

REALTORS® AND PROFESSIONALISM

The reputation of Realtors® is critical to their success, and the Realtor® Code of Ethics serves to inspire great business practices for all Realtors®. How would the perception of Realtors® suffer if consumers did not perceive them as being honest or always acting in their clients' best interests? When a Realtor® engages in poor business practices, it not only affects their own reputation but the reputations of all Realtors®. It is important for Realtors® to do their part in correcting unethical behavior. Ideally, a civil conversation with the agent and/or their broker will correct the unethical behavior.

HAVE ANY QUESTIONS?

Contact Missy German,
Chief Executive Officer
at GMNBR:

missy@gmnbr.org
603-668-1054



PURPOSE AND FUNCTION OF CITATION SYSTEM

The ethics complaint process exists to provide due process to the parties, but it can be time-consuming and adversarial. The GMNBR Board of Directors adopted a Citation System to allow for a more efficient resolution of eligible violations of the Code of Ethics. Why are some violations eligible for citation when others are not? The National Association of Realtors® only allows for certain straightforward and uncomplicated violations of the Code of Ethics to be eligible for citation.

When used effectively, the Citation System allows the Respondent to acknowledge the behavior and pay the citation, in lieu of a hearing. Case closed! When an eligible complaint is filed, the Grievance Committee may vote to issue a citation. A Respondent is not required to participate in the Citation System and may request a hearing if a citation is issued. Ethics hearings are time consuming. A hearing may take months to be scheduled, and involve extensive documentation, witnesses and counsel. The Citation System also allows hearings before a Professional Standards hearing panel to be scheduled more quickly because there are fewer cases that require a hearing.

The updated Citation System reflects GMNBR's continued efforts to increase professionalism in the industry, streamline the ethics hearing process and protect the interests of consumers.



GMNBR
6 Bedford Farms, Suite 113
Bedford, NH 03110



www.gmnbr.org



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CITATION POLICIES

*For Violations of
the Code of Ethics*

Approved by GMNBR
Board of Directors
(May 20, 2021)

| Article #1 | Citable Offense |
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| SOP 1-5 | Failure to fully disclose and obtain consent from both parties when representing both the seller/landlord and buyer/tenant in the same transaction. |
| SOP 1-6 | Failure to submit offers and counter-offers objectively and as quickly as possible. |
| SOP 1-7 | Failure on the part of a listing broker to provide, as soon as practical, written affirmation that an offer was presented or written notification that the seller/landlord has waived the obligation to have the offer presented, upon written request of a cooperating broker submitting an offer. |
| SOP 1-8 | Failure on the part of a buyer's/tenant's broker to provide, as soon as practical, a written affirmation to the listing broker stating that the counter-offer has been submitted to the buyers/tenants, or a written notification that the buyers/tenants, or a written notification that the buyers/tenants have waived the obligation to have the counter-offer presented. (rev 2/23) |
| SOP 1-12 | Failure to advise sellers/landlords of information specified in standard of Practice 1-12 prior to entering into a listing contract. |
| SOP 1-13 | Failure to advise buyers/tenants of information specified in Standard of Practice 1-13 prior to entering into a buyer/tenant agreement. |
| SOP 1-16 | Accessing or using, or allowing others to access or use, a property managed or listed on terms other than those authorized by the owner or seller. |

| Article #3 | Citable Offense |
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| SOP 3-2 | Failure to communicate a change in compensation for cooperative services prior to the time that REALTOR® submits an offer to purchase/lease the property. |
| SOP 3-2 | As a listing broker, attempting to unilaterally modify the offered compensation with respect to a cooperative transaction after a REALTOR® has submitted an offer to purchase or lease that property. |
| SOP 3-4 | Failing to disclose existence of dual or variable rate commission arrangements. |
| SOP 3-4 | Failure to disclose to cooperating brokers differential that would result in dual or variable rate commission arrangement if sale/lease results through efforts of seller/landlord. |
| SOP 3-6 | Failing to disclose existence of accepted offers, including offers with unresolved contingencies, to cooperating brokers. |

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| SOP 3-8 | Misrepresenting the availability of access to show or inspect a listed property. |
| SOP 3-9 | Providing access to listed property on terms other than those established by the owner or the seller. (rev 2/23) |

| Article #4 | Citable Offense |
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| SOP 4 | Failing to disclose REALTORS® present or contemplated interest in writing to all parties to the transaction (rev 1/25) |

| Article #5 | Citable Offense |
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| SOP 5 | Providing professional services without disclosing REALTOR®'s present interest in property. |

| Article #6 | Citable Offense |
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| SOP 6 First Paragraph | Accepting any commission, rebate, or profit on expenditures without client's knowledge or consent. |

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| SOP 6 Second Paragraph | Failure to disclose to a client or customer REALTOR®'s financial benefits or fees received as a direct result of recommending real estate products or services. |
| SOP 6-1 | Failure to disclose REALTOR®'s direct interest in an organization or business entity when recommending to a client or customer that they use the services of that organization or business entity. |

| Article #12 | Citable Offense |
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| SOP 12 | Failing to present a true picture in real estate communications and advertising. |

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| SOP 12 | Failing to disclose status as real estate professional in advertising and other representations. |
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| SOP 12-1 | Representing brokerage services to a client or customer as free of available at no cost when the REALTOR® receives compensation from any source for those services |
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| SOP 12-4 | Advertising property for sale/lease without authority of owner or listing broker. |
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| SOP 12-5 | Failing to disclose name of firm in advertisement for listed property. |
| SOP 12-6 | Failing to disclose status as both owner/landlord and REALTOR® or licensee when advertising property in which REALTOR® has ownership interest. |

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| SOP 12-7 | Falsely claiming to have "sold" property. |
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| SOP 12-8 | Failure to take corrective action when it becomes apparent that information on a REALTOR®'s website is no longer current or accurate. |
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| SOP 12-9 | Failure to disclose firm name and state of licensure on REALTOR® firm website. |
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| SOP 12-10 | Misleading consumers through deceptive framing, manipulating content, deceptively diverting internet traffic, presenting other's consent without attribution or permission, or using misleading images. |
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| SOP 12-12 | Registering or using of deceptive URL or domain name. |
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| SOP 12-13 | Representing that the REALTOR® has a designation, certification, or other credential they are not entitled to use. |
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| Article #14 | Citable Offense |
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| SOP 14 | Failing to cooperate in a professional standards proceeding or investigation in circumstances when cooperation has been demanded by the association and association has advised REALTOR® failure to cooperate could result in an allegation of a violation of Article 14. |

| Article #16 | Citable Offense |
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| SOP 16-16 | Conditioning submission of a buyer's offer on additional compensation from a listing broker |

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| SOP 16-19 | Placing for sale/lease sign on a property without permission of seller/landlord. |
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