

Southeast Arizona Association of REALTORS® , Inc.
Southeast Arizona Multiple Listing Service, Inc.
POLICY STATEMENTS
Approved January 27, 2016

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Section 1 – Governance

Policy #1-1 Policy Purpose and Formulation

Policy statements are for the purpose of developing guidelines and standards for internal Association/MLS operations. Policy statements are on-going and are reaffirmed by the Board of Directors each year. Policy recommendations may be made by staff, committee chairpersons, or members of the Board of Directors.

Any new policies must be approved by the Board of Directors sitting at the time of the recommendation of the new policy.

Policy #1-2 Conflict of Interest – Officers, BOD Members, Committees & Task Forces

Members of the Southeast Arizona Association of Realtors®, Inc. (SAAR) and the Southeast Arizona Multiple Listing Service, Inc. (SAMLs) decision making bodies, including, but not limited to, the Executive Committee, Finance Committee, Board of Directors, Task Force' and Committees (hereinafter Committee/Director Members) should not use their position with the Association/MLS to further their private interests. Committee/Director Members should avoid placing themselves in situations where their personal interests may conflict with the interests of the Association/MLS and should at all times avoid the appearance of conflict of interest. Association/MLS duties should be performed in good faith and for the benefit of the Association/MLS.

Committee/Director Members will be considered to have a conflict of interest if the interest would constitute a conflicting interest pursuant to the Arizona Non-profit Corporation Act when:

- (1) the issue involves a business providing products or services to SAAR/SAMLs in which the Committee/Director Member or a related person is a principal, partner or corporate officer, director, agent or employee.
- (2) the issue is one in which the Committee/Director Member or a related person has a beneficial interest involving money, employment, investments, credit or contractual rights or is so closely linked to a transaction of such financial significance to the Committee/Director or a related person that the interest would reasonably be expected to exert an influence on the Committee/Director's judgment if called on to vote on the transaction.

“Related person” shall have the same meaning as defined in the Arizona Non-profit Corporation Act.

Committee/Director Members with a conflict of interest must immediately disclose the existence and the nature of the conflict at the outset of any discussions by a decision making body pertaining to the issue as well as all facts reasonably material to a judgment about an issue. Such Committee/Director Members may not participate in the discussion relating to that issue other than to respond to questions asked of them by other Committee/Directors Members of the body. Committee/Director Members with a conflict of interest may not vote on any issue in which they have a conflict of interest, and should not be present when the vote on the issue is taken.

If a Committee/Director Member knowingly makes decisions or participates in discussions about and/or votes upon any matter where an actual or perceived conflict of interest exists, then such Committee/Director Member shall be deemed to be in violation of Membership duties and shall be

referred to the Professional Standards Committee for review in conformity with the appropriate procedures for dealing with such complaints.

ANNUAL STATEMENTS: Each Officer/Director shall annually sign a statement which affirms such person:

- a. Has received a copy of the conflict of interest policy
- b. Has read and understands the policy
- c. Has agreed to comply with the policy, and
- d. Understands the Association is non-profit and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

Policy #1-3 Officers Job Descriptions & Responsibilities

SAAR PRESIDENT: The SAAR President shall be first in command in Association operations and the Executive Officer shall report to the President subject to the direction of the SAAR Board of Directors concerning the management of the day-to-day operations of the Association. The President shall regularly report to the SAAR Board of Directors on all matters relevant and significant to the operations of the Association.

The SAAR President shall specifically be responsible to perform the following tasks:

1. Is the official representation of and spokesperson for the Association in all matters, public or otherwise, unless instructed to the contrary by the SAAR Board of Directors;
2. Shall be the chairperson of SAAR general membership meetings including, but not limited to, SAAR Board of Directors meetings and work sessions, Executive Committee meetings, and other special membership meetings;
3. Task of appointing SAAR committees and SAAR task forces to carry on the activities of the Association;
4. Is a member of all SAAR committees and attends those meetings whenever possible;
5. Reviews the purpose of each SAAR committee, gives directives when necessary and provides regular opportunities for committee reports to the SAAR Board of Directors;
6. Serves as Quota Director at NAR and AAR Board of Director's meetings;
7. Represents the Association in community activities, NAR and AAR;
8. Works in concert with the Executive Officer and the SAAR Board of Directors in the development of policies and procedures;
9. Works in cooperation with the leadership team to analyze Association problems, eliminate outdated Association practices and to keep the Association free of policies and programs that have no place in a trade association;
10. Attends NAR's REALTOR® Conference, AAR's Winter Conference, AAR's Leadership Conference, and any other conference meeting deemed necessary and/or subject to budget and SAAR Board of Directors approval;
11. Responsible for encouraging Association member participation and involvement;
12. Coordinate and attend annual Board of Directors Orientation session prior to the beginning of the new fiscal year;
13. Shall work closely with the SAAR President – Elect to assure the smooth transition from one year to the next; and
14. Further responsibilities and authority are covered in the SAAR bylaws.

SAMLS PRESIDENT: The SAMLS President shall be first in command subject to the direction of the SAMLS Board of Directors concerning the management of the day-to-day operations of the SAMLS. The President shall regularly report to the SAMLS Board of Directors on all matters relevant and significant to the operations of the SAMLS.

The SAMLS President shall specifically be responsible to perform the following tasks:

1. Is the official representation of and spokesperson for the Association in all matters, public or otherwise, unless instructed to the contrary by the SAMLS Board of Directors;
2. Shall be the chairperson of SAMLS general membership meetings including, but not limited to, SAMLS Board of Directors meetings and work sessions, Executive Committee meetings, and other special membership meetings;
3. Task of appointing SAMLS committees and SAMLS task forces to carry on the activities of the Association;
4. Is a member of all SAMLS committees and attends those meetings whenever possible;
5. Reviews the purpose of each SAAR committee, gives directives when necessary and provides regular opportunities for committee reports to the SAMLS Board of Directors;
6. Shall evaluate as deemed necessary, any governing documents or MLS forms;
7. Identify new MLS System data input fields;
8. Monitor data's integrity in the MLS System;
9. Conducts any necessary inquires directly with MLS System programmers to obtain clarifications;
10. Review all written alleged violations, participate and vote in standards hearings;
11. Represents the SAMLS in community activities, NAR and AAR;
12. Works in concert with the Executive Officer and the SAMLS Board of Directors in the development of policies and procedures;
13. Works in cooperation with the leadership team to analyze Association problems, eliminate outdated SAMLS practices and to keep the SAMLS free of policies and programs that have no place in a trade association;
14. Attends NAR's REALTOR® Conference, AAR's Winter Conference, AAR's Leadership Conference, and any other conference meeting deemed necessary and/or subject to budget and SAMLS Board of Directors approval;
15. Responsible for encouraging SAMLS member participation and involvement;
16. Assist and attend annual Board of Directors Orientation session prior to the beginning of the new fiscal year;
17. Shall work closely with the SAMLS President – Elect to assure the smooth transition from one year to the next; and
18. Further responsibilities and authority are covered in the SAMLS bylaws.

SAAR PRESIDENT-ELECT: shall be specifically responsible to perform the following tasks:

1. Succeed to the Presidency at the expiration of the current President's term;
2. Shall assume the responsibilities of and act as the President of SAAR in the President's absence;
3. Shall be an active member (which could include being the chair) of committees including, but not limited to, New Member Orientation Program, Affiliate Appreciation Luncheon, other special Membership Services and meetings;
4. Shall perform such other duties as are requested by the SAAR President or the SAAR Board of Directors; In the event the President is no longer willing or is unable to serve as President for any reason, the SAAR President-Elect shall automatically succeed to the office of President to complete the unexpired term of the current SAAR President and shall then serve as SAAR President for an additional full term;
5. Must be able to represent the Association in the same capacity as the SAAR President, and therefore must work very closely with the President;
6. Routinely attend, and participate in the Executive Committee meetings and Finance Committee meetings, any other SAAR standing committees programs, special events and other activities;
7. Is an ex-officio member of all SAAR committees and attends these meetings whenever possible;
8. Attends NAR's REALTOR® Conference, AAR's Winter Conference, AAR's Leadership Conference, and any other conference meeting deemed necessary and/or subject to budget and SAAR Board of Directors approval;
9. Prepare to continue the work begun by the current year's President and be ready to begin new programs of his/her own; and
10. Shall attend the annual Board of Directors Orientation session prior to the beginning of the new fiscal year.

SAMLS PRESIDENT-ELECT: shall be specifically responsible to perform the following tasks:

1. Succeed to the Presidency at the expiration of the current President's term;
2. Shall assume the responsibilities of and act as the President of SAMLS in the President's absence;
3. Shall be an active member (which could include being the chair) of committees including, but not limited to, New Member Orientation Program, Affiliate Appreciation Luncheon, other special Membership Services and meetings;
4. Shall perform such other duties as are requested by the SAMLS President or the SAMLS Board of Directors; In the event the President is no longer willing or is unable to serve as President for any reason, the SAMLS President-Elect shall automatically succeed to the office of President to complete the unexpired term of the current SAMLS President and shall then serve as SAMLS President for an additional full term;
5. Must be able to represent the Association in the same capacity as the SAMLS President, and therefore must work very closely with the President;
6. Preside over weekly MLS meetings;
7. Preside over the MLS Standards Committee;
8. Routinely attend, and participate in the Executive Committee meetings and Finance Committee meetings, any other SAMLS standing committees programs, special events and other activities;

9. Is an ex-officio member of all SAMLs committees and attends the meetings whenever possible;
10. Attends NAR's REALTOR® Conference, AAR's Winter Conference, AAR's Leadership Conference, and any other conference meeting deemed necessary and/or subject to budget and SAMLs Board of Directors approval;
11. Prepare to continue the work begun by the current year's President and be ready to begin new programs of his/her own; and
12. Shall attend the annual Board of Directors Orientation session prior to the beginning of the new fiscal year.

TREASURER: The Treasurer shall be third in command in the absence of the President and the President-Elect of either SAAR or SAMLs. The Treasurer shall perform such other duties as are requested by the Presidents or the Board of Directors.

The Treasurer shall specifically be responsible to perform the following tasks:

1. Chairperson of the Finance Committee;
2. Present a comprehensive financial report at each regular meetings of the Boards of Directors.
3. Review and monitor all accounts.
4. Be familiar with check signatory authorizations and periodically monitoring for compliance;
5. Shall present a budget to the general membership at the annual General Membership meeting;
6. Be familiar with any corporation credit cards and ensuring that adequate safeguards and controls are in place to control the use and accountability thereof;
7. Report to and act as liaison between the Executive Officer, the Finance Committee and the Boards of Directors to ensure all parties are informed on important financial issues relevant to the management of the Corporations.
8. Review relevant insurance policies to ascertain the appropriateness of the coverage and the cost effectiveness thereof;
9. Review the quality effectiveness and cost of the corporations auditors;
10. Confirm that adequate records of the current dues status of all Members by category of Membership are being maintained ensuring accurate billing of Members;
11. Report all relevant and significant findings regularly to the Boards of Directors. The Treasurer shall coordinate with the Executive Officer in charge of finance and shall be entitled to have assistance in providing information, records and reports to assist the Treasurer in accomplishing the above duties. Treasurer reviews the bank reconciliations with the Executive Officer and makes monthly Treasurer Reports to the Boards of Directors. Works very closely with the Executive Officer and the official CPA, and
12. Shall attend the annual Board of Directors Orientation session prior to the beginning of the new fiscal year.

SAAR IMMEDIATE PAST PRESIDENT: The Immediate Past Present shall serve as a voting member at all regularly scheduled and special meetings of the SAAR Board of Directors and shall be a member of the Executive Committee.

The SAAR Immediate Past President shall specifically be responsible to perform the following tasks:

1. Shall chair the Committees for REALTOR® of the Year, Rookie REALTOR® of the Year and Affiliate of the Year;
2. Shall chair the Nominating Committee;
3. Shall be a mentor to current and upcoming leadership;
4. Shall participate in Strategic/Business planning; and
5. Shall attend the annual Board of Directors Orientation session prior to the beginning of the new fiscal year.

AFFILIATE DIRECTOR: The Affiliate Director will serve as the liaison between the Boards of Directors and the Affiliates.

The Affiliate Director shall specifically be responsible to perform the following tasks:

1. Maintain communication with the active Affiliates;
2. Pursue additional leads and to encourage Affiliate Membership;
3. Procure sponsors for weekly MLS meetings, education classes, and other events throughout the year;
4. Report concerns of the Affiliate Membership;
5. Attend all regularly scheduled and special meetings of the Boards of Directors;
6. Will support and promote programs, activities, positions and policies of the Corporations; and
7. Shall attend the annual Board of Directors Orientation session prior to the beginning of the new fiscal year.

DIRECTORS: The Directors of either Board shall be responsible to:

1. Act in good faith concerning the affairs of the Boards;
2. Act with the care that a reasonably prudent person in a like position would exercise under similar circumstances;
3. Become and remain informed about information relevant to the Boards business;
4. Regularly attend and be prepared for Board of Directors meetings by thoroughly reviewing pertinent information provided to Board Members including the financial reports;
5. Obtain such advice and guidance from staff and other professionals as necessary, but exercise independent judgment when voting on matters affecting the Board;
6. Keep sensitive Board business confidential;
7. Avoid even the appearance of a conflict of interest;
8. Review the Strategic and Business Plan assuring any desired modifications thereto are deemed appropriate and any actions are consistent with the plans;
9. Approve an annual budget for the Boards;
10. Act in a manner the Director reasonably believes to be in the best interest of the Corporations;
11. Shall attend the annual Board of Directors Orientation session prior to the beginning of the new fiscal year.

Policy #1-4 Board of Directors & Committee Meetings

- A. There will be no smoking including e-cigarettes or vapor cigarettes in the SOUTHEAST ARIZONA ASSOCIATION OF REALTORS®, INC. or SOUTHEAST ARIZONA MULTIPLE LISTING SERVICE, INC. building.
- B. Board of Directors meetings are "open meetings" and all members are encouraged to attend and participate. A call to the general membership will be included in the agenda. The regularly scheduled monthly Board of Directors meetings are held at a time to be announced at the SOUTHEAST ARIZONA ASSOCIATION OF REALTORS®, INC./SOUTHEAST ARIZONA MULTIPLE LISTING SERVICE, INC. Conference Room unless announced otherwise. Meetings of the Board of Directors, other than the regularly scheduled monthly meetings, shall be noticed to the Designated Brokers and Branch Managers in accordance with the Bylaws. The Association Executive Officer, or in his/her absence an officer, shall be responsible for the taking of the minutes in a manner deemed appropriate by the Board of Directors.
- C. Anyone, other than members, wishing to appear before the Board of Directors shall notify the Association Executive Officer requesting to be included on the agenda of the regularly scheduled meeting.
- D. With the exception of an Executive Session of the Board of Directors, Executive Committee and Finance Committee, all SOUTHEAST ARIZONA ASSOCIATION OF REALTORS®, INC., and SOUTHEAST ARIZONA MULTIPLE LISTING SERVICE, INC. standing committee meetings shall be open to any and all members of the Association/MLS who wish to attend.
- E. All committee chairpersons shall provide copies of minutes, reports, and/or substantive communications to the Association Executive Officer at least one (1) week prior to the regularly scheduled monthly meeting of the Board of Directors if any action has been taken that requires Board of Director approval.

Policy #1-5 Policies, Programs and Services

- A. The Board of Directors shall establish the scope of the Association (including both SAAR and SAMLS) policies, programs and services. The Association Executive Officer is responsible to carry out the policies, programs and services established by the Board of Directors.
- B. No member shall be provided with services beyond the scope of services provided to all members. Any request by a member for services outside the scope of an employee's authorization must be forwarded to the Association Executive Officer. This request must contain information on the unique circumstances of the situation which prompted the member to request the extraordinary measures be considered for their benefit. The Association Executive Officer may then determine if an exception should be made, with input from the appropriate Association officer, or if the request should be brought to the attention of the Board of Directors for resolution.

Policy #1-6 Rights and privileges of members (referenced in the Article VI Bylaws)

- A. In accordance with Article VI of the SAAR Bylaws, sections 7, 8, 9, 10, 11 Institute Affiliate Members, Affiliate Members, Public Service Members, Honorary Members and Student Members may attend as non-voting guests all meetings and other events open to the general membership. Affiliate members are allowed to vote for the Affiliate Director.
- B. Life Realtor® members as described in Article VI section 12 of the SAAR Bylaws have all rights and privileges of Realtor members of SAAR.

Section 2 – Finances

Policy #2-1 Fiscal Periods (from the bylaws)

- A. The fiscal year for the Southeast Arizona Association of REALTORS® Inc. shall be the calendar year.
- B. The fiscal year for the Southeast Arizona Multiple Listing Service Inc. shall be July 1 to June 30 of the following year.

Policy #2-2 Accounting Reports

The Association Executive Officer under the guidance and review of the Treasurer shall on a regular basis provide financial reports to the Executive Committee, Finance Committee and the Board of Directors. The reports are provided for each corporation.

- A. Monthly Reports
 - For the Board of Directors: Balance Sheet (12 month), YTD Profit & Loss, YTD Profit & Loss vs Budget
 - For the Finance Committee: Additional – Trial Balance (12 month)
- B. Quarterly Reports
 - For the Finance Committee: quarterly check journal detail; quarterly deposits journal detail; trial balance; year to date profit and loss; balance sheet; credit card statements; bank statement reconciliations
- C. Fiscal Year-end Reports (after adjusting entries)
 - For the Board of Directors: Balance Sheet, Profit & Loss, Budget vs Actual
 - For the Finance Committee: Adjusting & reversing journal entries
- D. Tax Returns
 - For the Finance Committee: For review prior to submission.

Policy #2-3 Bank Accounts & Signatures, Petty Cash, Funds Allocation, Investments

- A. The corporations shall maintain bank accounts per the instructions from the Board of Directors of each corporation. Signatories on all bank accounts shall be the Association Executive Officer, Treasurer and the President of the respective corporation
- B. A petty cash fund is authorized in the amount of fifty dollars (\$50.00). Staff is authorized to reimburse minor expenses from this fund, provided each disbursement shall be documented by a receipt and a petty cash disbursement form.

- C. Any activity/event conducted by, or in the name of the SOUTHEAST ARIZONA ASSOCIATION OF REALTORS®, INC., and the SOUTHEAST ARIZONA MULTIPLE LISTING SERVICE, INC. which includes income-generating entities will be treated as follows:
- a. Income received will first be applied toward the offset of activity expenses.
 - b. Any funds over and above the expenses will be deposited in the SOUTHEAST ARIZONA ASSOCIATION OF REALTORS®, INC. or the SOUTHEAST ARIZONA MULTIPLE LISTING SERVICE, INC. Reserve Funds at the direction of the Board of Directors.

Policy #2-4 Budget

A current budget will be presented at the Annual General Membership Meeting. A copy of a financial report or budget report shall be provided to any member or Designated REALTOR® within three (3) days upon receiving a request.

- A. The Association Executive Officer or Treasurer shall notify the Board of Directors of the appropriate corporation of all expenditures in excess of the total amount of any budget line item. Once an expense budget line amount has been exceeded, all further expenditures for that item shall be approved in advance by the Board of Directors of the appropriate corporation. (Amended 3/2015)
- B. The Board of Directors shall not incur an obligation in excess of \$500.00 per non-budgeted item per annum without authorization by a majority vote of the entire Board of Directors. (Amended 3/2015)

Policy #2-5 Members access to Financial Reports

A copy of a financial report or budget report shall be provided to any member or Designated REALTOR® within three (3) days upon receiving a request.

Policy #2-6 Reserve Funding (Amended 3/2015)

- A. Reserves for each corporation shall be maintained according to the Bylaws of the appropriate corporation. The Treasurer shall report to the Board of Directors no less than once a year the balance of any reserves as well as all additions and subtractions from the reserve accounts. No less than once per year the Board of Directors of each corporation shall per policy #2-6 B & C below indicate the amount of money to be added to each reserve fund.
- B. Net proceeds from all unbudgeted income as of the end of the fiscal year (unbudgeted income less unbudgeted expenses) of each corporation shall be distributed to the funds as follows:
 - a. 80% deposited to the Reserve Fund of the appropriate corporation.
 - b. 20% allocated to the Capital Purchase, Replacement and Repair Fund of the appropriate corporation.

- C. All monies received in excess of expenses (included are principal payments on loans) at the end of the fiscal year for each corporation shall be distributed to the funds as follows:
 - i. 80% deposited to the Reserve Fund account of the appropriate corporation.
 - ii. 20% allocated to the Capital Purchase, Replacement and Repair Fund of the appropriate corporation.
- D. Expenditures from each Fund must be authorized by a majority vote of the Board of Directors and shall be reported to the General Membership at that time. All expenditures from this account shall be reported in detail to the General Membership no less than once per year.
- E. All operating funds not immediately required and all reserve funds shall be invested in interest bearing accounts through federally insured institutions or SIPC (Securities Investors Protection Corp.) having an office in Sierra Vista and which offers the highest yield fitting SAAR's OR SAMLS investment requirements. Primary investment oversight shall be the responsibility of the Association Executive Officer and Board of Directors.

Policy #2-7 Association Credit Cards

Association Corporate Credit Cards shall be maintained by the Association Executive Officer for approved expenditures such as, but not limited to, travel expenses and office supplies. All receipts shall be kept on file for auditing purposes. The bill shall be paid in full at the end of each statement period. A copy of all credit card statements shall be included in the quarterly financial review. The holder of credit cards will not sign checks for payments of same.

Policy #2-8 Billing & Payment Procedures

All financial obligations are due and payable by the invoice due date. ***If not paid within five (5) days after the due date a late fee of \$50.00 will be imposed.*** Accounts with unpaid balances longer than 30 days will have member services suspended (i.e. MLS, SUPRA) for not less than thirty (30) days nor more than one (1) year. Notice will be provided to member and appropriate Broker.

In the event a check presented in payment for any account receivable is returned from the Bank because of insufficient funds the Association Executive Officer at his/her discretion may request that future payments be made only by certified funds or in cash. The fee for each returned check will be in the amount of \$50.00.

Policy #2-9 Dues

- A. Membership and user dues are payable in full on either the first day of January or the first day of July per the policy of the Southeast Arizona Association of REALTORS[®], Inc. and the Southeast Arizona Multiple Listing Service, Inc. SAAR members who have not paid their dues are assessed a late fee of \$50.00 plus \$10.00 per day starting on the sixth day of the month until the obligation is paid in full (no partial payments will be accepted). SAAR members who have not paid dues and all late fees by February 28 shall be considered as having resigned as a REALTOR[®] and shall lose all rights associated with being a REALTOR[®].

On the sixth day of the month SAMLS users who have not paid their dues shall have their access to the MLS turned off, and their Supra Key disabled. A reinstatement fee of \$50 must be paid in full to have MLS access restored and the Supra Key reactivated.

Members with unpaid dues, late fees, or reinstatement fees are no longer considered members in good standing of the Association and/or the Multiple Listing Service.

- B. The portion of annual or quarterly dues earmarked for use by the SOUTHEAST ARIZONA ASSOCIATION OF REALTORS®, INC., or the SOUTHEAST ARIZONA MULTIPLE LISTING SERVICE, INC. shall be automatically refunded on a prorated basis from the first day of the month to the nearest of kin or to the estate of the deceased member following the death of a REALTOR® member.
- C. No refund of dues paid shall be made for any other reason than that stated in Policy 2-9A above.
- D. Dues of the SAAR/SAMLS shall be prorated monthly, for those joining after the fiscal year has started.
- E. SAAR/SAMLS will honor the efforts of our REALTOR® members serving in the National Guard as reservists who are called into active duty and their spouses by waiving their Local Association dues and quarterly MLS fee for the duration of their active service.

Policy #2-10 Travel & Reimbursement

- A. All requests for travel must be submitted on a travel voucher.
- B. All requests for advance travel expenses must be submitted on a travel voucher to the Association Executive Officer for processing. All receipts and excess funds are to be turned in within ten (10) days following the event.
- C. All claims for travel reimbursement from individuals authorized to receive reimbursement shall be submitted to the Association Executive Officer for processing within ten (10) days from the time travel is completed.
- D. All non-budgeted reimbursable travel expenses must be approved by the Board of Directors. Upon approval, air transportation shall be reimbursed on the basis of lowest coach air fare available. Ground transportation shall be reimbursed by round trip mileage at the current amount allowed by IRS.
- E. Authorized travel expenses for transportation, food, and lodging shall be in amount budgeted or approved by the Board of Directors. Additionally, registration fees shall be paid by the Association/MLS as per the budget or approval of the Board of Directors.
- F. Authorized expense reimbursement for travel out of state shall be for actual expenses incurred, including food, lodging, air and ground transportation, registration fees.

- G. The Association President and MLS President are authorized to attend all AAR meetings and NAR meetings he/she deems to be in the best interest of the SOUTHEAST ARIZONA ASSOCIATION OF REALTORS®, INC. and the Southeast Arizona Multiple Listing Service, Inc.
- H. All approved required travel expenses of the Association Executive Officer in the course and scope of SAAR/SAMLS business shall be paid by the appropriate Corporation. Travel expenses for the Association Executive Officer shall be reviewed by the Treasurer.

Policy #2-11 Finance Committee

The Executive Committee and the Association Executive Officer shall be standing members of the Finance Committee. The Finance Committee shall be chaired by the Treasurer. The Treasurer shall be allowed to add up to two other Directors or SAAR members in good standing to the Finance Committee to serve during the Treasurer's term.

Section 3 – Employees & Staff

Policy #3-1 Employee Conflict of Interest

No active real estate licensee, his/her spouse, children, parent, or relative by marriage shall be employed by the SOUTHEAST ARIZONA ASSOCIATION OF REALTORS®, INC. or SOUTHEAST ARIZONA MULTIPLE LISTING SERVICE, INC.

- A. The Association Executive Officer and staff should not use their position with the Association/MLS to further their private interests. They should avoid placing themselves in situations where their personal interests may conflict with the interests of the Association/MLS and should at all times avoid the appearance of conflict of interest. Association/MLS duties should be performed in good faith and for the benefit of the Association/MLS.

The Association Executive Officer and staff will be considered to have a conflict of interest if the interest would constitute a conflicting interest pursuant to the Arizona Non-profit Corporation Act when:

- (1) the issue involves a business providing products or services to SAAR/SAMLS in which the Committee/Director Member or a related person is a principal, partner or corporate officer, director, agent or employee; and/or
- (2) the issue is one in which the Association Executive Officer and staff or a related person has a beneficial interest involving money, employment, investments, credit or contractual rights or is so closely linked to a transaction of such financial significance to the Association Executive Officer and staff or a related person that the interest would reasonably be expected to exert an influence on the Committee/Director's judgment if called on to vote on the transaction.

"Related person" shall have the same meaning as defined in the Arizona Non-profit Corporation Act.

The Association Executive Officer and staff with a conflict of interest must immediately disclose the existence and the nature of the conflict at the outset of any discussions by a decision making body pertaining to the issue as well as all facts reasonably material to a judgment about an issue. Such The Association Executive Officer and staff may not participate in the discussion relating to that issue other than to respond to questions asked of them by other members of the body.

Policy #3-2 Employment at Will

Unless otherwise stated in a written employment contract, all employees are "at will" employees during the entire duration of their employment with the Association/MLS, including the probationary period of employment. Thus, employees can be terminated with or without cause at any time for any reason and with or without prior notice, at the sole discretion of the Association Executive Officer, President and/or Executive Committee. No Association/MLS employment procedures or policies, whether written or oral, create an implied or explicit employment agreement and in no way alters the employment "at will" relationship. The Association/MLS reserves the right to modify and implement its personnel policies as it sees fit in its sole discretion in the best interest of the organization. When appropriate, terminations may be reviewed with legal counsel prior to a discharge taking place.

Policy #3-3 Supervision – reporting structure

Reporting Structure - The Association Executive Officer is directly accountable to the Executive Committee of the Board of Directors of the Association and reports to the Association President and MLS President in their capacity as co-chair of the Executive Committee.

All other employees are supervised by the Association Executive Officer. The Association Executive Officer shall be responsible for is responsible for employment functions including, but not limited to, staff supervision, hiring, terminations, work assignments, and setting priorities of any and all Association/MLS staff. The Association Executive Officer is responsible for the day to day operation of the Southeast Arizona Association of REALTORS®, Inc. and the Southeast Arizona Multiple Listing Service, Inc. All employees shall report directly to and be accountable to the Association Executive Officer in matters concerning duties, office policies and procedures. In the short-term absence of Association Executive Officer the President, or the Executive Committee in the absence of both, is the supervisor of all staff. In the long-term absence of Association Executive Officer the President, or the Executive Committee in the absence of both, is responsible for employment functions including, but not limited to, staff supervision, hiring, terminations, work assignments, and setting priorities.

Policy #3-4 Probationary period

The first ninety (90) days of employment constitute the probationary, trial period of employment for all Association/MLS staff. Both during and after the probationary period, employment remains "at will" and may be terminated at any time for any reason as provided for in Employee/Office Policy J, contained herein. During the probationary period of employment, performance, attendance, attitude, competency and job skills will be closely assessed. A performance review will be conducted following the sixty (60) day probationary period of employment. Employees who fail to meet expectations or who are below standard, as determined by the Association Executive Officer in

his/her sole discretion, may be terminated during or following the probationary period or probationary performance review.

Policy #3-5 Annual Performance Review (current policy #5Q)

- A. Performance reviews of all employees shall be conducted on a yearly basis by a supervisor or the Association Executive Officer. Employees will have the opportunity to comment and provide feedback to the performance review given. Written performance appraisals will be placed on file. During the first year of employment, a review shall be conducted at the end of the ninety (90) day probationary period of employment and again after six (6) months. The Association Executive Officer at his/her sole discretion may conduct a performance review without notice to any employee.
- B. A performance review of the Association Executive Officer will be conducted as provided in his/her employment contract and may otherwise be requested or determined at the discretion of the President(s), Executive Committee or Board of Directors. Unless otherwise specified in the Association Executive Officer's contract, the Annual performance review shall be in writing. The written performance review shall be done by members of the Executive Committee individually. The Executive Committee shall determine if the aggregate results of the written performance reviews or the individual performance reviews shall be given to the Association Executive Officer. The results of the performance review shall be presented to the Association Executive Officer, in person by the President, no more than 10 business days after the written reviews by members of the Executive Committee have been presented to the President. The Association Executive Officer will be given the opportunity to comment and provide feedback to either the President or the Executive Committee as a whole.

The Association President or MLS President may request an additional review of any Association/MLS employee, including the Association Executive Officer, at any time, as deemed necessary and appropriate at his/her sole discretion. The Executive Committee is responsible for implementing this performance review specifically requested by the President; the results of the performance review will be presented to the Board of Directors. A copy of the review shall be maintained in the employee's file with an additional copy being maintained by the President. At the end of his/her current term, the President shall turn over any and all reviews to the incoming President.

- C. Confidentiality of Reviews: The Executive Committee can ask to see performance reviews of all employees. Performance reviews are considered confidential personnel documents and are not to be provided by the President, members of the Executive Committee or the Association Executive Officer to any other persons.

Policy #3-6 Disciplinary actions

Association/MLS employees will be informed of violations of performance expectations and standards of conduct through a uniform and progressive disciplinary process. In accordance with NAR guidelines, employees will be provided the opportunity to correct performance and conduct through progressive disciplinary action, which may include:

1. Verbal Warning
2. Written Warning
3. Probation
4. Suspension
5. Discharge

As determined necessary and appropriate by the Association Executive Officer, depending upon the severity of the incident, performance infraction or misconduct. As provided in Policy#3-2, this progressive disciplinary process is not intended to, nor does it, alter the “at will” nature of employment with the Association/MLS.

Policy #3-7 Employment

A. **Pay periods:** All employees shall be paid on the 15th and the last day of the month. Should the 15th and/or last day fall on a weekend or holiday, wages will be paid the preceding day.

B. **Vacation:** Vacations are scheduled around the priorities of the Association/MLS. The Association Executive Officer is responsible for approving and scheduling staff vacations. Staff receives one (1) week of vacation after six (6) months of employment and an additional (1) week for a total of two (2) weeks of vacation after one (1) year of employment and thereafter a total of two (2) weeks per year. Accrual of vacation days begins upon each employee’s hire date and is governed by the anniversary date with the Association/MLS, and is not governed by the calendar year. Additional vacation time is granted to employees at the discretion of the Association Executive Officer. Accrued vacation that is not used within the anniversary year will be lost and not carried over to the following anniversary year. The Association Executive Officer is eligible for vacation as provided in his/her employment contract.

C. **Personal Days:** Beginning after the probationary period, sick leave accrues **at one-half (1/2) day per month of employment (amended 5/30/2013)** with the Association/MLS, not to exceed thirty (30) days of accrued personal days. Employees will not receive compensation in lieu of unused personal days during employment or upon separation of employment. An employee who is absent and has exhausted his/her personal leave during the requisite period or has no accrued personal days, is absent without pay. As much advance notice as possible under the circumstances shall be given to the employee’s supervisor or the Association Executive Officer when an absence occurs. The Association Executive Officer is eligible for personal days as provided in his/her employment contract.

1. **Bereavement Leave:** A minimum of three (3) business days off with pay will be provided to employees upon the death of a family member. Any addition paid time needed must be taken from accrued vacation or personal time and approved by the Association Executive Officer. Any additional unpaid time must also be approved by the Association Executive Officer. For purposes of this bereavement leave policy only, “family member” only includes spouses, significant others, children, grandchildren, siblings, parents and grandparents. Bereavement time requested for

any other family member may be granted at the discretion of the Association Executive Officer. Additional time off may be requested through a leave of absence pursuant to Employee/Office Policy# 3-7C. The Association Executive Officer is eligible for bereavement leave as provided in his/her employment contract.

2. **Leave of Absence:** Due to illness, death in the family, or personal reasons, a leave of absence may be requested. Decisions as to duration of the leave, whether the leave is paid or unpaid is solely made at the discretion of the Association Executive Officer and shall be reported to the Board of Directors. As much advance notice as possible under the circumstances shall be given to the supervisor or the Association Executive Officer when a leave of absence is being requested.

D. **Work Schedule:** Employees are normally hired for a 40-hour week (8 hours per day, 5 days per week); however, varying work schedules and part time or temporary employees may be utilized at the discretion of the Association Executive Officer pursuant to work load demands, within budgetary constraints.

E. **Overtime:** Any overtime or leave time must be approved by the Association Executive Officer prior to commencement and within budgetary constraints. Any overtime or leave taken without advance approval and authorization by the Association Executive Officer may result in disciplinary action, up to and including termination of employment.

Policy #3-8 Federal/State Acts

A. **Equal Opportunity:** The Association/MLS is an equal opportunity employer and affirms its belief in the worth and dignity of all its employees regardless of status. All personnel decisions are to be made without regard to race, color, sex, religion, national origin, disability, age and any other status protected by local, state or federal law. The Association Executive Officer is accountable for compliance with this policy.

B. **Anti-Harassment:** It is the policy of the Association/MLS to provide a work environment free of harassment based on race, color, sex, religion, national origin, disability, age and any other status protected by local, state or federal law, either physical or verbal, including sexual harassment. Such acts in any form are strictly prohibited. Prohibited conduct may include comments, jokes, innuendo, advances and physical touching. Such conduct may be cause for termination of employment.

Any member of the association may be reprimanded, placed on probation, suspended or expelled for harassment of an association or MLS employee or Association Officer or Director after an investigation in accordance with the procedures of the association. As used in this Section, harassment means any verbal or physical conduct including threatening or obscene language, unwelcome sexual advances, stalking, actions including strikes, shoves, kicks, or other similar physical contact, or threats to do the same, or any other conduct with the purpose or effect of unreasonably interfering with an individual's work performance by creating a hostile, intimidating or offensive work environment. The decision of the appropriate disciplinary action to be taken shall be made by the investigatory team comprised of the President, and President-elect and/or Treasurer and one member of the Board of Directors selected by the highest ranking officer not

named in the complaint, upon consultation with legal counsel for the association. Disciplinary action may include any sanction authorized in the association's Code of Ethics and Arbitration Manual. If the complaint names the President, President-Elect or Treasurer, they may not participate in the proceedings and shall be replaced by the Immediate Past President or, alternatively, by another member of the Board of Directors selected by the highest ranking officer not named in the complaint.

C. **Whistle Blower:** The Southeast Arizona Association of REALTORS®, Inc. and the Southeast Arizona Multiple Listing Service, Inc. requires Officers, Directors and Employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the Association and Multiple Listing Service, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

No officer, director or employee who in good faith reports a violation of procedures, rules, regulations, dishonesty, etc. shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the Organization prior to seeking resolution outside the organization.

D. **Jury Duty:** Employees should notify the Association Executive Officer at the earliest possible date of being selected for jury-duty in order for job duties to be covered. A leave of absence for jury duty will be granted to any full-time or part-time employee who has been notified to serve. During this leave, full-time employees will be compensated but no more than 10 days per year for jury duty unless approved by the Association Executive Officer. An employee on jury duty is expected to report to work any day he/she is excused from jury duty.

Policy #3-9 Employee Confidentiality

Due to the types of information available to this office, such as listing information, grievance and professional standards information, etc., it is vital that all employees are informed of and agree to adhere to strict confidentiality regarding the information available to them. Violations of this strict confidentiality policy may be cause for termination of employment.

Policy #3-10 Committee Support

An employee should render all possible technical and administrative assistance to the committees and work groups to which he/she is assigned. The employee is involved so as to answer questions, offer suggestions or raise questions, when appropriate, and to conduct research or carry out tasks as assigned by the committee chair and/or Association Executive Officer. An employee is expected to be knowledgeable on SAAR/SAMLS policy, committee scope and the subject under discussion.

Policy #3-11 Members/staff relations

- A. The Association Executive Officer is responsible to and takes his/her instructions from the Board of Directors (as a collective body). All other employees are responsible to and take instruction from the Association Executive Officer.

- B. Interaction between employees and members/volunteers shall be maintained at a professional level characterized by mutual respect, courtesy, effort and cooperation to resolve issues. Under no circumstances should employees or members/volunteers engage in discourteous or unprofessional behavior (i.e., use of profanity, disparagement of another employee or member, use of physical force, etc.).
- C. Any behavior by a member/volunteer, which interferes with or compromises an employee’s job performance or satisfaction, is not acceptable. An employee may, at their sole discretion, terminate any conversation with a member/volunteer that may be considered to be offensive. All such incidents should be reported to the Association Executive Officer or President for appropriate action.
- D. Members/volunteers are not responsible for and may not discipline an employee. Any unprofessional behavior or unacceptable performance by an employee, which is observed by a member/volunteer, should be reported to the Association Executive Officer or President for appropriate action.

Section 4 – Administration & Operation

Policy #4-1 Hours of Operation

Office hours are Monday through Friday 8:00 a.m. - 5:00 p.m. unless amended by the Association Executive Officer pursuant to workload demands. Any permanent change of hour will be upon approval of the Board of Directors.

Policy #4-2 Holidays

The Association and MLS offices shall be closed for business and staff will be paid for the following holidays:

- | | |
|------------------------------------|---------------------------------|
| New Year’s Eve/New Year's Day | Martin Luther King Day |
| President's Day | Memorial Day |
| Independence Day | Labor Day |
| Columbus Day | Veteran's Day |
| Thanksgiving Day and the day after | Christmas Eve and Christmas Day |

Policy #4-3 Computers & Internet, Email

The computer network system allows employees to send electronic messages (e-mail) to one another and to others outside the office via various computer networks. Please practice courtesy and accuracy when sending and receiving any messages, whether on E-mail or in writing. Profanity, any message of an intimidating, hostile, or harassing nature and other inappropriate messages will not be tolerated and may subject the employee to disciplinary action and/or termination. Every effort shall be made to respond within one hour of receipt – even if only to acknowledge thanks for sending the message.

- A. Employees do not have a personal privacy right in any matter created, received, or sent through electronic mail, regardless of whether a personal access code is used. Employees do not have a personal privacy right regarding files and data residing on their assigned computer, disks, or computer system. They may from time to time be reviewed by the Executive Committee/Association Executive Officer at his/her discretion. The email system is Association property and should only be used for Association business.
- B. Employees shall not access the World Wide Web, or similar service, for non-business related purposes in an unreasonable manner. Employees may not use any Internet services to search or download adult or other pornographic materials. Excessive abuse of the electronic mail policy will result in disciplinary action and/or termination.
- C. The software utilized by the Association/MLS is subject to license agreements and may not be copied into computers unauthorized for receipt of the software. Should a home computer require a copy of software used for Association/MLS business that should be communicated to the Association Executive Officer.
- D. Employees may not password protect information on the Association/MLS computer network or individual workstation without the permission of the Association Executive Officer. Employees will submit passwords and file location and names of any files and documents that require password protection to the Association Executive Officer.
- E. A list of all passwords and logon IDs for all Association computers, devices, software (such as Quick Books) or systems such as Flex, shall be maintained by Association Executive Officer in written form in a secured file cabinet. The location of this list shall be provided to the Association President and MLS President.
- F. To prevent computer viruses, any programs installed on any Association/MLS computer must first be approved by the Association Executive Officer. At no time may any employee load personal software into a computer owned by the Association/MLS unless authorized by the Association Executive Officer.

Policy #4-4 Contracts

The President and/or Association Executive Officer with approval of the Board of Directors, shall be the only individuals authorized to enter into contracts or agreements which incur financial or other liabilities to the Association/MLS, other than provided in the Bylaws of both corporations.

Policy #4-5 Legal Counsel

The President and/or the Association Executive Officer shall be the only individuals authorized to contact legal counsel directly. All other individuals and committees desiring the usage of legal counsel shall submit a request to the President or the Association Executive Officer. Usage of the Legal Counsel will be determined by the President or the Association Executive Officer on the merit of each individual request. The Board of Directors shall be notified of any usage of legal counsel.

Policy #4-6 Records Retention

The record maintenance checklist as outlined by AAR in conjunction with local CPA recommended policies and approved by the Association/MLS Legal Counsel, will be used by the SAAR/SAMLS to determine what records need to be retained and the length of time the records should be kept relating to tax information, employee records and other pertinent information by the Association.

Policy #4-7 Business Disaster Recovery Plan

A business disaster recovery plan shall be put in place by the Association Executive Officer and shall be presented to the Executive Committee not less than once a year.

In the event of a catastrophe that directly affects the Association/MLS Membership, staff or physical office the Executive Committee and the Association Executive Officer shall meet to determine the procedures to be followed. A catastrophe is determined by the Executive Committee to include but not limited to a personnel issue, fire, flooding, etc., this would also include terrorist activity.

Policy #4-8 Member Change in Status

Brokerages shall notify the Association/MLS of the change so staff may obtain a copy via the internet from the Arizona Department of Real Estate of the State of Arizona Department of Real Estate Salesman Employment Status Form, concerning the hiring, transfer, and severance of licensees within three (3) days of the effective date of such change.

- A. In the event that listings of a transferring agent from an office to another SAMLS member office are to be transferred, the releasing office shall provide in writing (MLS data change form can be used) documentation signed by the seller(s), broker and agent, allowing the transfer to the new office. The receiving broker shall also provide notice, in writing, that the broker has accepted the listing.
- B. Those listings which remain with the broker when an agent transfers or is severed shall be reassigned by the broker to another agent within the broker's office no more than 2 business days after the listing agent has left employment. The Southeast Arizona Multiple-Listing Service reserves the right to assign to the broker or branch manager those listings that have not been changed after 2 business days.
- C. In the event of severance from an office, the transfer of the member to another member office must be completed with the Association/MLS office within thirty (30) days or the agent will be subject to reapplication for Association/MLS membership and the necessary Application Fee.

Policy #4-9 Member Use of Meeting Rooms at Association Building

Association meeting rooms are available for rent on an hourly or daily basis. SAAR members (REALTORS® who have SAAR as either their primary or secondary association or affiliates that are SAAR affiliates) as a "member benefit" may use a room for real estate related business or meetings at no charge, if space is available. Examples of real estate business are: a brokerage office meeting, training of agents or staff of a member office, marketing of real estate services to perspective clients (such as a seminar) either by an

individual agent or an office (where no fees are charged), interest group meetings such as Under 30 Agents group. Members are expected to agree to any rules & regulations (which include clean-up) as well as paper work requirements that the Association requires for use of the room which may include deposits for damage. Members understand that if there are damage costs or clean-up costs, that they are personally responsible for payment and that the policy statements of the Southeast Arizona Association of REALTORS® regarding nonpayment of fees applies.

The Association reserves the right to refuse use of the property if the event does not meet the requirements of a real estate business related event or may present a potential risk of damage and/or security to the building.

Section 5 – Multiple Listing Service

Policy #5-1 Commissions

The SOUTHEAST ARIZONA ASSOCIATION OF REALTORS®, INC., or the SOUTHEAST ARIZONA MULTIPLE LISTING SERVICE, INC. does not and will not establish or maintain fixed or recommended rates of commission.

Policy #5-2 KeyBox & ActiveKey

The Association shall maintain the "Minimum Security Measures" for the KeyBox system as specified by the National Association of REALTORS®.

A. ActiveKey AND KEY-SAFES: The Association shall maintain a common system of key-safes, for the benefit of the Designated REALTOR® Members and their licensees only. No Key Boxes shall be issued to any other person or entity at any time for any reason, except for the Department of HUD.

Designated REALTOR® Members and their licensees who have membership in the Southeast Arizona Association of REALTORS® or another Association within the state of Arizona may be issued an ActiveKey or KeyBoxes provided they are also a REALTOR® Member of the Southeast Arizona Multiple Listing Service, Inc. ActiveKey or KeyBoxes shall not be issued to any other person or entity at any time for any reason, except for the Department of HUD.

B. RESPONSIBILITIES: The Designated REALTOR® member has the primary responsibility for control and security of all ActiveKey and KeyBoxes leased and used by the Designated REALTOR® Member and his/her associates. Use of the ActiveKey by the Designated REALTOR® Member and his/her associates shall be for the express purpose of previewing or showing property in accordance with Section 3 of the Southeast Arizona Multiple Listing Service, Inc. Rules and Regulations.

(1) On a yearly basis a physical audit of all ActiveKey will be implemented. Each KeyHolder will be required to produce their own key at the Association office within the given time frame. Failure to produce their key will result in deactivating of the key and a twenty five dollar (\$25.00) fine.

(2) The Association/Multiple Listing Service may refuse to sell ActiveKeys, may terminate existing key lease agreements, and may refuse to activate or reactivate any key held by an individual convicted of a felony or misdemeanor if the crime, in the determination of the Association or MLS, relates to the real estate business or puts clients, customers, or other real estate professionals at risk.

(3) The Association or MLS may suspend the right of lock box KeyHolders to use lock box keys following their arrest and prior to their conviction for any felony or misdemeanor which, in the determination of the Association or MLS, relates to the real estate business or which puts clients, customers, or other real estate professionals at risk.

Factors that can be considered in making such determinations include, but are not limited to:

- (a) the nature and seriousness of the crime
- (b) the relationship of the crime to the purposes for limiting lock box access
- (c) the extent to which access (or continued access) might afford opportunities to engage in similar criminal activity
- (d) the extent and nature of past criminal activity
- (e) time since criminal activity was engaged in
- (f) evidence of rehabilitation while incarcerated or following release and (g) evidence of present fitness

C. ACTIVEKEY ISSUANCE: The Designated REALTOR® Members and their associates authorized to have an ActiveKey to the common KeyBox system shall receive a copy of the agreement between the Association and the key-holder, stipulating the responsibilities and liabilities of the parties to the agreement. Any REALTOR® receiving an ActiveKey shall first have the written authorization of the Designated REALTOR® member or his designated representative, with whom they are affiliated.

D. KEY-HOLDER STATUS CHANGE: Upon severance of a Designated REALTOR®'s associate, the Designated REALTOR® shall immediately notify the Association. Upon receipt of such notice by the Association, the Designated REALTOR® shall be responsible for the return of the associates' ActiveKey within five business days.

Should the Associate not return an ActiveKey to the Association; a fine of \$249.00 plus tax shall be paid by the Associate or the actual cost of key replacement by the Broker.

E. WRITTEN AUTHORIZATION BY SELLER: Written authorization shall be obtained by the listing agent from the property owner prior to the placement of a KeyBox on the listed property.

F. SIGN-IN: Properties utilizing the KeyBox system may have a sign-in sheet located in a conspicuous place. All key-holders are requested to sign-in when entering the listed property.

1. If the user of an ActiveKey opens a key-safe and there is no key found, the user must call the Listing Agent or Broker immediately to report there was no key. Failure to do so could result in disciplinary action, fine, or both.

2. If a user of an ActiveKey, takes the key(s) from the KeyBox and does not return it (them) to the-KeyBox, the user will be responsible for calling all the Listing Agents/Brokers of each property shown or checking each KeyBox of each property shown, until the proper KeyBox is found. The user is responsible for returning the property key to the proper KeyBox. If the user loses the key they are responsible to make the arrangements and pay any costs in its replacement. If a KeyBox must be read to determine the last entrant where a key is missing, that user may be disciplined, fined or both.

G. SHARING OF ACTIVEKEYS: The use of an ActiveKey by any person other than the registered key-holder is expressly prohibited. Violations of this section shall result in a fine of five hundred dollars (\$500.00) to the registered key-holder.

H. PENALTY FOR SECURITY VIOLATION: Members who hold ActiveKeys shall not attach their individual personal identification number (PIN) to the ActiveKey in any manner. A fine shall be imposed in the amount of \$100.00 payable within one (1) week of the violation being noted by staff.

Section 6 – General

Policy #6-1 Communication Policy

A. The Association President shall be the authorized spokesperson for the Association in communications to the members and to the public. In the event the Association President is unavailable the Association President Elect shall be the spokesperson. If both the Association President and Association President Elect are unavailable the chain of command shall be the Treasurer and then the Immediate Association Past President. The Association Executive Officer shall be the spokesperson if no one from the Executive Committee is available. No other individual shall speak to the members or public for the Association on matters regarding the Association, its activities, policies, rules, or its membership as a whole without prior approval of the President.

Permission to communicate directly with the membership as a whole may be delegated in writing by the President for specific purposes such as committee activities, charity activities, or event notifications.

Communication by email on behalf of the Association to the membership as a whole shall be done from only the following email accounts (all email accounts shall have the format @seazrealtor.com):

- Association Executive Officer email address
- SAMLS Staff person email address
- Association President email address
- MLS President email address

Note: This policy does not preclude individual MLS Users from using bulk email notification per the policy in place at that time for such email communications.

B. The MLS President shall be the authorized spokesperson for the MLS in communications to the members and to the public. In the event the MLS President is unavailable the MLS President Elect shall be the spokesperson. If both the MLS President and MLS President Elect are unavailable the chain of command shall be the Treasurer and then the Association President. The Association Executive Officer shall be the spokesperson if no one from the Executive Committee is available. No other individual shall speak to the members or public for the MLS on matters regarding the MLS, its activities, policies, rules, or its membership as a whole without prior approval of the MLS President.

Permission to communicate directly with the MLS membership as a whole may be delegated in writing by the MLS President for specific purposes such as committee activities, charity activities, or event notifications.

Communication by email on behalf of the MLS to the membership as a whole shall be done from only the following email accounts (all email accounts shall have the format @seazrealtor.com):

- Association Executive Officer email address
- SAMLS Staff person email address
- Association President email address
- MLS President email address

Note: This policy does not preclude individual MLS Users from using bulk email notification per the policy in place at that time for such email communications.

- C. Any correspondence concerning business of SAAR/SAMLS by an officer or director shall be submitted to the Association Executive Officer and approved by the President prior to being sent.
- D. All mail addressed to current officers and directors delivered to the SAAR/SAMLS office may be opened at the discretion of the Association Executive Officer. Consent by the current officer and director to do so shall be deemed by the taking of the office. A copy of the mail shall be provided to the addressee. Mail of importance addressed to the Association or the MLS shall be provided to the Executive Committee for review and disposition.
- E. Any and all correspondence from a committee to other individuals regarding that committee's functions, responsibilities, and programs shall be approved by the President (unless previously delegated in writing), with a copy being furnished to the Association Executive Officer.
- F. Awards and other recognition received by the Association/MLS, for members of the Association/MLS, shall be forwarded to the President for appropriate presentation and recognition.
- G. All communication from the Association's legal counsel and accountant including work product and invoices shall be provided to the Executive Committee at the earliest possible time after receipt by the Association Executive Officer.

Policy #6-2 Non-smoking facility

The Association/MLS facilities are non-smoking environments. This includes both tobacco and nontobacco (e-cigs/vapor) products.

Policy #6-3 Building Security

- A. The exterior main doors of the building will be rekeyed within one (1) week after the termination or severance of any employee with access to building keys.
- B. The main doors to the building shall be locked after regular business hours unless an event is in progress. Except for the main doors all exterior doors shall remain closed when not in use for

exit or entrance. No exit door shall be permanently blocked or locked. Fire code regulations shall be observed.

Policy #6-4 Interaction with the Public

- A. Courtesy at all times shall be provided to all members of the Association/MLS and to the general public.
- B. All telephone calls shall be answered promptly and in a polite manner. All assistance possible shall be given to Association/MLS members and to the general public who are calling for assistance.
- C. Walk-ins shall be treated with courtesy and all assistance possible shall be given to walk-ins seeking assistance.
- D. Courtesy and assistance shall be given to members of the Association/MLS and the public regarding ethics and arbitration complaints.
- E. All written correspondence shall be handled and responded to in a timely and professional manner.
- F. Personal appearance and attire shall reflect the professionalism of the Association/MLS.

Policy #6-5 Alcohol and Drug Policy

- A. Use of alcoholic beverages or illegal drugs is prohibited at the Association/MLS facility during business hours. Use of alcohol or drugs and abuse of prescription medications at work or during business hours may result in termination of employment. Such determinations may be made by the Association Executive Officer, President of the Board, or Executive Committee at his/her or their sole discretion.
- B. The Association/MLS, in its sole discretion and as required by law, may from time to time sponsor social events and activities. At those social events where alcohol may be available, employees who choose to drink do so on their own accord and at their own risk. Misconduct and/or misbehavior at Association/MLS sponsored event, depending upon the type and severity of the incident or conduct, may be grounds for disciplinary action up to and including termination of employment.

Policy #6-6 (NRDS) Privacy & Security policy

- A. We gather the following types of information needed to process your transactions, fulfill your requests and maintain our membership records. This information includes but is not limited to; office information, addresses, phone numbers, email, etc.
- B. We use this information for but not limited to; notifying of upcoming events, newsletters, Calls to Action, etc.

- C. At no time do we distribute or sell to any outside parties, affinity partners, etc. The Southeast Arizona Association of REALTORS®, Inc. will use the email address as a form of communication.
- D. We will not share, sell or otherwise provide other information about you to third parties. We do not sell mailing lists.
- E. Credit information that you and credit authorizers provide when you make payments by credit card or electronic check for products, dues or other services will never be sold, shared or provided to other third parties.
- F. We maintain security procedures and standards which we believe are as safe as today's technology permits. We modify them regularly as new technologies become feasible.
- G. We utilize a strict Opt-Out option for sending online notifications regarding services, programs or products.
- H. You may edit your personal contact information directly into the NRDS system or contact your local Realtor® Association.

Policy #6-7 Board of Director's Orientation (required per job descriptions)

An orientation shall be held for all directors and officers of each corporation annually prior to the first meeting of the Board of Directors of the Southeast Arizona Association of REALTOR® and the Southeast Arizona Multiple Listing Service. Orientation is a requirement for service on the Board of Directors. The President of the Association shall conduct the orientation.

Section 7 – Orientation & Education

Policy #7-1 SAAR Orientation

Orientation shall be conducted every one hundred twenty (120) days or as necessary.

- A. All applicants for REALTOR® membership must complete an Orientation Course within one hundred twenty (120) days from date of application. A one-time waiver for extenuating circumstances may be given by the Association Executive Officer on a case-by-case basis, for a period of an additional one hundred twenty (120) days.
 - (a) If after one hundred twenty (120) days the orientation education requirement has not been satisfied and a waiver has not been approved, the applicant shall be suspended until such time as the Orientation requirement is met and a \$50.00 fine shall be imposed and paid before membership is reinstated. In addition, the Designated REALTOR® will be billed a non-member licensee fine of One Hundred Fifty Dollars (\$150.00) to be paid within thirty (days). The Association Executive Officer may grant the applicant the opportunity to complete a Code of Ethics class until the applicant can attend the next scheduled Orientation. If the applicant does not attend the next scheduled Orientation membership is suspended until the requirement is met.

- (b) If the Designated REALTOR® does not attend orientation within one hundred twenty (120) days, all members of his/her firm will be dropped from membership along with the Designated REALTOR®. Membership may be reinstated by filing a new application and paying all fees of a new member for each person in the office.
- B. Those members who join who have been active members of another Association/MLS in either Arizona or another state, or who have been members within the last six (6) months may be permitted a waiver of Orientation provided they submit a request for the waiver to the Association Executive Officer. SAAR/SAMLS shall have the right to verify that the member was in good standing and had previously participated in a REALTOR® Association orientation class which included the Code of Ethics (and, effective 01/2001, had no grievance against them) and had no grievance against them within the past five (5) years.

Policy #7-2 Education Classroom Procedures

- A. The Arizona Department of Real Estate, Commissioner's Rules R4-28-101(3) defines 'credit hour' as a fifty minute period of instruction, which allows students a 10-minute break for each sixty minutes and still receive an 'hour' of credit for each 50 minutes spent under instruction. Tardiness may preclude a student from receiving credit for the course.
- B. All continuing education classes held at the Southeast Arizona Association of REALTORS®, Inc. shall have a Class Monitor.
- C. It is the duty of the Class Monitor to see that all students attending a class do not leave the classroom, use a phone, text, or check email or do personal business on a computer. All electronic devices shall be in the OFF position, not vibrate mode. The Arizona Department of Real Estate will support a School withholding a certificate from a student that is otherwise involved in personal business and not participating in the class.
- D. The Board of Directors of the Southeast Arizona Association of REALTORS® support the instructors that provide education to the membership and also support the monitors that ensure the integrity of each class. The Board of Directors will support and grant authority to the education monitors and instructors to remove any students that are disruptive to the classroom environment. Ejected students will receive no credit or refunds for the class. Partial credit for classes is not allowed by the Arizona Department of Real Estate.

Date: May 27, 2014

Received 2015 updated SAAR/SAMLS Policy Statements:

Signature

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