

**Williamson County Association of REALTORS®**



*Unlock the World of Real Estate*

**Governance & Policy Manual  
Updated September 2020**

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## **1) Statement of Purpose**

- a) The Williamson County Association of REALTORS® (WCREALTORS)(ASSOCIATION) is a nonprofit trade organization, whose Membership is voluntary and whose objectives are 1) to unite those engaged in the real estate profession with the Texas REALTORS® (TR) and the National Association of REALTORS® (NAR), and 2) to serve all Members by providing products and services which assist Members by helping them, both ethically and professionally, succeed in their businesses.
- b) Internal Revenue Code section 501(C)(6) exempts WCREALTORS from federal income taxes, but not Unrelated Business Income Taxes (UBIT), provided the services it performs and the business activities it conducts are of a tax-exempt nature, and the dues and involvement of its Members are meaningful to the mission of WCREALTORS.
- c) The Mission of the Williamson County Association of REALTORS® is to help its Members meet present and future real estate challenges in Williamson County, to enhance and promote REALTOR® Members' professionalism, to encourage Member involvement in the various communities of Williamson County, and to provide quality services for its Members.

## **2) Officers**

- a) Executive Committee Definition:
  - i) The elective officers of the ASSOCIATION shall be a President, President Elect, a Secretary, and a Treasurer. The Executive Committee of the ASSOCIATION shall consist of the elective officers and a Past President of the ASSOCIATION.
  - ii) Executive Committee Members may not appear before any group in support of any political candidate or issue, whether local, state, or national, in any manner that could be interpreted as an endorsement by this ASSOCIATION without the expressed approval of the Board of Directors.
  - iii) Each officer is encouraged to make a minimum TREPAC investment in the amount of \$250 during the term of office. (Board of Directors meeting 8/6/09)
  - iv) Other duties are defined in the financial policy.
- b) President
  - i) Calls and chairs meetings of the Executive Committee and Board of Directors.
  - ii) Guides and directs the Members, but cannot make singular decisions for the Membership.
  - iii) Directs the ASSOCIATION in accordance with the Strategic Plan.
  - iv) Appoints or removes Committee chairs, in consultation with the Association Executive and with Board of Directors' approval.
  - v) Serves as a non-voting ex-officio Member of each standing Committee, Committee and Task Force.

- vi) The President shall serve as a voting delegate to the delegate body of the National Association of REALTORS® at its annual conference. Registration shall be made by the Association Executive upon notice of the meeting from the National Association of REALTORS®.
  - vii) Expected to attend Texas REALTORS® events and conferences.
  - viii) Visits local broker offices on behalf of the ASSOCIATION as requested.
  - ix) Represents and speaks on behalf of the organization, as necessary, at functions with private and public organizations.
  - x) Participates in the Association Executive's evaluation.
- c) President-Elect
- i) Presides in case of the President's absence or inability to serve, and in such instances, shall perform all the duties of the President.
  - ii) Participates in the strategic planning process.
  - iii) Responsible for overseeing specific Committees as assigned by the President and serves as liaison from those Committees to the Board of Directors.
  - iv) Participates in the Finance Committee as a non-voting Member.
  - v) Responsible for planning and fundraising for the installation function, assuring that all associated costs will be covered.
  - vi) Succeeds to the office of President upon completion of his/her elective year, unless he/she has already succeeded to the office of President through the failure of the President to fill his/her term of office for any reason. In such cases he/she shall fill the unexpired term of the President and then succeed to the office of the President for a full term.
  - vii) Participates in the Association Executive's evaluation.
- d) Secretary
- i) Responsible for keeping, checking for accuracy, and recording minutes of all Board of Directors meetings in a consistent format that meets Board approval.
  - ii) Responsible for forwarding Board of Directors' motions regarding policy and Bylaw changes to the Association Executive for inclusion in the current Bylaws and policy manuals.
  - iii) Checks all official correspondence of the Board of Directors or Executive officers for accuracy of content, spelling, and grammar.
  - iv) Shall be available to proofread any ASSOCIATION correspondence at the request of staff.
- e) Treasurer
- i) In consultation with the Association Executive and the Association CPA, the Treasurer administers resources to ensure the availability of adequate liquid assets to pay obligations as they become due.
  - ii) Regularly advises the Executive Committee, the Finance Committee, the Board of Directors, and others concerning the financial condition of the ASSOCIATION, providing factual information upon which appropriating and budgeting decisions may be made.

- iii) Presents to the WCREALTORS Board of Directors and the Executive Committee monthly financial statements, reconciled by the Association Executive, to most recent bank statements, on prior month, year-to-date, and comparison to budget projections. The Treasurer shall present reports from outside accountants and auditors at the next meeting following the date they are received.
- iv) Prepares an annual budget with the assistance of the Finance Committee and the Association Executive that considers the financial needs of the ASSOCIATION, and all Committees.
- v) Collaborates with the Association Executive in the application of the ASSOCIATION finance policy.
- vi) Participates in the Association Executive's evaluation.
- vii) Chairs the Finance Committee.
- f) Past President
  - i) Shall serve on the Executive Board and the Board of Directors.
  - ii) Will assist the President in carrying out the policies and programs of the ASSOCIATION.
  - iii) Shall represent the ASSOCIATION before other organizations when invited.
  - iv) Shall perform such other duties as the President, Executive Committee, and Board of Directors may determine.
  - v) Communicates with Past Presidents regarding ASSOCIATION activities.

### **3) Officer and Director Vetting Process**

- a) The Candidate Vetting Committee's sole purpose is to ensure each candidate meets the minimum criteria set forth in the Bylaws of the ASSOCIATION for the petition and/or election for the Director and/or Officer position they are seeking.
- b) The Candidate Vetting Committee shall meet and conduct its business in the month of September.
- c) The Candidate Vetting Committee shall consist of a Chairperson; two Board Members who are not eligible for nomination; and six REALTOR® Members who are not currently serving on the Board. The President shall appoint a Past President not currently serving in this role as the Chairperson. The Candidate Vetting Committee Members are subject to approval by the Board of Directors.
- d) The Candidate Vetting Committee shall provide a report to the Board of Directors prior to the end of September containing a list of those Members that have submitted applications to run for Officer and/or Director positions eligible to serve based on the Credentials and Qualifications set forth in these Bylaws for the positions they are seeking.
- e) In the event that an Officer or Director position becomes vacant, the Candidate Vetting Committee will convene to ensure the President's appointments meet the minimum criteria set forth in the Bylaws of the ASSOCIATION.

- f) Term of Office for Officers
  - i) Each officer shall be elected for a term of one year.
  - ii) The Secretary and Treasurer may succeed himself/herself. Each officer is a Member of the Board of Directors

#### **4) Board of Directors**

- a) The governing body of the ASSOCIATION shall be the Board of Directors consisting of eight REALTOR® Members and five officers consisting of the President, President-Elect, Treasurer, Secretary, and Past President elected by the Active REALTOR® Membership. The eight REALTOR® Members and five Officers are collectively Members of the board of Directors.
- b) The Board of Directors is responsible for ensuring the organization's long-term financial stability and integrity. Directors recognize that in order to foster the organization's continued viability and growth, diversification of income sources is essential, and they pledge to personally contribute needed resources and talents toward this end.
- c) Board Member Commitments
  - i) Commit to serve a minimum of 6-10 hours per month in this voluntary, unpaid, position.
  - ii) Attend Board meetings and actively participate in decision-making.
  - iii) Support the Board's decisions even when a personal opinion is in conflict with the decision.
  - iv) Support the ASSOCIATION by attending meetings and other functions.
  - v) Advocate for the ASSOCIATION and promote the organization's professional image.
  - vi) Contribute by sharing areas of expertise as well as recruiting new Members, advertisers, exhibitors, speakers, etc.
  - vii) Each director is encouraged to make a TREPAC investment of \$110, each year during term of service.
  - viii) Submit all expense reimbursement requests within 30 days of the expenditure on the approved form and accompanied by original receipts.
  - ix) Sign the Association Confidentiality Agreement.
- d) Board of Directors Professionalism:
  - i) Pledge to uphold the NAR Code of Ethics.
  - ii) Keep all ASSOCIATION business confidential.
  - iii) Board Members, while working on Board-related business, are expected to work in the best interest of the whole organization and all of its Members, so self-promotion is prohibited.
  - iv) Director and/or Officer will notify Board of Directors of conflict of interest/s prior to deliberation and vote.
  - v) Fulfill the duties of care and loyalty to the organization.
  - vi) Ensure legal and ethical integrity and assure ASSOCIATION accountability to its Members.
  - vii) Deliberation.

- viii) Read and become informed about the ASSOCIATION's Strategic Plan, and governing documents.
  - ix) Make decisions deliberately and without pressure.
  - x) Read and understand financial statements and otherwise assist the Board in fulfilling its fiduciary responsibility.
  - xi) Participate in strategic planning activities.
  - xii) Work to develop new leadership and recommend Members for Committee positions.
- e) Terms of Office
- i) Members of the Board of Directors are elected for 3-year terms which begin on January 1 and end on December 31 of the respective terms. Members may be re-elected according to the bylaws.
  - ii) No Director shall serve for more than two consecutive three 3-year terms.
- f) Attendance Guidelines
- i) Absence Policy - It is the policy of the Williamson County Association of REALTORS® that any Member of the Board of Directors who has two absences during the calendar year will be reminded of this policy by the President, via official letter. Pursuant to Bylaws, Directors shall meet on a monthly basis. Absence from three regular meetings of the Board of Directors shall be construed as resignation of their position.
  - ii) An absence is defined as not being present after the first 30-minutes following the meeting being called to order.
- g) Confidentiality will be defined for all purposes as any conversation, debate, or communication taking place, executive session of the Executive Committee (EC), or the Board of Directors (BOD) of the Williamson County Association of REALTORS (WC).
- i) Breach of Confidentiality
  - ii) Any Member of the ASSOCIATION may give notice to the Association Executive (AE) or a Member of the EC that a Member of the BOD has breached confidentiality.
  - iii) This notice must be in writing and state the actual offense and when and where this offense took place, signed and dated by the person giving the notice.
  - iv) The AE or BOD may also bring an action if the breach is made in a public environment, such as a public announcement or a post on social media.
    - (1) First Offense
      - (a) The accused will meet with the AE, President, and one other officer.
      - (b) The signed & written proof, dated by the accuser, will be provided.
      - (c) If the AE, President, and other officer deem it appropriate, a Letter of Reprimand will be placed in the person's file.
      - (d) No other action will take place and no other Members of the staff, EC, or BOD will be informed.
    - (2) Second Offense
      - (a) The AE, President, and one other officer will meet with the accused, review the signed & written proof, and if appropriate, tell the BOD Member that their service on the Board is terminated. A letter with that information will be put in the Officer's file.

(b) The EC and the BOD will be informed of this process; after the second offense, this will all take place in executive session.

(3) Appeals

(a) An appeal for any step in the process shall be made to the EC; if the decision of the EC is appealed, that decision goes to the full BOD and the BOD decision is final.

h) Board Liaisons to Committees

- i) Are appointed by the President.
- ii) Are current Members of the Board of Directors.
- iii) Attend Committee meetings.
- iv) Convey Board of Directors' directives to Committee.
- v) The liaison does not lead or vote at Committee meetings.

**5) Committees**

a) Authority

- i) Each Committee has authority only to make recommendations to the President and Board of Directors.
- ii) Committees do not have authority to act, commit the ASSOCIATION or any property owned by the ASSOCIATION to an event or activity, or speak for the ASSOCIATION unless such action has been approved by the Board of Directors.
- iii) Further, Committees do not have authority to direct or ask ASSOCIATION staff to do work for the Committee; however, Committees may consult with the AE.

b) Committee Terminology

- i) Ad Hoc – formed for specific or immediate needs.
- ii) Task Force – appointed for a specific purpose and disbanded upon completion.
- iii) Virtual Committees – groups meeting online through a forum or bulletin board.
- iv) Shared Committees – made up of Members of various organizations. Expands the input and resources for the Committee.
- v) Resource Pool – volunteers offer specific skills that can be tapped as Committees identify skillsets needed for projects.

c) Standing Committees

- i) The following Committees are identified in the Bylaws as Standing Committees:
  - (1) Bylaws & Policy
  - (2) Candidate Vetting Committee
  - (3) Credentials Committee
  - (4) Finance
  - (5) Governmental Affairs
  - (6) Membership
  - (7) MLS
  - (8) Professional Development
  - (9) TREPAC.



- ii) Standing Committees shall consist of no less than six Members who shall serve a single one-year term. At least two Members shall be replaced each year. Standing Committee Chairpersons shall be primary Members of the WCREALTORS.
- iii) Special Committees – formed at President’s discretion, (i.e. Community Service)
- d) Selection, Composition, and Term
  - i) The President may appoint new Committees with Board approval, not to exceed the President’s remaining term in office. Except for Governmental Affairs and TREPAC, whose one-year term begins on October 1, all Committees run for one-year terms and on a calendar year basis. The President selects Chairpersons and Board liaisons with Executive Committees approval.
  - ii) The Chairperson will appoint other Members of the Committee, including a vice-Chair and Secretary.
  - iii) The Chairperson holds ultimate responsibility for the Committee’s performance.
  - iv) The Board Liaison shall not chair the Committee, but shall participate in all meetings, communicate with the President, and report Committee actions to the Board of Directors.
  - v) The Association Executive may appoint a staff person to participate on certain Committees.
  - vi) Appointees’ terms of service shall be at Appointer’s discretion.
- e) Expenditures and Budgets
  - i) Regardless of the budget established for any Committee, expenditures must be approved in advance and in writing by the Association Executive.
  - ii) Any requests that exceed budget must be approved in advance by the Board of Directors. That means ALL EXPENDITURES, no matter the source of funding, require Association Executive approval.
  - iii) Guidelines for Committee Chairs.
  - iv) Accept responsibility for the performance of the Committee. The success or failure of a Committee rests squarely on the Chairperson’s shoulders. Chairpersons should communicate regularly with both the President and the Association Executive. The Liaison shall communicate with the President.
  - v) Encourage opportunities for interaction between Members within the Committee.
  - vi) Provide an opportunity for Members to get to know one another. Some Chairs have found that distributing biographies on Members helps build relationships and respect for other Members’ perspectives.
  - vii) Try and recruit Members with different perspectives for the Committee.
  - viii) In selecting Members, clearly define the Committee’s purpose and the Chairperson’s expectations of Committee Members.
  - ix) Schedule meetings well in advance - after discussing dates, time, and location with the Association Executive and obtaining Association Executive’s approval.
  - x) Carefully establish with the Association Executive an agenda, ensuring there is sufficient time to discuss all items, and email the agenda to Committee Members, the President, and the Association Executive in advance.
  - xi) Circulate relevant documents for items to be discussed or decided upon to Members three-to-five days in advance of meetings.

- xii) Begin and end meetings on time.
- xiii) Ensure that discussion on agenda items is on topic, productive, and professional. Ask questions, explore, and seek feedback and participation from all Members.
- xiv) Try to build consensus. Anyone who voices a problem should also offer a potential solution.
- xv) Hold a counted vote on significant decisions and record how Members vote in the minutes.
- xvi) Don't be afraid of openminded discussion. Such discussion can generate new ideas and perspectives.
- xvii) Distribute task items as evenly as possible and assign tasks and deadlines for completion.
- xviii) Confidentiality within the Committee and with the work they are doing is expected and of high importance.
- xix) Keep minutes at each meeting and submit those minutes to the President and the Association Executive within three days following the Committee meeting.
- xx) Should a motion need to be presented to the board, the Committee Chair should fill out the form the President has provided and submit along with the minutes.
- xxi) Have Members approve minutes. This is not only to ensure that discussion and action taken is correctly recorded, but also to provide a history of Committee work to incoming Committee Members so there is continuity from one time period to another.
- xxii) Follow up with Members on assignments or task items between meetings. Send a quick "to-do list" summary via email the day after the meeting.
- xxiii) Evaluate your Committee from time to time by asking Members about their experience on the Committee.
- xxiv) Create a file or notebook to pass on to the next chair, including a list of activities from the previous year, goals, and a proposed budget for the coming year.

## **6) State and National Positions**

- a) Members selected for Texas REALTORS® and National Association of REALTORS® positions agree to represent the state and national associations as required by position. The Board of Directors reserves the right to remove Members from TR and NAR positions for cause. WCREALTORS encourages all Members to become involved at the state and national level with attendance at the meetings and service on Committees.
- b) TR Director
  - i) Candidates for TR Director for the Williamson County Association of REALTORS® are interviewed by the Board of Directors at a regularly scheduled meeting of the Board of Directors. The Association Executive will make notice to the Membership at least 14 days prior to the Board of Directors Meeting.
  - ii) Any Member wishing to be considered can prepare a resume stating their qualifications and service to the ASSOCIATION and appear in person to support their interest in the position.

- iii) When serving as a TR director, the interest you represent are those of the Texas REALTORS®
- iv) In the event that the candidate is not available to be interviewed in person, they may submit their resume for consideration.
- v) A majority vote by Board of Directors selects the Member to be recommended to TR as the TR Director.
- vi) The Association Executive will forward the name of the new TR Director recommendation to the Texas REALTORS®.
- c) TR Regional Vice President
  - i) Candidates for TR Regional Vice President are interviewed by the Williamson County Association of REALTORS® Board of Directors at a regularly scheduled meeting of the Board of Directors.
  - ii) The Association Executive will make notice to the Membership of the vacancy in the position at least 14 days prior to the Board of Directors meeting. Any Member wishing to be considered will complete a Candidate Profile to submit to the ASSOCIATION. Members can prepare a resume stating their qualifications and service to the ASSOCIATION and appear in person to support their interest in the position. In the event that the Member is not available to be interviewed in person, they may submit their resume for consideration. A majority vote by the Directors recommends a Member(s) for the position. The Association Executive will forward the name(s) of the recommended Member(s) to the Texas REALTORS®.
  - iii) When serving as a TR Regional Vice President, the interest you represent are those of the Texas REALTORS®
- d) NAR Director
  - i) National Director entitlement for State Associations and local boards is dictated by NAR's Constitution. The number of Director allocations is based on Membership counts extracted from the National REALTORS® Database System (NRDS) on July 31st of each year.
  - ii) State Association Entitlement Allocations
    - (1) The NAR Constitution states that each State Association shall be automatically entitled to two national directors on the Board of Directors.
    - (2) State Associations may be entitled to more than two directors if they qualify as outlined by Article IV, Section 1 (U).
  - iii) Local Board Entitlement Allocations
  - iv) When serving as a NAR director, the interest you represent are those of the Texas REALTORS®
    - (1) The NAR Constitution states that each local board with a Membership of 2,000 or more shall be entitled to a number of directors determined by dividing the Membership of the local board by the number 2,000 and rounding any resultant fraction to the next lower whole number.
    - (2) Article IV, Section 1 of the NAR Constitution allows for a representative from the top 75 real estate firms based on their REALTOR® and REALTOR®-Associate Membership count as of July 31st for representation on the Board of Directors.
- e) National Association of REALTORS Delegate Body

- i) The President shall serve as a voting delegate at NAR's annual conference.
- ii) The Association Executive shall register the delegate upon meeting notification from the National Association of REALTORS.

## **7) TREPAC & Governmental Affairs**

- a) The ASSOCIATION works in close partnership with Texas REALTORS® and the National Association of REALTORS®. The policy of the ASSOCIATION is intended to expand on that partnership and cooperation. All references in this policy to TREPAC refer to the Political Action Committee of the Texas REALTORS®. All references in this policy to WCTREPAC refer to the Williamson County TREPAC Committee.
- b) Essential information about TREPAC
  - i) Periodically, Texas REALTORS® publishes an Orientation Guide for the Texas REALTORS® Political Action Committee (TREPAC). For detailed information on TREPAC, a Member and the ASSOCIATION should refer to that publication for any questions.
  - ii) TREPAC Mission Statement: The Mission of Texas REALTORS® Political Action Committee is to raise and disburse funds to promote home ownership, protect real property rights, and increase political awareness.
- c) Partnership Opportunities
  - i) The ASSOCIATION may interview candidates for elected offices serving Williamson County, Texas and make recommendations as to which candidates will receive campaign investments from TREPAC. The process for these interviews is defined later in this policy. However, these interviews are to be conducted with the understanding that TREPAC supports candidates who share concern for preserving the free enterprise system, real property rights, and the real estate industry AND that TREPAC reserves final decision-making authority on disbursements.
  - ii) TREPAC establishes an annual suggested goal for the ASSOCIATION based on the formula of \$35 x total primary Members. This goal is known as the "fair share". Unless otherwise directed by the Board of Directors, the ASSOCIATION shall suggest a higher contribution to Members of \$45 per year for agents and \$110.00 per year for Brokers.
  - iii) TREPAC establishes an annual participation goal which is based on the participation of investors in relation to the total primary board Members.
  - iv) The ASSOCIATION shall appoint a local TREPAC chair to oversee TREPAC investment activities.
- d) TREPAC Calendar Year & Recognitions
  - i) The calendar year for TREPAC shall be October 1-September 30 each year.
  - ii) TREPAC investment goal and participation goal is based on the calendar year.
  - iii) TREPAC awards various recognitions for both the individual Member and the association. The TREPAC Chair shall be familiar with these recognitions annually at the beginning of the term.

- iv) ASSOCIATION credit for TREPAC contributions is based on variables. The TREPAC Chair shall be familiar with these recognitions annually at the beginning of the term.
- e) ASSOCIATION Recommendation and Distribution of Funds
  - i) Annually, the PRESIDENT shall appoint a TREPAC Chair and a Governmental Affairs Chair who shall serve from October 1-September 30.
  - ii) The Governmental Affairs Chair shall at various times form a Candidate Interview Task Force. Such task force shall be:
    - (1) Be Chaired by the Governmental Affairs Committee Chair or, if not able to serve due to any reason, be a Chair appointed by the PRESIDENT.
    - (2) Comprised of no fewer than five REALTOR® Members of the ASSOCIATION and selected by the Chair.
    - (3) Be ratified by the PRESIDENT
  - iii) The Candidate Interview Task Force shall:
    - (1) Create a candidate questionnaire that shall be based on real estate related issues and positions identified by the ASSOCIATION, Texas REALTORS®, and/or the National Association of REALTORS®.
    - (2) Distribute the questionnaire to all individuals who have filed for office in the elections at hand.
    - (3) Review the questionnaires.
    - (4) Extend an invitation to interview to all individuals who have returned the candidate questionnaire.
    - (5) Conduct interviews at the ASSOCIATION of all candidates who have accepted the interview request.
    - (6) Make a recommendation to the Government Affairs Committee (1) of a candidate, if any, to each specific election position and (2) the amount of funds to contribute to the campaign.
  - iv) The Governmental Affairs Committee shall review the recommendations of the Candidate Interview Task Force and (1) approve the recommendation to be forwarded to the Board of Directors or (2) amend the recommendation to be forwarded to the Board of Directors.
  - v) The Board of Directors shall (1) approve the recommendation of the Governmental Affairs Committee or (2) amend the recommendation of the Governmental Affairs Committee.
  - vi) The Board of Directors shall make any/such recommendations for endorsements and/or contribution requests to both Texas REALTORS® and TREPAC. On any State or National election, the President shall give a written explanation to the TREPAC Trustee outlining the ASSOCIATION's position.
  - vii) While the ASSOCIATION may conduct interviews in political party primary races, it shall not endorse or request funding for political party primary races.
- f) TREPAC Trustees
  - i) When a vacancy or term conclusion occurs, any Member wishing to be considered can prepare a resume stating their qualifications and service to the ASSOCIATION and submit their resume for consideration to the President

- ii) The Board of Directors shall interview any/all interested parties and (1) select a Primary Member to nominate for the position of TREPAC Trustee for the region or (2) endorse a candidate from another association within the region or (3) choose to neither nominate nor endorse in the election.
- iii) Texas REALTORS® Political Involvement Coordinator (PIC)
- iv) When a vacancy or term conclusion occurs, any Member wishing to be considered can prepare a resume stating their qualifications and service to the ASSOCIATION and submit their resume for consideration to the President.
- v) The Board of Directors shall interview any/all interested parties and (1) select a Primary Member to nominate for the position of PIC for the region or (2) endorse a candidate from another association within the region or (3) choose to neither nominate nor endorse in the election.

## **8) Financial Policy**

- a) It shall be the goal of the ASSOCIATION to provide checks and balances of all accounting processes, procedures, banking, savings, reserves, and any other processes involved in the financial operations of the ASSOCIATION. The Financial Committee shall meet quarterly to oversee the financial health of the ASSOCIATION and ensure that all processes are being followed.
- b) Banking
  - i) The ASSOCIATION will maintain a minimum of two bank accounts, one of which shall be an interest-bearing account.
  - ii) In addition to monthly reconciling, the accounts should be monitored quarterly for suspicious activity.
- c) Reserves
  - i) The AE and Treasurer shall monitor cash reserves. When cash reserves decline to less than two months expenses, the AE and Treasurer shall notify the Finance Committee.
  - ii) The AE and Treasurer, along with the Finance Committee, shall prepare a report to the Board of Directors for the next regularly scheduled Board meeting that would describe the following:
    - (1) Monthly cash flow projection for the remainder of the year
    - (2) List of alternatives
    - (3) Evaluation of alternatives
    - (4) Recommendation
- d) Contracts
  - i) The Association Executive or President, in the absence of the AE, will have authority, with prior Board of Directors' approval, to sign contracts. Contracts covered by the budget are deemed to have Board of Director approval.
- e) Check Writing Process
  - i) Checks, bill pay, and credit card charges may only be utilized to cover budgeted or Board of Directors' approved expenses.

- ii) The Association Executive and the following officers will be signers on all accounts of the ASSOCIATION during their terms: President, President-Elect and Treasurer.
- iii) All live checks over \$500.00 must contain two signatures. The payroll is processed by an outside payroll company under the direction of the Association Executive.
- iv) Process for non-payroll check writing
  - (1) Association Executive is responsible for all Accounts Payable.
  - (2) Association Executive is responsible for ensuring funds availability prior to submitting a payment.
- v) Association Executive must adhere to the document retention policy for expenses.
- f) Bill Payment Approval
  - i) The AE will designate recurring items that relate to daily operation, for which no purchase order will be required. Such items will be paid when verified for accuracy by the AE or a designated staff member. All other undesignated items will require a purchase order.
  - ii) The AE shall have the authority to approve properly completed purchase orders for budgeted or Board of Directors' approved expenses when funds are available to make such purchases.
- g) Credit card statements will be paid when all receipts for the listed items have been attached together with appropriate purchase orders. In the absence of a receipt, the Association Executive is to verify the validity of the charge prior to payment.
- h) Reimbursements
  - i) All expenses to be reimbursed must be submitted within five days of the close of the month in which they occurred. For example: expenses incurred in February must be received in the ASSOCIATION office no later than March 5th.
  - ii) All requests for reimbursement must include:
    - (1) Copy of original receipt
    - (2) Completed Expense Reimbursement Form
    - (3) Signature of Association Executive or designated staff member authorizing expense
    - (4) National and State convention and meeting registration fees and travel expenses (i.e., hotel, airfare, parking, cab fare, meals, tips, and mileage) will be reimbursed to the level authorized by the budget or Board of Directors, with the Association Executive's approval.
- i) Membership Dues
  - i) Dues, application, and late fees are approved by the Board of Directors prior to October 1st after National and State allocations are known.
  - ii) Incentives, tiered structures, and payment plans may be offered by WCREALTORS® with the approval and guidance of the Association Executive.
  - iii) Dues billing is done once a year by October 31st, if that is a weekday, or the Friday immediately preceding October 31st, with payment due by December 15th.
  - iv) Notification of dues will be emailed and published on WCREALTORS® website no less than three times between October 1st and December 14th. All attempts to make appropriate contact with the Member will be made. WCREALTORS® is not responsible for notifications that have not been received due to inaccurate email

- addresses, blocked addresses, or otherwise misdirected communications. It is the Member's responsibility to ensure that annual dues are received by December 15th every year.
- v) Late fees are assessed for dues received after December 15th. Late fees will be applied within three business days.
  - vi) Notice to unpaid accounts of upcoming deadlines for MLS cutoffs and suspension will occur the last week of December.
  - vii) Suspension of unpaid Membership accounts (with rolling MLS cut-offs) will occur on or about January 10<sup>th</sup>. Suspension will inactivate Local, National Association of REALTORS<sup>®</sup>, and Texas REALTORS<sup>®</sup> benefits as well as MLS services. Suspended Members can reactivate their accounts without further fees until the second Friday in February.
  - viii) Unpaid accounts will be terminated and credit off on the second Wednesday of the month in February.
  - ix) A reactivation fee will be applied to any terminated account that gets reactivated within one year of termination date.
  - x) Reactivation of any account after one year of termination date will pay the full application fee.
- j) **MLS FEES**
- i) MLS fees, application, reactivation, cancellation, and Supra fees are approved by the Board of Directors prior to October 1<sup>st</sup>.
  - ii) Incentives, tiered structures, and payment plans may be offered by the Membership Department with the approval and guidance of the Association Executive.
  - iii) MLS billing may be annual, semi-annual, quarterly, or monthly. Payment options may be offered with the guidance and approval of Association Executive.
  - iv) MLS billing is done 15 to 30 days prior to the due date.
  - v) Notification of MLS invoice will be emailed and published on our website no less than two times between the date of bill and the due date. All attempts to make appropriate contact with the Member will be made. WCREALTORS<sup>®</sup> is not responsible for notifications that have not been received due to inaccurate email addresses, blocked addresses, or otherwise misdirected communications. It is the Member's responsibility to ensure that MLS fees are received by due date.
  - vi) Subscribers agree to subscribe for no less than six-month service periods regardless of billing option.
  - vii) Processing fees may be added at the discretion of Association Executive for quarterly or monthly payment options. Total not to exceed the cost of one month of service.
  - viii) Notice to unpaid accounts of upcoming deadlines for MLS cutoffs will occur a few days before the due date.
  - ix) MLS cut-off for unpaid accounts will occur within ten days after due date.
  - x) Unpaid accounts will be written off within a month of termination.
- k) **MLS Reactivation:**
- i) Within one month of the new billing cycle: pay full billing cycle fee.
  - ii) After 30 days of new billing cycle: A reactivation fee + prorated MLS fees.



- iii) After six months (or into a new billing cycle): An application fee + prorated fees. If choosing quarterly or monthly billing options (if offered) processing fees may apply.
- l) Early cancellation:
  - i) Refund of unused services are prorated. Prorate is calculated by subtracting current full month, minus an early cancellation fee. It will only be given with a written request signed by the Broker. No refund for monthly billing option (if offered).
  - ii) Cancellation must be done in writing via email, paper, or fax.
  - iii) Early cancellation fees are not to exceed the cost of one month of service and are applicable to annual and semi-annual billing options.
  - iv) Cancelling an MLS subscription will inactivate WCREALTORS® E-Key and/or co-op.
- m) Revenue Collection
  - i) Preferred payment is either check or credit card.
  - ii) Dues, registrations for classes, or payment for other events may be paid via web payment.
  - iii) All registrations for any event, class, or store purchase shall be paid at time of registration or purchase.
  - iv) There will be no corporate, company or Broker (DR) charge accounts at the ASSOCIATION.
  - v) Any payments for events or advertising requiring a payment plan will also incur a service charge of up to \$50.00 as determined by the Association Executive.
  - vi) No refunds will be given for store items (exchange or credit is available), dues, or advertising. Class registrations or refunds are subject to the education policy in place at time of registration.
  - vii) All NSF checks will be subject to a \$30.00 handling fee.
  - viii) Special order store items require a deposit of half down and no return
- n) Audits & Reviews
  - i) The Board of Directors will determine dates and times of audits and/or reviews and will budget accordingly.
  - ii) The AE will oversee all details of the audit and/or review assuring all information is forwarded to the accounting firm as needed.
  - iii) The Treasurer and Financial Committee will review the audit and submit to the Board of Directors for approval.
- o) Budget
  - i) The AE prepares the budget with the assistance of the current and incoming Treasurers and the current Finance Committee.
  - ii) The budget is to be completed by the end of November each year.
  - iii) The Board of Directors is to approve the budget at the December monthly meeting prior to January 1 of budget year.
  - iv) The budget is a guideline for expenditures, not an authorization to make expenditures.

**9) Document Retention**

- a) The following records are to be retained permanently:
  - i) Articles of Incorporation
  - ii) Bylaws

- iii) Capital stock and bond records
- iv) Contracts and agreements (government construction, partnership, employment, labor, etc.)
- v) Financial Auditors Report
- vi) Financial statements
- vii) General ledger
- viii) General cash receipts, cash disbursement, and purchase journals
- ix) IRS Approval Letter
- x) Legal correspondence
- xi) Minutes
- xii) Plan and trust agreements
- xiii) Pension/Profit Sharing actuarial reports
- xiv) Pension/Profit Sharing associated ledgers and journals
- xv) Pension/Profit sharing information returns
- xvi) Sales and Use Tax Returns
- b) The following records are to be retained for seven years:
  - i) Bank debt deduction
  - ii) Worthless securities
- c) The following records are to be retained for six years:
  - i) Employee payroll records (W-2, W-4, annual earnings records, etc.)
  - ii) Insurance accident reports
  - iii) Insurance fire reports
  - iv) Insurance group disability reports
  - v) Insurance policies
  - vi) Insurance safety records
  - vii) Mortgage and note agreements
  - viii) Patents
  - ix) Subsidiary ledgers (accounts receivables, accounts payable, etc.)
- d) The following records are to be retained for four years:
  - i) Bank deposit slips, reconciliations and statements
  - ii) Bills of lading
  - iii) Checks - Cancelled
  - iv) Contracts - Purchase and sales
  - v) Credit memos
  - vi) Depreciation records
  - vii) Employee expense records
  - viii) Financial statements-interim
  - ix) Freight bills
  - x) Internal reports (works orders, sales reports, production reports)
  - xi) Inventory list
  - xii) Invoices - Sales and cash register receipts, merchandise purchases
  - xiii) Invoices - Purchases
  - xiv) Payroll journal
  - xv) Payroll tax returns

- xvi) Personnel files
- xvii) Settled insurance claims
- xviii) Timecards
- e) The following records are to be retained for two years:
  - i) Budgets
- f) Tax Records
  - i) There is no limit for returns filed fraudulently or substantially underreport income.
  - ii) The length tax returns are required to be kept includes the period of time during which a return can be amended to claim a credit or refund, or that the IRS can assess more tax. The following situation contain the periods of limitations that apply to income tax returns. Unless otherwise stated, the years refer to the period after the return was filed. Returns filed before the due date are treated as filed on the due date.
    - (1) Owe additional tax and situations (2), (3) and (4) below, do not apply to you; keep records for 3 years.
    - (2) Do not report income that you should report, and it is more than 25% of the gross income shown on your return; keep records for six years.
    - (3) File a fraudulent income tax return; keep records indefinitely.
    - (4) Do not file a return; keep records indefinitely.
    - (5) File a claim for credit or refund after you file your return; keep records for three years from the date you filed your original return or two years from the date you paid the tax, whichever is later.
    - (6) Claim is due to a loss from worthless securities; keep records for seven years.
    - (7) Claim is due to a bad debt deduction; keep records for seven years.
  - iii) Keep information on an asset for the life of the asset, even when you dispose of the asset; keep records indefinitely.
- g) Keep all employment tax records for a least four years after the date that the tax becomes due or is paid, whichever is later.
- h) All retention periods begin with the date the return was filed. If the statute of limitations concerning a tax year is extended, the retention period should be extended accordingly.

## **10) Section 10 Human Resource and Administration**

- a) Association Executive Hiring
  - i) The Board of Directors may employ an Association Executive (AE). All duties and powers of the AE shall be outlined in an Association Executive Employment Agreement (AGREEMENT).
  - ii) The initial hiring of an AE will be conducted by the Board of Directors.
  - iii) The Board of Directors shall review the current duties and powers of the AE and make appropriate changes, if any, to the Association Executive Job Description.
  - iv) The Board of Directors shall benchmark the AE compensation range in all areas by utilizing tools and/or services available through the National Association of

- REALTORS® (NAR), Texas REALTORS® (TR), The American Society of Association Executives® (ASAE) and/or a similar, professional organization or consultant. Where possible, the Board of Directors at a minimum shall consider:
- (1) Total size of the ASSOCIATION as of the most recent July 31.
  - (2) Total budget.
  - (3) Number of staff.
  - (4) ASSOCIATION as a Non-profit IRS classification, real estate industry, trade association located in the Austin/Round Rock MSA.
- v) The President shall appoint a Special Committee, subject to approval by the Board of Directors. This Committee shall be known as the “Association Executive Search Committee” (AESC). This Committee shall be, at a minimum, composed of one Immediate Past President, or in the absence of, an Executive Committee Member other than the President, one Director, two At large REALTOR® Members holding Primary Board status and one Affiliate Member.
- (1) The AESC shall adopt a best practice model from NAR, TR or ASAE. With prior approval from the Board, the AESC may adopt a best practice model from a consultant working with the AESC.
  - (2) The AESC is responsible for:
    - (a) Creating job postings through NAR, ASAE, and/or other job posting sites as deemed necessary.
    - (b) Implementing the steps of the best practice model.
    - (c) Submitting to the Executive Committee the best qualified candidate for consideration.
    - (d) Maintaining a list of secondary candidates and
    - (e) Communicating to the Board of Directors and with potential candidates through the process.
- vi) The Executive Committee (EC) will accept or reject the candidate. If accepted, negotiations between the candidate and the EC will ensue. The President will lead the negotiations within the compensation range established by the Board of Directors.
- vii) Upon successful negotiation of the AGREEMENT, the EC will present the candidate to the Board of Directors for hire. If the Board of Directors does not hire the candidate, the EC will seek additional candidate recommendations from the AESC and repeat step vi.
- viii) Once hired, the AESC is ended without need for further action.
- b) Association Executive Agreement
- i) While not limited to the following items, the AGREEMENT shall include the following:
    - (1) Employment Term
    - (2) Duties and Responsibilities
    - (3) Compensation
    - (4) Cost of living adjustment
    - (5) Requirement to inactivate any active Texas Real Estate License
    - (6) Evaluation

- (7) Expense reimbursement
- (8) Confidentiality
- (9) Indemnification
- (10) Amendment
- (11) Termination
- (12) Mediation
- ii) The Association Executive contract shall be for a minimum of one year and a maximum of three years in duration.
- c) Association Executive Title
  - i) In any/all bylaws, policy, agreements, publications, references or other displays, the terms AE, Association Executive, CEO, Chief Executive Officer, CSE, Chief Staff Executive or any combination thereof are acceptable substitutions and shall be known to refer to the position of Association Executive.
- d) Association Executive Vacancy
  - i) In the event that the position of AE is vacant by means of termination, resignation, or incapacitation the President has the ability to employ an interim AE.
- e) Association Executive Evaluation Process
  - i) In October of every year, the Executive Committee will evaluate and assess the performance of the AE.
  - ii) The standard of evaluation shall be commensurate with the Duties and Powers outlined in the AGREEMENT and measured by the standards of having met or not having met.
  - iii) The Executive Committee shall contribute to the evaluation.
  - iv) The President shall deliver the evaluation to the Association Executive by the end of October each year.
  - v) If the Association Executive disagrees with the review, the AE may:
    - (1) Ask the President to change or adjust the language.
    - (2) Provide written rebuttal which will be included as part of the permanent record.
    - (3) Appeal the review to the Board of Directors which will render a decision.
    - (4) Any/all combination(s) of such.
  - vi) A copy of the annual evaluation shall remain as part of the Association Executives personnel file.
- f) Association Executive Agreement Renewal
  - i) In July of any year in which the AGREEMENT is set to end, the President and AE shall engage in benchmarking all areas of compensation by utilizing tools and/or services provided by NAR, ASAE and/or other like sources of data.
  - ii) In October of any year in which the AGREEMENT is set to end, the AGREEMENT shall be evaluated in whole by the President and the AE. Mutually, the President and AE shall generate a list of required changes, if any, to be made to the AGREEMENT.
  - iii) The EC may approve or deny the suggested changes to the AGREEMENT. The EC is limited to a net compensation adjustment of +/-10% from the AE compensation at the end of the term of the AGREEMENT.

- iv) If the suggested changes exceed a net compensation adjustment of +/- 10% of the AE compensation at the end of the term of the AGREEMENT, the EC must gain the Board of Directors approval.
- v) If the EC and the AE do not agree on required changes, if any, to the AGREEMENT, either the President or the AE may appeal to the Board of Directors which will render a decision.
- vi) Once the AGREEMENT is executed by the President and the AE, the Treasurer shall have the responsibility of including any changes to compensation in the Human Resources portion of the annual budget for the following year.
- g) Association Staff
  - i) All association staff work at the leisure of the AE.
  - ii) The AE shall set all levels of compensation including pay and benefits.
  - iii) The AE shall treat staff with respect, professionalism, and courtesy.
  - iv) Staff members should be continually evaluated throughout the year by the AE. The AE should provide feedback, suggestions for improvements, guidance, education, and ways for staff members to grow. Staff members should always be encouraged to provide best possible service, help to the Membership, and represent the ASSOCIATION to the Membership in a positive manner.
- h) Human Resource Budget
  - i) The AE is responsible for managing all aspects of the Human Resource Budget. This includes:
    - (1) Prepare and maintain a Conditions of Employment Handbook which shall be reviewed and agreed to by each staff member.
    - (2) Determining, negotiating, and managing benefits.
    - (3) Determining, negotiating, and managing all aspects of staff compensation.
    - (4) Forecasting employment needs and contributing to the annual budgeting cycle requests for modifications to the Human Resources portion of the annual budget.

## **11) Awards**

- a) Association Awards Committee Guidelines
  - i) The President shall appoint a Primary Member of the ASSOCIATION, who is not a current Officer nor the Association Executive to be the Chair of the Awards Committee.
  - ii) The Awards Committee shall be composed at a minimum of the Chair, President, President Elect, Immediate Past President, and two additional Primary REALTOR® Members in good standings. The Association Executive or appointee shall serve as the staff liaison.
  - iii) The ASSOCIATION may present some or all of the following awards:
    - (1) REALTOR of the Year
    - (2) Affiliate Member of the Year
    - (3) Affiliate Company of the Year

- (4) Builder of the Year
- (5) Rookie of the Year
- (6) President's Award
- (7) Distinguished Service Award
- (8) Others as approved by the Executive Committee or Board of Directors
- iv) Beginning in September of each year, the Awards Committee shall meet to prepare the notification of awards and review the scoring criteria.
- v) During the third week of September of each year the Awards Committee will invite Members within the ASSOCIATION to submit an application. Nominations will be accepted through October 15th.
- vi) Nomination forms will be screened by the Committee. In the event of an incomplete nomination, the Committee may contact the nominee, nominating Member, nominee's broker or team leader, and/or ASSOCIATION staff for additional information to complete the nomination.
- vii) No nomination shall be considered if received after 4:00pm October 31.
- b) Selection Process
  - i) During the first week of November, the Awards Committee shall meet to review nominations and select awards recipients. The Awards Committee will:
    - (1) Only consider criteria for each specific award.
    - (2) Not consider the current award recipient for a consecutive nomination.
    - (3) Self-nomination is allowed.
    - (4) Only consider nominations made by current WCREALTORS Member or staff person.
    - (5) Not consider a current Awards Committee Member's nomination.
    - (6) Develop a score sheet based on the criteria of each award.
    - (7) Keep all nominations confidential.
- c) Selecting, Ordering and Presenting Awards
  - i) The Association Executive will coordinate the selecting and ordering of physical awards.
  - ii) The awards presentation will be at a time and place corresponding with the ASSOCIATION Calendar and shall be published to the Membership.
  - iii) All nominees will be invited to attend the presentation at their own expense.
  - iv) The award presentation will be as prescribed in the event script generated under the Association Executive.
- d) Specific Award Guidelines
  - i) Rookie of the Year Award
    - (1) The ROOKIE of the Year Award recognizes and rewards a primary REALTOR® Member of WCREALTORS for the effort and work expended on behalf of fellow REALTORS®. This award is given
      - (a) To encourage that Member's further involvement in professionalism and WCREALTORS service.
      - (b) To encourage other Members to contribute time and energy so as to qualify for this award.

- (c) To raise the profile of recipients as future leaders in the organization and the community.
- (2) Qualifications
  - (a) The nominee must have started his/her REALTOR® career as a WCREALTORS Primary Member during the previous 18 months. Transferees or REALTORS® who have previously been Members of other REALTOR® associations are not qualified.
- (3) Selection Criteria.
  - (a) Four criteria are considered in determining the recipient of this award. Each Award Committee Member shall award a point value for each of the following criteria:
    - (i) PRODUCTION (1-30 points). The nominee will provide a list of his/her individual production in transaction side units, verified by broker, for the period from September 1-August 31 of the current year.
    - (ii) WCREALTORS ACTIVITIES (1-30 points). Nominees should ensure that all Committee or Task Groups Chaired, Committee work, Sub-Committees, and special assignments are listed on the application, along with date of service and the person to whom they reported.
    - (iii) PROFESSIONALISM (1-25 points). Nominees should provide a short narrative describing his/her attitude toward professionalism, citing the need for competence, a cooperative spirit with fellow REALTORS®, and adherence to the Code of Ethics. Additionally, nominees should list all professional designation courses taken and designations obtained, real estate related classes or seminars attended, and attendance at NAR or TR conferences.
    - (iv) TREPAC (1-15point) Nominees should be able to show support of TREPAC, whether monetarily or via attendance at activities or events.
  - (b) The score of each Member in each criterion will be added up. The nominee with the highest score shall be the award recipient.
- ii) REALTOR® of the Year
  - (1) The REALTOR® of the Year Award recognizes and rewards a primary REALTOR® Member of WCREALTORS for the time and energy expended on behalf of fellow REALTORS®. Additionally, this award is given
    - (a) To encourage that Member's further involvement in professionalism and WCREALTORS service.
    - (b) To encourage other Members to contribute time and energy so as to qualify for this award.
    - (c) To raise the profile of recipients as future leaders in the organization and the community.
  - (2) Qualifications
    - (a) Any REALTOR® who has been a Primary Member of WCREALTORS for five or more consecutive years is eligible.
  - (3) Selection Criteria.



- (a) Five criteria are considered in determining the recipient of this award. Each Award Committee Member shall award a point value for each of the following criteria:
    - (i) WCREALTORS ACTIVITIES (1-20 points). Nominees should list by year, all WCREALTORS offices held, Committee or Task Groups chaired, Committee work, Sub-Committees, special assignments and activities participated in at WCREALTORS during the last 18 months.
    - (ii) PROFESSIONALISM (1-20 points). Nominees should a narrative outlining the nominee's cooperative spirit toward fellow REALTORS®, reputation for professional competence and adherence to the National Association of REALTORS® Code of Ethics. Additionally, list all professional designations/certifications and Memberships held in any of the NAR Institutes, Societies or Councils. List, by year, real estate related seminars or classes taught in the last 18 months.
    - (iii) NATIONAL and/or STATE SERVICE (1-20 points). Nominees should list all NAR/TR offices and Committee assignments, attendance at NAR/TR conventions, TREC legislative assemblies, visits made to non-WCREALTORS Boards/Associations as a speaker and any other nation/state level activity.
    - (iv) TREPAC (1-20 points). Nominees should indicate, by year, contributions and support of TREPAC, whether monetarily or via attendance at activities or events.
    - (v) PRODUCTION (1-20 points). The nominee will provide a list of his/her individual production in transaction side units, verified by broker, for the period from September 1-August 31 of the current year.
  - (b) The score of each Member in each criterion will be added up. The nominee with the highest score shall be the award recipient.
- iii) Affiliate of the year
- (1) The Affiliate of the Year recognizes and rewards an individual Affiliate Member for his/her work and contributions made to the Williamson County Association of REALTORS® which have been beneficial to the ASSOCIATION as a whole and the Membership in general during the calendar year.
  - (2) Qualifications
    - (a) Nominee must have been an Affiliate Member of the ASSOCIATION for at least 12 consecutive months prior to being nominated for this award.
    - (b) Nominee must be a current Affiliate Member of the ASSOCIATION at the time he or she is being considered for the award.
  - (3) Selection Criteria.
    - (a) Four criteria are considered in determining the recipient of the award. Each Award Committee Member shall award a point value for each of the following criteria:
      - (i) WCREALTORS ACTIVITIES (1-30 points). Nominees should list by year, all Committee or Task Groups chaired, Committee work, Sub-Committees,

special assignments and activities participated in at WCREALTORS during the last 12 months.

(ii) Sponsorship/Support (1-20 points). Nominees should list all financial, product, education, community service or other physical support rendered to the ASSOCIATION.

(iii) Length of Service (1-20 points). Nominee should list his/her professional involvement in the real property industry.

(iv) Other Professional Service (1-20 points). Nominee should list other civil or non-profit positions held.

(b) The score of each Member in each criterion will be added up. The nominee with the highest score shall be the award recipient.

iv) Affiliate Company of the Year

(1) The Affiliate Company of the Year Award is given to recognize and reward a Company Affiliate Member for its work and contributions made to the Williamson County Association of REALTORS® which have been beneficial to the ASSOCIATION as a whole and the Membership in general during the calendar year.

(2) Qualifications

(a) Nominee Company must have been an Affiliate Member of the ASSOCIATION for at least 12 months prior to being nominated for this award.

(b) Nominee Company must be a current Affiliate Member of the ASSOCIATION at the time the Company is being considered for the award.

(3) Selection Criteria.

(a) Four criteria are considered in determining the recipient of the award. Each Award Committee Member shall award a point value for each of the following criteria:

(i) WCREALTORS ACTIVITIES (1-30 points). Nominees should list by year, all Committee or Task Groups Chaired, Committee work, Sub-Committees, special assignments and activities participated in by its employees at WCREALTORS during the last 12 months.

(ii) Sponsorship/Support (1-20 points). Nominees should list all financial, product, education, community service or other physical support rendered to the ASSOCIATION.

(iii) TREPAC (1-20 points). Nominees should be able to show support of TREPAC, whether monetarily or via attendance at activities or events.

(iv) Other Professional Service (1-20 points). Nominee should list other activities done to advance the causes of real property and homeownership.

(b) The score of each Member in each criterion will be added up. The nominee with the highest score shall be the award recipient.

v) President's Award

(1) The President's Award is given by the current President and intended to recognize and reward an individual who, while not receiving any other award, has demonstrated stellar service and support to the ASSOCIATION.

vi) Distinguished Service Award

(1) The Distinguished Service Award is given to recognize and reward a Member who has continuously served the REALTOR® profession with the highest levels of professionalism, TREPAC support and ASSOCIATION involvement.

(2) Qualifications

(a) Nominee must not have previously won the distinguished service award.

(b) Nominee must have been a REALTOR® for at least 25 years at any ASSOCIATION chartered by the National Association of REALTORS®

(3) Selection Criteria.

(a) Five criteria are considered in determining the recipient of this award. Each Award Committee Member shall award a point value for each of the following criteria:

(i) WCREALTORS ACTIVITIES (1-25 points). Nominees should list by year, all WCREALTORS offices held, Committee or Task Groups chaired, Committee work, Sub-Committees, special assignments and activities participated in at WCREALTORS during the last 18 months.

(ii) NATIONAL, STATE or OTHER LOCAL REALTOR® SERVICE (1-25 points). Nominees should list all NAR/TR offices and Committee assignments, attendance at NAR/TR conventions, TREC legislative assemblies, visits made to non-WCREALTORS Boards/Associations as a speaker and any other nation/state level activity.

(iii) TREPAC (1-25 points). Nominees should indicate, by year, contributions and support of TREPAC, whether monetarily or via attendance at activities or events.

(iv) RECOGNITION (1-25 points). Nominee should list career awards received through Williamson County Association of REALTORS or other local, state, national REALTOR® organizations, other civic or government entities.

(b) The score of each Member in each criterion will be added up. The nominee with the highest score shall be the award recipient.

vii) Williamson County Top Producer Award

(1) Williamson County REALTORS® Top Producing Large Firm: This recognition is awarded to the three large firms with the highest number of total Williamson County sales among CTXMLS users between (1) November 15, 2019-November 14, 2020, (2) November 15, 2020-November 14, 2021, (3) November 15, 2021-November 14, 2022.

(2) Williamson County REALTORS® Top Producing Medium Firm: This recognition is awarded to the three medium firms with the highest number of total Williamson County sales among CTXMLS users between (1) November 15, 2019-November 14, 2020, (2) November 15, 2020-November 14, 2021, (3) November 15, 2021-November 14, 2022.

(3) Williamson County REALTORS® Top Producing Small Firm: This recognition is awarded to the three small firms with the highest number of total Williamson County sales among CTXMLS users between (1) November 15, 2019-November

- 14, 2020, (2) November 15, 2020-November 14, 2021, (3) November 15, 2021-November 14, 2022.
- (4) Williamson County REALTORS® 3 Top Producing Agents-Large Firm: This recognition is awarded to the subscriber from a large firm with the highest number of total Williamson County sales among CTXMLS users between (1) November 15, 2019-November 14, 2020, (2) November 15, 2020-November 14, 2021, (3) November 15, 2021-November 14, 2022.
  - (5) Williamson County REALTORS® 3 Top Producing Agents-Medium Firm: This recognition is awarded to the subscriber from a medium firm with the highest number of total Williamson County sales among CTXMLS users between (1) November 15, 2019-November 14, 2020, (2) November 15, 2020-November 14, 2021, (3) November 15, 2021-November 14, 2022.
  - (6) Williamson County REALTORS® 3 Top Producing Agents-Small Firm: This recognition is awarded to the subscriber from a small firm with the highest number of total Williamson County sales among CTXMLS users between (1) November 15, 2019-November 14, 2020, (2) November 15, 2020-November 14, 2021, (3) November 15, 2021-November 14, 2022.
  - (7) All awardees will have the ability to utilize the name of the award, along with the award logo for the current and for future years, given a certificate or other trophy as decided by the awards Committee and other privileges as established by the Awards Committee.
  - (8) No-nomination will be made, data will be pulled from the MLS.
  - (9) Production is to be based on dollar volume and to consider both buyer and seller sides of the transaction.
  - (10) Firm sizes to be determined on April 30<sup>th</sup> of each year of the award.

## **12) Policy & Procedure Change**

- a) Policies and procedures may be changed at any time by a vote of the Board of Directors.
- b) This document is subject to change at any time to comply with Board of Director policy changes.

## **13) Electronic Voting Policy**

- a) Electronic voting should be used as a secondary-alternative. Whenever possible, live votes of duly scheduled entities should be taken. Live is defined as: in person at the ASSOCIATION office OR by electronic means in which each individual is continuously seen in video and recognized by the Chair or Association Executive, or seen and identified as a Member through the presentation of the video and a Government issued photo id.
- b) This electronic voting policy shall not be used for:
  - i) Any matter related to employment or contract of the Association Executive.

- ii) Matters that would ordinarily be deemed confidential in nature.
- c) All electronic votes of the Board of Directors and/or Committees of Williamson County Association of REALTORS® are to begin with a request by the current president of the association OR current Committee chair by notifying the Association Executive or staff liaison by providing the following information:
  - i) Written motion that is being made.
  - ii) Officer, Director or Committee Member that has requested the motion. As with all meeting, the presiding chair may not bring forth the motion.
  - iii) The Association Executive/Staff Liaison will prepare an electronic message by utilization of the appropriate secure electronic vessel (email, mail-chimp, AMS, Survey-Monkey, etc.). This message will include:
    - (1) Entity taking action
    - (2) Motion being made.
    - (3) Person making the motion.
    - (4) Timeline for the motion
  - iv) Upon preparation, the Association Executive/staff member shall distribute the electronic communication to all Members of the Board of Directors or Committee. This motion shall be deemed as open for discussion.
  - v) During discussion:
    - (1) Any Member of the Board of Directors or of the Committee may speak in favor or in opposition to the motion by presenting written communication.
    - (2) All communication must be sent to ALL eligible to vote.
    - (3) Discussion will be open for 48-hours after the initial electronic communication is sent. After such time, discussion will be closed, and voting will be open.
    - (4) Each Member is allowed to vote one time during the 24-hours immediately preceding the initial email by responding to all participants “yes” for a vote in favor of the motion and “no” for a vote in opposition to the motion. All grammatical forms of “yes”, “yay”, “no”, and “nay” are to be accepted.
    - (5) A Quorum will be established by 51% of the seated Board of Directors or current Committee Membership casting a vote in favor or opposition to the motion OR by responding “abstain” during the voting period. If 51% do not respond during the voting period, no quorum will have been deemed to have been met and the vote will be invalid.
    - (6) At the end of the 24-hour voting period, the Association Executive/Staff AND the President/Committee Chair shall tally the votes, confirm the counts with each other and publish the passing or failing of the motion.

#### **14) Credentialing Sub-Committee Formation**

- a) The Credentialing Sub-Committee shall be the committee-of-the-whole Bylaw & Policy Committee and the President shall appoint a chair to the sub-committee subject to ratification by the executive committee.

## 15) Confidentiality Policy

- a) This Confidentiality Policy (Policy) is adopted in order to ensure matters which are to remain known only to certain persons affiliated with the Association are kept that way. Association members are frequently involved in proceedings or actions that involve information that should be kept private. The purpose of this Policy is to define and set forth what information that is and to inform members and staff of procedures to be followed to ensure confidentiality.
- b) This Policy is applicable to all members of the Association who serve in voluntary governance positions. Voluntary governance positions include all members of the Executive Committee, Board of Directors, Committees and Task Forces.
- c) Confidential Information includes but is not limited to any information pertaining to The Association's current or anticipated operations, procedures, 3<sup>rd</sup> party relationships and agreements, work product, and personal identification information. Some examples of Confidential Information are:
- d) Identifying personal or financial information related to any Association employee or member (e.g. driver's license number, address, phone number, credit card number, etc.)
  - i) Information related to any previous, current, or anticipated Professional Standards proceedings (including the Ombudsman, Mediation, Ethics, and Arbitration programs)
  - ii) Information related to Professional Development programs and the creation of such programs that is specifically identified as confidential
  - iii) Information related to the development and creation of any artwork, marketing material, graphic design, and other printed material to be used by the Association, its staff and members
  - iv) Information concerning the process used to create and publish the Association magazine, newsletters, podcasts and any other communications tool utilized by the Association
  - v) Information related to vendor contracts and any proprietary information learned by the Association in obtaining and fulfilling its obligations pursuant to vendor contracts
  - vi) Any information related to government affairs and political involvement programming of the Association not otherwise required to be made public (e.g. process used to determine campaign contributions, discussions surrounding decisions for campaign contributions and endorsements, and membership data, etc.)
  - vii) Information pertaining to the process used to create and publish the Association Forms Library that is specifically identified as confidential
  - viii) Information related to personnel decisions (e.g. hiring, firing, promotion, reprimand, salary increases, etc.)
  - ix) Information obtained pursuant to closed meetings of Association committees, Board of Directors, or Executive Committee
  - x) Any other information not generally known that if disseminated could be reasonably expected to adversely affect the Association

- e) General Non-Disclosure of Confidential Information
  - i) At no time shall an Association member disclose Confidential Information unless expressly permitted to do so at the discretion or direction of the CEO of the Association. Further, unless expressly permitted to do so, at no time shall an Association member make copies of Confidential Information except as may be required in the performance of the person's job duties or voluntary governance position duties.
- f) Association Governance
  - i) From time to time, it may be necessary or required for meetings of Association leadership (i.e. certain committees, Executive Committee, Board of Directors) to be held in executive session. The proceedings of these meetings are confidential in nature and shall not be disclosed to individuals who were not present at the meeting.
  - ii) Any information discussed at a meeting held in executive session or documents that are disseminated are to remain confidential and may not be shared with anyone not in attendance.
- g) Member Information
  - i) Members of the Association frequently provide information to the Association related to their membership requirements, contributions to the Texas Real Estate Political Action Committee, or other reasons. Any information provided to the Association for these limited purposes shall be deemed confidential and may not be shared with any other member of the Association or with Association staff holding positions to which the information would not be relevant.
- h) Acknowledgment
  - i) By agreeing to serve in an Association voluntary governance position, each Applicable Person agrees to abide by the terms in this Policy. Applicable Persons also acknowledge that Confidential Information learned or discovered during the course of the person's affiliation with the Association is the sole property of the Association and further agrees to leave any hard copies containing Confidential Information in the possession of the Association upon either the end of the Applicable Person's affiliation with the Association or the end of the person's service in a voluntary governance position.
  - ii) As a condition of service to hold a position of service on the Board of Directors, Executive Committee, any Standing Committee, Special Committee, Sub-Committee or Task Force of Williamson County Association of REALTORS®, members are required to sign the following statement:

Williamson County Association of REALTORS®  
Confidentiality Policy Acknowledgment

By agreeing to serve in an Association voluntary governance position, I agree to abide by the terms in the Confidentiality Policy of Williamson County Association of REALTORS®. I also

acknowledge that Confidential Information learned or discovered during the course of my affiliation with the Association is the sole property of the Association and further agree to leave any hard copies containing Confidential Information in the possession of the Association upon the end of my service in a voluntary governance position.

I, \_\_\_\_\_, agree to abide by the terms and conditions stipulated in the Confidentiality Policy. I acknowledge that I have received a copy of the Policy and have read its terms very carefully. I understand that my failure to abide by the terms of the Policy may result in my immediate dismissal from my volunteer governance position with the Association as well as my Good Standing membership status in Williamson County Association of REALTORS®.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

#### **16) Social Media Policy**

- a. Social media includes, but is not limited to websites, blogs, social networking sites, discussion groups, and listservs.
- b. Social media is a powerful and effective communication and engagement tool and the Association encourages Association leaders to utilize social media to help raise awareness of the Association’s work and issues of interest to Texas REALTORS® and consumers.
- c. These Social Media Guidelines for Association Leaders (“Guidelines”) are intended to enable Association leaders to maintain their ability to express themselves personally on social media, while also ensuring that the reputation and work of the Association is protected. In furtherance of these objectives, Association leaders should follow these Guidelines:
  - i. All Association leaders are encouraged to use social media to promote the Association’s mission, policy positions, advocacy efforts, and other association news.
  - ii. It is always acceptable to repost or share any Association published communications and established policy positions.
  - iii. Always be professional, respectful, and ethical when engaging in social media and avoid making statements or posting photographs that could reasonably harm the Association.



- iv. In the capacity of an Association leader, avoid making statements contrary to NAR’s public positions on federal issues, TR’s public positions on state issues, and the Association’s public positions on local issues, including but not limited to contrary statements about appointees, political parties, elected officials or candidates, and legislative or regulatory matters.
  - v. When reasonably necessary or useful, include a disclaimer that views expressed by the Association leader are personal to the individual and do not represent the official views of the Association.
  - vi. Do not disclose any confidential information.
  - vii. Do not call for a boycott of a product, service, or company.
  - viii. Avoid any connection to the Association when making personal statements of endorsement or opposition to particular products, services, or companies.
  - ix. Avoid and/or remove statements or content that create undue opposition or controversy.
  - x. Avoid making statements or posting photographs that are inappropriate including, but not limited to discriminatory remarks, demeaning or defamatory comments, contain profanity, offensive material, and comments that might constitute harassment.
  - xi. Respect third-party intellectual property, and always use NAR’s trademarks in accordance with NAR’s Membership Marks Manual. REALTOR® means member of the National Association of REALTORS® and must not be used generically as a synonym for the occupation of “real estate agent” or “broker”.
- d. Association leaders who do not adhere to these Guidelines or who otherwise act inappropriately when engaging in social media, may be contacted by the Association’s CEO or Association President to resolve the situation, which may include withdrawing, correcting, or revising the communication at issue.
  - e. Social media presence is a significant factor for the Association’s appointment process to positions, committees, sub-committees, task forces, and endorsements to positions at partner organizations such as TR, NAR, WCR, etc. Social media presence may also be a factor when applying for local and state government positions.
  - f. As used in these Guidelines, “Association leaders” includes elected and appointed officers, directors, committee chairs and vice chairs, and other members appointed to positions of leadership.