



Pathways to Professionalism

While the Code of Ethics and Standards of Practice of the National Association establishes objective, enforceable ethical standards governing the professional conduct of REALTORS®, it does not address issues of courtesy or etiquette. Based on input from many sources, the Professional Conduct Working Group of the Professional Standards Committee developed the following list of professional courtesies for use by REALTORS® on a voluntary basis. This list is not all-inclusive, and may be supplemented by local custom and practice.

I. Respect for the Public

1. Follow the “Golden Rule” – Do unto others as you would have them do unto you.
2. Respond promptly to inquiries and requests for information.
3. Schedule appointments and showings as far in advance as possible.
4. Call if you are delayed or must cancel an appointment or showing.
5. If a prospective buyer decides not to view an occupied home, promptly explain the situation to the listing broker or the occupant.
6. Communicate with all parties in a timely fashion.
7. When entering a property, ensure that unexpected situations, such as pets, are handled appropriately.
8. Leave your business card if not prohibited by local rules.
9. Never criticize property in the presence of the occupant.
10. Inform occupants that you are leaving after showings.
11. When showing an occupied home, always ring the doorbell or knock – and announce yourself loudly – before entering. Knock and announce yourself loudly before entering any closed room.
12. Present a professional appearance at all times; dress appropriately and drive a clean car.
13. If occupants are home during showings, ask their permission before using the telephone or bathroom.
14. Encourage the clients of other brokers to direct questions to their agent or representative.
15. Communicate clearly; don’t use jargon or slang that may not be readily understood.
16. Be aware of and respect cultural differences.
17. Show courtesy and respect to everyone.
18. Be aware of – and meet – all deadlines.
19. Promise only what you can deliver – and keep your promises.
20. Identify your REALTOR® and your professional status in contacts with the public.
21. Do not tell people what you think – tell them what you know.

II. Respect for Property

1. Be responsible for everyone you allow to enter listed property.
2. Never allow buyers to enter listed property unaccompanied.
3. When showing property, keep all members of the group together.



PROFESSIONAL STANDARDS



3. When showing property, keep all members of the group together.
4. Never allow unaccompanied access to property without permission.
5. Enter property only with permission even if you have a lockbox key or combination.
6. When the occupant is absent, leave the property as you found it (lights, heating, cooling, drapes, etc). If you think something is amiss (e.g. vandalism) contact the listing broker immediately.
7. Be considerate of the seller's property. Do not allow anyone to eat, drink, smoke, dispose of trash, use bathing or sleeping facilities, or bring pets. Leave the house as you found it unless instructed otherwise.
8. Use sidewalks; if weather is bad, take off shoes and boots inside property.

III. Respect for Peers

1. Identify your REALTOR® and professional status in all contacts with other REALTORS®.
2. Respond to other agents' calls, faxes, and e-mails promptly and courteously.
3. Be aware that large electronic files with attachments or lengthy faxes may be a burden on recipients.
4. Notify the listing broker if there appears to be inaccurate information on the listing.
5. Share important information about a property, including the presence of pets; security systems; and whether sellers will be present during the showing.
6. Show courtesy, trust and respect to other real estate professionals.
7. Avoid the inappropriate use of endearments or other denigrating language.
8. Do not prospect at other REALTORS®' open houses or similar events.
9. Return keys promptly.
10. Carefully replace keys in the lockbox after showings.
11. To be successful in the business, mutual respect is essential.
12. Real estate is a reputation business. What you do today may affect your reputation – and business – for years to come.

(Updated 11/04)



Procedures for Filing an Ethics Complaint

Background

The National Association of REALTORS® adopted its Code of Ethics in 1913, imposing duties above and in addition to those imposed by law and regulation. Not all real estate agents are REALTORS®; only those agents who belong to their local Association of REALTORS® may claim this designation. With the REALTOR® designation comes the obligation to abide by the professional behavior to clients, customers, other members of the public and fellow real estate professionals as detailed in the Code of Ethics. It is because of this obligation to the Code of Ethics that you may file a complaint with the Association. To determine whether an agent is a REALTOR®, please call the Association for verification.

Many difficulties between real estate professionals may result from misunderstandings or miscommunications. Therefore, before filing a complaint, it is recommended that you speak with your real estate professional and/or with the principal broker of the firm prior to filing a complaint. Differences may often be resolved by such communication.

Associations of REALTORS® only determine whether the Code of Ethics or association membership duties have been violated, not whether the law or real estate regulations have been broken. When broken laws or regulations are suspected or when the real estate professional is not a REALTOR®, you may need to contact the California Department of Real Estate (916-227-0864) or the courts. And if litigation is being pursued by the complainant, the Association will usually not proceed with the ethics complaint until the litigation has concluded.

For violations of the Code of Ethics, the association may discipline its REALTOR® Members. Such discipline may involve letters of warning or reprimand, require appropriate education relevant to the violation, impose fines and/or suspend or terminate association membership for serious or repeated violations. The Association may not require REALTORS® to pay the complainant(s) monetary damages or punitive damages or revoke a real estate license.

To file a complaint you must:

- Complete, sign and date the Ethics Complaint Form, which you may download and print from this website. (*Ethics complaints must be filed with the Association within 180 days of the time the complainant knew or reasonably should have known that potentially unethical conduct took place.*)
- List the Article(s) of the Code of Ethics believed violated. The articles are illustrated through Standards of Practice, but the Standard of Practice may only be used as support for the Article(s) being charged. The Article number(s) must be cited.
- Include a narrative description of the circumstances and facts surrounding the complaint, being as specific as possible.
- Attach copies of all relevant documents such as listing and sales contracts, letters etc. labeling these as Exhibit 1, etc.
- Make 12 copies of the complaint package and forward it to the Professional Standards Coordinator of the Association which has jurisdiction over the complainant.





Citation System

According to the C.A.R. Citation System for Code of Ethics violations, business conduct violating some articles in the REALTOR® Code of Ethics could be subject to a citation or fine. The Association's Grievance Committee or a subcommittee of the Grievance Committee will decide whether the conduct in any ethics complaint received by the Association is subject to a citation/fine. If the Grievance Committee decides the conduct is a citable offense, the following will occur:

- The violator will be notified (as will the violator's broker) and he/she will have 10 days to pay the cited fine or request an ethics hearing.
- If no response is received after ten (10) days, a warning letter will be issued. If there is no response to the warning letter within another ten (10) days, the matter will be forwarded for a full ethics hearing, with possible amendments by the Grievance Committee.
- Only three (3) citations may be issued to a violator within a three (3) year period; subsequent potential violations would be sent directly to an ethics hearing.
- The fee structure is \$250 for the first citation, \$500 for the second citation and \$1,000 for the third citation. On the first citation only, the violator may attend live Code of Ethics training to be completed within 90 days, after which the violator would receive a refund of \$200 of the \$250 fine paid.

Listed below are the Articles and the behavior within these Articles that could be subject to a citation/fine:

Article 3:

- Attempt to change offer of compensation after being made aware of signed offer to purchase
- Failure to disclose existence of dual or variable rate commission
- Failure to disclose existence of accepted offers to cooperating brokers

Article 4:

- Failure to disclose REALTOR® interest in property being bought or sold

Article 5:

- Providing professional service without disclosing interest in property



P R O F E S S I O N A L S T A N D A R D S



Article 6:

- Accepting any commission, rebate or profit on expenditures without client's knowledge or consent

Article 12:

- Failure to present a true picture in real estate communications and advertising
- Failure to disclose professional status in advertising and other representations
- Failure to disclose compensation from 3rd party for services provided free to a client
- Advertisement offering to sell/lease property without authority of owner or listing broker
- Failure to disclose name of firm in advertisement for listed property
- Failure to disclose status as both owner/landlord and REALTOR® or licensee when advertising property in which REALTOR® has ownership interest
- Falsely claiming to have "sold" property
- Registration or use of deceptive URL or domain name

Article 14:

- Failure to cooperate in any professional standards proceeding or investigation

Article 16:

- Use of terms of an offer to modify listing broker's offer of compensation
- Placement of for sale/lease sign on property without permission of seller/landlord