



*The following informational links are available on [srar.com](http://srar.com) and should be reviewed prior to completion of the Complaint form:*

[Rule 11 of the Professional Standards Rules regarding Ethics Advocate](#)  
[Southland Regional Association of REALTORS® Professional Standards Rules Addendum](#)  
[The Outline of Procedure for Disciplinary Hearings](#)  
[2022 National Association of REALTORS® Code of Ethics](#)  
[Code of Ethics De-Mystified](#)  
[Professional Standards Volunteer Roles](#)  
[MLS Rules](#) (Revised January 2022) (If applicable to the complaint)

The Professional Standards Rules will explain the Association Disciplinary process. The “Outline of Procedure for Hearing” provides information of hearing procedures.

**It is essential that we receive the following with your Disciplinary request:**

The Complaint Form must be completed in its entirety and signed by you and Exhibit 1 – statement of facts/timeline. Please reference articles of the Code of Ethics when possible and include all documentation pertaining to the transaction. Admission of Disciplinary complaint forms and supporting documents will be accepted via email to [ProfessionalStandards@SRAR.com](mailto:ProfessionalStandards@SRAR.com) with attached downloadable PDF/images/audio files. *(Upon request a Dropbox folder can be made available for convenient uploading of your complaint packet)*

**If you desire assistance of an ethics advocate, please contact us for the required forms. There is no cost for the use of an EA.**

**Please Note: In order to use the services of an EA, you must agree to hold the Association harmless and waive any claim for liability against the Association or the EA for the conduct of the EA in assisting you.**

Please be advised that the time limitation for filing an ethical complaint is ***180 days*** from the date of the alleged ethical violation. **You must file within the time limit, even if you are assisted by an EA.**

***Our Association does not obtain financial reimbursement for the public, require that deposits be refunded, cancel or enforce contracts, or determine or settle legal disputes. We do not act as a court of law.***



Complaints will be reviewed by the Grievance Committee no later than 45 calendar days after the Associations receipt of the complaint. The Grievance committee is to make only a preliminary review and determine whether the complaint warrants further consideration by a hearing panel of the Professional Standards Committee. If a complaint is forwarded to a formal hearing, you will be required to attend, testify and present your case. The time period from receipt of your complaint to setting a hearing date on the calendar is normally three (3) to four (4) months. Please understand that our Grievance Committee and Professional Standards Panelists are volunteers, therefore, we can only process the complaints in as timely a manner as their busy schedules permit.

If a Responsible REALTOR® or REALTOR® is found to be in violation of any Articles of the Code of Ethics, MLS Rules and Regulations, or Membership Rules, they will be disciplined in accordance with our Professional Standards Rules. These rules permit discipline ranging from attending Ethics Education Programs to expulsion from membership.

Thank you for taking the time and effort to assist us in upholding the Code of Ethics of our Association. If you have any questions, please feel free to contact the Professional Standards Department at 800-446-3646 or [ProfessionalStandards@SRAR.com](mailto:ProfessionalStandards@SRAR.com)

### **Disciplinary Virtual Hearings Indications**

*Until further notice Disciplinary Hearings will be conducted via Zoom.*

#### **California Code of Ethics & Arbitration Manual – Section 28(i)**

(i) **Notice of Date, Time, and Place of Hearing.** No later than twenty (20) calendar days after the Grievance Committee decision to forward a complaint for a hearing is final, the Association Executive shall designate the date, time and place of the hearing and shall notify the parties and hearing Panel in writing (Form D-6). Each party shall be given at least twenty-one (21) calendar days prior notice of the hearing but appearance at a hearing without objection by any party will constitute a waiver of such notice requirement. Absent a compelling reason, the Association Executive may require that the hearing be conducted virtually using a virtual meeting platform such as Zoom or any other similar service.

#### **Virtual Hearing Indications:**

- Parties and Witnesses must remain in a private room and be in front of the camera during the Hearing. No walking around or participating from a parked or moving vehicle.
- Parties and their witnesses are asked to reserve 2-4 hours for Hearing proceedings.
- Parties must confirm their ability to self-provide with required private room, equipment with video/audio (desktop, iPad or laptop) and stable internet connection.
- NO CELL PHONES/MOBILE OR RECORDING DEVICES ARE PERMITTED AT ANY TIME DURING THE HEARING PROCEDURE.

**DISCIPLINARY COMPLAINT**  
**SOUTHLAND REGIONAL ASSOCIATION OF REALTORS®**

For Association Use Only Case No. _____ Complaint Received: _____, 20
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1. I (we), the undersigned complainant(s), hereby allege that the following persons have engaged in conduct subject to disciplinary action by the Association:

**2. RESPONDENT(S):**

**RESPONDENT(S):**

(1) \_\_\_\_\_  
Name (Type or Print)

(2) \_\_\_\_\_  
Name of Manager (Type or Print)

\_\_\_\_\_  
DRE Number

\_\_\_\_\_  
DRE Number

\_\_\_\_\_  
Name of Brokerage Firm

\_\_\_\_\_  
Name of Brokerage Firm

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
City, State, Zip

(3) \_\_\_\_\_  
Name (Type or Print)

(4) \_\_\_\_\_  
Name (Type or Print)

\_\_\_\_\_  
DRE Number

\_\_\_\_\_  
DRE Number

\_\_\_\_\_  
Name of Brokerage Firm

\_\_\_\_\_  
Name of Brokerage Firm

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_

\_\_\_\_\_

3. Are you seeking review for an Anonymous Complaint:

YES NO **If you answered yes, complete the enclosed "Notice of Anonymous Complaint" and include with your complaint packet. Use the following articles only.**

Code of Ethics violations allowable for Anonymous Complaints:

- Article 1: Failure on the part of a listing broker to provide written affirmation that an offer was presented, or request of a cooperating broker submitting an offer.
- Article 3: Attempt to change offer of compensation after being made aware of a signed offer.
  - Failure to disclose existence dual or variable rate commission.
  - Failure to disclose existence of accepted offers to cooperating brokers.
- 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 3<sup>rd</sup> party for services provided free to a client.
  - Failure to make reasonable efforts to ensure that information on web sites is current and correct.
  - Failure to display name of firm and state of licensure in a reasonable and apparent manner.
  - Failure to present a true picture in advertising and representations to the public, including misleading images, internet content, URLs and domain names.
  - Failure to disclose internet to share or sell consumer information gathered via internet.
  - Using or registering domain name or URL that presents less than a true picture.
  - Using a professional designation, certification or other credential to which they are not legitimately entitled.
  - 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" a 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.

4. The above named respondent(s) have violated the following: (**Note: You may also choose not to select any of the options below and instead allow the Grievance Committee to decide the proper allegations.**)

**NOTE: The following are NOT for Anonymous complaints**

Code of Ethics Violations:

- Article 1: REALTORS® owe a fiduciary duty to their clients. Article
- Article 2: REALTORS® must avoid concealment of pertinent facts.
- Article 3: REALTORS® must cooperate with other brokers.
- Article 4: REALTORS® must disclose any interest they have in a property they are buying or selling.
- Article 5: REALTORS® must disclose any contemplated interest they have in property for which they are providing professional services.

- Article 6: REALTORS® cannot accept profit on expenditures made for their client or recommendations to their client without disclosure.
- Article 7: REALTORS® must disclose and obtain consent to accept compensation from more than one party.
- Article 8: REALTORS® must keep a trust account for clients' funds.
- Article 9: REALTORS® must ensure that all agreements are in writing and clear.
- Article 10: REALTORS® must not discriminate in their business on the basis of race, color, religion, sex, handicap, familial status or native origin.
- Article 11: REALTORS® must provide competent service.
- Article 12: REALTORS® must be honest in their real estate communications and present a true picture in advertising.
- Article 13: REALTORS® must not engage in the unauthorized practice of law.
- Article 14: REALTORS® must cooperate in professional standards proceedings.
- Article 15: REALTORS® must not knowingly or recklessly make false or misleading statements about competitors.
- Article 16: REALTORS® must not interfere with the exclusive representation agreements of other REALTORS®.
- Article 17: REALTORS® must arbitrate contractual disputes and certain non-contractual disputes arising out of the real estate business.
- Section(s) \_\_\_\_\_ of the MLS Rules and Regulations
- Other membership duty as set forth in the bylaws of the Association (specify):

4. The facts and circumstances supporting the above allegation(s) are detailed in the attached statement marked "Exhibit 1," which is hereby incorporated by reference and made part of this complaint.
5. I am informed that the named respondent(s) are current REALTOR® members of the Association and/or participants/subscribers in the MLS or that the property at issue is located within the jurisdiction of this Association.
6. Date of knowledge of alleged misconduct is \_\_\_\_\_. This complaint, meeting all filing requirements, must be filed within 180 calendar days after the facts constituting alleged misconduct could have been known in the exercise of reasonable diligence or one hundred eighty (180) days after the conclusion of the transaction, or event, whichever is later.
7. Are the circumstances giving rise to this complaint, or the respondents in this case, involved in a civil or criminal proceeding or in any proceeding before a governmental agency?  
 YES      NO      If you answered yes, please attach a written statement of explanation.
8. Have you filed, or do you plan to file a similar or related complaint with another Association of REALTORS®?  
 YES      NO      If you answered yes, please attach a written statement of explanation.
9. I understand there will be a recording of any full disciplinary hearing. I understand that the recording is subject to the rules of confidentiality and is made solely for the purpose of a Review by the Association Board of Directors, if one is requested.
10. I will be represented by an attorney, whose name, address, telephone number, and email address are:

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I agree to abide by the rules and procedures used by this Association to conduct disciplinary hearings. I understand that the proceedings regarding this matter will be kept confidential and that I have an obligation to maintain and protect this confidentiality.

**Under the penalties of perjury, I declare that to the best of my knowledge and belief my allegations in this complaint are true and correct.**

**Dated:** \_\_\_\_\_ **at** \_\_\_\_\_, **California**

**12. COMPLAINANT(S):**

**COMPLAINANT(S):**

(1) \_\_\_\_\_  
Signature

(2) \_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Type or Print)

\_\_\_\_\_  
Name (Type or Print)

\_\_\_\_\_  
DRE Number

\_\_\_\_\_  
DRE Number

\_\_\_\_\_  
Name of Brokerage Firm

\_\_\_\_\_  
Name of Brokerage Firm

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_  
email

\_\_\_\_\_  
Phone

\_\_\_\_\_  
email

(3) \_\_\_\_\_  
Signature

(4) \_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Type or Print)

\_\_\_\_\_  
Name (Type or Print)

\_\_\_\_\_  
DRE Number

\_\_\_\_\_  
DRE Number

\_\_\_\_\_  
Name of Brokerage Firm

\_\_\_\_\_  
Name of Brokerage Firm

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_  
email

\_\_\_\_\_  
Phone

\_\_\_\_\_  
email



## NOTICE OF ANONYMOUS COMPLAINT

### California Code of Ethics & Arbitration Manual

#### Section 24. Action of the Grievance Committee

(i) **Anonymous Complaints.** *An Association's Board of Directors may decide whether or not to accept anonymous complaints. If an Association does accept anonymous complaints, a Subcommittee of the Grievance Committee shall review and may investigate an anonymous complaint and 1) dismiss the complaint as unworthy of further consideration; 2) notify the respondent of the complaint and give an opportunity to correct; 3) refer the complaint to the Professional Standards Committee for hearing; or 4) issue an ethics citation. If the Subcommittee, on behalf of the Grievance Committee, refers the matter for hearing, the Grievance Committee shall be the complainant and one of the members of the Subcommittee shall represent the Grievance Committee at the hearing.*

The complainant has the option to file an Ethics Complaint without any name acknowledged, as that of author, contributor, or the like with the understanding that the complainant must comply with all other requirements compiling your complaint packet and the preparation for a Disciplinary Hearing. By choosing this type of complaint you understand and agree that name is withheld and a Grievance Committee Member will be chosen to move forward with the complaint if the Grievance Committee so decides that the complainant has met their burden of proof.

Under circumstances where evidence is sufficient to support the anonymity of the Complainant, the Grievance Committee will consider assuming a substitutionary role on behalf of the Complainant. The request for anonymity will be considered after a full review of all documentation and full cooperation of the Complainant.

Disciplinary complaints must be filed with the local association where the **respondent** is a member within one hundred eighty (180) days from the time a complainant knew (or reasonably should have known) that potentially unethical conduct took place (unless the Board's informal dispute resolution processes are invoked in which case the filing deadline will momentarily be suspended).

- Your complaint should include a narrative description of the circumstances that lead you to believe the Code of Ethics, MLS Rules, and/or membership duties may have been violated.
- Your complaint may cite one or more of the Articles of the Code of Ethics, MLS Rules, and/or membership duties which may have been violated. Alternatively, you can let the Grievance Committee decide on the exact allegations.



**SOUTHLAND REGIONAL  
ASSOCIATION OF REALTORS®, INC.**

When an anonymous complaint is received, the Grievance Chair assigns it to three impartial members of the Subcommittee. These Subcommittee members have the ability to investigate a complaint before making their decision and are given authority to act for the Grievance Committee. In order to send a complaint to hearing "you must be able to touch it, hear it, and see it.

If the anonymous complaint is forwarded to a formal hearing, you will not be required to attend, testify and present your case unless the Professional Standards department receives notice of your full participation in the complaint process and to replace named complainant (Grievance Committee Member).

**Please Note: In order to file an anonymous complaint, you must agree to hold the Association harmless and waive any claim for liability against the Association or the Grievance Committee Member for the conduct of the Grievance Committee Member in assisting you.**

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

\_\_\_\_\_  
APPLICANT SIGNATURE

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
CONTACT PHONE NUMBER & EMAIL