

SOP 3-4: Failure to disclose to cooperating brokers differential that would result in dual or variable rate commission arrangement if sale/lease results through efforts of seller/landlord

SOP 3-6: Failing to disclose existence of accepted offers, including offers with unresolved contingencies, to cooperating brokers

SOP 3-8: Misrepresenting the availability of access to show or inspect a listed property

SOP 3-9: Providing access to listed property on terms other than those established by the owner or listing broker

Article 4:

Failing to disclose REALTOR®'s ownership or other interest in writing to the purchaser or their representative (*second sentence*)

Article 5:

Providing professional services without disclosing REALTOR®'s present interest in property (*limited to present interest, not contemplated*)

Article 6:

Accepting any commission, rebate, or profit on expenditures without client's knowledge or consent (*first paragraph*)

Failure to disclose to a client or customer REALTOR®'s financial benefits or fees received as a direct result of recommending real estate products or services (*Second paragraph*)

SOP 6-1: Failure to disclose REALTOR®'s direct interest in an organization or business entity when recommending to a client or customer that they use the services of that organization or business entity

Article 12:

Failing to present a true picture in real estate communications and advertising

Failing to disclose status as real estate professional in advertising and other representations

SOP 12-1: Failure to provide all terms governing availability of a "free" product or service in an advertisement or other representation

SOP 12-2: Failure to disclose potential to obtain a benefit from third party when REALTOR® represents their services as "free" or without cost

SOP 12-3: Failure to exercise care and candor when communicating the terms and conditions of premiums, prizes, merchandise discounts or other inducements to list, sell, purchase, or lease

SOP 12-4: Advertising property for sale/lease without authority of owner or listing broker

SOP 12-5: Failing to disclose name of firm in advertisement for listed property

SOP 12-6: Failing to disclose status as both owner/ landlord and REALTOR® or licensee when advertising property in which REALTOR® has ownership interest

SOP 12-7: Falsely claiming to have "sold" property

SOP 12-8: Failure to take corrective action when it becomes apparent that information on a REALTOR®'s website is no longer current or accurate

SOP 12-9: Failure to disclose firm name and state of licensure on REALTOR® firm website

SOP 12-10: Misleading consumers through deceptive framing, manipulating content, deceptively diverting internet traffic, or presenting other's content without attribution or permission

SOP 12-12: Registering or using of deceptive URL or domain name

SOP 12-13: Representing that the REALTOR® has a designation, certification, or other credential they are not entitled to use

Article 14:

Failing to cooperate in a professional standards proceeding or investigation in circumstances when cooperation has been demanded by the association and association has advised REALTOR® failure to cooperate could result in an allegation of a violation of Article 14

Article 16:

SOP 16-16: Conditioning submission of a buyer's offer on additional compensation from a listing broker

SOP 16-19: Placing for sale/lease sign on property without permission of seller/landlord

For More information:

www.MLKAR.com

or

Call: 305-743-2485

Email: CEO@MLKAR.com

Marathon and Lower
Keys Association
of REALTORS®

Citation Program

Citation Policy for Code of Ethics Violations

MLKAR's ongoing effort to increase professionalism in the marketplace for our membership, streamline the ethics hearing process and protect the interests of the general public.

Background

MLKAR's Professional Standards and Grievance Committee is charged with upholding the highest principles of the Association and ensuring that members adhere to the REALTOR® Code of Ethics. Over the years, members have sought ways to avoid time-consuming ethics complaint filings and hearings. In response, MLKAR introduced the Citation Policy.



MLKAR
MARATHON & LOWER KEYS
ASSOCIATION OF REALTORS®

Wayne Carter
Chief Executive Officer
Marathon and Lower Keys
Association of Realtors®
5800 Overseas Hwy #15
Marathon, FL 33050
305-743-2485
CEO@MLKAR.com
www.MLKAR.com

MLKAR Citation Program

Filing an ethics complaint

- Is a time-consuming process. With Citation Policy, Respondents can elect to avoid the lengthy hearing process when a REALTOR® or a member of the public files a complaint against them.
- A Realtor® or a member of the public would file a complaint.
- If the Grievance Committee decides that the articles in the citation make the case eligible for the Citation Policy, the Respondent will be notified and given 20 days to elect to participate in the Citation Policy or request an ethics hearing.
- If the Respondent agrees to the Citation Policy, he/she would pay the standard, pre-set fine associated with that article.
- The Complainant may elect to file anonymously, if the Respondent chooses to go to a hearing the complainant is no longer anonymous and must attend the hearing process.

Why consider use of the Citation policy?

For Respondents, electing the Citation Policy avoids and uncomfortable and often time-consuming hearing process. Due process rights are still protected since Respondents may elect NOT to use the policy and proceed with a full hearing. Citation Policy is as confidential as the hearing process.

For Complainants, there may be less time involved, yet justice will still be served, thereby protecting the industry from unethical behavior. However, if the Respondent elects to have a hearing, the Complainant would need to be prepared to attend. The Complaint may be filed anonymously, however, if the Respondent elects to have a hearing instead of choosing to pay the citation the Complainant will no longer be anonymous and must attend the hearing.

Are all ethics complaints eligible for a citation? No. The Citation Policy is limited to certain aspects of the Articles listed on the chart located in this brochure. The charges must also be substantiated with written or other documented evidence.

Eligible Code of Ethics Violations:

Please note that Citation Program is limited to these violations only. Other Code of Ethics violations and arbitration/mediation services follow the regular complaint process. Fine Schedule for all listed offenses is as follows: Attendance within 90 days of the approved Code of Ethics Course and a fine of \$400 for 1st offense, \$800 for 2nd offense and \$1200 for 3rd offense in a 3 year period.

Article 1:

SOP 1-5: Failure to fully disclose and obtain consent from both parties when representing both the seller/landlord and buyer/tenant in the same transaction

SOP 1-6: Failure to submit offers and counter-offers objectively and as quickly as possible

SOP 1-12: Failure to advise sellers/landlords of information specified in Standard of Practice 1-12 prior to entering into a listing contract

SOP 1-13: Failure to advise buyers/tenants of information specified in Standard of Practice 1-13 prior to entering into a buyer/tenant agreement

SOP 1-16: Accessing or using, or allowing others to access or use, a property managed or listed on terms other than those authorized by the owner or seller

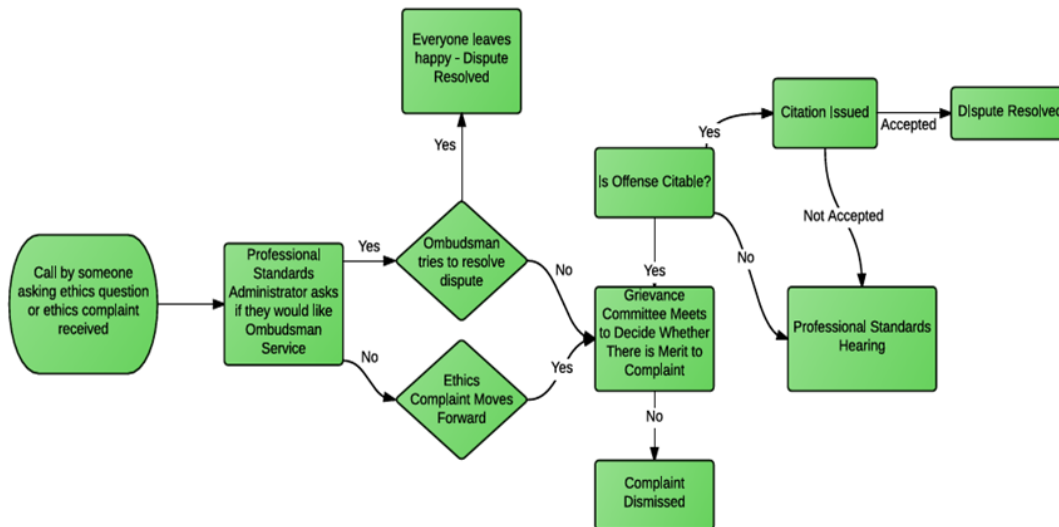
Article 3:

SOP 3-2: Failure to communicate a change in compensation for cooperative services prior to the time that REALTOR® submits an offer to purchase/ lease the property

SOP 3-2: As a listing broker, attempting to unilaterally modify the offered compensation with respect to a cooperative transaction after a REALTOR® has submitted an offer to purchase or lease that property

SOP 3-4: Failing to disclose existence of dual or variable rate commission arrangements

Ethics Complaint Flow Chart:



Continued on Back