



**BLUE RIDGE ASSOCIATION OF
REALTORS®, Inc.**

POLICIES and PROCEDURES MANUAL

APPROVED JULY 15, 2021

BLUE RIDGE ASSOCIATION OF REALTORS®

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TABLE OF CONTENTS – BRAR POLICIES & PROCEDURES MANUAL

SECTION I: ORGANIZATION

| | | |
|-----|--|---|
| 1.1 | Organization | 2 |
| 1.2 | Services | |
| 1.3 | Governance | |
| 1.4 | Mission Statement and Vision Statement | |

SECTION II: ASSOCIATION GOVERNANCE POLICIES

| | | |
|------|--|---|
| 2.1 | General Definitions | 3 |
| 2.2 | Role of the Board of Directors | |
| 2.3 | Standing Rules for the Board of Directors | |
| 2.4 | Standing Rules for Special Membership Meetings..... | 4 |
| 2.5 | Duties and Responsibilities of Officers of the Board of Directors | 4 |
| 2.6 | Duties and Responsibilities of a Member of the Board of Directors..... | 7 |
| 2.7 | Duties and Responsibilities of CEO and Staff | 8 |
| 2.8 | Election of Directors..... | 8 |
| 2.9 | Selection of Directors to serve on the National Association of Realtors® Board of Directors..... | 8 |
| 2.10 | Selection of Directors to serve on the Virginia Association of Realtors® Delegate Body. | |

SECTION III: COMMITTEE AND TASKFORCE POLICIES

| | | |
|-----|--|----|
| 3.1 | Standing Rules for Committees and Taskforces..... | 9 |
| 3.2 | Duties and Responsibilities of a Committee Chair..... | 9 |
| 3.3 | Duties and Responsibilities of a Committee Member..... | 10 |
| 3.4 | Committee Selection Process..... | 10 |
| 3.5 | Standing Committees..... | 10 |
| 3.6 | Other Committees..... | 11 |
| 3.7 | Task Forces | 12 |

SECTION IV: GENERAL POLICIES

| | | |
|-----|--|----|
| 4.1 | Member Information Privacy Policy..... | 13 |
| 4.2 | Anti-Harassment Policy..... | 13 |
| 4.3 | Anti-Trust Policy..... | 14 |
| 4.4 | Education Policy..... | 16 |

SECTION V: APPENDICES

| | | |
|----|---|----|
| A | Financial Policies and Operating Procedures..... | 19 |
| B | Volunteer Policies (Separately Approved) | 25 |
| C. | Document Retention Policies (Separately Approved) | 32 |
| D. | Employee Policies and Procedures (Separately Approved) | 35 |
| E. | Revised Policies (Added as approved by the Board of Directors). | 36 |

SECTION I: ORGANIZATION

1.1 ORGANIZATION

Admitted to the Virginia Association of REALTORS® as Members-at-Large in 1941, the Blue Ridge Association of REALTORS®, Inc. (BRAR or the Association) was chartered by the National Association of REALTORS® on March 20, 1961, by 19 Real Estate Professionals with the goal of adopting a standard Code of Ethics and providing better service to the public. On May 9, 1961, the NAR Board of Directors approves Blue Ridge as a member board. On November 12, 1963, our name changed to Blue Ridge Board of REALTORS®. On November 16, 1977, it was changed to Blue Ridge Board of REALTORS®, Inc. On November 4, 1992, it was changed to Blue Ridge Association of REALTORS®, Inc. On October 6, 2020, Blue Ridge Association of REALTORS®, Inc. was granted the 501(C)(6) status, with an effective date of July 1, 2020, and is exempt from federal income taxation under Section 501(c)(6) of the Internal Revenue Service Code.

1.2 SERVICES

BRAR provides a variety of services to its members including educational opportunities, professional standards enforcement, market statistics, legislative reviews, issues lobbying, discounted access to the multiple listing service, and lockbox services. The Board of Directors may authorize additional services as needed to meet the changing needs of its members.

1.3 GOVERNANCE

The Association is governed by:

- A Board of Directors (“Board” throughout this document) as described in Article XI of the “BRAR Bylaws” as they may be amended from time to time.
- The rules and regulations for local associations as promulgated by the National Association of Realtors® and the Virginia Association of Realtors®, including, in its entirety, the National Association of Realtors® *Code of Ethics and Arbitration Manual*, by this reference incorporated into and adopted as part of this Policies and Procedures Manual, as may be amended from time to time by the Board of Directors; and
- The Virginia Nonstock Corporation Act, Section 13.1-801 *et seq.*, Code of Virginia of 1950 as Amended.

1.4 Mission Statement: Blue Ridge Association of REALTORS® will advocate for property rights and be the voice of real estate for the member and consumer.

Vision Statement: To promote member growth and professionalism.

SECTION II: ASSOCIATION GOVERNANCE POLICIES

2.1 GENERAL DEFINITIONS

BRAR's governing body shall be a Board of Directors. Article XI of the BRAR Bylaws defines the composition of the Board of Directors, the officers of the Board, the manner of nomination and election to the Board and other controlling matters. The role of the Board and its officers as set out in this Manual is secondary to and shall be regulated by the rules set forth in the Bylaws. Any discrepancy between this manual and the Bylaws will be resolved in favor of the Bylaws.

2.2 ROLE OF THE BOARD OF DIRECTORS

The Board oversees the affairs of the Association in compliance with the Articles of Incorporation, the Bylaws, and the Virginia law under which the Association is incorporated. The Board of Directors has the responsibility to ensure that the Association is managed in such a way to ensure this result. In general, the Chief Executive Officer ("CEO"), selected and appointed by the Board of Directors, administers BRAR's day-to-day affairs through the staff he or she selects. The Board of Directors will regularly monitor the effectiveness of management policies and decisions, including the execution of its strategies. Directors have no personal responsibility for errors and omissions of BRAR management, employees or agents provided those persons were prudently selected and the Directors' reliance on them is reasonable. The Board of Directors may delegate its authority to staff, but it cannot abdicate its responsibility to monitor and evaluate the staff's performance.

2.3 STANDING RULES FOR THE BOARD OF DIRECTORS

- The composition and the authority of the Board of Directors shall be as specified in Article XI of the BRAR Bylaws.
- Meetings of the Board of Directors shall be at designated times and places, as specified in the Bylaws and set by the Directors. Three absences not deemed valid by the Directors shall be deemed to be a resignation.
- Meetings of the Board of Directors shall be chaired by the President and conducted in accordance with the Bylaws and intent of the standing rules of the Board of Directors.
- The executive team which consists of the officers of the Association and the CEO, shall meet at least one week prior to the scheduled meeting of the Board of Directors to prepare the agenda for the Board of Directors' meeting. The goal is to provide Directors the agenda and supporting documents at least seven days prior to the date of the meeting. The executive team shall also conduct performance evaluations of the CEO as well as recruiting and hiring for the CEO position. It shall conduct the performance evaluation of the CEO prior to each year's Budget Committee meeting for the next fiscal year. The Committee shall report the findings of the review to the Board of Directors in conformance with the Bylaws and the CEO's employment contract.
- Agenda items should be submitted to the CEO no later than seven (7) days prior to the meeting, if possible.
- Only the Officers and Directors of the Board of Directors may vote on issues at their meetings. Visitors may participate in discussion on issues when recognized by the President.
- Only Directors, the CEO and the General Counsel may attend executive sessions, unless the President or a majority of the Board present and voting grants an exception.
- Minutes shall be required for all meetings of the Board of Directors.

- At the start of each meeting, the President shall read the anti-trust statement.
- Votes taken electronically must be reflected in the minutes of the next meeting of the Board of Directors.
- Policies may be adopted, revised, deleted, or suspended during any Board of Directors meeting without advanced notice.
- Adopted policies shall not conflict with the Bylaws and shall be included in the Policies and Procedures Manual under APPENDIX E, then incorporated to the appropriate section annually. The manual will then be and given an updated revision date.
- The conduct of any Board of Directors event, whether called meetings, BRAR-sponsored events or informal gatherings shall always comply with BRAR Anti-Trust Policy (see Section V of this Manual).
- To ensure that proper information is provided to the public, it is important that BRAR speak with “One Voice” in the event the press contacts the association. Unless expressly authorized to do so, all members and committee members are prohibited from issuing statements to the media concerning the association business.

2.4 STANDING RULES FOR SPECIAL MEMBERSHIP MEETINGS

- Meetings shall be conducted in accordance with the Bylaws and standing rules.
- Meeting agendas shall be prepared by the Chair and/or Chair-Elect and the CEO.
- Notice of special meetings of the membership shall be advertised in the Association’s electronic newsletter, or by other appropriate method authorized in the Bylaws, preceding the meeting. If the scheduling of that meeting occurs after the date for publication of the magazine or newsletter, a notice will be distributed to the membership via electronic communication.
- The annual Membership Meeting(s) shall be held in October of each year, the time(s) and place(s) to be specified by the Directors.
- Furthermore, meetings of the Membership may be held at other times as the President or the Directors may determine, or upon the written request of at least twenty percent (20) of the Members eligible to vote.
- Voting by proxy shall not be allowed.
- The conduct at any BRAR event, whether a specially called meeting, sponsored event or informal gathering shall always comply with BRAR Anti-Trust Policy (see Section V of this Manual).

2.5 DUTIES AND RESPONSIBILITIES OF OFFICERS OF THE BOARD OF DIRECTORS

- The duties of the Officers shall be those indicated by the general usage of their titles, along with duties the Board of Directors may assign to them.
- Elective year of the Board shall be January 1 to December 31. Article XV of the Bylaws.
- Officers will be bound by the duties for a member of the Board of Directors as described in Section 2.6 below.

President

- Governance of Association Structures and Organizational Operations: The President shall collaborate with Staff and Management, determine the association's future direction, and set parameters for staff empowerment; leadership allows for internal organizational structure to

be created and managed by staff. The President shall serve as ex-officio member of the association's committees and shall lead the meetings of the Board of Directors and the executive team. **Develop Association Strategy and Goals:** The President shall determine the association's strategic vision; direct CEO in developing association goals; monitor goal implementation.

- **Facilitate Implementation of Objectives and Operations:** The President shall lead the Board of Directors in determining the association's vision and strategic outcomes; delegate CEO to make operational decisions.
- **Review Committee Structure:** The President shall consider recommendations from CEO on which committees will be formed to implement objectives identified by the Board of Directors.
- **Review Budget:** The President shall review and cause the Board to approve a comprehensive budget as developed by staff and the Budget and Finance Committee; empower CEO to make budget adjustments within established guidelines.
- **Member Services:** The President shall support member recruitment, retention, and orientation and provide leadership support for new member recruitment, retention, and orientation efforts.
- **Develop Strategic Analysis:** The President shall lead the association in an ongoing analysis that envisions, identifies, and implements strategic initiatives based on member needs.
- **Exhibit Leadership in Networking Activities:** The President shall assume a visible leadership role at association networking and social functions.
- **Internal and External Relations:** The President shall develop future volunteer leaders and work with CEO to identify, develop and nurture future volunteer leaders, as outlined in the association's comprehensive leadership development plan.
- **Cultivate Synergistic Relationships:** The President shall work with CEO in fostering effective and synergistic relationships with the following: local government leaders and legislators, service providers, vendors, consultants, contractors, influential and market share members/industry leaders, allied real estate groups who view the association as an industry leader, media, community groups, allied organizations and culturally diverse groups with an eye on building and leading political and business coalitions, and other advocacy groups.
- **Promote Political Awareness Activities:** The President shall support and promote the association's political awareness and fundraising plan as a significant component of the organization's activities and assume a leadership role, in partnership with the state and/or national associations, to support government advocacy activities in the community.
- The President will have access to the key to the safe and access to a key to the association offices.

Qualifications and Requirements:

- Chaired at least one committee and have been an Officer or Director for at least one (1) year.
- Must attend the VAR Leadership Conference.
- Must attend a Professional Standard Training Seminar in the first year of the commencement of term serving on the BOD.

President- Elect.

- Serves as a member of the Executive team.
- Serves as the chair of RPAC.
- Perform the duties of the President in his/her absence.
- Counsel with other officers in seeking to reach objectives.
- Serve as ex-officio member of committees as assigned by President.
- Represent Association at community functions in absence of President.

Qualifications and Requirements:

- Shall have chaired at least one (1) committee and served on the Board of Directors as an officer or director for at least one (1) year.
- Must attend the VAR Leadership Conference.
- Must attend a Professional Standard Training Seminar in the first year of the commencement of term serving on the BOD.
- Assume the office of President for the remainder of the un-expired term of office in the event of the resignation, death, or removal of the President or due to the failure or inability of the President to perform the duties of his office.

Vice- President

- Serve as a member of the executive team.
- Perform tasks assigned by the President.
- Be prepared to preside at meetings in absence of President and President-elect.
- Serve as ex-officio member for committees as assigned by President.

Qualifications and Requirements:

- Shall have chaired at least one (1) committee and served on the Board of Directors as officer or director for at least one (1) year.
- Should attend the VAR Leadership Conference.
- Must attend a Professional Standard Training Seminar in the first year of the commencement of term serving on the BOD.

Secretary- Treasurer

- Serve as a member of the executive team.
- Present the financial statements at the Board of Directors meeting
- Prepare and present to the BOD: the minutes of the BOD, Annual Meeting of the Membership, the Installation of Officers and Directors, and any special meetings called by the BOD and/or the membership.
- Serves as Chairperson of the Budget and Finance Committee for a two-year term.

- Shall serve as a member of the Budget and Finance Committee at the end of the two-year term for a one-year term, as immediate past committee chair.
- Carry out responsibilities as defined by President or Directors.

Qualifications and Requirements:

- Must have served actively on at least one (1) committee.
- Should attend the VAR Leadership Conference.
- Must attend a Professional Standard Training Seminar in the first year of the commencement of term serving on the BOD.

Immediate Past- President

- Chair of the Nominating Committee.
- Must attend a Professional Standard Training Seminar in the first year of the commencement of term serving on the BOD.

2.6 DUTIES AND RESPONSIBILITIES OF ALL MEMBERS OF THE BOARD OF DIRECTORS

- Generally, Officers and Directors have a fiduciary duty to the Association, including duties of care and loyalty.
- Duty of Care: Officers and Directors must exercise ordinary and reasonable care in performing their duties. The duty of care requires that the Officers and Directors: be reasonably informed, participate in decisions, and do so in good faith exercising the care of an ordinary person under the circumstances.
- Duty of Loyalty: Officers and Directors must exercise their powers in the best interests of the Association and not in their own interest or the interest of another entity or person. This duty encompasses and relates to conflicts of interest, corporate opportunity, and confidentiality.

Conflicts of Interest: Officers and Directors must provide undivided loyalty to the Association, its mission, and interests. They should be sensitive to any interest they have in any decision to be made by the Board; if an Officer or Director has an interest in a matter coming before the Board of Directors, the Officers and Directors has the duty to disclose it in advance of any Board action; the Board of Directors may then review and decide the proper course to take regarding the possible conflict. (See Appendix D)

Corporate Opportunity: Officers and Directors may not pursue a business opportunity he learns of through his Association service outside the Association.

Confidentiality: Officers and Directors must maintain in confidence whatever information the Association desires to keep confidential and that it treats as confidential. In other words, Officers and Directors should not disclose information about BRAR activities unless that information is already public knowledge or of public record.

- Officers and Directors will have access to information and resources designed to help carry out their responsibilities. This includes, at a minimum, reasonable access to management; access to BRAR books and records at reasonable intervals and during business hours, notice of meetings, and meeting minutes.

- Officers and Directors are indemnified by the Association against any liability that they may incur from their activities on its behalf. BRAR maintains an Errors and Omissions Policy offered through NAR for their protection. In addition to the insurance policy referenced above, Officers and Directors and other volunteers are protected by federal and Virginia law. For federal law, see 42 USC 14502 (the “Volunteer Protection Act”); for Virginia law, see Va. Code Ann. §13.1-870.1 (1950) for monetary limitations on directors, and Va. Code Ann. §13.1-875-- 883 (1950) for more general provisions.
- All Officers and Directors are required to attend the two-hour mandatory Board Training to take place after Leadership Training Day or the first meeting of the Board of Directors each year.

2.7 DUTIES AND RESPONSIBILITIES OF CEO AND STAFF

- All staff report to the CEO. The CEO shall be accountable for leading staff in achieving organizational outcomes and shall direct staff in providing direct member services and programs necessary to accomplish BRAR’s strategic goals, with the assistance of member volunteers, and in accordance with board policies directives and funding.
- The CEO may designate certain staff members to supervise BRAR’s functional divisions; these staff may be referred to as “Senior Staff.”
- The CEO may delegate to the Senior Staff the authority necessary to supervise employees and volunteers to ensure that Board Policy is properly executed.
- Detailed information concerning staff duties and responsibilities may be found in the Employee Policies and Procedures Manual (Appendix D).

2.8 ELECTION OF DIRECTORS.

- Board of Directors application will go out to membership 3 months before the annual election.
- Applications shall be returned to the Association two months before the annual election (annual meeting), and the Nominating Committee will meet to review the applications and select up to two candidates for each open seat. The Board of Directors is not required to approve the candidate slate before it goes to membership vote.
- The candidate slate shall be communicated to the membership at least three weeks preceding the election by online voting and advised that additions to the slate may be made by petition.
- Petitions must be accompanied with a list of signatures of twenty percent (20) of the membership eligible to vote, delivered to the Association office in the required time frame. Petitioners must meet all criteria for the position.
- Election of the Officers and Directors shall take place at the annual meeting, at which a quorum of 10 % of the membership of the Association shall be required.

2.9 SELECTION OF DIRECTORS TO SERVE ON THE NATIONAL ASSOCIATION OF REALTORS® BOARD OF DIRECTORS

- The BOD shall elect the Association’s Delegate to NAR.

2.10 SELECTION OF DIRECTORS TO SERVE ON THE VIRGINIA ASSOCIATION OF REALTORS® DELEGATE BODY.

- The BOD shall elect no more than three Delegates and up to three alternates to the VAR Delegate Body.

- **SECTION III: COMMITTEE AND TASKFORCE POLICIES**

3.1 STANDING RULES FOR COMMITTEES AND TASKFORCES

BRAR strongly supports competition and an open marketplace in which fees, commissions, and compensation are fully negotiable between the parties of each such agreement. As an Association, we consider adherence to the federal anti-trust laws as one of the most important duties of members and officers, and we are vigilant in reminding our members of those tenets. (See BRAR Anti-Trust Policy)

In addition to strict adherence to the BRAR Anti-Trust Policy, the following policies apply generally to all BRAR committee, forum, and business specialty meetings:

- An Association staff person will be assigned to act as liaison to each committee, forum, and business specialty group. The designated staff liaison, or in that person's absence, another BRAR staff person, must attend all meetings of each group. Committees are not permitted to hold meetings without BRAR staff present.
- Association members and staff will adhere strictly to the NAR, VAR, and BRAR anti-trust policy. BRAR strongly endorses the use of prepared agendas to help Chairs ensure that meeting discussions remain focused.
- Notice must be sent prior to any committee meetings. All meetings shall be scheduled on the Association calendar and held at the Association office unless prior arrangements have been made through the President or CEO.
- Members and staff will turn off all mobile devices. Attendees will refrain from posting, texting, tweeting, or blogging during meetings unless they have the prior knowledge and consent of the meeting Chair and the Association staff liaison.
- A quorum shall be a simple majority of those entitled to vote. Voting may be by electronic means and each person is entitled to only one vote. In the event of a tie, the Chairperson or presiding person shall cast the deciding vote.

3.2 DUTIES AND RESPONSIBILITIES OF A COMMITTEE CHAIR

Each Committee, Forum, and Business Specialty Chair will:

- Work with the designated BRAR staff person to schedule meetings at regular intervals, according to the custom of each committee (i.e., monthly, quarterly, bi-annually).
- Work with the designated BRAR staff person to create and approve an Agenda for each meeting.
- Work with the designated BRAR staff person to encourage all members to attend meetings regularly.
- Preside over the meeting according to the order established in the agenda, and in compliance with Robert's Rules of Order.
- Maintain control over the meeting, with special vigilance in preventing any prohibited discussions, whether those discussions violate anti-trust laws, fair housing laws, or other applicable statute or ordinance.
- Encourage each committee member to participate fully in the committee's activities; and
- Respect the committee members by arriving at the meeting prepared for the business to be conducted that day as outlined in the agenda and by bringing any materials distributed prior to the meeting.

3.3 DUTIES AND RESPONSIBILITIES OF A COMMITTEE MEMBER

Each committee member, will, at a minimum:

- Make a commitment to attend as many of the committee's regularly scheduled meetings as possible, recognizing that without member presence at committee meetings the business of the Association cannot move forward.
- Respect the Chair and fellow committee members by informing the Chair or staff liaison if he or she will not be able to attend any meeting.
- Respect the Chair and fellow committee members by showing courtesy as others speak and by keeping an open mind about issues presented to the committee.
- Respect the Chair and fellow committee members by arriving at the meeting prepared for the business of that day, as outlined in the agenda and by bringing any materials distributed prior to the meeting; and
- Refuse to participate in any illegal discussion or any discussion that might be considered prohibited. Members will not at any time participate in discussions about other brokerages, their business practices, or personnel (see BRAR Anti-Trust Policy, Section V of this Manual). Should the member find himself or herself unable to prevent such discussion, the member should excuse himself or herself from the meeting in a conspicuous manner, ensuring that the recording Secretary notes their exit in the minutes.
- Three absences or attendance at less than 75% of all meetings shall be deemed to be a resignation.

3.4 COMMITTEE SELECTION PROCESS

Membership requirements may vary (see Section 3.5 below), but in general, members may inquire about joining a committee of their choice at any time during the year. Depending on the nature of the committee, the Chair will have the discretion to allow members to join during the year.

The President-Elect shall designate the chairperson for all committees to function during his/her term as President of the Association. The President-Elect shall designate a member of the BOD to be a liaison to each committee.

3.5 STANDING COMMITTEES

Budget & Finance Committee *(Open to all REALTOR® members)*

Committee members compile the annual budget, ensure that the Association's activities comply with the annual budget, maintain the financial integrity of the Association and review, and recommend BOD action as needed. The Committee is also responsible for reviewing the Annual Audit Review and Quarterly Reviews.

The Budget shall be presented to the Board of Directors for approval in July to be announced at the annual membership meeting in October. The Secretary/Treasurer shall serve as the Chairperson of the committee. The immediate past Secretary/Treasurer shall be one member of this committee.

Education Committee: *(Open to all REALTOR® and Affiliate members)*

Committee members provide direction, advice, guidance, and suggestions for the continuing educational advancement of members. They develop, conduct, and evaluate seminars.

Grievance Committee *(Open to all REALTOR® members who otherwise comply with the VAR PPM)*

The Grievance Committee is responsible for reviewing written complaints involving possible violations of the Code of Ethics and Arbitration claims involving monetary disputes. Members must attend mandatory training in order to serve on the committee and abide by the VAR PPM requirements.

Legislative and REALTOR® Political Action Committee (RPAC) *(Open to all REALTOR® and Affiliate members)*

The Committee shall be charged with providing member advice, direction, and recommendations to the Board of Directors regarding Association positions on issues affecting the real estate industry and/or the protection of property rights. The Committee may suggest adding new policies positions, altering, or eliminating BRAR's Standing Positions. The Committee will recommend BOD approval of the BRAR Annual Legislative Agenda. The Committee will keep members and the public informed on legislative matters affecting the industry and will communicate the legislative positions and rationale of the BRAR, VAR, and NAR to the membership.

Additionally, the Committee will be responsible to organize "Calls to Action" when needed. They will give recognition to members who are in local government boards, committees, councils, chamber, partnership etc.

Professional Standards and Arbitration Committee *(Open to all REALTOR® members who otherwise comply with the VAR PPM)*

Committee Members are responsible for serving on the hearing panels that are convened to hear disciplinary cases and claims involving REALTORS® regarding contractual and/or procuring cause disputes that arise out of real estate transactions that have been forwarded by the Grievance Committee for a formal hearing. Members must attend mandatory training in order to serve on the committee and abide by the VAR PPM requirements.

Nominating Committee *(By appointment only)*

Each year the President shall nominate, and the Board shall approve, a roster for the Nominating Committee. The Nominating Committee shall be responsible for the selection of candidates for the BRAR Board of Directors. The Nominating Committee Chair shall notify the membership of the nominating process and important deadlines by August 1st. Additional details may be found in the association's bylaws.

3.6 OTHER COMMITTEES

Affiliate Business Group *(Open to all AFFILIATE members)*

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

Awards Committee *(Open to all REALTOR® and Affiliate members)*

The Association will provide award recognition for its members. An application fee will be submitted with all volume award applications and member will provide an agent/team production report from BRIGHT MLS for those who apply for an award. The Committee will then review all figures and determine appropriate category for applicant.

Nominations for Recognition Awards will be reviewed, and appropriate award given if warranted. The Committee shall set application criteria and award categories each year for the following year and present it to the Board of Directors for their approval.

3.7 TASK FORCES

The Board of Directors may from time to time create and sunset task forces to assist the Association in implementing its strategic priorities. At this time, the task forces are:

Election Task Force *(By appointment Only)*

This taskforce consists of two members appointed each year by the President to serve in the limited capacity of certifying the results of the BOD elections.

Realtor Safety Task Force *(Open to all REALTOR® and Affiliate members)*

This group provides programming input for Realtor Safety Week.

Public Relations Task Force *(Open to all REALTOR® and Affiliate members)*

This taskforce is appointed by the President on an as needed basis to assist the CEO and or the Directors with specific communications directed to the members or the public with the goal of maintaining a positive image of the organization in the community by planning for and monitoring public relations and publicity activities.

Education Scholarship Task Force. *(Open to all REALTOR® and Affiliate members)*

This taskforce is appointed by the President on an as needed basis to assist the Directors in awarding scholarship funds subject to the following criteria:

- Applicants must be attendees of the high schools, home-schooled, or a GED graduate within the BRAR's jurisdiction.
- The family's income may be no more than fifty-thousand dollars (\$50,000.00) per year.
- The scholarship must be used towards a certificate, trade, or degree program.
- This scholarship is a one-time award to the recipients.
- The scholarship is payable to the school/program on behalf of the scholarship winner.
- Applicants must be a family member of a BRAR REALTOR or Affiliate Member in good standing.

SECTION IV: GENERAL POLICIES

4.1 MEMBER INFORMATION PRIVACY POLICY

BRAR recognizes the importance of protecting the privacy of our members' personal information. Therefore, this Association is committed to ensuring that reasonable precautions are taken to restrict outside access to our members' personal information. The following policies balances the fundamental requirement of protecting our members' personal information with the need to provide reasonable access to this information when such access will further the goals or objectives of the Association.

- **Definition of Personal Information:** Our members' personal information is defined as the member contact information including but not limited to the member's name, firm, office or home address, office or home telephone number, email address, or other information for contacting the member directly:
- **Use by Partners of the Associations:** BRAR does provide personal information on our REALTOR® members to the Virginia Association of REALTORS® and National Association of REALTORS® as well as to key partners such as Lockbox system®. This ensures that members receive proper access to the benefits of membership in these associations and from our partners:
- **Special Restrictions on Email Addresses:** The Association will not provide our members' email addresses to sponsors, advertisers, or vendors for the purpose of sending solicitations. Vendors will only be provided with access to email addresses under the following limited circumstances.
 1. BRAR determines that there is critical need for the vendor to communicate with the members using the vendors' products or services via email:
 2. BRAR believes that the members have a compelling interest in receiving emails messages from the vendor (i.e., vendor is sending late payment notifications via email):
- **Public Access to Member Information:** The *Find a REALTOR®* feature of BRAR's official website provides limited access to our members contact information. This feature is intended to help consumers identify real estate professionals who are members of BRAR and subscribe to the Code of Ethics.
- **Internal Use:** Individual staff members will have sufficient access to this information for the performance of their duties. Staff members who violate this policy, misuse member data, or distribute member data to unauthorized individuals are subject to disciplinary action based on the procedures contained in the BRAR Employee Policies and Procedures.

4.2 ANTI-HARASSMENT POLICY

Any member of the Association may be reprimanded, placed on probation, suspended, or expelled for harassment of an Association employee or Association Officer or Director after a hearing in accordance with the established procedures of the Association. The decision of the appropriate disciplinary action to be taken shall be made by the review tribunal comprised of the President, President-Elect, and Secretary-Treasurer and one member of the Board of Directors selected by the highest-ranking officer not named in the complaint, upon consultation with counsel for the Association. If the complaint names the President, President-Elect, or Secretary-Treasurer, they may not participate in the proceedings and shall be replaced by the Immediate Past President or, alternatively, by another member of the Board of Directors selected by the highest-ranking officer

not named in the complaint. Disciplinary action may also consist of any sanction authorized in the NAR Code of Ethics and Arbitration Manual.

As used in this Section, harassment means any verbal or physical conduct including threatening or obscene language, unwelcome sexual advances, stalking, actions including strikes, shoves, kicks, or other similar physical contact, or threats to do the same, or any other conduct with the purpose or effect of unreasonably interfering with an individual's work performance by creating a hostile, intimidating, or offensive work environment.

4.3 ANTI-TRUST POLICY

The Association wishes to improve the level of products and services offered by its members to the public and to encourage vigorous competition among its members in providing such products and services. In furtherance of this goal, BRAR has adopted the Virginia Association of REALTORS® Anti-Trust Policy in full as set out below, incorporating name changes and references to the associations only as necessary.

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

Realtor® Association Membership: Membership in BRAR is open to any individual or entity meeting the membership qualifications set forth in the bylaws of the association, without regard to the type of business models employed by its company. Members shall not urge BRAR leadership or membership or any competitor that membership in any REALTOR® association be limited to companies practicing particular business models, or that membership be denied to companies or members practicing business models with which the member is in competition or with which the member is unfamiliar or uncomfortable. Members shall take no action to influence the business conduct of customers or other members towards such competitors.

Availability of Information: As a service to members and to the public, BRAR or its partners accumulates data and issues statistical reports relating to general market trends and comparisons of past transactions of general interest. Data collection will not be limited to the membership but will generally deal with the market, and the results will be available to members and non-members. The development of guidelines and standards relating to the accumulation, dissemination and use of such information will be open to wide participation by affected parties, and participation in any data collection will be strictly voluntary. In conducting any market research, BRAR will take care to avoid anti-competitive effects. General historical statistical data collected by BRAR is for use and analysis by individual members and companies and should not be discussed among competitors at organized functions or otherwise.

Conduct of Meetings: All BRAR meetings will be conducted in full compliance with anti-trust laws. Discussion of any topic suggestive of an intent or agreement to restrict competition or fix prices shall be improper. Among such topics and discussions are:

- Discussions of individual company policy and practices.
- Criticism of another company's practices or of any particular business model; and
- Suggestions that BRAR or Bright MLS exclude from membership or participation those who practice any particular business model or engage in any unfamiliar or innovative activity or practice.

Despite the fact that BRAR counsel and staff are well versed in anti-trust matters, the presence of counsel or staff at a meeting should not invite discussion of matters that violate the letter or spirit of this policy or the antitrust laws. It is the responsibility of each member in the first instance to avoid raising improper subjects for discussion. However, if discussion of any inappropriate topics occurs at any meeting, all members present should openly disassociate themselves from such discussions, and if the discussions do not end immediately, the meeting should be promptly adjourned by the person in charge of the meeting. Committee chairs and others conducting meetings will find that adherence to prepared agendas for all BRAR meetings will reduce the likelihood of inappropriate discussions.

A tape recorder will not be used during any meetings. The only time a recorder is to be used is to record a presentation from a vendor or presenter with expressed permission.

Informal Settings: Members should also be aware that informal or social settings are inappropriate for discussion of the topics described in this policy, and that casual comments – even those made in jest – might have serious antitrust implications.

Enforcement of Policy This policy statement has been prepared to assure that BRAR members, and especially BRAR volunteers and participants in BRAR and other Realtor® association meetings, are aware of their obligations under antitrust law. Consequently, members conducting or participating in meetings of any Realtor® association shall see to the strict enforcement of this policy. Volunteers and participants may be required, as a condition of participation on BRAR committees, work groups, task forces, leadership groups, governing bodies or other groups affiliated with BRAR, to execute a copy of this policy to affirm their acceptance of its principles and agreement to comply with its terms. Members with questions about antitrust issues should contact BRAR counsel or seek other competent advice in all cases involving specific situations as they arise, or when in need of guidance.

Smoking Policy No Association employee or member shall smoke any tobacco product inside the association office, or in an outdoor area within 20 feet of a main exit, entrance, or operable window of the association.

4.4 EDUCATION POLICY

Virtual Training Policy

BRAR offers virtual classes. The policy for such courses can be found under the <https://brarva.com/education>

Cancellation Policy

Cancellation requests (written or phoned) (VA CE) will be accepted through 5:00 p.m. two business days preceding each class. All paid tuition other than the \$20 non-refundable, non-transferable to another person (Designations & Broker/Principles Pre-Licensing cancellation fee per course -\$100, Ten attendee class minimum requirement) deposit will be refunded. No refunds will be given for cancellations made after the close of business on that day. (Requests for refund consideration due to extenuating circumstances must be received by BRAR in writing within 15 days after class start date).

Cancellation/Postponement of Class by BRAR

The BRAR School reserves the right to cancel any course date. Student registration will be transferred to new date of class if postponed. Students can use registration as a credit toward another class or receive full refund.

BRAR School Attendance Policy

Class will begin promptly at the time noted. Students may not miss more than five minutes per credited hour. Students missing more than allotted time for class will be automatically disqualified from receiving class CE/PLE credit. Those students who have paid but have missed more than the allotted minutes are welcome to sit in but will not receive CE/PLE credit for the class. Moreover, if a student is disqualified because he/she is late or misses more than allotted time, no refund will be granted.

Classroom Restrictions

Recording for the purposes of personal branding/marketing during classes must be approved in advance (instructor/BRAR). All phones need to be put on vibrate or silent. Laptops/iPads are encouraged to view class materials. Children (under high school age) are not allowed to accompany students to class. Children shall not be left in the common areas unattended.

Standby Registrations

Once classroom space for any course of the REALTOR® Institute Program has been filled, registrations for the course will be accepted on a standby basis only. Policy pertaining to the processing of standby registrations is as follows:

As standby registrations are received, the registrant is assigned a standby number on a first-received, first-served basis. This number indicates the registrant's position in line for any openings that may occur in the course.

Any standby registrant not contacted prior to the session is to assume that class openings are not available. All tuition payments will be promptly returned at the end of the module.

If on the day of the module, there are registrants who do not show up for the course, standby registrants who are present will be admitted in order according to their position on the standby list.

Incident Weather Policy

If Frederick County Government closes BRAR will cancel its scheduled classes. If Frederick County Government delays its opening, BRAR will delay/cancel the morning class. If Frederick County Government close early, BRAR will close early. Please watch the morning news programs to learn about any cancellations or delays. BRAR will make all reasonable attempts to contact our members and students who are registered for a class to notify them of any cancellations and office closures in advance. Please be certain that BRAR has your correct email address and daytime and evening phone numbers when you register. BRAR will make every attempt to post on all BRAR media outlets about any cancellations and office closures. An email will be sent to students before 7:00 a.m. notifying of class cancellation or delay.

Notification of Changes Policy

BRAR reserves the right to change its policy and terms without notice, and a person's continued use of the site will signify acceptance of any adjustment to its policy and terms. If there are any changes to the BRAR Privacy Policy and Terms of Use, changes will be announced on the BRAR website.

SECTION V: APPENDICES

APPENDIX A

FINANCIAL POLICIES AND OPERATING PROCEDURES



**BLUE RIDGE
ASSOCIATION OF
REALTORS®**

**BLUE RIDGE ASSOCIATION OF
REALTORS®, Inc.**

**ASSOCIATION FINANCIAL POLICIES
AND OPERATING PROCEDURES**

Approved by BOD, Revised 5/28/2021 for BOD approval.

Section 1 – Dues

Dues and fees are to be determined by the Board of Directors.

Primary Members: As part of their dues, primary members shall have access to a lockbox system. Service cost is billed with the annual membership.

Commercial Agents and Non-Competing Brokers who engage in one or fewer residential transactions per calendar year will be exempt from the lockbox system fees provided they submit an MLS Production Report and Dues Waiver form annually to the association by May 1st of each year.

Secondary Members: Lockbox service is not included in the dues paid to the Association by secondary members. They will obtain their own key service provider with their primary association unless they have a different lockbox system than BRAR.

Lifetime/Emeritus Members: who otherwise do not pay dues to the Association, shall still be responsible for paying the fees associated with access to the lockbox system.

Notices and Payment of Dues: Dues notices are e-mailed to members thirty days in advance of due date. Dues and fees may be paid by check, money order, credit card or debit card. Annual Affiliate member dues are due January 1st. All other Membership dues are due September 1st. BRAR may from time to time approve a payment plan for dues. Members who elect to participate in a due's payment plan option shall also agree to pay the fee for such participation. The fee shall be set annually by the Board of Directors. Currently members have two payment plans options.

- a) Quarterly Payment Plan:
- b) Semi-annual payment plan:

Pro-Ration of Dues: Membership dues shall be prorated for new members only.

Non-Refundable dues: Dues will be refundable to all members up until 5:00pm, November 30th. After November 30th dues become non-refundable.

Non-Payment of Dues:

Members and their brokers are sent several reminders via e-mail if their dues remain unpaid. If dues are not paid prior to September 30th, an administrative fee is assessed. If dues are not paid by September 30th the member is terminated and no longer has any membership privileges. Membership staff has the ability to terminate such members. Once terminated, they will not be reinstated until dues and all applicable fees are paid in full. Membership staff can re-activate a member once dues are paid.

Section 2. Lockbox System Billing

Primary Members: Dues will include the cost of lockbox system in the annual dues billing. See Section 12 for fee amount.

All Other Members: All other members, including Affiliates, Lifetime and Emeritus members, who have a lockbox, are billed each year by BRAR for their lockbox service.

All lockbox system users shall, as a condition of their use of the system, agree to the Association's and to the Regional Rules and Regulations for the lockbox system.

Section 3 – Financial Operating/Investment Accounts

Operating/checking account: This account shall maintain a minimum balance of \$25,000. Funds over \$25,000 will be swept into the current First Bank Cash Management account.

First Bank Cash Management: This account shall carry a minimum balance of \$100,000. Funds over \$100,000 will be swept into ICS Reciprocal at First Bank for placement into deposit accounts at other FDIC insured banks.

All non-allocated monies from the annual collection of lockbox fees will be placed in an interest-bearing account earmarked for any future key/lockbox enhancement or lockbox conversion.

Section 4 – Cash Receipt and Disbursements

The CEO is authorized to sign Association checks with a co-signer, consisting of, the President, President-Elect, or Secretary/Treasurer provided they are on the signature card with the current financial institution. The CEO and Director of Operations and Finance are authorized to make transfers from one account to another.

- 1) The CEO is authorized to sign checks in the amount of \$2,500 and below, without a second signature.
- 2) Two-party checks will not be accepted.
- 3) Postdated checks will not be accepted.
- 4) In the event monies are owed to the Association by a member, then any and all efforts to collect such funds, including-- but not limited to court action, will be borne by the member. One hundred dollars (\$100) is the minimum amount to be sent to collections. If the account is One Hundred Twenty (120) days past due, it will be sent to collections.
- 5) Any non-sufficient funds (NSF) check shall be promptly returned to the issuer, after NSF funds and other fines have been satisfied. An NSF fine of Fifty dollars (\$50.00) must be provided to the Association within seven (7) days. Funds must be remitted by cashier's check, money order, certified check, debit, or credit card.

6) If a member's method of payment has been refused in two instances for lack of funds, the company or individual will be placed on a "cashier's check, money order, or cash basis only" for the remainder of the year.

Section 5 – Association Budget

The Association budget is a zero-based budget. The fiscal year of the Association shall be the calendar year. The CEO and Director of Operations and Finance shall prepare a preliminary budget to be presented to the Budget and Finance Committee for approval prior to forwarding to the Board of Directors, no later than the 2nd Thursday in July. The Budget shall be presented to the Board of Directors for approval in July to be announced at the annual membership meeting in October.

Section 6 – Association Reserves

Capital expenditures in excess of seventy-five thousand dollars (\$75,000) may not be made unless approved by a simple majority at a special meeting, which a quorum is present (except for VAR and NAR dues). (Revised 07_16_21).

Recommended number of liquid reserves for the Association is twelve (12) months of the operating budget.

The CEO, the Budget and Finance Committee and Board of Directors shall consult, on a quarterly basis, with the Association's investment firm to obtain investment strategies for all Association reserves.

Building Fund - The Association is to maintain and contribute to such fund as budget allows. See Section 11 of the Financial Policy

Section 7 – Non-Dues Income

Accounts that are currently non-dues revenue are education, advertising, sponsorships, and store sales.

Section 8 – General Organizational Operations

Any account over thirty (30) days old will be subject to a ten (10) percent finance charge per month on the existing amount due—except dues payments which are subject to a one hundred dollar (\$100) late fee. Customers with overdue balances will be sent statement reminders at the beginning of each month.

Non-members are not extended credit.

Credit Card Accounts – The CEO and Director of Operations & Finance are to have a credit card for Association business only.

Secretary/Treasurer Responsibilities - Function is to: Present the financial statements at the Board of Directors meeting; Help prepare the Association's annual budget with the CEO and the Director of Operations and Finance; Serves as Chairperson of the Budget and Finance Committee.

The CEO and Director of Operations and Finance oversees that all accounts payables are paid in a timely manner, along with monthly accounts receivable statements which are sent to customers with overdue balances.

Section 9 – Association Operational Expenses

Committees seeking approval to fund programs will be heard on an as needed basis. Requests are to be submitted to the CEO. The request would go in front of the BOD, unless the funds requested fit within the annual operating budget.

Directors, Officers, or the CEO can neither obligate the Association for any expenditure or contract exceeding three (3) months, nor authorize an expenditure in excess of two thousand-five hundred dollars (\$2,500) without the approval of the Board of Directors.

Section 10 – Financial Accountant/Audit Procedures

Reconciliation of the Association finances are completed monthly by the Director of Operations and Finance and reviewed by the CEO and Secretary/Treasurer, before presenting to the BOD. CEO may elect to meet with the CPA quarterly.

An annual audit or annual Audit Review is to be completed per NAR's Core Standards guidelines: All associations, state or local, with revenue of \$50,000 or more must submit a report from a CPA which includes either an audit opinion or an accountant's review report on an annual basis. For those associations with revenues less than \$50,000 annually, a compilation report prepared by a CPA will be acceptable. These thresholds apply to all associations whether tax exempt or for profit. The audit will be performed by a CPA different from the CPA conducting the quarterly reviews.

Section 11 –TREND Dividend Disbursements is at the discretion of TREND.

If annual dividends are issued, \$10,000 is to be deposited into the Building Fund reserve. The Budget and Finance Committees will make recommendations to the BOD to propose disbursement of remaining funds.

Section 12 - Schedule of Fees

Each year, the Board of Directors will establish dues and fees.

1. BRAR member dues: \$250.00
2. Lockbox Fee-\$175.00
3. BRAR new member and applications fees: (See monthly schedule on BlueRidgeRealtors.com)
4. Secondary member fee: \$250.00 – Prorated, \$25.00 application fee.
5. Office Transfer fee: \$25.00
6. New office fee: \$150.00
7. Primary Affiliate Dues: \$250.00
8. New primary affiliate members' dues (See monthly schedule on www.BlueRidgeRealtors.com)
9. Secondary affiliate members' dues \$50.00. No Application fee and are not prorated (Secondary membership with existing Primary Member only.)

10. New primary affiliate member and applications fees: (See monthly schedule on www.BlueRidgeRealtors.com)
11. Non-member Fee to Brokers: Changes annually. Contact Association- 540-667-2606
12. Stop-payment fee of checks and or credit card payments: \$50.00.
13. Assistant and affiliate lockbox system fee-\$175.00

Section 13 – Travel Reimbursement

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

The Association staff shall be reimbursed for attendance at meetings and seminars as provided in the current budget and/or approved by the Board of Directors.

Expense sheets are to be completed by everyone receiving reimbursement and to be returned to the CEO within 30 days of the event conclusion.

Section 14 – Operational Policies

Application Process: Applications will be processed once all dues and fees are paid and a completed application is provided. A New Member Fee (also known as the Application for REALTOR®) must accompany the application for reinstatement after one year.

Orientation Process: Orientation is required for all REALTOR® members as mandated by NAR. The Association will charge a fee for Orientation which will be made part of the application fee. A member who has been inactive for 12 months or more, must attend orientation to re-instate their membership. Secondary members are eligible to attend orientation but are not required to attend orientation if completed elsewhere:

Attendance: A new member applicant must attend an orientation class sanctioned by the Board of Directors within ninety days (90) of the application date for membership:

Transfers: In the event a member transfers brokerage, such member shall have ten (10) days to provide the Association a transfer application along with any fees which may be required:

a. BRAR will notify VAR and NAR but the REALTOR® member is responsible for notifying state licensing authority:

Access to the lockbox system: The only affiliate members eligible to use the lockbox system are pest inspectors, licensed home inspectors and licensed /certified appraisers. Each year the Director of Operations and Finance will reconcile with each Affiliate who has been issued a key to ascertain if they remain an active member with BRAR and with an Affiliate Company.

Refund Policy for Merchandise: Except as excluded below all items purchased at the BRAR store are non-refundable. Some items, may, on a case-by-case basis be exchanged for equivalent merchandise.

APPENDIX B

VOLUNTEERS POLICIES

(BRAR Policies for Volunteers to be provided to all members of BRAR committees, task forces, and forum leadership)

I. ANTI-TRUST POLICY

It is the policy to comply in all respects with the federal and state anti-trust laws. These meetings will follow a formal, pre-approved agenda for the purpose of conducting the business of the association. Accordingly, discussion of any matters relating to competition among our members or relating to practices that may restrain trade with third parties is not permitted. These prohibited subjects include prices, allocating territories, boycotts or any other statements that may be construed as anti-competitive. (A full copy of the Anti-Trust Policy is available upon request)

II. CONFLICT OF INTEREST POLICY

Any duality of interest or possible conflict of interest on the part of any board membership should be disclosed to the other board members and made a matter of record, either through an annual procedure or when the interest becomes a matter of board action.

Any board member having a duality of interest or possible conflict of interest on any matter should not vote or use his/her personal influence on the matter, and he/she should not be counted in determining the quorum for the meeting, even where permitted by law. The minutes of the meeting should reflect that a disclosure was made, the abstention from voting, and the quorum situation.

The foregoing requirements should not be construed as preventing the board member from briefly stating his/her position in the matter, nor from answering pertinent questions from other board members since his/her knowledge may be of great assistance.

It is further resolved that this policy be reviewed annually for the information and guidance of the board members. The President and Executive Officer are authorized and directed to see that this policy is followed.

III. CONFIDENTIALITY POLICY

The employee, board member or committee member agrees and acknowledges that the trade secrets, customer information and lists and other business information, herein known as “Confidential Information” is a valuable, special, and unique asset of the Board of Directors

and are to be held in the strictest confidence. Accordingly, the employee, board member or committee member shall not, during or after the term of service to the Board:

1. Disclose any of the confidential information to any person, firm, corporation, association or entity for any reason or purpose whatsoever
- OR
2. Use for his or her own benefit any confidential information

The employee, board member or committee member agrees that there is no adequate remedy at law for breach or threatened breach of the provisions of this agreement. Accordingly, in such event, the Board shall be entitled to an injunction restraining the employee, board member or committee member from disclosing, in whole or in part, the confidential information or from rendering any service to any persons or entity, to whom such confidential information, in whole or in part, has been disclosed or is threatened to be disclosed.

In the event that the services of one or more attorneys are required by the Board, in its discretion, in connection with any action or litigation relating to the enforcement of this agreement, the employee, board member or committee member covenants to pay the reasonable attorneys' fees and costs of those legal services.

Nothing contained in this agreement shall be construed as prohibiting the Board from pursuing any other remedies available to it for such breach or threatened breach, including the recovery of damages from the employee, board member or committee member.

IV. ANTI-HARASSMENT POLICY

Any member of the Association may be reprimanded, placed on probation, suspended, or expelled for harassment of an Association employee or Association Officer or Director after a hearing by the established procedures of the Association. The decision of the appropriate disciplinary action to be taken shall be made by the review tribunal comprised of the President of the Board, President-Elect of the Board and Secretary-Treasurer and one member of the Board of Directors selected by the highest-ranking officer not named in the complaint, upon consultation with counsel for the Association. If the complaint names the President of the Board, President-Elect of the Board, or Secretary-Treasurer, they may not participate in the proceedings and shall be replaced by the Immediate Past President of the Board or, alternatively, by another member of the Board of Directors selected by the highest-ranking officer not named in the complaint. Disciplinary action may also consist of any sanction authorized in the Association's Code of Ethics and Arbitration Manual. As used in this Section, harassment means any verbal or physical conduct including threatening or obscene language, unwelcome sexual advances, stalking, actions including strikes, shoves, kicks, or other similar physical contact, or threats to do the same, or any other conduct with the purpose or effect of unreasonably interfering with an individual's work performance by creating a hostile, intimidating or offensive work environment.

Sexual and Other Unlawful Harassment

BRAR is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's

sex, race, color, national origin, age, religion, disability, sexual orientation, or any other legally protected characteristic will not be tolerated. BRAR provides ongoing sexual harassment training to ensure employees the opportunity to work in an environment free of sexual and other unlawful harassment.

Sexual harassment is defined as unwanted sexual advances or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- Unwanted sexual advances
- Offering employment benefits in exchange for sexual favors
- Making or threatening reprisals after a negative response to sexual advances
- Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons, or posters
- Verbal behavior that includes making or using derogatory comments, epithets, slurs, or jokes
- Verbal sexual advance or propositions
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- Physical conduct that includes touching, assaulting, or impeding or blocking movements

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

If a member of the association experiences or witnesses sexual or other unlawful harassment in the office, they are to report it immediately to the CEO. If the CEO is unavailable or the party believes it would be inappropriate to contact that person, the party should directly contact the President and one member of the Board of Directors selected by the highest-ranking officer not named in the complaint, upon consultation with association counsel. If the complaint names the President, President-Elect, or Secretary-Treasurer, they may not participate in the proceedings and shall be replaced by the Immediate Past President or, alternatively, by another member of the Board of Directors selected by the highest-ranking officer not named in the complaint and association legal counsel. Members can raise concerns and make reports without fear of reprisal or retaliation. All allegations of sexual or other unlawful harassment will be quickly and discreetly investigated. To the extent possible, confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure.

When the investigation is completed, the party will be informed of the outcome of the investigation. Any member who becomes aware of possible sexual or other unlawful

harassment must immediately advise the CEO or President of the Board so it can be investigated in a timely and confidential manner. Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of membership.

Problem Resolution

At BRAR, everyone has a responsibility to raise concerns that affect BRAR, employees, or our members. If an employee witnesses conduct that violates any of our policies, constitutes harassment of any other person, or that the employee considers unethical or illegal, please promptly report the concerns immediately to the CEO. If the CEO is unavailable or the party believes it would be inappropriate to contact that person, the party should directly contact the Board President. Employee concerns will be kept confidential when possible. BRAR prohibits any retaliation associated with an employee having raised a concern described herein. Therefore, if an employee believes that they have been retaliated against in any way, they should bring that concern to Human Resources as well.

V. SOCIAL MEDIA POLICY

Social media includes, but is not limited to websites, blogs, social networking sites, discussion groups, and listservs. Social media is a powerful and effective communication and engagement tool and BRAR encourages its leaders to utilize social media to help raise awareness of BRAR's work and issues of interest to Virginia Realtors® and consumers. This Social Media Policy is intended to establish clear guidelines and enable BRAR leaders to maintain their ability to express themselves personally on social media, while also ensuring that the reputation and work of BRAR is protected.

While the President is the chief spokesperson for BRAR, all BRAR leaders are encouraged to use social media to promote BRAR's mission, advocacy efforts and other association news. BRAR leaders include elected and appointed officers, directors, committee chairs and other members appointed to positions of leadership, as well as BRAR staff. Oversight of the social media will be decided upon by each incoming President.

1. Who are we on social media?
 - a. BRAR core values
 - i. Mission statement: BRAR will advocate for property rights and be the voice of real estate for the member and consumer:
 - ii. Vision statement: To promote member growth and professionalism:
 - b. We want to be known for:
 - i. Leadership – shape a better future:
 - ii. Collaboration – leveraging collective genius:
 - iii. Integrity – being Real:
 - iv. Accountability – recognizing that if it is to be, it is up to me:
 - v. Passion – showing commitment in heart and mind:
 - vi. Quality – ensuring what we do, we do well:
 - c. All social media groups should have clear posting guidelines that include the expected code of conduct.

2. Who manages social media?
 - a. Only designated representatives of BRAR are permitted to create and alter Public Pages.
 - b. Leaders are encouraged to monitor the Facebook closed group and any inappropriate posts/comments should be reported to the President. The President and the BRAR designated representative have the authority to remove 3rd party posts and comments which are deemed inappropriate.
3. What to post:
 - a. Our social conversations should include information about latest updates, newest education, useful industry news, action behind the scenes, events. All Branded to BRAR:
 - b. Respect copyright and fair use laws. For BRAR's protection and your own, respect the laws governing copyright and fair use of copyrighted materials owned by others, including NAR's and BRAR's own copyrights and brands:
 - c. What you publish is widely accessible and will be around for a long time, so consider the content carefully. Be mindful of the fact that social media content creates business records that may be retained for business, legal and regulatory purposes.
4. What not to post:
 - a. Our social conversations should not include opinions surrounding politics, religion, finances, confidential information, speculations, negative reviews, gossip or inflammatory language, derogatory language. Do not call for a boycott of a product, service, or company:
 - b. RPAC contributions shall not be solicited in any online public forum – they can only be posted in the closed group.
5. Enforcement:
 - a. Failure to follow this policy may result in disciplinary action, including possible termination or suspension. All social media is subject to other policies contained in the Policies and Procedures Manual. If the policies regarding social media use is broken, the following steps will be taken.
 - i. Meeting with the President:
 - ii. Meeting with the Personnel Committee:
6. Who to contact regarding Social Media Questions?
 - a. President
7. What to do in a Crisis Situation:
 - a. Never participate in social media when the topic being discussed may be considered a crisis. A crisis could be thought of as negative comments that have potential for long-term damage to BRAR:
 - b. Report the post right away to the President and wait for further instructions. While message may be gone, it very well could have been saved by someone:
 - c. The President will seek input from Executive Team/Legal Counsel before facing member directly:
8. What to do about difficult questions/comments:

- a. Unless the member is violating the posted rules of BRAR’s social media group or the member is a BRAR volunteer who has agreed to follow your social media policies, we cannot, and should not, interfere with what they post online:
 - b. BRAR hosted social media groups should have clear posting guidelines that include the expected code of conduct in order to prevent difficulties:
9. Social Media Etiquette
- a. Ask yourself:
 - i. Am I going to be bothered if Board member sees this post?
 - ii. Is what I am sharing accurate and something followers really want to know??
 - iii. Is what I am about to share going to be offensive to someone or a group of people?
 - iv. Am I reacting or responding to a situation with my post?
 - v. Is my spelling and grammar accurate?

When in doubt, please contact the CEO.

Failure to follow this policy may result in disciplinary action, including possible dismissal from the Board, Committee, or Task Force. All social media is subject to the other policies for BRAR volunteers including the confidentiality policy.

VI. VIRTUAL MEETING AND VOTING POLICIES

Failure to comply with any of the regulations may result in your vote not counting.

When in virtual meeting members, agree that they will comply with the following:

Attendance

1. Plan to enter the meeting 5-10 minutes before the slated start time to ensure a timely entry:
2. You will be placed in a “waiting room” until the session begins. You may be muted upon entry:
3. Your vote will not count if you leave the meeting before the vote is called for:
4. Your cameras are required to be on during the entirety of the meeting:
5. Make sure you are attending the meeting from a “professional” setting:

Audio/Video

1. Participants are responsible for the performance of their own technology including audio volume, video clarity, and a reliable internet connection:
2. Please visit www.zoom.com to obtain specifications for your computer and internet:
3. You must be visible on screen to meet requirements for your vote to count. Failure to be visible may result in disqualification of your vote:
4. The camera must remain stable and unmoved during the meeting:
5. You may not share your computer with another member:
6. BRAR asks that you remain muted unless addressed directly. This helps with overall meeting objectives and communication.

Participation

1. All members are required to fully participate and engage in the vote:
2. BRAR staff member will be monitoring the meeting while the vote is being taken:
3. Members may not be driving and will be disqualified from the voting if driving:
4. Members may not take phone calls during the meeting or vote:
5. Please remove/limit distractions (i.e., pets, family members, music, TVs, etc.):
6. The chat function will be available to members should they have questions or comments:
7. BRAR staff member will be monitoring the chat box.

Best Practices

1. Earphones are a plus, for clarity:
2. Keep your device plugged in so your battery does not die, and you do not get knocked out of the class. If it does, you will be counted absent during the vote:
3. Please ensure that there is enough light in the room and that you are clearly visible:
4. When the meeting is adjourned, be sure to select the option to “leave” the meeting.

If you have questions before your virtual meeting, please reach out to Nancy@brarva.com

If you need technological support the Virginia REALTORS® Tech Helpline may be able to help

By signing this document, I am verifying that I have reviewed the Association’s Volunteer Policies and hereby express my agreement to abide by these policies.

Name /Committee

Date

Signature

APPENDIX C.
DOCUMENT RETENTION POLICIES

Accounting Records

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

Association Corporate Records

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

Electronically Stored Information

Specific documents in electronic formats will be treated according to the timeframes set

forth elsewhere in the policies. The policies should state how long the association maintains information stored on its backup tapes and other backup systems. The policies should also state that the purpose of the backups is to restore the association's computer network in the event of a crash.

Employment Records

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

Employee benefit plan documents (duration of plan)

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

Garnishments / wage assignments (three years)

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

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

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

Personnel Records (ten years after employment ends)

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

Legal Documents

Contracts (ten years after expiration)

License Applications (one year after expiration)

Licenses (one year after expiration)

Trademarks, Patents & Copyrights (permanent)

Warranties & Guaranties (two years beyond terms of the warranty)

Correspondence: legal (permanent)

MLS Documents

Rules and Regulations (permanent)

MLS Policies (permanent)

Listing agreements (until expiration of listing)

Sold property information (at least ten years)

Lockbox key agreements/Leases (one year after agreement terminates)

MLS Service Mark License Agreements (Permanent)

Contracts (ten years after expiration)

Subscription Agreements (ten years after expiration)

Participation Agreements (ten years after expiration)

Website Click-Through Confirmations (ten years)

NAR / Association Documents

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

Property Records

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

Pension & Profit Sharing

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

APPENDIX D
EMPLOYEE POLICIES AND PROCEDURES (SEPERATELY APPROVED)

APPENDIX E
REVISED POLICIES (Added as approved by the Board of Directors)