



**CARTERET COUNTY ASSOCIATION OF
REALTORS® & CRYSTAL COAST MLS, INC.
POLICY & PROCEDURES MANUAL**

Approved November 2019

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SECTION 1—GENERAL INFORMATION

Mission Statement

Carteret County Association of REALTORS® (CCAR) is an organization of real estate professionals, created to promote high ethical standards and to enhance the professional and personal growth of its membership through information, education and community involvement. CCAR helps our members be successful, supports our communities and protects property rights for everyone

SECTION 2 – ORGANIZATIONAL STRUCTURE

The Carteret County Association of REALTORS and the Crystal Coast MLS are comprised of volunteer members/participants. The Carteret County Association of REALTORS® (CCAR) is a not-for-profit 501(c)(6) corporation. The corporation owns the Multiple Listing Service of The Crystal Coast MLS, Inc. which is a for-profit corporation. The Association can ultimately control the business of the MLS by denying approval of governing documents and monetary policies. The policies in this manual are an addition to and not a replacement for each individual Bylaws.

- A. Governance: The Carteret County Association of REALTORS® and Crystal Coast MLS, is governed by the membership/participants through an elected board of directors.
- B. Executive Officer Executive Officer is selected by the corporations to supervise the day-to-day operations of the corporations and to implement and carry out each of the Boards Policy and Procedures. The Executive Officer shall administer the day to day finances of CCAR and CCMLS within budgetary constraints approved by the Board of Directors. The CCAR and CCMLS President is the direct supervisor of the Executive Officer. .
- C. The staff is hired by the Executive Officer and each is answerable to the Executive Officer alone. This statement means that it is the Executive Officer that hires and directs the activities of the staff, not the Board nor the members.
- D. Board of Directors: The board of directors is responsible for directing the activities and ongoing organization/development of the association and MLS.
- E. Executive Committee: the executive committee consists of the officers of both organizations: President, President-Elect, Secretary, Treasurer and Immediate Past President.
- F. Committees: The standing committees are the professional standards committee, education committee, budget and finance committee and grievance committee.

Other committees are listed in Section 8 with their responsibilities and description.

G. Association and MLS Documents:

- All Association records shall remain at the Association/MLS Office and may not be removed without the consent of the current President or President-Elect.
- Board of Director minutes of both organizations are available upon request to all members/participants in good standing.
- Financial documents of both organizations are available upon request to all members/participants in good standing by the following process under the guidelines of the Nonprofit Corporation Act:

§ 55A-16-02. Inspection of records by members.

(a) A member is entitled to inspect and copy, at a reasonable time and location specified by the corporation, any of the records of the corporation described in G.S. 55A-16-01(e) if the member gives the corporation written notice of his demand at least five business days before the date on which the member wishes to inspect and copy.

(b) A member is entitled to inspect and copy, at a reasonable time and reasonable location specified by the corporation, any of the following records of the corporation if the member meets the requirements of subsection (c) of this section and gives the corporation written notice of his demand at least five business days before the date on which the member wishes to inspect and copy:

(1) Excerpts from any records required to be maintained under G.S. 55A-16-01(a), to the extent not subject to inspection under G.S. 55A-16-02(a);

(2) Accounting records of the corporation; and

(3) Subject to G.S. 55A-16-05, the membership list.

(c) A member may inspect and copy the records identified in subsection (b) of this section only if:

(1) The member's demand is made in good faith and for a proper purpose;

(2) The member describes with reasonable particularity the purpose and the records the member desires to inspect; and

(3) The records are directly connected with this purpose.

(d) This section does not affect:

(1) The right of a member to inspect records under G.S. 55A-7-20 or, if the member is in litigation with the corporation, to inspect the records to the same extent as any other litigant; or

(2) The power of a court, independently of this Chapter, to compel the production of corporate records for examination.

(e) A member of a corporation that has the power to elect, appoint, or designate a majority of the directors of another domestic or foreign corporation, whether nonprofit or business, shall have inspection rights with respect to the records of that other corporation.

SECTION 3 – MEMBERSHIP

A. Application

- 1) All Brokers and applicants must have their license number and be active with the NCREC prior to making application.

B. Types of Membership/Licensees

- 1) Primary – The Association that collects NAR and NCR dues in addition to local dues. All REALTOR® benefits and resources will be available to the primary member.
- 2) Secondary– REALTORS® who hold Primary membership in another Association and pay Carteret County Association of REALTORS® (CCAR) dues only. BIC needs to become a member of CCAR too, and need letter of good standing from both the REALTOR® member and BIC.
- 3) Business Partners – Non real estate members working in fields related to real estate and are subject to a one-time application fee. SentiLock card service is not included as a service through their membership, although, Business Partners may elect to obtain the SentiLock Card service at an additional charge.
- 4) Licensed Appraisers. Appraisers apply as full REALTOR® members whether they have a Brokers license or not. They will pay REALTOR® dues and MLS fees. (See attached Appendix
- 5) MLS Only Member – REALTOR® member needing only MLS access. Must have an active primary REALTOR® membership with an association and BIC of firm needs to be an MLS Only member, too.
- 6) Licensed Office Staff/Admins – Licensed staff member who pays either Non-Member Dues or Member Dues and MLS Fees if there is not a waiver.
- 7) Property Managers – Licensed Broker who applies as a full REALTOR® member.
- 8) Franchise REALTOR® membership.

- 9) Designated REALTOR® members.
- 10) Institute Affiliate Members.
- 11) Life & Emeritus Members.
 - 1) Life members Any REALTOR® who has held Membership for twenty-five (25) years or more continuously, and has held the office of CCAR President, may be granted a lifetime REALTOR® Membership upon application and approval of the Board of Directors.
 - 2) Emeritus Members: A REALTOR® Member who has held membership in the National Association of REALTORS® for a cumulative period of 40 years, and has completed at least one year of service to the association, is eligible for REALTOR® Emeritus status. Certified REALTOR® Emeritus members do not pay dues to the National Association and are exempt from the Code of Ethics Training requirement.
- 12) Non-Member Salespersons – a non-member salesperson is a licensed salesperson or licensed or certified appraiser employed by or affiliated as an independent contractor with a REALTOR® first who does not elect to be a REALTOR®. Such salespersons are not members of NCR or NAR and are not entitled to receive any direct services. The Broker of the first non-member salesperson affiliated has the responsibility to pay the non-member dues for that salesperson. A Lockbox System Key may not be issued to a non-member.
- 13) Teams - Teams are defined as two or more REALTORS® working together, listing and selling real estate and/or actively promoting themselves to the public as a team as well as receiving compensation solely based on the team's performance. Declaration of a team and names of team members to be made in writing by the team and/or BIC to the Association no more than 60 days after the teams' creation. (Adopted 8/2019)

C. Application Process

- 1) All dues and fees must be paid and application fully completed to apply. An application fee is charged to new members.
- 2) A secondary member may apply for membership by mail.
- 3) A primary member must make application for membership in person.
- 4) A former member who has had his/her membership terminated for nonpayment of dues, fees, fines, or other assessments duly levied in accordance with the provisions of the Bylaws or other Rules and Regulations of the Association or any of its services, departments, divisions, or subsidiaries may apply for reinstatement after making payment in full of all accounts due as of the date of termination. A New Member Fee (also known as the Application for REALTOR®) must

accompany the application for reinstatement.

- 5) New Office will make application and pay appropriate new office fee to CCMLS. A deposit for SentiLock Lockboxes is to be paid to CCMLS in the amount of \$250. Ten (10) lockboxes plus how many active listings the office currently has can be given.

D. Orientation Process

- 1) Orientation is required for all active new REALTOR® members. Classes and hours to be approved by the Board of Directors.
- 2) Secondary members should receive information on CCAR but are not required to attend orientation, however they will be required to attend the MLS part of orientation if their primary association is not a part of the NCRMLS.

E. Orientation Policy

- 1) A new member applicant must attend an orientation class sanctioned by the Board of Directors within one hundred and twenty days (120) of the application date of application for membership.
- 2) The Board of Directors may not terminate any provisional membership without providing the provisional member with advance notice, an opportunity to appear before the Board of Directors, to call witnesses on his/her behalf, to be represented by counsel, and to make such statements as he/she deem relevant. The Board of Directors may also have counsel present. The Board of Directors shall require that written minutes be made of any hearing or it may be electronically or mechanically recorded during the proceedings.
- 3) Following suspension for failure to attend the required orientation course, an applicant may be reinstated by: (1) paying the new member fee, (2) paying any other applicable fees; and, (3) registering for the next orientation course. Special circumstances shall be dealt with by the Board of Directors.
- 4) Attendance of orientation classes shall be kept as a permanent record.
- 5) Certification of Membership in the Association shall be given to all attendees when orientation is completed and the attendee is sworn in.

F. Transfers

- 1) A REALTOR® has thirty (30) days to inform and submit paperwork, along with transfer fees, to CCMLS. CCAR will notify NCR and NAR, but REALTOR® is responsible for notifying state licensing authority.

SECTION 4—DUES AND FEES

- A. Dues and fees are to be determined by the Board of Directors.
- B. Dues and fees may be paid by check, money order, or credit card.
- C. Two-party checks will not be accepted.
- D. Postdated checks will not be accepted.
- E. Any non-sufficient funds (NSF) check shall be promptly returned to the issuer, after NSF funds and other fines have been satisfied. An NSF fine of thirty-five dollars (\$35.00) must be provided to the Association within seven (7) days. Funds must be remitted by cashier's check, money order, certified check or credit card.
- F. If a member's method of payment has been refused in two instances for lack of funds, the company or individual will be placed on a "cashier's check, money order, or cash basis only" for the remainder of the year.
- G. Former members, who apply to other Associations for membership, will not receive a "Letter of Good Standing" from the Association until financial obligations are fully satisfied.
- H. In the event that monies are owed to the Association/MLS by the member, then any and all efforts to collect such funds, including-- but not limited to court action, will be borne by the member. One hundred dollars (\$100) is the minimum amount to be sent to collections. If the account is One Hundred Twenty (120) days past due, it will be sent to collections.
- I. REALTOR® Membership dues shall be prorated for new licensees; however, membership dues shall not be prorated if the licensee held Realtor® or Realtor®-Associate membership during the preceding calendar year.
- J. REALTOR® Membership dues billing will be sent 30 days prior to due date. Membership dues will be due to the Association by January 1st. Any renewal primary dues received between January 31 and March 1st will be charged a late fee of \$100.
- K. Billing for Business Partners member dues will be mailed on January 2nd and due in 30 days. No late fees apply.
- L. Non-Payment of Renewal Dues:
 - 1) One month after the due date of membership dues, the member is subject to suspension at the discretion of the BOD.
 - 2) Two months after the due date of membership dues, the member may be terminated at the discretion of the BOD.
 - 3) Three months after the due date of membership dues, the member shall automatically terminate unless within that time the amount due

is paid.

- P. REALTOR® Membership termination for nonpayment of dues:
- 1) If the member has been terminated for less than one (1) year, they may apply for reinstatement of membership by paying outstanding renewal dues plus late fee and the reinstatement fees. See Appendix II
 - 2) If the REALTOR® member has been terminated for more one (1) year, they must attend the new member orientation.
 - 3) If the REALTOR® member has been terminated for more than one (1) year, they must apply for reinstatement of membership in the same manner as a new member. Application fee, new member orientation fee and prorated new member dues apply.

SECTION 5 - MLS & SENTRILOCK RULES/FEEES

CCMLS Participants shall abide by the NCRMLS Rules & Regulations and the following local Crystal Coast MLS rules:

REALTORS® who hold Primary membership in another Association can gain access with NCRMLS. The Designated REALTOR® of firm must become either a Secondary member or an MLS Only member. Also, a letter of good standing is needed from both the REALTOR® member and Designated REALTOR®.

A. MLS Service Fees and Charges:

Fees are set by the Crystal Coast MLS Board of Directors. See Appendix II

- 1) Initial Participation Fee: An applicant for participation in the service shall pay an application fee in the amount determined annually the MLS Board of Directors. Such fee shall accompany application or reapplication.
- 2) Recurring Participation Fee: The monthly participating fee of each participant shall be an amount determined by the MLS Board of Directors, times each sales person and/or appraiser; whether licensed as a broker associate, salesperson, or licensed or certified appraiser who is employed by or affiliated with the Participant as an independent contractor with such Participant at the time of billing.
- 3) MLS fees are billed quarterly to each active participant of all active firms, unless a waiver or opt form has been approved. (Amended 2019)
- 4) Billing is done the 1st month of each quarter (Jan. April, July, October) (Amended 2019)
- 5) Invoices are due 30 days after invoicing and a reminder will be sent to the Participants.

- 6) A late fee of \$50 and suspension of MLS access for any participants with outstanding charges that are more than 30 days past due unless a formal appeal for a review of specific fines and/or charges has been filed to the MLS staff. Appeals that are denied by the CCMLS Board of Directors will be due immediately with suspension taking place 15 days after decision. (Adopted 2011, Amended 2019)
- 7) If full payment is not received by end of the billing quarter, MLS membership will be terminated. Reinstatement of membership fees shall apply if member wishes to re-active their membership. (Amended 2019)
- 8) If a participant drop is received by the 10th of the month, a credit back of any remaining months including the current month of the quarter will be made upon request. If the drop is submitted after the 10th of the month, the current month will not be credited; only remaining full months will be credited to the participant upon request. (Amended 5/2014, 2019)
- 9) Members with one or more active logins shall be billed accordingly by their respective Association/MLS.

B. MLS Waivers

Recurring Participant Waiver Fee: The quarterly participation fee for any individual employed by or affiliated as an independent contractor with the Participant who does not have access to and use of the MLS may be waived upon written request for a waiver.

WAIVERS WILL BE GRANTED TO LICENSEES WHO ARE:

- 1) Employed by Broker/Participant as full-time property managers, who do not list or sell.
- 2) Employed in a secretarial position that does not access the MLS for other than administrative purposes as directed by the Broker/Participant.
- 3) Licensees who are employed as personal assistants to Realtor members and who do not list, sell, rent, or lease real estate.
- 4) Act as referral agents only and never list, sell or show.
- 5) Waivers are approved by the CCMLS Board of Directors.

WAIVERS WILL BE GRANTED TO UNLICENSED ADMINS/SUPERUSERS WHO ARE:

- 1) Employed in a secretarial position that does not access the MLS for other than administrative purposes as directed by the Broker/Participant.
- 2) Waivers do not need approval by the CCMLS Board of Directors.

The exemption for any individual utilization of the service in any manner and charges will be billed from the original date of the waiver. If an individual wish to resume use of the MLS,

notification in writing shall be given to the Association office and charges will be resumed as of the time of reapplication.

The waiver form must be filled out entirely and submitted to the MLS office for approval.

Waiver Billing:

- a) A \$25 Waiver fee is due at time of application.
- b) MLS waivers are billed quarterly in the amount of \$25 to each employer of the firm who holds waived persons in their office.

C. MLS OPT Out:

- 1) Recurring Participant Opt Out: The monthly participation fee for any individual employed by or affiliated as an independent contractor with a secondary MLS Participant, who does not have access to and use of the MLS may be waived upon receipt of a written opt out form.
- 2) No fee is associated with an OPT out form.
- 3) All OPT Out forms must renew each year.

D. IDX/RETS

- 1) IDX/RETS feed can be obtained by submitting an application through the Association office.
- 2) Primary feeds require a \$250 setup charge and \$80 annual charge.
- 3) Secondary feeds only require an \$80 annual charge.
- 4) Billing of IDX feeds will be done annually in August.

E. SENTRILOCK

The Crystal Coast MLS adheres to the Lockbox Security Requirements as stated in the NAR Handbook of Multiple Listing Policy

- 1) REALTOR® and qualified key holders will adhere to the Regional Rules and Regulations for the SentiLock Lockbox System Agreement, along with the SentiLock SentiCard Authorized User Agreement. (See attached)
- 2) Business Partner members wishing to lease a lockbox system key are limited to Pest Inspection Companies, Home Inspection Companies and Appraisers. Each year the Director of Member Services will reconcile with each Business Partner who has been issued a key to ascertain if they still remain with that Business Partners company.

- 3) SentiLock access is not a mandatory service for members.
- 4) SentiLock Annual Access Fee: Access fees are billing annually for access from April 1st to March 31st. Invoices are generated to each individual member who has access.
- 5) Unlicensed Admins who have SentiLock access prior to April 2019 shall be able to continue their service. Unlicensed Admins seeking to obtain SentiLock access after April 2019 shall be denied. (Adopted 4/2019 by CCMLS BOD)
- 6) SentiLock Replacement Card Policy: Warranty period on cards is 3 years from date of activation. Cards in warranty period that are defective is no charge to members for a replacement card. Lost cards either in/out of warranty is a \$25 cost to the member for a replacement card. Defective cards out of warranty is a cost of \$6 to the member for a replacement card. (adopted 2018)
- 7) Key-Only Holders – REALTOR members of other Associations/MLS are able to obtain SentiLock access with CCMLS by being a key-only holder. The annual access fee applies, along with the card and card reader fees.
- 8) SentiLock Lockboxes:
 - a) Lockboxes are owned by the Crystal Coast MLS and are leased to BIC of active firms. Members are to obtain lockboxes at their firms and issued by the BIC. Lockboxes are not given to individual members at the Association office.
 - b) The BIC of a new firm is designated to begin with one lockbox per current listing plus 10 (ten) extra. A \$250 (two hundred and fifty) deposit, along with a signed lockbox agreement, is required at time of initiation.
 - c) Lockbox Audits are done annually. A list of current lockboxes assigned to each BIC of each active firm will be sent out with request of acknowledgement. Any BIC with lost lockboxes will be charged \$250 (two hundred and fifty) per lockbox.

SECTION 6—BOARD OF DIRECTORS

A. Composition

- 1) CCAR: The Officers of CCAR shall be a President, a President-Elect, a Secretary and a Treasurer. The President and President-Elect shall serve one-year terms. The Treasurer shall serve a two-year term and the Executive Officer shall serve as Secretary for the corporation. The President-Elect and the Treasurer shall be elected by the Members.
- 2) CCMLS: There shall be a total of seven (7) voting members of the Board of Directors of the Service, including the President, President-Elect/Vice-President, and Treasurer of the Service. The immediate Past President of the MLS service shall also serve as a voting member of the Board of Directors. The remaining three

(3) voting members of the Board of Directors shall serve 2-year staggered terms, and shall be elected by the Shareholder at the Annual Meeting.

B. Absence

- 1) Members of each BOD will be required to attend twelve (11) meetings annually (or the number of meetings adopted by the BOD), and to attend each meeting *in its entirety*.
- 2) Absence from three (3) regular meetings without an excuse deemed valid by the Board of Directors in accordance with policies established and maintained by the Board of Directors, shall be construed as resignation
- 3) The BOD member shall inform the EO or President of any absence prior to a regularly scheduled meeting.

C. Duties and Responsibilities

- 1) The Board of Directors shall have the duty to conduct the general affairs of the Association and delegate and adopt such rules and regulations as deemed proper and are not in conflict with the Association's Bylaws, Association's Strategic Plan, nor in conflict with NCR and NAR Bylaws and policies and procedures as applicable to local Associations; and not in conflict with any regulatory agency policy and/or law as related to the industry.
- 2) Be empowered to fill vacancies that may occur on the Board of Directors.
- 3) The Board of Directors may authorize an audit of the books and accounts of the Association at their discretion.
- 4) The Board of Directors shall oversee the Committees to see that they are functioning effectively and within their guidelines.
- 5) Attend all Board of Director and membership meetings and other scheduled events of the Association when possible.

D. Orientation Process for New Board of Director Members

- 1) Newly elected board members are notified of their election at the annual meeting. They must attend the last board meeting of the current year as non-voting members. Upon confirmation of elections, the EO will send an orientation packet to the new Board members. The incoming board member is responsible for reviewing and becoming familiar with the materials prior to attending the first official board meeting. The orientation packet will consist of the following:
 - a) Bylaws
 - b) Board Members contact information
 - c) Policy & Procedures Manual

- d) Minutes of the current year board meetings
- e) Current year budget
- f) Most recent month financial statement
- g) Association's strategic plan
- h) Calendar of events for year coming

E. Meetings

- 1) The Board of Directors shall hold regularly scheduled meetings each month with the prerogative to cancel a meeting when conditions permit. Whenever possible, the meeting should be held on the same day each month as decided by the current Board. The meeting is open to members of good standing and their attendance be known prior to meeting.
- 2) Information on the BOD's meeting shall be sent to the Directors prior to the meeting.
- 3) Minutes are an official record of the Association and may be used as evidence of the proceedings. Minutes will be recorded by the EO. Minutes will be reviewed and approved by the BOD at the next board meeting.
- 4) The minutes of any meeting of the Board of Directors shall be available, upon request, to any member in good standing of the Association.
- 5) EO and President will meet one week prior to the scheduled board meeting for preparation of meeting agenda.

F. Other Policies

- 1) The Executive Officer shall review all documents annually to ensure their compliance with NAR policy and that they are in the best interest of the Association and report to the BOD of any discrepancies or changes.
- 2) The President shall serve as the official spokesperson for the Association. In the absence of the President, the President-Elect or Executive Officer shall serve as the spokesperson.
- 3) The Executive Officer shall prepare a preliminary annual update of the Bylaws and Association Policy & Procedures Manual for presentation to the appropriate committee.
- 4) Any changes to the Bylaws and Office Policy and Procedures Manual must be approved by the appropriate committee, after research, and before being submitted for approval by the Board of Directors.
- 5) The BOD will hold an annual retreat consisting of all active Board of Directors to prepare goals for the year ahead. Strategic Planning will be conducted every 3-5 years as needed by completion of current CCAR Strategic Plan.
- 6) All Members of Board of Directors will sign a confidentiality agreement each

new year when taking their position.

SECTION 7—ANNUAL BOARD OF DIRECTORS ELECTION

- A. Board of Directors application will go out to membership 3 months before the annual election.
- B. Two months before the annual election (annual meeting), applications are to be returned and the nominating committee will meet to review the applications and select up to two candidates for each open seat. Board of Directors are not required to approve the candidate slate before it goes to membership vote.
- C. The candidate slate shall be communicated to the membership at least three weeks preceding the election by online voting and advised that additions to the slate may be made by petition.
- D. Petitions must be accompanied with a list of signatures of thirty (30) REALTOR members eligible to vote, delivered to the Association office at least 2 weeks before the election. Petitioners must meet all criteria for the position. The election of Offices and Directors shall take place at the annual meeting at which a quorum is required.
- E. Election shall be by ballot. The ballot shall contain the names of all candidates and the offices for which they are nominated.
- F. Early electronic voting will be made available to members of the Association in good standing and entitled to vote. Votes cast in this manner will count towards a quorum. All ballots must be properly executed and submitted within the specified timeframe in order to be counted.
- G. Detailed procedures to secure the handling of ballots shall be in conformity with such additional rules and regulations as set forth by the Board of Directors.

SECTION 8—OFFICERS AND DIRECTORS POSITIONS

A. PRESIDENT

- 1) One-year term
- 2) Responsible to the Board of Directors
- 3) Presides at all meetings of BOD and Association/MLS
- 4) Determines the substance of the agenda for the meetings over which he/she presides.
- 5) Keeps the members/participants and Board of Directors informed on

- conditions/operations of the Board/Association/MLS and real estate industry.
- 6) CCAR Only: Serves as spokesperson for the Association/MLS.
 - 7) Directs the BOD in formulating policies and programs.
 - 8) Monitors expenditures.
 - 9) CCAR Only: Appoints committee chairs in the absence of a President-Elect.
 - 10) CCAR Only: Ex-officio member of all committees.
 - 11) May form taskforces, workgroups or PAGS (Presidential Advisory Group) as deemed necessary.
 - 12) CCAR Only: Serves as member of the Board of Directors for the North Carolina Association of REALTORS® and as a member of the delegate body for the National Association of REALTORS®.
 - 13) Qualifications and Requirements:
 - a) Chaired or participated on at least one committee and have been an Officer or Director on either BOD for at least one (1) year.
 - b) CCAR Only - Must attend a Professional Standard Training Seminar in the first year of the commencement of term serving on the BOD.

B. President- Elect

- 1) One-year term.
- 2) Responsible to President.
- 3) Function is to prepare to assume presidency. Serves as the chair of RPAC
- 4) Serve as member of the Budget and Finance Committee to foster understanding of Board finances and the budgeting process
- 5) CCAR Only: Serves as chair of the Nominating Committee
- 6) Perform the duties, including presiding over official meetings, of the President in his/her absence.
- 7) Counsel with other officers in seeking to reach objectives as it relates to the Strategic Plan.
- 8) CCAR Only: Serve as ex-officio member of committees as assigned by President. Represent Association/MLS at community functions in absence of President.
- 9) CCAR Only: Serves as member of the Board of Directors for the North Carolina Association of REALTORS®
- 10) Qualifications and Requirements:
 - a) Shall have chaired or participated on at least one (1) committee and

served on the Board of Directors as an officer or director for at least one (1) year.

- b) CCAR Only -Must attend a Professional Standard Training Seminar in the first year of the commencement of term serving on the BOD.

C. Treasurer

- 1) Two-year term.
- 2) Responsible to President
- 3) Function is to:
 - a) Present the financial statements at the Board of Directors meetings.
 - b) Help prepare the Association and MLS's annual budget.
 - c) Prepare and present Financial report at the Annual Meeting of the Membership, and any special meetings called by the BOD and/or the membership/participants.
- 4) Serves as Chairperson of the Budget and Finance Committee – (CCAR Treasurer Only)
- 5) Carry out responsibilities as defined by President or Directors.
- 6) Carry out other specific duties as described in the CCAR/CCMLS Financial Policy.
- 7) Qualifications and Requirements:
 - a) Must have served actively on at least one (1) committee.
 - b) CCAR Only: Must attend a Professional Standard Training Seminar in the first year of the commencement of term serving on the BOD.

D. Director

- 1) Serve a two-(2) year term or the remainder of the unexpired term of a director who has resigned or been terminated.
- 2) Responsible to the President.
- 3) Function is to formulate and implement all plans, operations and financial policies so as to operate the Association/MLS to best serve the membership/participants.
- 4) Qualifications and Requirements:
 - a) Should have actively served on at least one (1) committee.
 - b) CCAR Only: Must attend a Professional Standard Training Seminar in the first year of the commencement of term serving on the BOD. If this requirement was not met, then that Director will not be able to hear and Ethics decision at the BOD level.

E. Director Liaisons – CCAR Only

1. To attend assigned committee meetings. Non-voting member of the committee assigned
2. Act as a conduit between committees and Board members.
3. Act as a conduit between companies assigned and the Board members.
4. Complete Liaison report and turn into Board of Directors.

SECTION 9—COMMITTEES

Committees are the limbs of the organization. They gather information, review materials received which fall within the goals and responsibilities of their respective committee, develop recommendations of what the Board should be doing in various aspects of local, state and national involvement as well as how our members can best be served through their membership in the Board.

Mission statement, objectives and committee job descriptions shall be the drivers for each committee and defined below.

A. Appointments

- 1) The President-Elect of CCAR shall appoint Committee Chairpersons for the coming year from among the REALTOR® Members, subject to recommendations by the CCAR Board of Directors.
- 2) Committee members with the exception of PS & A and Grievance, shall come from volunteers.
- 3) The President-Elect shall designate a member of the BOD to be a liaison to each committee.
- 4) Upon the receipt of committee request forms for appointment to committees, the Executive Officer will review requests for their committee and develop a list of members requesting that committee. The Chair and Director Liaison may also contact and add members to the list. Special care must be taken to provide for fair representation of all member offices. Request for committee volunteers shall go out in October of each year.
- 5) Additional appointments and/or removals on a committee can be made at any time throughout the year

B. Guidelines

- 1) Roberts Rules of Order shall be used for all meetings.

- 2) Objectives and Responsibilities of each committee for the ensuing year are developed by the incoming President in conjunction with input from incoming and outgoing Directors, the Executive Officer, and committee chairs.
- 3) The first meeting of each newly appointed committee will include direction for the committee from the Chair, will establish a meeting schedule for the year, and will review budget for the committee (when applicable).
- 4) Correspondence addressed to the Association may be directed to an appropriate committee for review. The Chair of the Committee is advised of its receipt and content in order that it may be included in the committee meeting agenda.
- 5) Contracts and/or commitments made in securing facilities for scheduled events, obtaining necessary supplies, etc., must be made in the name of the Association and include the Executive Officer or the Membership Director as the contact person, the Association office as the address to receive such contracts, and must carry the authorized signature of the Executive Officer.
- 6) Monies received by committees in connection with scheduled events must be delivered to the Association office for accounting and record keeping purposes. Any funds received by the Association office for such events may not be removed from the Association office. Likewise, any expenses incurred for scheduled events must be invoiced to the Association office where they will be approved for payment by the Executive Officer.
- 7) Notice must be sent prior to any committee meetings. All meetings shall be scheduled on the Association calendar and held at the Association office unless prior arrangements have been made through the President or Executive Officer.
- 8) A quorum shall be a simple majority of those entitled to vote. Voting may be by electronic means and each person is entitled to only one vote. In the event of a tie, the Chairperson or presiding person shall cast the deciding vote.
- 9) Review the materials sent prior to a meeting and to bring those materials to the meeting.
- 10) Motions from committees for expenditures should be made to the Board of Directors enough in advance to allow Director action prior to the expenditure being made. Further, such motions should include whether or not the expenditure is a budgeted item and the unused budgeted amount for the committee.
- 11) Any sub-committee request is made to the parent committee which may or may not forward a motion to the Board of Directors for approval.

C. DUTIES AND RESPONSIBILITIES OF THE CHAIR

- 1) Review the agenda for committee meetings with the staff prior to distribution to committee members

- 2) Call the meeting to order when a quorum is present
- 3) Conduct the meeting in accordance with the agenda (NOTE: When guest speakers are in attendance, the Chair may elect to alter the sequence of the agenda.)
- 4) The Chairperson of each committee shall have the authority at their discretion to reinstate members to the committee. Cannot make a motion but can suggest one vote only in the case of a tie; can also create a tie
- 5) May elect to attend the Directors meeting to present a recommendation of the committee and is encouraged to do so
- 6) Provide the board staff with outgoing correspondence to be prepared for the appropriate signatures
- 7) Review the minutes of each meeting
- 8) Review committee members' meeting attendance with the board staff; if necessary, contact members with excessive absences to determine their desire to continue on the committee; advise staff of any members who will not be continuing on the committee
- 9) Prepare a year-end report for the committee, provided to the Board of Directors and place a copy in the ensuing year's committee file

D. DUTIES AND RESPONSIBILITIES OF THE COMMITTEE VICE CHAIR

- 1) Chair the committee meeting when the Chair is absent
- 2) Appointed by Chair of committee at first annual committee meeting.
- 3) Take minutes of meeting. (staff to take minutes if absent or chairing meeting)
- 4) Work with the Chair and committee members in accomplishing goals established by the President, the Board of Directors and the committee

E. COMPOSITION AND DUTIES OF COMMITTEES

ADMINISTRATIVE COMMITTEE (Association/MLS) (Amended 1/2018)

The function of the Administrative Committee will be to:

1. Provide to the Board of Directors an annual review of the Executive Officer, along with recommendations regarding salary and benefits as outlined in the CCAR/CCMLS performance management document.
2. Other duties as requested by the Board of Directors.
3. Committee shall meet at least 3 times a year. Executive Officer's review to be done 30 days prior to anniversary of EO's hiring date.
4. The past president of the CCAR Board will serve as Chair.

The committee will consist of the following:

CCAR President	CCMLS President
CCAR Past President	CCMLS Past President
CCAR President-Elect	CCMLS President-Elect
CCAR Treasurer	CCMLS Treasurer

BYLAWS COMMITTEE (Association/MLS)

1. The appointed Chairman shall serve for two (2) consecutive years, and shall appoint at least four (4) Members to serve on the Committee.
2. The President and the Executive Officer shall be ex-officio Members of all Committees and shall be notified of their meetings.
3. Committee Responsibilities:
4. All activities shall be scheduled through the Executive Officer. Each Chairman and Committee is responsible for implementing their programs. Should assistance (clerical, etc.) be necessary from the Association staff, please consult with the EO to determine if schedule permits.
5. Review and recommendations Bylaws of both Organizations on an annual basis done no later than June 30th.
6. Shall advise the Board EO of revisions (proposed) to the Bylaws as they deem revisions necessary.
7. Shall meet until such time as the Bylaws are revised, as required, reviewed by the Board of Directors and approved by the Board membership. Shall notify the Board membership, with explanation, of proposed revisions.
8. Shall check with the Board EO for any recommendations of policy changes or additions approved by the Board of Directors which may require incorporation

into the Bylaws.

9. Shall notify the Board EO immediately of three (3) successive absences of any Committee member so that he or she may be promptly replaced.
10. Vice Chair shall record the minutes of each meeting held and shall submit a legible copy to the EO as soon as possible.
11. The Committee Chairman shall notify the Association Office in advance of each scheduled membership meeting of any reports so that the Committee may be put on the agenda.

EDUCATION COMMITTEE (Association)

1. The Education Committee shall consist of the Chairman, Vice Chair and committee members.
2. All meetings are to be scheduled through the Association Office. The President and the Executive Officer shall be ex-officio Members of all Committees and shall be notified of their meetings.
3. Committee Responsibilities:
 - a) The EO Shall arrange for seminar speakers, location, time, subject and cost. Make reservations for overnight accommodations through the Association Office. Pick up and return speaker to the airport, if necessary.
 - b) Shall submit plans including topic and estimated cost to the EO or approval by the Board of Directors in cases where the program will exceed the Budget. This must be done at least one (1) month prior to the initiation of said program.
 - c) Shall verify annual budget amount when taking over the Committee with the Board EO.

GRIEVANCE COMMITTEE (Mandated NAR Bylaws)

1. The Grievance Committee shall consist of seven (7) Board Members in good standing.
2. All meetings are to be scheduled through the Board Office. The President and the Executive Officer shall be ex-officio Members of all Committees and shall be notified of their meetings.
3. Shall keep the EO/President informed of all activities. Each Chairman and Committee is responsible for implementing their programs. Should assistance (clerical, etc.) be necessary from the Board staff, please consult with the EO to determine if schedule permits.

4. Main function is to INVESTIGATE. (Does not hold hearings)
5. The President shall appoint the Chairman for a two-year term subject to the approval of the Board of Directors. The Committee Members shall also be appointed by the President.
6. All Committee members are required to attend a Professional Standards Training Seminar at least once per year.
7. Shall check with the EO for detailed procedures when a grievance is received.
8. Chairperson selected by the CCAR President-Elect
9. CCAR Board of Directors to approve the Chairperson and committee members.
10. Potential committee members to complete a profile sheet (attached) each year to request to serve on committee, which then will be approved by the BOD.
11. Members serve a three (3) year term.
12. Shall review complaints of alleged unethical conduct or requests for arbitration to determine if such complaints or requests are properly presented and if they have the validity and substance to warrant hearings before the Professional Standards Committee.
13. Follow the grievance procedures of the Code of Ethics and Arbitration Manual of the National Association of REALTORS®
14. A Grievance Committee member will be assigned to assist the complainant in properly framing the complaint.

LEGISLATIVE

1. Shall establish and implement plans to achieve objectives set by the BOD annually.
2. Shall attend the RPAC workshop presented by NCAR.
3. Shall become versed in the Rules and Regulations imposed on RPAC.
4. Planning/Zoning:
 - i. Shall act as a liaison with the Planning and Zoning Board of the City and County and attend meetings on a regular basis, as well as any other meetings as necessary, such as the City Council.
 - ii. Shall notify the Board Office in advance (at least one (1) month if possible) of any meeting that may be of special interest to the Members so that notice of that meeting may be placed in the Board Newsletter.
 - iii. Shall report, in writing, any action taken by the City/County Planning Board that may have direct or indirect impact in the Board or the Real Estate industry.

5. Political Action and Issues Mobilization:
 - i. Shall monitor the political activities of government officials so that the Board may be informed.
 - ii. Shall work on Community and State legislative matters, reporting to the Members when proposed legislation will have a direct or indirect impact on the Board and/or Real Estate industry.
 - iii. Shall act as liaison with the State and National Association, keeping the Members informed.
6. Shall keep a record of time spent by the Committee for tax exempt records.

REALTORS POLITICAL ACTION (RPAC)

- 1) Shall act as liaison with the NCAR RPAC, and shall coordinate information with the Political Action & Issues Mobilization Committee.
- 2) Shall attend the RPAC workshop presented by NCAR.
- 3) Shall become versed in the Rules and Regulations imposed on RPAC.
- 4) Shall notify the Board Office, in writing, of funds collected/forwarded to NCAR on a monthly basis. Shall also report such to the Members, at the monthly meetings, including updates on the use of RPAC funds statewide and locally.
- 5) Shall act as liaison with RPAC trustee when necessary.

NOMINATING COMMITTEE

- 1) The Nominating Committee shall consist of the President, Immediate Past President, President Elect of both BOD's and at least two (2) REALTOR® committee members. The Chairman of the committee is the CCAR current President.
- 2) At least two (2) months prior to the annual election, the Committee shall select, as a minimum, two (2) candidates for each slot to be filled on the Board of Directors and Officers of both CCAR and CCMLS.
- 3) Shall accept and place on the ballot for election any candidate who, by written request to the Nominating Committee and/or Board, desires to run for a particular office.
- 4) Shall give members notice as to when cutoff date for acceptance of written requests will be.
- 5) Shall follow By-Laws of the CCAR and CCMLS with respect to all procedures.
- 6) A report of the Nominating Committee shall be submitted to the Board Executive Officer so that it can be mailed to each REALTOR® member at least

three (3) weeks preceding the election.

- 7) The Committee Chairman shall notify the Executive Officer in advance of each scheduled meeting so that the Committee report may be included in the Board of Directors agenda.

PROFESSIONAL STANDARDS COMMITTEE (Mandated CCAR Bylaws)

- 1) The Professional Standards Committee shall consist of the Chairman, and at least seven (7) other qualified REALTOR® members. Members shall be appointed by the CCAR President-elect and the EO, subject to confirmation by the Boards of Directors. All procedures shall be governed by the Code of Ethics & Arbitration Manual of the National Association of REALTORS®, as amended from time to time.
- 2) All hearings shall be scheduled through the Executive Officer by the Chairman of the Professional Standards Committee. The Executive Officer shall be a non-voting ex-officio member.
- 3) The Committee Chairman and Vice-Chairman (optional) shall be selected by the CCAR President. The members of the committee shall be appointed by the CCAR President subject to confirmation by the CCAR Board of Directors.
- 4) It is a requirement that the Chairman and all members attend the NCR Professional Standards Seminar annually.
- 5) Shall educate themselves on changes in the Code of Ethics and Standards of Practice and shall become familiar with and strictly adhere to the Code of Ethics and Arbitration Manual of NAR.
- 6) All hearing will be tape recorded by the EO. The tape recordings will be held confidentially in a separate file for a period of five (5) years at the Association Office. The recordings will not be routinely transcribed.
- 7) The Executive Officer will be present at all ethics hearings, arbitration hearings, and appeal hearings.
- 8) Board council will be present only on a case by case basis. Council will review all Hearing Panel decisions prior to Board of Directors hearings.
- 9) In reference to an ethics Complaint, the REALTOR® (Principal) will not be automatically joined in a Complaint if one is filed against a REALTOR® (non-principal) or REALTOR®-Associate licensed with the REALTOR® (Principal). The REALTOR® (Principal) will only be joined on a case by case basis based on action of the Complaint or upon review of the Grievance Committee or Hearing Panel.
- 10) Arbitration deposits shall be the sum of two hundred dollars (\$250) for each party. The prevailing party will have their two-hundred dollars (\$250) refunded, or in special situations, the Hearing Panel will decide the disbursement. Other

standard filing fees for ethics or other violations are as stated elsewhere in this manual.

- 11) All members are required to attend a Professional Standard Training Seminar at least once per year.
- 12) NAR's Expedited Ethics Procedures shall be offered to those REALTOR® Respondents who have not been found in violation of the Code of Ethics within the previous three (3) years allowing them to waive their right to an ethics hearing by acknowledging the conduct alleged in the complaint and agreeing to accept the discipline imposed. A Professional Standard panel would then consider the facts of the case and select the appropriate discipline.
- 13) All cases heard by Grievance and Professional Standards must be kept for one year before being destroyed. The Findings of Fact may not be destroyed.

BUSINESS PARTNER COMMITTEE (Association)

To support and promote the professionalism, integrity, and competency of the membership and affiliated businesses through promoting advocacy, industry specialized education, by providing networking and volunteer opportunities, and special events to the membership and affiliated businesses. The committee may meet when needed.

AWARDS COMMITTEE (Association)

- 1) All members of the Awards Committee must sign a Confidentiality Agreement
- 2) Committee members will be approved by the Chairman. The committee shall consist of members from different firms.
- 3) Committee members are to review awards criteria annually and submit any recommendations of changes/additions to the CCAR Board of Directors.
- 4) Criteria and levels of Production awards and criteria for Recognition awards will be an appendix to this manual.

BUDGET AND FINANCE COMMITTEE (Mandated CCAR Bylaws)

- 1) The Budget and Finance Committee shall be Chaired by the CCAR Treasurer, with the Committee consisting of the both current Treasurers, previous years Treasurers, President-Elects of both BOD's and other Members at large.

- 2) Review all quarterly financial reports via email one week prior to scheduled quarterly finance committee meeting with CPA.
- 3) Develop and approve annual budgets to be submitted to appropriate BOD for approval.
- 4) Review and develop recommendations to the appropriate BOD on any unbudgeted expenditures over \$1000. This does not prohibit the BOD to approve any unbudgeted expenditures without the approval of the Finance Committee.
- 5) Develop, determine and review investment recommendation(s). i.e.: CD's, money markets, Real Estate.
- 6) The Budget shall be presented to each Board of Directors for approval prior to the scheduled annual membership meeting.
- 7) Shall attain and familiarize themselves with the Budget they are to operate under.
- 8) Shall work up a proposed budget for the upcoming year to be presented to the Board of Directors meeting for approval.

PUBLIC RELATIONS COMMITTEE (Association)

- 1) Shall promote REALTORS®, the REALTOR® image and the local Association, through advertising, photos, and press releases, all within the given budget amount.
- 2) Shall promote the proper use of the term REALTOR® in media and among Membership.
- 3) Shall work to promote the image of the Carteret County Association of REALTORS®, Inc.
- 4) Shall work in coordinating media coverage for projects, awards, etc., and prepare press releases.
- 5) Shall work to identify community needs that the Carteret County Association of REALTORS®, may be able to fill.

SCHOLARSHIP COMMITTEE

- 1) The Carteret County Association of REALTORS® shall annually award six (6) \$1,000.00 scholarships to local graduating seniors. Three of these \$1,000.00 scholarships will be paid by CCAR and three will be paid by CCMLS. These amounts are to be deposited into the Debbie Coleman Education Foundation for distribution of scholarship.
- 2) In late March, the Scholarship Committee Chair shall distribute Scholarship Applications and Poster to all Carteret County School.

- 3) After application deadline, the committee shall review each application and complete a score sheet on each applicant.
- 4) The recipients shall be awarded their scholarship awards at the May membership meeting.

SECTION 10—NCR/NAR

- A. The CCAR President and President-Elect will the voting Delegates for NCR and NAR.

SECTION 11—TRAVEL REIMBURSEMENT

- A. The President, President-Elect and any other Officers, Directors and Committee Chairs will be reimbursed for travel expenses to meetings as provided in the current travel policy and budget for both CCAR and CCMLS and upon approval by BOD.

SECTION 12—POLICY ON HARASSMENT

- A. 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 a hearing in accordance with the established procedures of the association.
- B. Disciplinary action may also consist of any sanction authorized in the Association's Code of Ethics and Arbitration Manual.
- C. 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.
- D. 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 Vice President 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.
- E. If the complaint names the President, President-Elect or Vice President, 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. (Amended 5/03)

SECTION 13---MISCELLANEOUS

A. Communication

- 1) To ensure that proper information is provided to the public, it is important that CCAR speaks with “one voice” in the event the press contacts the association. Unless expressly authorized to do so, all members and committee members are prohibited from issuing statements to the media concerning Association business.
- 2) Call to Action –Executive Officer emails all Call to Action material to Legislative Committee members and all brokers upon receipt of the material.
- 3) Notification of Meetings – Shall be disseminated according to the By-Laws for “called” meetings and by email for all other meetings.
- 4) The annual membership meeting shall be held in the third quarter. Furthermore, meetings of the Membership may be held at other times as the President or the BOD may determine, or upon the written request of at least twenty percent (20%) of the Members eligible to vote.
- 5) Newsletter – The Executive Officer may emit by email to Association Members a weekly/ monthly or quarterly news/information report as deemed necessary to keep members informed.
- 6) Business Partner Directory – a complimentary directory of all active Business Partners shall be created by the Association and listed in the category of their business. Business Partners wishing to place ads in the directory can do so by March 1st of each year. The cost of the ad will be determined each year by the EO. The directory will be updated in September of the current year.
- 7) A tape recorder will not be used for regular BOD meetings for various reasons. The only time a recorder is to be used is to record a presentation from a vendor or another type of presenter.

B. Social Media

- 1) The Association respects your right to interact and communicate about non work-related matters using the Internet. In order to protect the Association from the posting of comments and information that may have a harmful effect on its reputation and/or its employees, we have developed the following policy. For the purpose of this policy, “engaging in social media” means posting or uploading content to all types of interactive electronic communications including but not limited to websites, weblogs, social networks, discussion boards, and listservs.
- 2) CCAR FaceBook Closed Group Page – Only active members of CCAR will be allowed to have access and to post in the group page. The EO will be the administrator for the group page and will have control of who joins and posts to

the group. The EO will have the authority to remove any posts that they see unfit or unrelated to the group.

- 3) CCAR FaceBook Company Page – Only CCAR office staff will be allowed to have access and to post on the company page. Events, classes and important information only will be posted to the page.

C. General Operating

- 1) Professional Liability Insurance – Policy by NAR for Directors/officers/staff/committees as long as governing documents are in compliance with NAR policy
- 2) Confidential materials – Active membership files are kept in Association office. Inactive membership files are scanned and stored electronically. Confidential material and important documents will be kept in a fireproof file cabinet with the key under the control of the Executive Officer.
- 3) Members' contact information may not be sold to any entity; however, members' contact information, including email address, could be publicly disseminated as one of the benefits of membership
- 4) The EO will have a set of keys to the firesafe safes. A second safe key set will be stored in an electronic lockbox located in the vault room of the Association office in case of emergencies.
- 5) Use of Board Facilities/Equipment/Materials – A rental agreement is to be filled out for the use of either the Board room or the Training Room or equipment.
- 6) Association Office Hours – Monday through Friday - please see website for hours, as they may vary. Closed on standard posted holidays.
- 7) Smoking Policy – No smoking will be allowed in the office building. Smoking area is designated.
- 8) Inclement Weather Policy - The Association office will follow the inclement weather policy of the government offices or at the discretion of the EO and current CCAR President. All Association events are cancelled when the government offices are closed.
- 9) Quarterly Membership Meetings – meetings are held four (4) times a year. President-Elect shall schedule meetings for the following year. EO to locate venue based upon annual budget. Membership meetings are free to active members in good standing, include Business Partners.
 - a) Membership Meeting Cancellation Policy (Adopted 2019): " Members have up to 72 hours prior to the event to cancel their registration. If member does not cancel within that time frame and does not attend meeting, member will be billed the per head cost from caterer that is billed to CCAR."
- 10) CE Certificates issued by CCAR will be sent via email to student within 5 business

days of class.

11) Official Office Closings

- a) New Year's Day (the office will close on noon of New Year's Eve)
- b) Good Friday
- c) Memorial Day
- d) Martin Luther King Jr. Day
- e) Fourth of July
- f) Presidents Day
- g) Labor Day
- h) Thanksgiving Day
- i) Day after Thanksgiving
- j) Christmas Eve
- k) Christmas Day

SECTION 14---DO NOT CALL / DO NOT SPAM / DO NOT FAX

In order to comply with the Do Not Spam/ Do not fax, Do not call legislation, CCAR may be considered as a "telemarketer." The legislation defines telemarketing: a plan or program or campaign which is conducted to induce the purchase of goods or services. Telemarketers are required to "scrub" their calling lists against the Registry at least once every month. Telemarketers and sellers are prohibited from calling a phone number listed on the Registry (exceptions exist).

A. Exceptions

1. A business relationship based upon a transaction between the company and the consumer within the previous eighteen (18) months.
2. Or, within three (3) months of an inquiry, application or request by the consumer.
3. Prior written permission to call.
4. Unsolicited autodialed or prerecorded calls are prohibited to any cell phone even if there is an established business relationship.
5. The regulations only apply to residential phone numbers.
6. The FTC requires CCAR/CCMLS (telemarketer) to transmit its telephone number and, if possible, its name to consumers' Caller ID services for all interstate calls.
7. A telemarketer's use of calling equipment that can't transmit Caller ID

information is no excuse for failure to transmit the required information.

8. The FCC rules prohibit blocking of CCAR/CCMLS's company information through a caller identification service. The Rules further require that CCAR/CCMLS (a business) must provide a number in the caller ID where consumers can call the business during normal business hours and make a business-specific do-not-call request.
9. CCAR/CCMLS calls to a home-based business should be related to the actual business being conducted in the home if the number is in the DNC Registry.

Do Not Spam: Commercial electronic mail message:

- a. Exempt: "transactional or relationship e-mails" whose primary purpose is to:
 - i. Facilitate, complete or confirm a commercial transaction that the recipient has previously agreed to enter into with the sender.
 - ii. Provide warranty information, product recall information or safety or security information for a product or service purchased or used by the recipient.
 - iii. Provide information of a change in the terms, features, status, ..., membership, ...ongoing purchase or use of products or services offered by the sender and used by the recipient.
 - iv. Provide information directly related to an employment relationship or benefit plan in which the recipient is enrolled.
 - v. Deliver goods or services that the recipient is entitled to receive under the terms of a transaction that the recipient has previously entered into with the sender.
- b. How to determine primary purpose:
 - i. E-mail content solely advertises or promotes a product or service it is commercial.
 - ii. E-mail contains both commercial and "transactional or relationship content" it is commercial if either:
 - iii. Recipient deems from the subject line that the e-mail advertises or promotes a product or service
 - iv. Transactional or relationship content is not located at or near the beginning of the e-mail.
- c. E-mail contains both commercial and non-commercial content it is commercial if:

- i. Recipient concludes from the subject line that the e-mail is commercial.
- ii. Recipient concludes from the text that the main purpose of the e-mail is to advertise or promote a product or service.
- iii. All commercial emails must include:
- iv. A “clear and conspicuous notice” that the message is an advertisement or solicitation.
- v. A “legitimate” return e-mail address.
- vi. A valid postal address.
- vii. An Internet-based mechanism by which the recipient may “opt- out” of future commercial e-mail messages. The opt-out address must remain active for 30 days after the transmission of the e-mail and opt-outs must be honored within 10 days.

B. Do Not Fax:

- i. Unsolicited commercial faxes may be sent without prior permission as long as:
- ii. An “established business relationship” predates the enactment of the Junk Fax Prevention Act, or
- iii. In the case of a new “established business relationship”, the fax number was provided voluntarily by the recipient or is publicly available in a published directory, advertisement or website to which the recipient gave the fax number for publication.
- iv. CCAR/CCMLS may not purchase fax list from third parties
- v. All unsolicited commercial faxes will include an opt-out provision on the first page of the fax and will be available 24-hours per day/7 days and at no cost to the consumer, (e.g., (cost-free op-out mechanism) include an email address to which to reply, a local phone number with message option, and an 800 number with message option. NOTE: 1. A phone number that is a long-distance or toll call is not acceptable. 2. A verbal permission to fax is an allowed means of granting express permission to fax.

APPENDIX I - SCHEDULE OF FINES

Fines as established by the Board of Directors are as follows:

1. Late payment of Realtor® Member dues: \$ 75 (seventy-five)
(Business Partners and Secondary member dues do not get assessed a late fee)
2. NSF fine: \$35.00 (thirty-five)
3. Accounts over 30 (thirty) days: 10% (ten) per month finance charge except REALTOR® Dues and MLS Fees
4. MLS Fines: See NCRMLS compliance policy.
5. Ethics Fees:
 - A. Administrative Fee for Ethics: \$250.00
 - B. Request for Ethics Appeals (Form E -13): \$250.00
6. Arbitration Fees:
 - A. Arbitration filing (Form A – 1 or A – 2): \$250.00

APPENDIX II - SCHEDULE OF FEES

Fees established by the Board of Directors are as follows:

- A. CCAR primary and secondary member fee: \$176.00. Prorated if joining as new member.
- B. One-time CCAR new member fees: (does not include NCR or NAR fees)
 - a. CCAR application fee: \$250.00 (two hundred and fifty)
 - b. CCMLS application fee: \$250 (two hundred and fifty) exception: if member is transferring from an Association who belongs in the NCRMLS, application fee is waived.
- C. Transfer fee: \$100.00 (One Hundred) paid to CCMLS
- D. New office fee: \$1500 (One thousand, five hundred) paid to CCMLS
- E. Business Partner Dues (renewing): \$125.00 paid to CCAR
- F. New Business Partner application fee: \$25.00 paid to CCAR
- G. Non-member Fee to Brokers: \$516.00 (see page 23, section 3 of By-Laws) paid to CCAR
- H. Stop-payment fee: \$35.00 (thirty-five)
- I. SentiLock Card Fee: \$25 (new and lost/damaged out of warranty)
- J. Lost Lockbox Fee: \$250
- K. Lost SentiLock Paddle fee: \$250
- L. Custom Sign Charges: \$.35/character first side; \$.17/character second side
- M. Education CE Certificates Duplicate: \$25
- N. MLS Waiver: \$25/Quarter
- O. IDX/RETS Fees: Primary - \$250 setup, \$80 annual / Secondary \$80 annual
- P. Reinstatement Fees:

CCAR Membership

- a) 0-30 days \$0.00
- b) 31 days – 1 year \$75.00

MLS Office Membership

- a) 0-30 days \$0.00
- b) 31 days or more \$500 New Office Application Fee Applies

MLS Membership

- a) 0-30 days \$0.00 (If transfer, the \$100 fee is required)
- b) 31-90 days \$125.00
- c) 90 days – 1 Year \$225.00

Antitrust Policy

A goal of the Carteret County Association of REALTORS® and Crystal Coast MLS, Inc., is to improve the level of products and services offered by its members to the public and to encourage vigorous competition among its members in providing such products and services. In furtherance of this goal, CCAR/CCMLS has adopted a policy of strict compliance with antitrust laws.

(1) **Company Policies.** Members shall not discuss with any competitor individual company policies relating to pricing or related types of sensitive information, including (a) commission levels, fees, business expenses or other business information or policies that would allow or encourage price fixing or maintenance; (b) bidding strategies either in general or for specific properties or any other information that would allow or encourage bid rigging; (c) a firm's competitive business decisions; (d) policies regarding the duration or types of listing agreements the firm will enter into or the form of compensation the firm will accept or negotiate; (e) the compensation offered or paid to a firm's agents or employees; (f) plans concerning any proposed or existing customers, clients or territories; (g) any other actions that might be construed as concerted attempts to restrain competition, including joint attempts to control or affect prices, market conditions, marketing practices, customer choice, or the like.

(2) **Realtor Association Membership.** Membership in CCAR/CCMLS is open to any individual or entity meeting the membership qualifications set forth in the bylaws of the association, without regard to the type of business models employed by its company. No member shall urge on the leadership or membership of CCAR/CCMLS or of any local association or on any competitor that membership in any Realtor association be limited to companies practicing particular business models, or that membership be denied to companies or members practicing business models with which the member is in competition or with which the member is unfamiliar or uncomfortable. Members shall take no action to influence the business conduct of customers or other members towards such competitors.

(3) **Conduct of Meetings.** All CCAR/CCMLS meetings will be conducted in full compliance with antitrust laws. Discussion of any topic suggestive of an intent or agreement to restrict competition or fix prices shall be improper. Among such topics and discussions are (i) discussions of individual company policies and practices; (ii) criticism of another company's practices or of any particular business model; and (iii) suggestions that a local association or multiple listing service exclude from membership or participation those who practice any particular business model or engage in any unfamiliar or innovative activity or practice. Despite the fact that CCAR/CCMLS counsel and staff are well versed in antitrust matters, the presences of counsel or staff at a meeting should not invite discussion of matters that violate the letter or spirit of this policy or the antitrust laws. It is the responsibility of each member in the first instance to avoid raising improper subjects for discussion. However, if discussion of any inappropriate topics occurs at any meeting, all members present should openly disassociate themselves from such discussions, and if the discussions do not end immediately, the meeting should be brought to a prompt adjournment by the person in charge of the conduct of the meeting. Committee chairs and others conducting meetings will find that adherence to prepared agendas for all CCAR/CCMLS meetings will reduce the likelihood of inappropriate discussions. Members should also be aware that informal or social settings are inappropriate for discussion of the topics described in this policy, and that casual comments – even those made in jest – might have serious antitrust implications.

Document Retention Policy

Accounting Records

Accounts payable (seven years) Accounts receivable (seven years) Annual financial statements (permanent) Bank statements (seven years) Bank reconciliations (seven years) Canceled checks- routine matters (seven years) Canceled checks- special (loan repayment, etc.) (permanent) Correspondence: routine (four years) Deeds and closing papers (permanent) Deposit slips (four years) Electronic payment records (seven years) Employee expense reports (seven years) Fixed-asset acquisition invoices (after disposal) (seven years) Freight bills (seven years) General ledgers (permanent) Income tax returns (permanent) Inventory count & costing sheets (seven years) Insurance policies (after expiration) (four years) Investments (after disposal) (seven years) Mortgages, loans & leases (paid) (seven years) Payroll journals & ledgers (permanent) Purchase orders (except accounts payable copy) (one year) Purchase invoices & orders (seven years) Receiving sheets (two years) Sales commission reports (five years) Sales records (seven years) Sales tax returns & exemption support (five years) Subsidiary ledgers (seven years) Tax returns (federal & state) (if applicable) (permanent) Trial balances (permanent)

Association Corporate Records

Articles of Incorporation and amendments (permanent) Bylaws and amendments (permanent) Corporate filings (permanent) Corporate Minute Book

(permanent) IRS Exemption Letter
(permanent)

Electronically Stored Information

Specific documents in electronic formats will be treated according to the timeframes set forth elsewhere in the policy. The policy should state how long a association maintains information stored on its backup tapes and other backup systems. The policy should also state that the purpose of the backups is to restore the association's computer network in the event of a crash.

Employment Records

Documents relating to job recruitment: advertising, job orders submitted to employment agencies, interviewing, testing, hiring, training, demotions, promotions, layoffs, discharge, and other personnel decisions (one year)

Employee benefit plan documents (duration of plan)

FMLA leave records including: all FMLA information and notices distributed to these employees and records of any FMLA disputes.

Garnishments / wage assignments (three years)

Immigration I-9 forms (duration of employment plus one year, minimum of three years)

Medical records relating to the exposure of the employee to any toxic or hazardous substances. (duration of employment plus 30 years).

Payroll records showing name address, date of birth, occupation, rate of pay, and weekly compensation (three years)

Personnel Records (ten years after employment ends)

Record of all occupational injuries, including those under state workers compensation law and any ERISA awards (five years for ERISA; state law requirements will vary)

Legal Documents

Contracts (ten years after expiration)

License Applications (one year after

expiration) Licenses (one year after

expiration) Trademarks, Patents &

Copyrights (permanent)

Warranties & Guaranties (two years beyond terms of the warranty) Correspondence: legal (permanent)

MLS Documents

Rules and Regulations (permanent)

MLS Policies (permanent)

Listing agreements (until expiration of

listing) Sold property information (at least ten years)
 Lockbox key agreements/Leases (one year after agreement terminates) MLS Service Mark License Agreements (Permanent)
 Contracts (ten years after expiration)
 Subscription Agreements (ten years after expiration) Participation Agreements (ten years after expiration) Website Click-Through Confirmations (ten years)

NAR / Association Documents

NAR charter (permanent)
 Territorial jurisdiction (permanent)
 REALTOR[®] Agreement (until superseded)
 Member file & membership applications (two years after membership terminates, with social security number and other financial information removed (if applicable)
 Professional Standards Hearing Records: Ethics (result of hearing- permanent; rest of hearing file- minimum of 1 year after satisfaction of sanctions (if any) and there is no threat of litigation) Arbitration / Mediation (minimum of 1 year after payment of award (if any) and there is no threat of litigation)

Property Records

Deeds of Title (permanent)
 Leases (two years after expiration) Depreciation schedules (permanent) Property Damage (seven years) Property Tax (permanent) Appraisals (permanent)
 Blueprints / Plans (permanent)
 Warranties & Guaranties (two years beyond terms of the warranty)

Pension & Profit Sharing

ERISA disclosure documents (six years from date disclosure was due) IRS Determination Letter(s) (permanent)
 Forms 5500 & plan documents (permanent)

Carteret County Association of REALTORS®

Annual Production and Recognition Awards

Eligibility Information, Rules and Criteria

The Annual Production and Recognition Awards, sponsored by the Carteret County Association of REALTORS®, is composed of outstanding members who are Primary and Secondary REALTORS®. Any REALTOR® member who attains one of these awards is entitled to membership if he/she/team is otherwise qualified, and is associated with an Association member firm in good standing.

Qualification Period: The qualification period covers the calendar year, January 1 – December 31.

Eligibility: REALTOR® members either Primary or Secondary in good standing with the Carteret County Association of REALTORS® and who meets the award category requirements and criteria.

Distribution: All Award recipients will be recognized at the Annual Awards Gala held the first quarter of each year.

PRODUCTION AWARDS

Categories: Production awards are composed of three (3) separate categories: Individual, Teams and Rookie.

General rules for each category:

1. CCAR will pull production report of each member in their firm to determine which category applies.
2. All production awards will include the following property types: Residential, Land, Multi-Family, Boat Slips, Commercial Sale or Lease, and Fractional/Timeshare.
3. Residential leases of any type do NOT qualify for production awards.
4. Teams –
 - a. Teams are defined as two or more REALTORS® working together, listing and selling real estate and/or actively promoting themselves to the public as a team
 - b. Receiving compensation solely based on the team's performance
5. Rookie –
 - a. Licensed for 18 months or less
 - b. Volume/sides to be pulled from the current award year

Categories will be awarded in the following manner:

- **Individual** – Top five (5) for Sides / Top five (5) for Volume
- **Teams** - Top five (5) for Sides / Top five (5) for Volume
- **Rookie** – Top Individual for Sides / Top Individual for Volume

RECOGNITION AWARDS

Categories: Recognition awards are composed of six (6) separate categories: Professional Service Award, Ben Ball Community Service Award, REALTOR of the Year Award, Business Partner of the Year Award, Rookie of the Year Award, CCAR Volunteer/Participant of the Year Award.

Professional Service Award

It's your chance to express appreciation for a job well done by another REALTOR®! This award will be given to the individual who has been nominated by another REALTOR® member. To nominate someone, submit a written narrative in which you describe a real estate transaction that you have participated in with the nominee, during which the nominee went above and beyond in displaying a true sense of professionalism and ethical behavior. (This individual cannot be affiliated with your own sales team.)

Ben Ball Community Service Award:

This award recognizes an individual REALTOR® who makes outstanding and dedicated contributions to the betterment of our community. You may nominate someone by describing his or her activities to include community involvement other than real estate.

REALTOR® of the Year Award:

The REALTOR® of the Year award is given to honor a REALTOR® who has provided outstanding service in the following categories. The selection will be based on the accumulation of points in each category below: (The President is NOT an eligible candidate.)

- a) REALTOR® Spirit (35 points) – High principals; faithfulness to the Bylaws, Rules and Regulations and code of ethics; advancement of the principles of good real estate practice among other brokers and the public
- b) Local Association Activity (35 points) – Attendance at local meetings; Board Officer and/or Director; Committee chairman and/or member; special assignments; seminar activity and education work; membership in local societies and Institutes.
- c) Civic Activities (15 points) – Local, state and national service organizations; charitable activities; political activities; previous awards; fraternal/sororities, and religious organizations.
- d) State Association Activity (10 points) – Attendance at State meetings; Board Officers and/or Directors; Committee Chairman and/or members; special assignments; seminar activity and education work; membership in Societies and Institutes.
- e) National Association Activity (5 points) – Attendance at National meetings; Board Officers and/or Directors; Committee Chairman and/or members; special assignments; seminar activity and education work; membership in Societies and Institutes.

Business Partner of the Year Award:

The Business Partner of the Year award is given to honor the Business Partner who has provided outstanding service to the Carteret County Association of REALTORS®, their profession and to their community. The selection will be based on the accumulation of points in each category below:

- a) Ethics and Principles (35 points) – High principles; practices the Golden Rule with customers, competitors and CCAR/CCMLS members
- b) Local Association Activity (35 points) – Attendance at local meetings; committee chairman and/or member; special assignments; seminar activity and education work; membership in local societies and Institutes, support for association activities, exhibits leadership in influencing the association
- c) Civic Activities (30 points) – Local, state and national service organizations; plus, charitable activities, political activities, previous awards; and religious organizations.

Rookie of the Year Award

The Rookie of the year will be nominated by the Designated REALTOR® of the office with which he or she is affiliated. The award will be given to a REALTOR® who has been licensed 18 months or less.

Team agents are not eligible for this award. The selection will be based on the accumulation of points in each category below:

- a) Local Association Activity (35 points) – Attendance at local meetings; committee chairman and/or member; special assignments; seminar activity and education work; membership in local societies and Institutes, support for association activities, exhibits leadership in influencing the association
- b) Individual Sales Production (Volume/sides to be pulled from the current award year) – 35 points
- c) Ethics 30 points - High principles; practices the Golden Rule with customers, competitors and CCAR/CCMLS members.

CCAR Volunteer/Participant of the Year Award

The CCAR Volunteer/Participant of the Year Award will be given to a member in good standing with the Carteret County Association of REALTORS® Association. This award recognizes the member who participates in Association functions and who gives their time volunteering for the betterment of the Association. This award will be given to the applicant with the highest amount of points calculated in each category listed on the application. Attendance in each category that is submitted with points will be reviewed and approved by Association staff.

Rules and Guidelines Applying to All Awards:

- a) All entries are subject to review by the Awards Committee. All candidates for awards shall cooperate with the Awards Committee and provide the Committee with the appropriate supporting material as determined by the Committee to substantiate the application within three (3) days. Any failure on the part of any application to promptly and fully cooperate with the Awards Committee in connection with its review shall result, in the sole discretion of the Awards Committee, in the disqualification of the applications.
- b) Each candidate for an award must be either a Primary or Secondary member of the Carteret County Association of REALTORS® in good standing at the time of each transaction settled.
- c) A candidate may make application for an award in only one production category.
- d) Sales volume and/or leasing volume attained by one member cannot be assigned to another member for purpose of meeting qualification requirements.

- e) In the event a member transfers from one CCAR member firm to another CCAR member firm, all transactions made and settled in the contest period shall be counted.
- f) Recipients of CCAR awards shall, when used in advertising, be at all times sensitive to misrepresentation when more than one REALTOR® is a recipient of the same award.
- g) Appeals: CCAR REALTOR® members may request an appeal on any production and/or recognition category decision to the Awards Committee. All appeals must be submitted in writing and shall include all pertinent facts relating to the appeal including but not limited to the following:
 - 1) All changes/decisions made by the Awards Committee that are being appealed;
 - 2) Supporting documentation such as listing agreements, contracts and settlement statements;
 - 3) Name, address and phone number of all agents and other parties involved.

The member may request an appeal to the Board of Directors once all efforts and/or appeals through the Awards Committee have been exhausted.

Any decisions that relate to the following are to be appealed directly to the Awards Committee and are not subject to an appeal to the Board of Directors:

- a. Failure to follow instructions;
- b. Application deadlines;
- c. Refusal to allow the committee to complete an application review in the BIC's office.