

AKRON AREA BOARD OF REALTORS®
P.O. Box 1663
Akron, Ohio 44309

ETHICS COMPLAINT PROCEDURES

If you believe the REALTOR® involved in your real estate transaction has acted unethically or unprofessionally, you may file a formal complaint with the Akron Area Board of REALTORS®. Following are the procedures that must be followed:

1. Call the Board office (434-6677) to request a copy of the Code of Ethics, complaint form and complaint procedures.
2. Please forward your typewritten complaint, as detailed as possible, with accompanying documentation to the Board for investigation. Accompanying documentation could consist of the following: Copies of Purchase Agreement and/or Exclusive Right to Sell Agreement, Agency Disclosure Form, Consumer Guide to Agency, and copies of relevant emails/correspondence involving the transaction.
3. The Board will refer the complaint to the respondent (the person you are complaining about) for a reply. The entire file will be sent to the Grievance Committee for its review. The Grievance Committee will determine whether there is sufficient evidence to hold a hearing.
4. If the Grievance Committee decides that there is insufficient evidence, you will be so notified.
5. If the Grievance Committee concludes that a hearing is warranted, you will be so notified of the date, time, and location of the hearing.
6. If the REALTOR® is found to be in violation of one or more articles of the Code of Ethics, the Akron Area Board of REALTORS® has the following options. (See reverse side.)

The Akron Area Board of REALTORS® will not handle any cases presently being litigated. If your complaint has also been filed at the Ohio Division of Real Estate and Professional Licensing, the Akron Area Board of REALTORS® will hold your complaint in abeyance until it has been finalized at the Division of Real Estate. We are also unable to grant any monetary awards or compensation on ethics hearings. **Complaints against non-members or complaints regarding license law may be filed with the Ohio Division of Real Estate, 77 South High Street, Columbus, Ohio, 43215-6133 or via their website www.com.state.oh.us/real . The telephone number is (614) 466-4100.**

Section 14. Nature of Discipline

Disciplinary action may consist only of one or more of the following.

- (a) Letter of Warning with copy to be placed in member's file;
- (b) Letter of Reprimand with copy to be placed in member's file;
- (c) Requirement that member attend the ethics portion of the Board Orientation or other appropriate course or seminar specified by the Hearing Panel which the respondent could reasonably attend taking into consideration cost, location, and duration;
- (d) Appropriate and reasonable fine not to exceed \$5,000;
- (e) Member placed on probation for a stated period of time not less than thirty (30) days nor more than one (1) year;
- (f) Membership of individual suspended for a stated period not less than thirty (30) days nor more than one (1) year with automatic reinstatement of membership in good standing at the end of the specified period of suspension. The thirty (30) day minimum and one (1) year maximum do not apply where suspension is imposed for a remediable violation of a membership duty (e.g., failure to pay dues or fees or failure to complete educational requirements). The Directors may order suspension unconditionally, or they may, at their discretion, give the disciplined member the option of paying to the Board, within such time as the Directors shall designate, an assessment in an amount fixed by the Directors, which may not exceed \$5,000 and which can be utilized only once in any three (3) year period, in lieu of accepting suspension. But, if the conduct for which suspension is ordered consists of failure to submit a dispute to arbitration, the Directors may not permit the disciplined member to avoid suspension without submitting to the arbitration in addition to paying the assessment, unless in the meanwhile the dispute has been submitted to a court of law without any objection by any party that it should be arbitrated;
- (g) Expulsion of individual from membership with no reinstatement privilege for a specified period of one (1) to three (3) years, with reinstatement of membership to be by application only after the specified period of expulsion, on the merits of the application at the time received (decision should be written clearly articulating all intended consequences, including denial of MLS participatory or access privileges);
- (h) Suspension or termination of MLS rights and privileges may also be utilized. Suspension of MLS services may be no less than thirty (30) days nor more than one (1) year; termination of MLS services shall be for a stated period of one (1) to three (3) years;
- (i) REALTORS® who participate in MLS or otherwise access MLS information through any Board or Association in which they do not hold membership are subject to the Code of Ethics in that Board or Association on the same terms and conditions as Board members. Discipline that may be imposed may be the same as but shall not exceed the discipline that may be imposed on members. Boards entering into regional or reciprocal MLS agreements are encouraged to include provisions requiring signatory Boards to respect, to the extent feasible, decisions rendered by other Boards involving suspension or expulsion from membership or from MLS.