

Bullhead City / Mohave Valley
Association of REALTORS®

2008 Policy Manual

www.bullheadrealtors.com

The Policies contained herein may be revised, amended or removed as deemed necessary by the Board of Directors of the Association.

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Please direct all questions or comments regarding the Association Policy Statements to the Executive Officer or the current President of the Association.

ANTITRUST COMPLIANCE POLICY

BHC/MV Association of REALTORS® (The Association) has an antitrust compliance policy, which applies to all officers, directors, employees, and Members of The Association. This policy requires that such individuals be familiar and fully comply with all applicable federal and state antitrust laws in all dealings on behalf of The Association. The Association and its facilities shall not be used by an officer, director, committee, or member in connection with any anti-competitive or unlawful purpose, or unreasonable restraint of trade. Conduct expressly prohibited includes the following:

1. Any discussion or effort to directly or indirectly fix, peg, stabilize, raise lower or effect prices on commissions, products, advertising or credit terms;
2. Any discussion of real estate commissions or other fees or specific non-price business practices or any particular member(s), except in the context of professional standards proceedings. (This limitation shall not extend to discussions of methods of operation, maintenance, and similar matters in which cost or efficiency is merely incidental);
3. Any discussion or effort by or among any members, non-members or competitors to eliminate or limit competition, to divide or allocate territories or customers, or to limit the nature of business carried on or products or services sold to be sold;
4. Any discussions or efforts to engage in any group boycott or concerted refusals to deal;
5. Any discussions or effort to injure or disparage the business or the trade of anyone.

If at any formal or informal meeting of The Association, a topic is raised which appears to involve a violation of the antitrust compliance policy, anyone in attendance has the right and all have the duty to interrupt and demand the discussion be stopped. Those in charge of the meeting are responsible to see that this policy is enforced so that the prohibited conduct is stopped immediately. If prohibited conduct persists, those responsible persons shall terminate the discussion, cancel the remainder of the meeting, and refer the matter to the president and/or The Association's legal counsel for further action to assure compliance with the Association's antitrust compliance policy.

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COMMUNICATION POLICY

The following are the Financial Policies of the Bullhead City / Mohave Valley Association of REALTORS®, from henceforth known as the “Association.” As new policies are created, or existing ones are abolished or modified, they will be presented to the Board of Directors for review, approval or disapproval. These policies will then be modified accordingly.

Policy 1 – Authorized Spokesperson

- (A) The President shall be the authorized spokesperson for the Association. No other individual shall speak for the Association on matters affecting its membership as a whole without prior approval of the President.

Policy 2 – General Communications

- (A) Copies of all communications between the Association and the National Association of REALTORS® shall be sent to the Arizona Association of REALTORS®.
- (B) When amended, the Association shall send the Arizona Association of REALTORS® and the National Association of REALTORS® copies of all governing documents.
- (C) Articles and announcements to be submitted to the media regarding any Association activity or function shall be reviewed or developed, and subsequently submitted, by the Executive Officer upon approval of the President.

Policy 3 – Committee Correspondences

- (A) Any and all correspondence of a committee to other individuals regarding that committee’s functions, responsibilities and programs shall come only from the Chairman or Association staff. Further, all such communications shall originate from or be coordinated with the Association Office. All written communications relative to programs, activities, notices and meetings shall be submitted in advance to the Executive Officer for reference and retention.
- (B) All committee programs, classes and activities shall be noticed to the general membership via the communication method or methods determined to be the most effective by the Association Office.

Policy 4 – Calls to Action

- (A) Unless specifically directed by the National Association of REALTORS®, Arizona Association of REALTORS®, or the Association, no “Call to Action” will be initiated by any individual Association member, office, affiliate or staff person.
- (B) No individual member, office, affiliate or staff person is authorized to communicate with a county or city official on behalf of the Association without the prior consent

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of the President or Executive Officer.

- (C)** No individual member, office, affiliate or staff person is authorized to communicate with a state legislative official on behalf of the Association or the Arizona Association of REALTORS® unless directed by the Arizona Association of REALTORS® via a Call to Action, REALTOR® Day at the Capitol talking points or other written communiqué.
- (D)** No individual member, office, affiliate or staff person is authorized to communicate with a federal legislative official on behalf of the Association unless directed by the National Association of REALTORS®; however, from time to time, federal action will also be requested by the Arizona Association of REALTORS® on behalf of the National Association of REALTORS®, which is permissible.
- (E)** All Association members, affiliates and staff persons when acting solely on behalf of themselves on real estate matters are strongly advised to first consult the Arizona Association of REALTORS® prior to expressing legislative opinions and/or concerns with any legislative officials to ensure there is a clear understanding of the issue at hand.

Policy 5 - Association Publications

- (A)** Publications include but are not limited to any verbiage, article, newsletter or commentary developed and disseminated by the Association.
- (B)** No member, affiliate or individual is permitted to develop derivative works or modify Association publications without the express written permission of the Association.

Policy 6 - Member Rosters/Email Lists & Broadcasts/Advertising

- (A)** Member rosters are available at no charge to all members; however, member email addresses will not be included on any roster.
- (B)** For the security of member email addresses, the Association will not provide REALTOR® or Affiliate Members with database lists of its member email addresses nor assistance in attaining such lists. The Association will not sell or distribute email addresses to any third party or current member of the Association or any association.
- (C)** The Association email broadcasts will only be used for the specific purposes of the Association. The Association will only advertise the products and services of the Association, the Arizona Association of REALTORS® and the National Association of REALTORS® in its email broadcasts.

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Policy 7 – Association Website: Access, Blog and Forums

- (A)** Association staff are the sole administrators of the website. No member may be granted administrative access.
- (B)** Blog postings will be at the sole discretion of the Association; however, members may suggest potential topics for inclusion.
- (C)** Forums are provided for member use.
 - (a)** The opinions expressed in the Forum are the opinions of the individual author and may not be shared by the Association.
 - (b)** The Association reserves the right to edit or remove any post without notice.
 - (c)** Posts pertaining to or implying any matter which may be or be construed as a violation of Antitrust Law will be immediately removed; the author of the post will be fined \$250.00 and the author's access to the Member Only portion of the site will be terminated.
 - (i)** Antitrust Law violations include, but are not limited to, price fixing, commissions and boycotts.
 - (d)** The Association reserves the right to suspend or terminate access to the Member Only section of the website for any member who abuses the service. Abuse may be defined on a case-by-case basis, is solely at the discretion of the Association and is without recourse.

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CONFLICT OF INTEREST POLICY

The following is the Conflict of Interest Policy of the Bullhead City / Mohave Valley Association of REALTORS®, Inc. henceforth referred to as the "Association." The purpose of this policy is to protect the Association, a tax-exempt organization's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Association, or might result in a possible excess benefit transaction. This policy is intended to supplement, not replace, any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

Policy 1 – Conflict of Interest

(A) Definitions

- a. *Interested Person:* Any director, principal officer, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.
- b. *Financial Interest:* A person has a financial interest if the person has, directly or indirectly, through business, investment or family:
 - 1. An ownership or investment interest in any entity with which the Association has a transaction or arrangement,
 - 2. A compensation arrangement with the Association or with any entity or individual with which the Association has a transaction or arrangement, or
 - 3. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Association is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not substantial.

A financial interest is not necessarily a conflict of interest. Under Section B, b, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

(B) Procedures

- a. *Duty to Disclose:* In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial

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interest and be given the opportunity to disclose all material facts to the directors and members of committees with governing board delegated powers considering the proposed transaction or arrangement.

- b.** *Determining Whether a Conflict of Interest Exists:* After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.
- c.** *Procedures for Addressing the Conflict of Interest:*

 - 1.** An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and subsequent vote on, the transaction or arrangement involving the possible conflict of interest.
 - 2.** The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
 - 3.** After exercising due diligence, the governing board or committee shall determine whether the Association can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
 - 4.** If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors or committee members whether the transaction or arrangement is in the Association's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.
- d.** *Violations of the Conflict of Interest Policy:*

 - 1.** If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
 - 2.** If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual

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or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

(C) Records of Proceedings

The minutes of the governing board and all committees with board delegated powers shall contain:

1. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest in fact existed.
2. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

(D) Compensation

- a. A voting member of the governing board who receives compensation, directly or indirectly, from the Association for services is precluded from voting on matters pertaining to that member's compensation.
- b. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Association for services is precluded from voting on matters pertaining to that member's compensation.
- c. No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Association, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

(E) Annual Statements

Each director, principal officer and member of a committee with governing board delegated powers shall annually sign a statement which affirms such person:

1. Has received a copy of the conflicts of interest policy,
2. Has read and understands the policy,

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3. Has agreed to comply with the policy, and
4. Understands the Association is nonprofit and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

(F) Periodic Reviews

To ensure the Association operates in a manner consistent with its purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

1. Whether compensation arrangements and benefits are reasonable, based on competent survey information and the result of arm's length bargaining.
2. Whether partnerships, joint ventures, and arrangements with management organizations conform to the Association's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further its purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

(G) Use of Outside Experts

When conducting periodic reviews as provided for in Section F, the Association may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.

Policy 2 – Nepotism

The Association strictly prohibits nepotism. No Association director, member or employee shall hire, advocate the hiring of, or cause to be hired or employed in any capacity, any blood or marital relative.

(A) Definitions

- a. *Nepotism:* The hiring and/or showing of favoritism toward relatives.
- b. *Employed in Any Capacity:* Any financially compensated post or work of any type.

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- c.** *Relative:* Any person who is related within the fourth degree, either by consanguinity or by affinity. Specifically, this shall mean an individual who is related as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, step-father, step-mother, step-son, step-daughter, step-brother, step-sister, half-brother or half-sister and include persons related by adoption or birth.

(B) Procedure

- a.** Any director, member or employee who believes that this policy has been violated in any manner shall notify the Chief Staff Executive and the Board of Directors. Upon notification, the situation shall be entered under new business at the next meeting of the Board of Directors.
- b.** If the policy has been violated, the person hired in violation of the policy shall be terminated immediately. If the hiring person or the proposed hiring of a person would violate this policy, then a two-thirds vote of the Board of Directors will decide whether such person may be employed.

This policy shall not apply retroactively and shall take effect upon approval of the Board of Directors.

DOCUMENT RETENTION POLICY

The purpose of this Policy is to provide consistent retention methods for all Association documentation. Federal and State law supersedes any policy stated herein.

Policy 1 – Method of Retention/Destruction

- (A) Document retention/destruction shall occur semiannually in December and June by Association Staff in accordance with the Retention Schedule; with each occurrence retaining/destroying the documents from the six-month period immediately prior: The retention/destruction which occurs in December will include applicable documents from June 1 through November 30; The June retention/destruction will include applicable documents from December 1 through March 31. This schedule allows for the paper files to be readily accessible for up to six months.
- (B) Association documents shall be retained in read-only electronic format to the fullest extent allowable by law.
- (C) Electronic documents, at a minimum, must be doubly stored. One copy shall be kept in an easily accessible, yet secure, location in the Association Office; a second copy shall be stored in an element-proof location offsite.
- (D) Association documents shall be destroyed in the most appropriate manner available.

Policy 2 – Retention Schedule

- (A) Documents shall be retained according to the following schedule:

Accounting Records

Accounts Payable and Receivable	7 Years
Annual Financial Statements	Indefinitely
Bank Statements	7 Years
Accounting Correspondence: Routine	4 Years
Deeds and Closing Papers	Indefinitely
Deposit Slips	4 Years
Employee Expense Reports	7 Years
Income Tax Returns	Indefinitely
Inventory Count and Closing Sheets	7 Years
Insurance Policies	4 Years after Expiration
Investments	7 Years after Disposal
Payroll Journals and Ledgers	Indefinitely
Purchase Orders (except A/P copy)	1 Year
Purchase Invoices and Orders	7 Years
Receiving Sheets	2 Years

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Association Corporate Records

Articles of Incorporation and Amendments	Indefinitely
Bylaws and Amendments	Indefinitely
Corporate Filings	Indefinitely
Corporate Minute Book	Indefinitely
IRS Exemption Letter	Indefinitely

Employment Records

Documents Relation to Recruitment	1 Year
<i>** (advertising, employment agencies, interviewing, testing, hiring, training, demotions, promotions, layoffs, discharges, etc.)</i>	
Employee Benefit Plan Documents	Duration of Plan
Garnishments/Wage Assignments	3 Years
Immigration I-9 Forms	1 Year After Termination
Payroll Records Including Personal Info	3 Years
Personnel Records	10 Years After Termination

Legal Documents

Contracts	10 Years After Expiration
License Applications	1 Year After Expiration
Licenses	1 Year After Expiration
Trademarks, Patents and Copyrights	Indefinitely
Warranties and Guarantees	2 Years Beyond Term
Legal Correspondence	Indefinitely

NAR/Association Documents

NAR Charter	Indefinitely
Territorial Jurisdiction	Indefinitely
REALTOR® Agreement	Until Superseded
Member File and Application	2 Years After Termination
Professional Standards Policies	5 Years
Professional Standards Hearings Results	Indefinitely
Professional Standards Hearings File	1 Year After Satisfaction of Sanction <i>Provided There is No Threat of Litigation</i>
Arbitration/Mediation	1 Year After Payment of Award <i>Provided There is No Threat of Litigation</i>

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FINACIAL POLICY

The following are the Financial Policies of the Bullhead City / Mohave Valley Association of REALTORS®, from henceforth known as the Association. As new policies are created, or existing ones are abolished or modified, they will be presented to the Board of Directors for review, approval or disapproval. These policies will then be modified accordingly.

Policy 1 – Financial Responsibilities

- (A) It is the responsibility of the Executive Officer of the Association to maintain and present to the Board of Directors the monthly financial statements including, but not limited to, the balance sheet, monthly statements of income and expenses, and a budget review report. Furthermore, the Executive Officer of the Association shall maintain and administer the financial and investment program of the Association.
- (B) The elected Treasure of the Association shall chair the Finance Committee and propose any new financial policies or recommendations to the Board of Directors.
- (C) The elected President and President-Elect of the Association shall be members of the Finance Committee.
- (D) The Board of Directors shall approve or disapprove all policies as recommended by the Finance Committee.

Policy 2 – Fiscal Records

- (A) The Fiscal Year of the Association shall be December 1st through November 30th.

Policy 3 – Dues / Applications

- (A) Applications Fees: Each new member of the Association shall be required to pay application and set-up fees to the Association. Upon receipt of all application fees and annual dues, the application will be processed; however the application fee is non-refundable should the application be denied.
- (B) Annual Dues: All dues and assessments as established and amended from time to time by the National Association of REALTORS®, the Arizona Association of REALTORS®, and the Association shall be due in full on or before December 31st of each year for that same fiscal year's dues. If the sum on the statement is not paid by December 31st, a late fee will be applied beginning January 1st. Membership of individuals who have not paid full renewal dues on or before January 31st shall be terminated for non-payment. Cash will not be accepted under any circumstance.
- (C) REALTORS® membership dues shall not be forwarded to AAR or NAR until said dues are actually received. Members are unable to utilize member-only programs

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and any services developed and provided by AAR or NAR until dues have been received by said organizations.

Policy 4 – Donations and Funding of Projects

- (A) All Solicitation for donations and funding of projects must be approved by the Board of Directors. All requested funds must be accompanied by a written proposal.

Policy 5 – Special Funding Request

- (A) Proposals for additional monies beyond budgeted items shall be submitted to the Executive Officer at least ten (10) calendar days prior to the next Board of Directors meeting.

Policy 6 – Emergency Expenditures Authorizations

- (A) The President and / or Executive Officer shall have the discretion of spending up the Five Hundred Dollars (\$500.00) for non-budgeted emergency purposes. In the event that an emergency expenditure may occur, the President or Executive Officer shall report said expenditure to the Board of Directors.

Policy 7 – Contracts Encumbrances

- (A) The President and/or Executive Officer, with the approval of the Board of Directors, shall be the only individual(s) authorized to enter into contract agreements which incur financial or other liabilities to the Association.
- (B) The Board of Directors shall receive copies of all contracts a minimum of seven (7) calendar days prior to the next scheduled Board of Directors meeting. All executed contracts shall be maintained in the Association Office.
- (C) Any contract or purchase shall be executed in accordance to the financial and administrative limitations established in the current Bylaws of the Association.

Policy 8 – Operation & Reserve Funds

- (A) The Board of Directors shall be responsible for the administration and maintenance of the Association's finances.
- (B) All funds not immediately required shall be deposited into interest bearing accounts.
- (C) All funds shall be deposited into federally insured financial institutions with an office in Arizona. Total deposits with any such institutions, not including Federal government securities, shall not exceed the total amount insured including all interest earned.

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- (D)** All sums placed in the reserve funds shall be a continuing item on the balance sheet and shall be so identified.
- (E)** The current President, President-Elect, Treasurer and Executive Officer shall be signatories on all Association accounts. All checks from any Association account exceeding five-hundred (\$500.00) dollars must have two signatures. Signatories are not permitted to sign any check of which they may personally endorse.
- (F)** Cash withdrawal(s) from any Association account in any amount require two signatories.
- (G)** When Association funds located within a single institution reach \$100,000, all monies in excess of \$80,000 shall be moved to an interest bearing account in an alternative financial institution as approved by a simple majority vote of the Board of Directors.
- (H) General Checking Accounts**
 - (i)** At all times there shall be sufficient liquid funds available to cover minimum of three months expenses.
 - (ii)** The general checking account shall be maintained by the Executive Officer, under the supervision of the Treasurer and Finance Committee.
- (I) Operating Reserve Fund**
 - (i)** The reserve shall be maintained at an amount not less than Twenty Thousand Dollars (20,000.00)
 - (ii)** The Executive Officer, upon approval of the President or Treasurer, is authorized to transfer funds up to \$15,000 per calendar month from operating reserve fund into General Checking Account to cover Association operating expenses. Transfers from the operating reserve funds to the operating account in excess of \$15,000 or for uses other than general operating expenditures shall be discretion of the Board of Directors.
- (J) REALTOR® Community Reserve Fund**
 - (i) Purpose:** To provide funding for programs and projects focused on supporting or improving the REALTOR® Image and the REALTOR® Community.
 - (ii) Funds Distribution Order:** Distribution order and/or amounts may only be adjusted by a unanimous vote of the Board of Directors.
 - (a)** *First \$500.00 per year* – Professionalism Program
 - (b)** *Second \$500.00 per year* – Scholarship Program
 - (c)** *Excess Funds up to \$1000 per year* – Other civic or membership-oriented programs or projects as funding permits and as approved by the Board of Directors.
 - (iii) Funding:**
 - (a)** One dollar (\$1.00) per member per year based upon annual REALTOR® renewal (*effective as of December 1, 2008*)

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- (b)** Association portion of the Tour of Homes weekly 50/50 drawing *(effective upon approval of this policy)*
 - (c)** A minimum of 33% of the funds raised by Association programs and/or events as designated on a case-by-case basis by the Board of Directors.
 - (d)** Other sources as approved by the Board of Directors.
 - (iv)** Funds shall be maintained in a Certificate(s) of Deposit (maximum 6 months at a time per CD) or a Money Market account(s), whichever provides the best interest rate.
- (K) Scholarship Fund**
- (i)** No further funds shall be collected on behalf of or deposited into this Fund.
 - (ii)** Existing funds will be disbursed according to Scholarship Program standards until funds have been depleted; at which time, the Fund will be terminated.
- (L) Capital Expenditures Reserve Fund**
- (i)** The purpose of this reserve is to provide a fund to purchase, repair or for the acquisition of a site and/or building for the Association or other capital expenditure as determined by the Board of Directors.
 - (ii)** Each annual budget shall allocate not less than one dollar (\$1.00) per member to the capital expenditure reserve fund until such time as the reserve reaches Fifty Thousand Dollars (\$50,000), after which time, the reserve shall be maintained at that level.
 - (iii)** Money may be withdrawn from this reserve for capital expenditures only upon recommendation by the Finance Committee concurred by three-fourths (3/4) vote of the Board of Directors.
 - (iv)** Money shall be maintained in certificate(s) of deposits (maximum 6 months at a time per CD) or a Money Market account(s), whichever provides the best interest rate.
- (M) Legal Reserve Fund**
- (i)** The main purpose of the fund is to provide a legal defense (i.e. attorney fees, court costs, etc.) should litigation arise involving the Association. No funds may be allocated or utilized to pay, or to be applied towards a judgment rendered against the Association or for the payment of damages or fines.
 - (ii)** Each annual budget shall allocate not less than One Dollar (\$1.00) per member to the Legal Reserve Fund until such time as the reserve reaches Twenty Thousand Dollars (\$20,000), after which time, the reserve shall be maintained at that level.
 - (iii)** Money shall be maintained in a certificate(s) of Deposits (maximum 6 months at a time per CD) or a Money Market Account(s), whichever provides the best interest rate.

Policy 9 – Accounts Receivable

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- (A)** All account receivable are due and payable thirty (30) days from the date of the invoice. On the 31st day after the date of the invoice, a late fee of 25% will be assessed on the unpaid balance. Invoices unpaid as of sixty (60) days from the invoice may result in membership suspension or termination as stated in the current Association Bylaws.

Policy 10 – Return Check Procedure

- (A)** There shall be a Twenty-Five dollar (\$25.00) charge on all returned checks. Individuals or offices subject to a return check charge shall have fifteen (15) calendar days to remit full payment of original amount returned check charge at which point may only be paid by money order or cashiers check.

Policy 11 – Financial Statements

- (A)** Copies of all financial statements shall be made available to the Directors agenda package at least seven (7) days prior to the next scheduled Directors meeting.
- (B)** Copies of all Financial Statements shall be made available to any REALTOR® Member upon request.

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GENERAL POLICY

Definition: The Bullhead City / Mohave Valley Association of REALTORS® shall be henceforth referred to as the “Association.”

Policy 1 – Access to Legal Counsel

- (A) The current Association President, or the President’s designee, shall be the only individual(s) authorized to contact Association Counsel on Association legal matters.
- (B) In the case that the Association President is unavailable and Legal Counsel is needed immediately, the President-Elect, or the President-Elect’s designee, may contact Legal Counsel on behalf of the Association.
- (C) In any matter, no individual, including the President’s or President-Elect’s designee, may be an individual other than a current member of the Association’s Board of Directors or Association Staff.
- (D) The Association’s Legal Counsel is only to be consulted on Association legal matters when contacted by and represented as an Association Board Member or Association Staff.

Policy 2 – Association Equipment/Furniture

- (A) The equipment and furniture of the Association is intended for the sole use of Association business.
- (B) Under no circumstances shall association equipment be lent, leased or rented. Association equipment is only taken offsite when under the strict supervision of Association Staff for Association purposes.

Policy 3 – Conference Room Rental

- (A) The Association’s Conference Room is available for rent. Date and time of rental must be coordinated in advance with Association Staff.
- (B) Individuals who or entities which wish to rent the room must abide by the terms of the Conference Room Rental Contract. Rental fees vary. The signed Conference Room Rental Contract and appropriate rental fees and deposits must be received by the Association prior to the date of rental. The Contract is available on the Association website or by contacting Association Staff.

Policy 4 – Smoking

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- (A)** The Association Office is a non-smoking facility. Receptacles are available near the outside corners of the building for smoking waste.

HARASSMENT POLICY

Harassment is illegal conduct and is contrary to the policy of the association.

Definitions:

As used in association policy, 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.

Policy 1 – Complaint Procedure

- (A)** Any employee who believes that he/she had suffered harassment by any other member of the association must bring the problem to the attention of the President or Association Executive. The complaint does not have to be in writing, however, it is helpful if details of dates, times, places and witnesses, if any, to the harassment alleged can be provided.
- (B)** All complaints will be investigated promptly and with the strictest confidentiality by an investigatory team comprised of the President, President-Elect, and/or Vice President and one (1) member of the Board of Directors selected by the highest ranking officer not named in the complaint after consultation with legal counsel for the association. If the complaint involves the President, President-Elect and/or Vice President, they shall be replaced on the investigatory team 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.
- (C)** Both the complainant and the accused will be provided a full opportunity to present their cases. Witness's interview will be provided only such information as is necessary to elicit from them their observations and other relevant information.
- (D)** Disciplinary action against and member found to have harassed an association employee may include verbal or written warning, probation, suspension or expulsion depending on the gravity of the incident. Prior incidents of similar behavior shall be taken into consideration when determining the appropriate disciplinary action. Such decision shall be made by the investigatory tem.
- (E)** Clear, strong and convincing shall be the standard of proof by which alleged allegations of harassment are determined. Clear, strong and convincing shall be defined as that measure or degree of proof which will produce a firm belief as to the validity of the allegations sought to be established.

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- (F)** It is contrary to the policy of the association for a member to retaliate against any employee who files a charge of harassment. All possible steps will be taken to eliminate the possibility of retaliation resulting from the filing of a complaint.
- (G)** In the event a complaint of harassment is found to be totally and completely without basis, appropriate disciplinary measures may be taken against the employee who brought the complaint. While this is no way to intend to discourage employees who believe they have been the victim of harassment from bringing a complaint, the association recognizes that a charge of harassment can cause serious damage to the personal reputation and professional career of the accused.

Policy 2 – Complaint Investigation and Confidentiality

- (A)** All complaints will be investigated promptly by the Executive Committee and Association Attorney. The identity of the employee or member making the complaint as well as the identity of the individual accused of harassment will be kept strictly confidential. Information regarding the charge of harassment and the investigation of that charge will not be made known to anyone who is not directly involved either as a party, a witness, or a member of the investigatory team. Witnesses interviewed will be provided only such information as is necessary to elicit from their observations and other relevant information.
- (B)** During the investigation both the complainant and the accused will be provided a full opportunity to tell their side of the story. Witnesses identified by the complainant or the accused will also be interviewed. Upon completion of the investigation, the investigatory team will prepare a written report of its findings and recommendations for the Board of Directors. Authority for the final Resolution of all charges and the determination of appropriate sanctions rests with the Board of Directors.

Policy 3 – Discipline

- (A)** Harassment is a serious offence. It is contrary to Association policy for a member to retaliate against any individual who files a charge of harassment. All possible steps will be taken to eliminate the possibility of retaliation resulting from the filing of a complaint.
- (B)** In the event a complaint of harassment is found to be totally and completely without basis, appropriate disciplinary measures may be taken against the individual who brought the complaint. While this is in no way intended to discourage and individual who believes they have been the victim of harassment from bringing a complaint, the Association recognizes that a charge of harassment can cause serious damage to the accused's personal reputation and professional career.

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HONOREE PROGRAM POLICY

Policy 1 – Honoree Program

- (A)** The Honoree Program established by the Bullhead City / Mohave Valley Association of REALTORS® shall recognize accomplishments of individual members of the Association.
- (B)** No more than one (1) member may be the Rising Star Honoree in any single year. No more than four (4) members between the Humanitarian and Community Involvement categories may be noted in any single year.
- (C)** Affiliate Sponsorships may be offered on an individual basis for the Rising Star, Humanitarian and Community Involvement Honorees. A “Sponsorship Fee” may be charged; said Fee will be determined annually upon approval of the Board of Directors.
- (D)** Association Volunteer Honorees will be noted at the sole discretion of the Association. The Sponsor for any/all Association Volunteer Honorees will be no other than the Association.
- (E)** If no member qualifies for any category then no Honoree will be named for said category that year.

Policy 2 – Honoree Program Categories

HUMANITARIAN

- Honoree must be a current member in good standing of the Bullhead City / Mohave Valley Association of REALTORS®.
- Honoree must demonstrate active involvement in charitable organizations or activities (e.g. Boys & Girls Club, Habitat for Humanity, Kiwanis, Soroptomist, etc.)

RISING STAR

- Honoree must be a current member in good standing of the Bullhead City / Mohave Valley Association of REALTORS®.
- Honoree must demonstrate professionalism in the Real Estate Industry.
- Honoree must demonstrate civic involvement.
- Honoree must have been licensed as a real estate licensee or appraiser for the first time in the state of Arizona within the previous 24 months of the time of consideration.
- Honoree must demonstrate involvement in the Bullhead Association through volunteering on a Committee, Task Force, and/or Board of Directors. Volunteer leadership position(s) will be given special consideration.

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COMMUNITY INVOLVEMENT

- Honoree must be a current member in good standing of the Bullhead City / Mohave Valley Association of REALTORS®.
- Honoree must demonstrate involvement at a local, county and/or state level on topics or issues relating to our local community (e.g. City Council member or meeting attendance, BREDA, political office, city/county authority or committee participation, etc.)

ASSOCIATION VOLUNTEER

- Honoree must be a current member in good standing of the Bullhead City / Mohave Valley Association of REALTORS®.
- Honoree must demonstrate active participation in the Bullhead Association through volunteerism on a Committee, Task Force, and/or Board of Directors.
- Honoree must demonstrate leadership and/or accomplishment as an Association Volunteer which exceeds the expectations of the Volunteer position of which they hold.

Policy 3 – Hall of Fame

- (A) The purpose of the Hall of Fame is to recognize those members of the Bullhead City/Mohave Valley Association of REALTORS® who have a history of making significant contributions to continue the success of the Association and the Real Estate community.
- (B) No more than three (3) members may be inducted into the Hall of Fame in any single year. No member may be inducted into the Hall of Fame more than once.
- (C) Hall of Fame inductees will be noted at the sole discretion of the Association. The Sponsor for any/all Hall of Fame inductees will be no other than the Association.
- (D) If no member qualifies for the Hall of Fame then no induction will occur that year.
- (E) **Qualifications for Consideration**
- Inductee must be a current member in good standing of the Bullhead City / Mohave Valley Association of REALTORS® for a minimum of 10 of the past consecutive years.
 - Inductee must demonstrate a history of active participation in Association Affairs.
 - Inductee must demonstrate a history of mentoring and acting as a positive influence for fellow REALTORS®.
 - Inductee must demonstrate involvement at a local, county and/or state level on topics or issues relating to our local community (e.g. City Council member or meeting attendance, BREDA, political office, city/county authority or committee participation, etc.)

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- Inductee must demonstrate active involvement in charitable organizations or activities (e.g. Boys & Girls Club, Habitat for Humanity, Kiwanis, Soroptomist, etc.)

Policy 4 – Nomination Procedure

- (A) Nomination forms will be available by September 1 of the Nomination year; the nomination period will close on September 15. Any REALTOR® or Affiliate Member in good standing may nominate another member, or him/herself, for any category.
- (B) The Nomination Task Force will comprise of either three (3) or five (5) REALTOR® members in good standing of the Bullhead City / Mohave Valley Association of REALTORS®. None of the Task Force members can be on the list of nominees for any category; no more than one Task Force member may be licensed with any one company/firm.
- (C) Upon the close of the nomination period, the Nomination Task Force may meet to review all nominations and qualifications. Nominees who meet all qualifications for the category in which they were nominated will be notified in writing of their nomination status and asked to provide additional information regarding their qualifications to support the nomination. Only the information in the possession of the Association at the time of the final Nomination Task Force meeting will be considered.
- (D) The final slate of Honorees must be completed by the Nomination Task Force no later than November 1 of the Nomination year.

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LOCKBOX POLICY

Definitions

The Bullhead City / Mohave Valley Association of REALTORS® shall be henceforth referred to as the "Association."

A lockbox is a container affixed to a property containing a device to gain access to the property being marketed by a REALTOR®.

Purpose

Other REALTORS® are authorized under certain conditions to open lockboxes under terms specified by the Listing Agent/Company.

Cooperating brokers and sales licensees, functioning in any type of legal brokerage relationship with potential purchasers, must contact the listing broker to disclose their brokerage relationship status and to arrange appointments to show the listed property even if the property has a lockbox affixed to it, unless the listing broker has given specific permission (through information published in a multiple listing service or otherwise) to show the property without first contacting the Listing Agent/Company.

Policy 1 – Use of the System

- (A)** Lockboxes are not security devices but are a convenience by which to expedite the showing of property.
- (B)** Nothing shall prevent the seller/owner's right to refuse to have a lockbox on his/her property.
- (C)** The key system provided by the Association is a member service offered to REALTOR® Members and to certain Affiliate Members who are actively engaged in a recognized field of real estate practice or in related fields.
- (D)** If the seller permits the use of a lockbox on the property for sale, the listing agent/office must place the current Association lockbox on the property. Lockboxes in addition to the current Association lockbox are at the discretion of the seller.
 - (a)** Failure to comply with this requirement will result in \$250.00 fine per property which does not have a current Association lockbox in place. Only if the listing agent/office places a current Association lockbox on the property within two business days of the issuance date of the fine will the fine be waived.

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- (b) The only exception may be for government or lender owned property, and only if said seller specifically requests the sole use of their own lockbox. Such request must be in writing from the property owner and on file with the Association Office, specifically denoting which property or properties are affected by the request.
- (E) Association Members must agree to comply with all the provisions of keyholder and lockbox contractual vendor agreements and leases and with the rules, policies and security requirements for lockbox use. Violation of these rules, policies or security requirements shall result in fines or in loss of the privilege of using a lockbox key or the lockbox system.

Policy 2 – System Equipment

- (A) The Association has an exclusive contract with SUPRA, a division of GE Security, a National Association of REALTORS® (NAR) approved vendor as the lockbox vendor. The system includes:

 - (a) SUPRA Electronic Keys: ActiveKEYs
 - (b) iBox (SUPRA lockbox), AEII (SUPRA lockbox)
- (B) This system meets the minimum security measures adopted by NAR and by the Association.
- (C) The lockbox key records entry into properties and transmits the entry information to the system.

Policy 3 – Equipment Issuance

- (A) Lockbox keys are issued by the Association to an individual under a lease with SUPRA. Under no circumstances shall anyone other than the keyholder have use of the key. Keys shall not be shared, loaned, or given to any other person to use to enter a property.
- (B) To be issued a key, Members must be in good standing with the Association, read and execute a lease agreement, pay the required fees, and attend training on the use of the key.
- (C) The Association will refuse to lease lockbox keys, may terminate existing key lease agreements, and will refuse to activate or reactivate any key held by an individual convicted of a felony or misdemeanor if the crime, in the determination of the Association relates to the real estate business or puts clients, customers, or other real estate professionals at risk.

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- (D)** No member shall be required to lease a lockbox key from the Association. Leasing a lockbox key is on a voluntary basis.
- (E)** Keys shall be deactivated by the Association for non-payment of Key fees or membership dues or termination of membership. Keys may be deactivated for noncompliance with Code of Ethics sanctions or sanctions for violations of membership duties. Lost, stolen or missing keys will be deactivated when reported to the Association.

Policy 4 – Returning Equipment

- (A)** Leased ActiveKEYs must be returned to the Association when a member no longer desires to use the system or has failed to pay the Key fees or membership dues, has terminated membership or is not in compliance with a Code of Ethics sanction or a sanction for violation of a membership duty.
- (B)** The lease can only be cancelled upon the return of the leased equipment. If the leased equipment is not returned, the member or former member shall be subject to legal action to secure the equipment and/or unpaid debt.

Policy 5 – Lockbox Procedure to Enter a Property

- (A)** The fact that a property has a lockbox available for use does not authorize any keyholder to enter or show the property without first contacting the listing broker.
- (B)** The following are the procedures for using the lockbox system:
 - (a) Access to Property**

All members who use a lockbox key must:

 1. Contact the listing broker unless given other specific instructions whether in a multiple listing service or otherwise.
 2. Disclose their brokerage relationship or other status to the listing broker.
 3. Arrange an appointment to show or enter the property.
 - (b) Leaving the Property**
 1. All property keys or other entry devices must be returned to the lockbox container. Under no circumstances are property keys or entry devices to be given to anyone at any time. They are available to enter the property as specified in these rules only.

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(c) Lost/Missing Property Keys

1. In the event that a key to a property is lost or taken by a Member, the Member must immediately notify the Listing Agent and/or Company and return the key within 24 hours or reimburse the Listing Agent/Company for rekeying the property. Responsibility for the lost key is assumed to rest with the last entry into the lockbox prior to notification until determined otherwise. Failure to comply with the notification requirement of this section will subject the Member to disciplinary action by the Association.
2. In the event that a Member opens a lockbox and discovers that a key to the property is missing, s/he must immediately notify the Listing Office. Failure to comply with the notification requirement of this section will subject the Member to disciplinary action by the Association. The Listing Agent/Company is encouraged for their protection to also report the loss of the property key to the Association.

Policy 6 – Lockbox Breach of Security

The lockbox security requirements of the National Association of REALTORS®, as from time to time amended, are hereby adopted and made a part of this Lockbox Policy.

- (A)** A \$5,000 fine and suspension of lockbox key privileges until the fine is paid will be assessed for:
- Giving the property keys or access devices obtained from the lockbox container to any individual whatsoever.
 - Placing the PIN on the key.
 - Leaving the PIN in the key pouch.
 - Writing the PIN on the instruction card.
 - Writing the PIN where it is accessible if lost or stolen.
 - Allowing anyone (spouse, significant other, partner, team member, personal assistant, etc.) other than keyholder to use the PIN or key.
- (B)** A \$2,500 fine and suspension of lockbox key privileges until the fine is paid will be assessed for:

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- Accessing a property without the consent of the Listing Agent/Company.
- (C) A \$100 fine will be assessed for:
- Failure to replace the property key or other access device back in the lockbox.

Policy 7 – Suspensions & Fines

- (A) A keyholder who receives a suspension or fine may request a hearing before the Association's Board of Directors by filing a written request for such a hearing.

Policy 8 – Lost or Stolen SUPRA Keys

These procedures are adopted from the National Association of REALTORS®.

1. Keyholders must report to the Association immediately a potential breach of the system and lost or stolen SUPRA keys.
2. Keyholders must report stolen SUPRA keys to the police department prior to being issued a replacement key. Keyholders must provide the Association with a copy of the police report as soon as possible.
3. The Association will issue replacement ActiveKEYs under the terms of the SUPRA ActiveKEY agreement.

Policy 9 – Lockbox Codes

(A) Shackle Codes

(a) Member Agent-Owned Lockboxes

Shackle Codes shall only be released by Association Staff to the registered owner of the Lockbox or the owner's Broker.

(b) Member Office-Owned Lockboxes

Shackle Codes shall only be released by Association Staff to the Member Agents licensed with the Member Office which is the registered owner of the lockbox.

(B) Call Before Showing (CBS) Codes

- (a) The CBS code may be provided by the Listing Agent/Office to keyholders who require access to the property for services other than real estate sales (e.g. appraisal, inspection, pest control, etc.)

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- (b)** Keyholders who attain a CBS code from a Listing Agent/Office are required to confirm access to the property with the Listing Agent/Office prior to any use of the code.

Policy 10 – Lockbox Removal by Association Staff

- (A)** If the Association Staff must remove a SUPRA lockbox for any reason, the registered owner will be assessed a Lockbox Removal Fee equal to \$25.00 PLUS round-trip mileage at the current IRS rate from the Association Office to the lockbox location. The registered owner may retrieve the lockbox from the Association Office only upon full payment of the Lockbox Removal Fee.

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MEMBERSHIP POLICY

The Bullhead City / Mohave Valley Association of REALTORS® shall be henceforth referred to as the "Association." Policy of the National Association of REALTORS® (NAR), the Arizona Association of REALTORS® (AAR) or the Association bylaws shall supersede any policy herein.

Policy 1 – REALTOR® Membership

(A) Application for REALTOR® Membership

- (a)** Application shall be handled in accordance with the Association Bylaws.
- (b)** The Application Policy shall apply to any real estate or appraisal licensee applying for REALTOR® Membership with the Association, regardless of the following:
 - Length of licensure
 - Experience
 - Real Estate Specialty
 - Membership in other organizations
 - Previous REALTOR® Membership in the Association or any REALTOR® Association
- (c)** All applicants for REALTOR® Membership in the Association must submit the following documentation, dues and fees upon application:
 - Application for REALTOR® Membership
 - New Member Dues (NAR, AAR, and BHC/MV AOR if applicable)
 - New Member Application Fee
 - Subscriber/Participant Agreement Form (to access the MLS)
 - New Subscriber/Participant Set-up Fee (to access the MLS)
 - Electronic Lockbox Key Fee
- (d)** All applicants for REALTOR® Membership must schedule and complete an Application Interview with Association personnel.
- (e)** All applicants for REALTOR® Membership shall be required to complete the Association's New Member Orientation program and MLS Orientation program in addition to the New Member Code of Ethics Training requirement established by NAR. Required timelines for completion of said requirements shall apply as stated in the Association bylaws.
 - (i)** The New Member Orientation program requirement may be waived if an Applicant has completed similar indoctrination in this or another REALTOR® Association without an interruption in REALTOR® Membership.

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(B) Reinstatement of REALTOR® Membership

- (a) Reinstatement of Membership is only available if REALTOR® Membership was paid in full in the Association and subsequently voluntarily terminated and reinstatement is requested within the same fiscal year. Involuntary termination of REALTOR® Membership or application in a subsequent fiscal year does not qualify for reinstatement.
- (b) Licensees may apply for Reinstatement of Membership by submitting the Reinstatement of Membership Form in conjunction with the appropriate Reinstatement Fee.
- (c) **Reinstatement Fee** (*per individual, per occurrence; other service reactivation and/or activation fees may apply*)
- | | |
|----------------------|----------|
| REALTOR®/Salesperson | \$150.00 |
| REALTOR®/DB/Broker | \$200.00 |
- (d) Those who qualify for Reinstatement of Membership shall not be required to attend the New Member Orientation program or MLS Orientation program provided they had previously completed both programs through the Association and the inactive REALTOR® Membership period did not exceed 180 calendar days.

Policy 2 – REALTOR® Office Membership

(A) Application for REALTOR® Main Office/Branch Office

- (a) Application shall be handled in accordance with the Association Bylaws.
- (b) The Application Policy shall apply to any real estate or appraisal company applying for REALTOR® Main Office or Branch Office Membership with the Association, regardless of the following:
- Length of licensure
 - Experience
 - Membership in other organizations
 - Previous REALTOR® Main/Branch Office Membership in the Association or any REALTOR® Association
- (c) All applicants for REALTOR® Main/Branch Office Membership in the Association must submit the following documentation and fees upon application:
- Application for REALTOR® Main Office or Branch Office Membership (*to be eligible for Branch Office Membership, the Designated Broker/Designated REALTOR® must have already established*

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REALTOR® Main Office Membership for an alternative physical location)

- New Main Office or Branch Office Application Fee *(to join the Association)*
- New Office Set-up Fee *(to access the MLS)*

(B) Reinstatement of Main/Branch Office Membership

- (a)** Reinstatement of Office Membership is only available if REALTOR® Main Office or Branch Office Membership was paid in full in the Association and subsequently voluntarily terminated and reinstatement is requested within the same fiscal year. Involuntary termination of REALTOR® Main/Branch Office Membership or application in a subsequent fiscal year does not qualify for reinstatement.
- (b)** A Main Office or Branch Office may apply for Reinstatement of Main/Branch Office Membership by submitting the Reinstatement of Main/Branch Office Membership Form in conjunction with the appropriate Reinstatement Fee.
- (c) Reinstatement Fee** *(per office, per occurrence; other service reactivation and/or activation fees may apply)*
- | | |
|---------------|----------|
| Main Office | \$250.00 |
| Branch Office | \$150.00 |

Policy 3 – Affiliate Membership

(A) Application for Affiliate Membership

- (a)** Application shall be handled in accordance with the Association Bylaws.
- (b)** All applicants for Affiliate Membership in the Association must submit the following documentation, dues and fees upon application:
- Application for Affiliate Membership
 - New Affiliate Member Dues
 - New Member Application Fee
- (c)** Two levels of membership exist for the company or qualified individual applying for Affiliate Membership: Silver and Gold. Benefits of each as follows:

	Silver	Gold
Affiliate Office Annual Dues	\$200	\$250
Affiliate Individual Annual Dues	\$75	\$100
Listed on Assn Website and Printed Rosters	Yes	Yes
Affiliate Wall – 1 Slot for Fliers/Books/Cards	No	Yes
Affiliate Wall – Company Logo Posted	No	Yes

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BH Member Discounts/Pricing	Yes	Yes
Quarterly Affiliate Newsletter Roster	Yes	Yes
Qtrly Aff Newsletter Enhanced Listing (Optional)	\$10/ea	Free
REALTOR® or Office Mailing Labels	2 Sets/yr	4 Sets/yr
Additional Labels – Per Set	\$25	\$20
Sponsorship Opportunities	Yes	Yes
Education <4 Hours (5 min. pitch)	\$35	\$25
Education >4 Hours (5 min. am & pm)	\$50	\$40
<i>Other sponsorship costs are determined on a case-by-case basis</i>		

(d) Affiliate Individual Membership is only available to employees of Affiliate Office Members; however, Affiliate Individual Members are not required to join at the same membership level as the Affiliate Office which employs them.

(e) Sponsorships

(i) Affiliate Members must remit the appropriate fee and the Request to Sponsor form to the Association Office prior to the event to be sponsored.

(ii) The Association will provide coffee and bottled water. Additional food and/or beverages are the responsibility of the sponsor.

(B) Reinstatement of Affiliate Membership

(a) Reinstatement of Affiliate Membership is only available if Affiliate Membership was paid in full in the Association and subsequently voluntarily terminated and reinstatement is requested within the same fiscal year. Involuntary termination of Affiliate Membership or application in a subsequent fiscal year does not qualify for reinstatement.

(b) An Affiliate Member may apply for Reinstatement of Affiliate Membership by submitting the Reinstatement of Affiliate Membership Form in conjunction with the appropriate Reinstatement Fee.

(c) Reinstatement Fee (*per office or individual, per occurrence; other service reactivation and/or activation fees may apply*)

Affiliate Office – Silver	\$50.00
Affiliate Office – Gold	\$70.00
Affiliate Individual – Silver	\$25.00
Affiliate Individual – Gold	\$30.00

Policy 4 – Non-Member Licensees

(A) Membership in the Association is optional.

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- (B)** If an individual licensed with a Designated REALTOR®/REALTOR® Principle opts not to join the Association, the dues of the Designated REALTOR®/REALTOR® Principle shall increase to include an assessment for each Non-Member Licensee in accordance with the policies of NAR, AAR and the Association.
 - (a)** The Non-Member Licensee assessment is determined by the month of licensure with the Designated REALTOR®/REALTOR® Principle and is prorated according to the current dues schedule; however, the NAR special assessment does not apply to Non-Member Licensees.
 - (b)** The annual Non-Member Licensee assessment is equal to the number of Non-Member Licensees times the current rate for NAR, AAR and Association dues. The NAR special assessment does not apply to Non-Member Licensees.
- (C)** Designated REALTORS®/REALTOR® Principles who hold Non-Member Licensees must take great caution so as not to violate the REALTOR® Trademark, Code of Ethics, or otherwise, through misrepresentation to the public or others regarding the membership status of Non-Member Licensees.

ORGANIZATIONAL STRUCTURE & POSITION
DESCRIPTIONS POLICY

Definition: The Bullhead City/Mohave Valley Association of REALTORS® is hereinafter known as the “Association.”

Policy 1 – Board of Directors

- (A) The Board of Directors is responsible for the general overall management of Association affairs and business directives; however, it is not responsible for day-to-day operations. Daily operations and staff management are the sole responsibility of the Chief Staff Executive.
- (B) The Board of Directors is charged with the following: set Association policy, mission, vision and direction in terms of financial objectives and monitors the progress of such objectives; evaluate and approve programs and activities of the Association; guide general operation of the Association; plan future direction of the Association; approve the annual budget of the Association.
- (C) The Board of Directors appoints and subsequently provides direction and instruction to Association Committees and Other Bodies.
- (D) The responsibilities of each member of the Board of Directors include:
 - (a) Attending meetings of the Board of Directors as scheduled.
 - (b) Attending all events and functions of the Association.
 - (c) Complying with and enforcing the Association bylaws, policies and procedures.
 - (d) Representing the Association in a professional and ethical manner at all times.
- (E) **Meetings**
 - (a) The Board of Directors meets monthly or as needed.
 - (b) The Board of Directors general meetings are open to any Association REALTOR® Member in good standing. Anyone other than an Association REALTOR® Member wishing to appear in front of the Board must submit a request to the Chief Staff Executive for consideration by the President or Board of Directors.
 - (c) All requests for Board of Directors agenda items must be submitted in writing to the Chief Staff Executive a minimum of 10 (ten) business days prior to the next scheduled meeting of the Board of Directors for inclusion consideration or delegation to the appropriate body.

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- (d)** The Board of Directors holds a planning session prior to December 1 of each year to determine the goals and objectives of the upcoming fiscal year.

(F) Executive Session

- (a)** The participants of an Executive Session are limited to the voting members of the Board of Directors. The President, with the unanimous approval of the Board of Directors, may request the presence of individual(s) or Association Member(s) in addition to the Board of Directors.

- (b)** Any/All participants of an Executive Session are bound to the confidentiality of the Session. Any participant who violates the confidentiality of an Executive Session is subject to discipline as determined by the Board of Directors. If confidentiality is violated by a member of the Board of Directors, the Board Member may be subject to removal from the Board in accordance with the Association bylaws.

- (G)** The voting members of the Board of Directors consist of a President, President-Elect, Treasurer, Vice President, Secretary, Past President and six Directors. The Chief Staff Executive is an ex-officio member of the Board of Directors.

(H) Duties of Officers:

(a) President:

- Presides over the Board of Directors and Executive Committee meetings.
- Serves as the authorized spokesperson of the Board and Association.
- Appoints Committee Chairs for the year of their term as President.
- Is an ex-officio member of all Committees and Other Bodies.
- Serves as a signatory on Association accounts.
- Represents or appoints representation of the Association at state and national Association meetings and conferences as determined by the annual budget.

(b) President-Elect:

- Assumes duties and responsibilities of President when needed.
- Serves on the Executive Committee.
- Serves as a signatory on Association accounts.
- Represents the Association at state and national Association meetings and conferences as determined by the annual budget.

(c) Treasurer:

- Serves on the Executive Committee.
- Chair of the Finance Committee.
- Reviews the Association financial statements to ensure compliance with the current Financial Policy of the Association.

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- Presents the Financial Report at the Board of Directors meetings.
- Serves as a signatory on Association accounts.
- Represents the Association at state and national Association meetings and conferences as determined by the annual budget.

(d) Vice President:

- Serves on the Executive Committee.
- Assumes the duties of the President-Elect should the office become vacant during the election year in accordance with Article XI, Section 7a of the Association bylaws.
- Represents the Association at state and national Association meetings and conferences as determined by the annual budget.

(e) Secretary:

- Serves on the Executive Committee.
- Represents the Association at state and national Association meetings and conferences as determined by the annual budget.

Policy 2 – Standing Committees

(A) Executive

- (a)** The Chair is the current Association President; The President-Elect, Treasurer, Vice President, Secretary and Past President are the only other members of the committee with the exception of the Chief Staff Executive, who is an ex-officio member.
- (b)** The Committee meets as needed.
- (c)** The Purpose of the Committee is to oversee the affairs of the Association within the parameters stated by the Association bylaws, policies and procedures. The Committee is responsible for the annual evaluation of the Chief Staff Executive.

(B) Finance

- (a)** The Chair is the current Association Treasurer; The President, President-Elect, Vice President, Secretary and Past President are automatically members of the Committee; All other Committee Members must be members of the Association in good standing.
- (b)** The Committee meets monthly, via email or as needed.
- (c)** The purpose of the Committee is to review the Association financials on a minimum of a monthly basis. The Committee is charged with developing and recommending the annual budget to the Board of Directors. The Committee

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is responsible to identify or review any variance in the annual budget and present any such variance to the Board of Directors.

(C) Government Affairs

- (a)** The Chair is appointed by the President; Committee Members must be members of the Association in good standing.
- (b)** The Committee meets monthly or as needed.
- (c)** The purpose of the Committee is to monitor and identify local and/or regional issues that may affect the Association, its members, or the real estate industry. The Committee identifies local and/or regional legislative issues and/or individuals that align with the sympathies and interests of the Association. The Committee actively participates in promoting to the Association membership the importance of political involvement and RAPAC contributions. The Committee participates in “Calls to Action” as requested by the National Association of REALTORS® and/or the Arizona Association of REALTORS®. No action shall be taken by the Committee without approval of the Board of Directors and any action must be in compliance with Association policy. Committee members are encouraged to participate in local legislative and civic organizations to increase public awareness and liaise between the Association and the organization. The Committee operates within the budgeted parameters as provided annually by the Board of Directors.

(D) Member Services

- (a)** The Chair is appointed by the President; Committee Members must be members of the Association in good standing.
- (b)** The Committee meets monthly or as needed.
- (c)** The purpose of the Committee is to develop and coordinate the tangible and intangible benefits of Association membership. The Committee continually reviews Association services and programs to ensure efficiency, effectiveness and necessity. The Committee, in conjunction with Association staff, determines the educational offerings scheduled by the Association. The Committee actively participates in the promotion of Association programs and services through communication with the membership and other interested parties as deemed appropriate. The Committee operates within the budgeted parameters as provided annually by the Board of Directors to ensure costs do not exceed revenue from services and programs provided.

Policy 3 – Other Bodies

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(A) Affiliate Council

- (a)** The Chair is recommended by the Council with final approval by majority vote of the Board of Directors; Committee Members must be Association Affiliate Members or representatives of Association Affiliate Member Offices in good standing.
- (b)** The Council meets monthly or as needed.
- (c)** The purpose of the Council is to support the Association membership through involvement in and development of Association activities and events as approved by the Board of Directors.

(B) BREDA (Bullhead Regional Economic Development Authority)

- (a)** The Board of Directors, in conjunction with the annual budget, may elect to “purchase” a position with BREDA.
- (b)** The Board of Directors, by majority vote, will appoint an individual for the position based upon the following requirements:
 - Must be a REALTOR® Member of the Association in good standing
 - Must be willing and able to commit to attending all BREDA meetings
 - Must be a Member of the Government Affairs Committee
 - Must provide a monthly report to the Board of Directors

(C) Focus Groups

- (a)** The Board of Directors may develop Focus Groups as necessary to attain feedback and/or guidance on topics, events or issues.
- (b)** Focus Groups shall be held as needed and include an appropriate demographic pertaining to the discussion topic.

(D) Grievance & Professional Standards

- (a)** The Association participates in the formation and maintenance of the Region 1 Grievance and Professional Standards Committee Agreement as administered by the Arizona Association of REALTORS® (AAR).
- (b)** The Association shall allow for members to volunteer to participate in the program according to the standards as determined by AAR.
- (c)** Reimbursement for expenses incurred by participating members shall be in accordance with the current Association Travel & Expense Reimbursement Policy.

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(E) Task Forces

- (a)** The Board of Directors may appoint a Task Force to address a specific topic, event or issue.
- (b)** Task Forces shall consist of no more than five Members in good standing.
- (c)** The Board of Directors shall provide each Task Force with a specific directive and timeline for completion.

(F) Tour of Homes

- (a)** The Board of Directors shall appoint a REALTOR® Member in good standing to serve as the Leader for each Tour.

(G) User Group Forum

- (a)** Three Forum Panelists are appointed by majority vote of the Board of Directors and serve as representatives of the Association on the regional MLS Service Committee. The Panelists serve as the moderators for the User Group meetings. The Forum is open to any Association Member in good standing; all Association Members are encouraged to attend.
- (b)** The User Group Forum meets regularly at the Association Office at 9:00am on the first Wednesday of each month. If the meeting date falls on a day the Association Office is closed, the meeting shall be held the following Wednesday.
- (c)** The purpose of the Forum is to address the MLS issues, questions and concerns of the Association members and submit recommendations to the regional Service Committee for possible implementation.
 - (i)** The process for Members to submit issues, questions and/or concerns is as follows:
 - 1.** Topics/issues must be submitted in writing to the Association Office a minimum of seven calendar days prior to the next User Group Forum. This allows the Panelists to review and research the items prior to the next Forum.
 - 2.** Members who submit topics/issues are asked to provide their own solution, if applicable. This may assist the Panelists in understanding the reasoning behind the request; therefore, allowing for more accurate research.
 - 3.** Members who submit topics/issues are asked to attend the next Forum to participate in the discussion and provide additional reasoning to other participants if necessary.

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4. Topics/issues submitted in advance will be addressed first. Topics/issues brought up for the first time in a Forum discussion will only be addressed at that Forum if time permits; otherwise, the topic/issue will be submitted for the next Forum.

(H) WARDEX Board of Directors

- (a) The Association is a primary shareholder in the Western Arizona REALTOR® Data Exchange (WARDEX) and holds three seats on the WARDEX Board of Directors.
- (b) The Director positions are staggered two-year terms.
- (c) The Association's Board of Directors, by majority vote, shall appoint REALTOR® Member(s) in good standing to fill the positions as necessary and in accordance with the WARDEX bylaws. The appointment(s) shall be made by November 1 of each year.

TOUR OF HOMES POLICY

Purpose: The Association holds a “Tour of Homes” every Thursday morning, starting promptly at 8am. Tour coverage and meeting locations vary, according to the tour area covered. There are 4 tour areas, with one area being toured each week. A tour schedule is published periodically and is available on the Tour of Homes page of the Association Website or by contacting the Association Office.

Policy 1 – Tour Format and Protocol

- (A)** Tour of homes is an “open house” format with no formalized caravan.
- (B)** Detailed instructions on placing a property on Tour and viewing the list of properties on Tour are available on the Tour of Homes page of the Association website.
- (C)** REALTORS® and Affiliate Members of the Association meet at 8:00am the morning of Tour in a mixer format. Tours 1, 2 and 3 shall meet at the Association Office; Tour 4 shall meet at Loretta’s Realty. A Tour meeting location may only be changed upon request of the Leader of that Tour and upon final approval of the Board of Directors. The location change must be approved a minimum of 4 weeks prior to the Tour with the changed location to allow for proper Member notification.
- (D)** Homes on Tour shall be made available from 9am to Noon on the day of Tour. All logistical, informational and other appropriate actions required to make the property available for Tour are the sole responsibility of the listing agent/company.
- (E)** The listing agent/company is responsible to attend the Tour meeting which coincides with any property the place on Tour. It is the sole responsibility of the listing agent/office to promote or provide information regarding their Tour property to fellow REALTORS®.
- (F)** A list of homes on Tour shall be prepared by the Tour Leader and provided to Tour meeting attendees upon arrival. The Tour Leader is responsible announce any changes or adjustments to the list.
 - (a)** Changes or removals of properties from Tour must be coordinated through Tour Leader by 7:30am the day the property is to be on Tour.
 - (b)** In the event the Tour Leader is forced to remove a property from Tour due to a “no show, no call” by the listing agent/company, said listing agent may be subject to a fine of \$25.00.

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- (G) REALTORS® shall have the opportunity to “pitch” their listing for up to 30 seconds to the group for a fee of \$1.00 per property pitched. The monies received from the pitched properties shall be placed in a “Secret House Fund” and shall be retained by the Association Office for collection by the Secret House Fund winner.
- (a) **Secret House Fund**
- (i) The total in the Secret House Fund shall be announced to the group prior to departure from the meeting location.
 - (ii) The “Secret” house will be drawn from the list of properties on that particular Tour. Only Association Staff and the Tour Leader shall know the identity of the property.
 - (iii) After Noon the day of the Tour the “Secret” house listing agent will be contacted by the Tour Leader and one business card will be drawn from the cards left by visiting REALTORS® that day. The Tour Leader shall contact the Association Office with the name of the Secret House Fund winner.
 - (iv) The Secret House Fund winner may collect their winnings from the Association Office.
- (H) REALTOR® Tour Attendees may select which listings they wish to view and the order in which they wish to view them. REALTOR® Members of the Association are the **ONLY** individuals allowed to visit properties on Tour. REALTORS® must identify themselves as such if the seller’s are present during Tour. REALTORS® must leave a business card at each property visited while on Tour. It is strongly recommended that listing agents/companies with properties on Tour advise their seller’s to refuse the entrance of any individual who is not a REALTOR®.

Policy 2 – Tour Areas

- (A) The Association’s market area is broken down into four sections for the Tour of Homes. The sections shall be based upon the most current coordinates of the area map produced by the Association. The current sections are as follows:

Tour 1 – Area 10 to Area 14, including El Camino Village, Laredo Village, Fox Creek

Tour 2 – Area 15 to Area 19, less the communities included in Tour 1

Tour 3 – Area 20 to Area 25

Tour 4 – Area 26 to Area 34

Policy 3 – Tour Sponsorship

- (A) Affiliate Members of the Association may elect to sponsor a particular Tour. Scheduling the Tour sponsorship must be coordinated through the Association Office and the Request to Sponsor form must be completed and

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remitted to the Association Office before the Tour date will be guaranteed. Tour sponsorships are available on a first come, first served basis.

- (B)** The Association will provide coffee for the Tour meeting attendees. Any additional food or beverages may be supplied by the Tour Sponsor.
- (C)** The Association Website Calendar will list the name of the Sponsoring Company on the corresponding Tour date.
- (D)** The Sponsoring Company will be allowed a maximum of 5 minutes to discuss their service, company, product or promotion after Tour business has been completed and prior to the departure of the attendees.
- (E)** The Sponsoring Company is required to have at least one company representative present at the 8am Tour meeting on the day of the Tour Sponsorship. Tour Sponsorship cancellations must be coordinated with Association Staff a minimum of seven calendar days prior to the scheduled Tour date. Failure to cancel a minimum of seven calendar days prior to the Tour date shall result in a \$15 administrative fee; a “no call, no show” Sponsoring company will be assessed a \$50 fine.

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TRAVEL & EXPENSE REIMBURSEMENT POLICY

Policy 1 – General Policy

- (A) General Policy will apply to all elected and appointed leadership and staff of the Association who seek reimbursement for travel and other expenses incurred on behalf of the Association. The Omnibus Budget Reconciliation Act of 1993 contained specific provisions to regulate the payment of travel expenses to Association Officers and Directors so as to avoid abuse of the system. A travel and expense reimbursement policy is required and must be adhered to. Certain limitations are provided in connection with per diem allowances.
- (B) The IRS allows reimbursement for travel expenses that are ordinary, necessary and directly related to the purpose of the Association.
- (C) At some time those individuals or companies who have submitted for reimbursement through the Association may be asked by the membership to justify the travel and reimbursement costs reported.

Policy 2 – Travel & Expense Reimbursement Claims

- (A) All approved registrations and reservations will be processed by or in conjunction with the Association Office. All travel and expense reimbursement forms are to be completed and remitted to the Association within fifteen (15) days of the actual event. Failure to comply with this policy will require the Executive Committee to authorize payment.
- (B) Actual mileage expenses shall be reimbursed at the current IRS rate. Per Diem shall be based on the approved travel budget. All per diem is at a rate of 75% for travel days. Reimbursement shall be contingent upon attendance at all required meetings for the trip.

Policy 3 – Expense Reimbursement Forms & Authorization

- (A) All travel and expense reimbursement forms are to be completed and turned in to the Association within 15 calendar days of the end of the event. Staff is to turn in completed expense forms within 7 calendar days of the end of the event. Failure to comply with this policy will result in the authorization of payment to be reviewed by the Executive Committee.
- (B) The Treasurer will be responsible for authorizing payment of all claims for expense reimbursement from Officers of the Association. This authority may be delegated to the Executive Officer who will refer all questions or matters requiring interpretation to the Treasurer for a final decision. In the event the Treasurer is uncomfortable with authorizing any claim, s/he will refer the claim to the Executive Committee for consideration.

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- (C)** The Executive Officer will be responsible for authorizing payment of all claims for expense reimbursement from staff of the Association with the exception of his or her own claims which must be authorized by the President, President-Elect or Treasurer.
- (D)** Supporting documentation and/or receipts are required for all expenses of \$25.00 or more.

Policy 4 – Form of Travel

- (A)** Elected and Appointed Leadership and Staff of the Association are required to use the most cost-effective, but reasonable form of travel.
- (B)** Rental cars are only reimbursable when other forms of transportation are unobtainable or when the use of a rental car will lower the cost of transportation and must be approved in advance by the Executive Committee.

Policy 5 – Persons Authorized for Travel

The Elected and Appointed Leadership and Staff of the Association authorized to travel are established annually in conjunction with the development of the travel budget. Additional or replacement attendees are authorized solely at the discretion of the Board of Directors and upon review of the budget allowances. Authorized Travelers are entitled to reimbursement for reasonable expenses as approved within the travel budget.

Policy 6 – Non-Reimbursable Items

The following items are excluded unless authorized in advance by the Executive Committee:

- Personal Entertainment (e.g. movies, health clubs, airline headphones, etc.)
- Purchase of books or magazines
- Barber, Hair Stylist, Beautician, etc.
- Childcare
- Pet care, Kennel Fees, etc.
- Laundry and Dry-Cleaning
- Mini-Bars and In-Room Safes
- Phone Calls

Policy 7 – Hosting

The Association will reimburse the actual costs incurred in those situations where it is deemed appropriate for the President, President-Elect or Executive Officer to “pick up the check” for several individuals at a meal. When this occurs the IRS requires a receipt for the expenditure and explanation of the purpose, plus a list of the individuals concerned, their titles and the location of the event.

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Policy 8 – Banquet and Special Events

The President, President-Elect and Executive Officer may be reimbursed for the costs in excess of the approved per diem rate when required to purchase banquet or function tickets at meetings of the National Association of REALTORS® or Arizona Association of REALTORS® provided they do not exceed the respective line item approved in the budget.

Policy 9 – Items Not Covered By This Policy

Any items not covered by this Travel and Expense Reimbursement Policy will be referred to the Executive Committee for consideration.