

## CITATION POLICY Q & A

At the CWBR board of directors meeting in October, the directors voted in favor of adopting a Citation Policy to expedite complaints under certain articles of NAR's Code of Ethics.

This Q & A will help answer some of your questions.

### **Q. What is a Citation Policy?**

A. There are violations to certain articles (Articles 1, 3, 4, 5 and 12) of the Code of Ethics that can be processed without going through the long procedure of an Ethics hearing. These violations, in most cases, are easily proven with the evidence submitted. Some examples of these types of violations are: marketing a listing online without referencing the listing broker or showing a property without the listing broker's consent by not following showing instructions. (See the full Citation Schedule of Fines for the list of violations that can be processed using the Citation Policy). When these issues occur, and a complaint is filed with CWBR, the CWBR Grievance Committee can look at the complaint and the evidence submitted and issue a fine if the evidence submitted support the fact that one of the Articles and Standard of Practice shown on the CWBR Citation Schedule have been violated.

### **Q. Why have a Citation Policy when we already have an Ethics Hearing policy in place?**

A. The Ethics Hearing policy is not going away. As a matter of fact, if a respondent requests a hearing in place of paying the citation, a normal Ethics Hearing procedure will take place.

### **Q. Who can submit a complaint to be considered for a possible citation?**

A. Any member of the association, member of the public or the association itself. The complainant's name is confidential. NOTE: If the complaint goes to an ethics hearing, the complainant's name must be disclosed.

### **Q. When will the Citation Policy go into effect?**

A. January 18, 2016

### **Q. How do I file a complaint to be considered for the Citation Policy?**

A. First of all, the complaint must be about one of the violations listed in on the Citation Schedule of Fines (these will be linked to the website prior to January 18<sup>th</sup>). A citation cannot be considered for possible violations that are not listed on the Citation Schedule of Fines. If it is not on the list, a complaint should be filed and will be forwarded to a grievance panel and go through the normal Ethics Hearing process. If the violation is on the Citation Schedule of Fines, contact the CWBR office to obtain the forms needed to file the complaint.

Complaints must be filed within 180 days after the facts constituting the matter complained of could have been known in the exercise of reasonable diligence or within 180 days after the conclusion of the transaction or event, whichever is later.

### **Q. What if someone has filed a complaint against me and I received notice of the citation and I do not agree with the findings?**

A. The respondent will have 20 days from receipt of the citation to request a full due process hearing at CWBR on the complaint.

### **Q. When is the deadline to pay a citation?**

A. A citation must be paid within 5 days after the date of acceptance or after the time period to request a hearing has expired. If not paid within this timeframe, membership will be suspended until the citation has been paid in full.