

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® (Arizona REALTORS®), which is a private trade association. Arizona REALTORS® 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, Arizona REALTORS®, NAR and is available online at:
 - <http://www.nar.realtor>
5. Adaptations to the CEAM specific to AAR can be found online at:
 - <http://www.aaronline.com/about-us/governing-documents/>

LICENSING COMPLAINTS OR MONETARY CLAIMS

6. The Arizona REALTORS® 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>
- Ethics Hearing Panels cannot award money or other damages. If you are seeking money or other relief, consider the Arizona REALTORS® Mediation program.
- 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 delay 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. Identify REALTOR® counsel or attorney, if applicable.

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 the Arizona REALTORS® in processing your ethics complaint.

Date/Time _____

TO THE GRIEVANCE COMMITTEE OF THE ARIZONA 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.

10.

NOTE: The Arizona REALTORS® will send all correspondence relating to this complaint to the email address above unless otherwise notified. You must notify the Arizona REALTORS® 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 Arizona REALTOR®

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. The Arizona REALTORS® 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