of you who participated in the post-Workshop survey, we thank you!

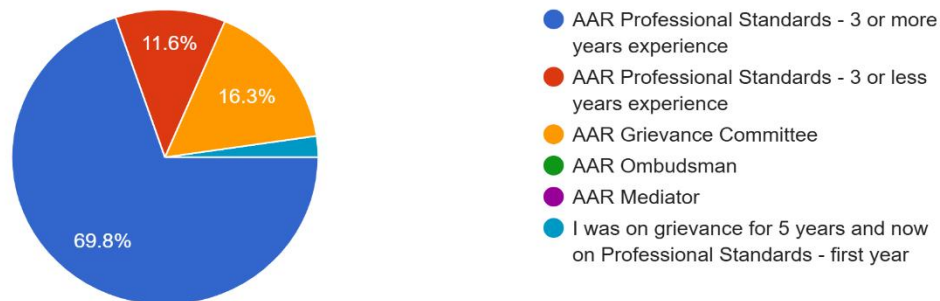
What attendees liked most:

- “Loved the participation and not just being talked at”
- “The speaker was the best in years! She really kept me interested. I loved the poll questions and the mock hearing.”
- “Learning best practices for formulating objective questions.”
- “Gaining knowledge about the process, the speaker was great, the people were great and loved learning how to properly evaluate complaints. Overall, it was fabulous.”

Thank you for your survey comments about the Workshop which we use to shape future Workshops. This really helps us strive to meet the goals and expectations of our members. Here are a few snippets from the Survey:

What is your committee role?

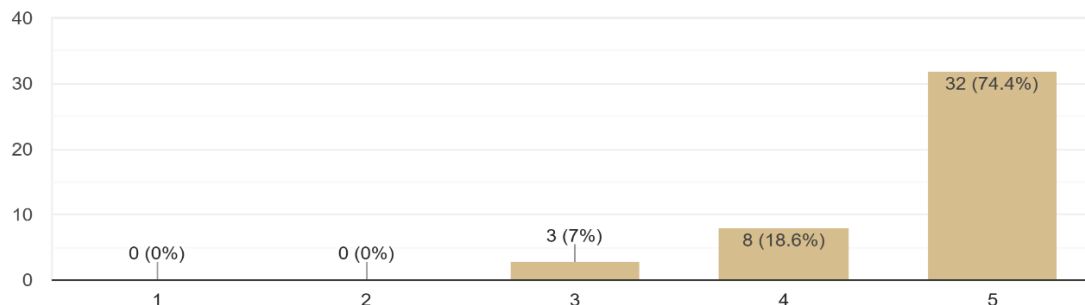
43 responses



Rated one to five with five being the highest rating:

How satisfied were you with the session content?

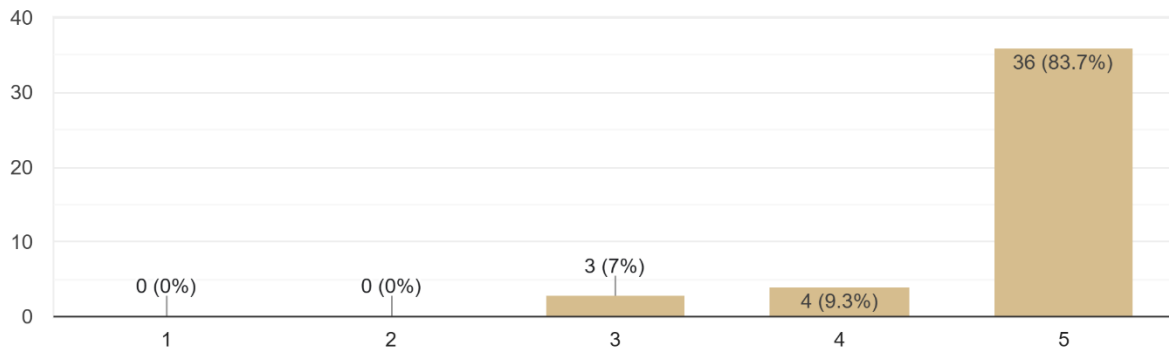
43 responses



Rated one to five with five being the highest rating:

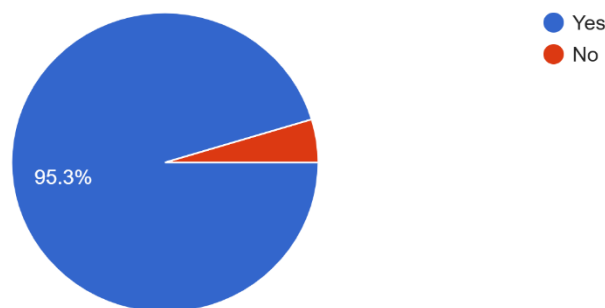
What is your overall rating of the Workshop?

43 responses



Did you learn information at this year's workshop that you did not previously know?

43 responses



PROFESSIONAL STANDARDS

REMINDER: If you would like to serve on Hearing Panels in April-June 2025 and have not yet signed up to serve, please do so [HERE](#). This is simply to let us know your availability.

HEARING PANEL TIP

If you were able to attend the Professional Standards Workshop, you received a copy of the 2025 Professionalism in Real Estate Practice booklet (pictured below). If you were unable to attend, you may access a PDF copy of the Professionalism in Real Estate Practice booklet [HERE](#) and a PDF copy of the Code of Ethics and Arbitration Manual [HERE](#).



The Professionalism in Real Estate Practice Booklet is a useful and important reference piece when making a decision with your fellow Panelists after a hearing has concluded. It contains the Code of Ethics, narrative explanations of each Article with synthesis of related Standards of Practice and case interpretations, as well as sanctioning guidelines.

If you are unsure if the actions of the respondent are in fact a violation of the Code of Ethics, please refer to the Standards of Practice for the Article(s) cited, which can be found on pages 52-74. Often, failure to demonstrate professional courtesies, as outlined in the Pathways to Professionalism found on the last page of the booklet in Appendix D, can be mistaken for violations of the Code of Ethics. Standards of Practice are used to **support, interpret, and amplify** the Articles and may assist you in clarifying what is considered a violation of an Article. Please remember, REALTORS® may not be found in violation of a Standard of Practice, only the Article that it supports.

If determined by the hearing panel that a violation has occurred, it is crucial that the discipline imposed is appropriate for the violation as improper discipline may be grounds for an appeal. You may reference the disciplinary guidelines on pages 81-84. Association staff will notify you if the violation is a first offense or repeat offense which will assist you in determining the appropriate discipline.

CHAIR TIP

As spring begins and summer approaches, the number of postponement requests typically increases due to travel, events, and vacations. Because of this, I would like to remind you of your rights and responsibilities as a Chair regarding postponement requests.

As a Hearing Panel Chair, you will review postponement requests submitted for the case you have been assigned and approve or deny those request(s). The National Association of REALTORS® Code of Ethics and Arbitration Manual states that a Hearing Panel Chair is under no obligation to grant a postponement, much less honor repeated requests for postponement. However, extenuating circumstances should be considered in determining if the requested continuance will be granted. Also, keep in mind that we must afford due process to all parties, not only the party requesting postponement. It is important that matters are heard in a timely manner, and therefore, taking careful consideration when reviewing and approving a postponement request is imperative.

If a postponement request is submitted by the Respondent and you do not feel there are extenuating circumstances present to approve the request, the Respondent is not required to attend the hearing. If the Respondent chooses not to attend, the hearing may proceed without their attendance and the Hearing Panel shall reach its decision based on the evidence submitted by the Respondent as well as the evidence and testimony provided by the Complainant.

Examples of extenuating circumstances:

- Health-related conditions.
- Personal or family medical emergency.
- Conditions or medical/physical circumstances arising from pregnancy.
- Death of a relative/Bereavement.
- Jury service or attendance at court or tribunal as a witness, defendant, or plaintiff.
- Unexpected personal situation/trauma (i.e.: car accident; victim of a serious crime; or loss of a home/personal belongings due to fire or natural disaster).

Examples of non-extenuating circumstances:

- Too busy to prepare for the hearing.
- Forgot the hearing date and they feel unprepared.
- Ignoring numerous emails and voicemails advising them of the date of the hearing.
- Scheduling a vacation or making plans to be out of town AFTER the hearing date has been set.
(Parties are notified of their hearing date months in advance. They are asked to inform staff immediately upon being notified of their hearing date if they have a scheduling conflict. Hearings are held by way of Zoom and a party can log into Zoom from any location.)

MEDIATORS

Thank you all for your hard work in 2024! Your success rate in helping parties resolve their disputes was nearly perfect and the skills and tactics used to nudge parties in the direction of resolution has been impressive. Keep it up!

In 2024, our Mediation Program received 31 mediation requests, with 18 of those requests refused by a party. 10 mediations were held, 8 of which were successful.

As for 2025, so far, we have not received many mediation requests, however we expect to receive more requests as summer approaches when case filings typically increase.

GRIEVANCE COMMITTEE

Imagine a perfect world, nice, isn't it? Now a perfect ethics complaint; what does that look like to you? To Sam, the perfect complaint is timely filed, specific actions related to the Code of Ethics identified, it includes supplemental evidence that also directly relates to the allegations, and the complaint is filed by the person who has first-hand knowledge of the dispute. How often can you recall a complaint having all the applicable components that make it very clear that the case needs to be heard by the

Professional Standards Committee? Probably not very often. Who the complainant is, their role, or lack thereof, in the complaint is not the primary focus of the complaint because anyone can file a complaint.

The Code of Ethics and Arbitration Manuals reads:

Any person, whether a member or not, having reason to believe that a member is guilty of any conduct subject to disciplinary action, may file a complaint in writing in their own name with the Professional Standards Administrator, dated and signed by complainant, stating the facts on which it is based (Form #E-1, Complaint, Part Six), provided that the complaint is filed within one hundred eighty (180) days after the alleged offense and facts relating to it could have been known by the complainant in the exercise of reasonable diligence or within one hundred eighty (180) days after the conclusion of the transaction or event, whichever is later. (Revised 11/22)

Along with any person being able to file a complaint, another factor to be reminded of is that the complainant does not have to provide *proof* at this stage in the process. As the Grievance Committee, you are taking the allegations as *true* on their face and determining whether the allegation supports a potential violation. The burden of proving clear, strong and convincingly that the Code of Ethics does not occur until the case is heard by the Professional Standards Committee [hearing panel].

OMBUDSMAN TIPS

How many times have you been frustrated, feeling as though at your wit's end and in need of someone to listen and validate that you are not crazy? Many times, an Ombudsman request is just that, a caller who wants eagerly to be heard.

Here are some tips on listening without escalating an angry caller:

- 1. Pay attention.** Listening is not just waiting for your turn to speak. It is being actively involved and absorbing both the obvious and the subtle information being offered.
- 2: Do not interrupt or derail the caller.** Some people, out of showing interest, will interrupt and derail the caller's train of thought. Hold your questions and comments until the caller is finished speaking.
- 3. Gracefully dealing with a rambler.** If you have lost the thread of a story entirely, then it is permissible to interrupt with something like, "Let me see if I understand what you're saying. Your REALTOR® wouldn't present your offer because it was too low?" For politeness' sake, whenever you might interrupt it should be for the purpose of clarification only and then allow the caller to continue their story.
- 4. Reflect back what you heard.** Do not defend. Do not attack. Neutralize the caller's negative statement and adjust their attitude. If a caller feels attacked in any way, they will either defend themselves or fall into the idea that REALTORS® protect their own and you have now unleashed the possibility of an angry caller and/or a possible complaint.

Ombudsmen are fair, credible, and most importantly impartial. Being a good listener will help maintain the Ombudsman's credibility.