



Why should a respondent elect to use this system?

- > **For Respondents**, electing the Citation System avoids an uncomfortable and often time-consuming hearing process. Due process rights are still protected since Respondents may elect NOT to use the Citation System and proceed with a full hearing. Both the Citation System and hearing process are confidential.
*Hearing Before the Professional Standards Committee: If found in violation of the Code, the Respondent will be subject to an automatic Administrative Fee of \$350 plus a possible penalty of up to \$15,000.
- > **For Complainants**, there may be less time involved, yet justice will still be served, thereby protecting the industry from unethical behavior. However, if the Respondent elects to have a hearing, the Complainant would need to be prepared to attend.

CODE OF ETHICS VIOLATIONS

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|-------------------|--------------|---|--------------------|--------------|---|
| Article 1: | \$500 | SOP 1-5. Failure to disclose dual representation and obtain written informed consent from both parties. | Article 12: | \$250 | a. Failure to present a true picture in real estate communications and advertising. |
| | \$500 | SOP 1-16. Accessing or using or allowing others to access or use a property managed or listing on terms others than those authorized by the owner or seller. | | \$150 | b. Failure to disclose professional status in advertising or other real estate communications. |
| Article 3: | \$400 | SOP 3-4. Failure to disclose existence of a dual or variable rate commission. | | \$500 | SOP 12-4. Advertisement: offering to sell/lease property without the authority of the owner or the listing broker. |
| | \$250 | SOP 3-6. Failure to disclose existence of other contracts to cooperating brokers. | | \$150 | SOP 12-5. Failure to advertise or permit any person employed by or affiliated with them to advertise real estate services or listed property in any medium (e.g., electronically, print, radio, television, etc.) without disclosing the name of that REALTOR®'s firm in a reasonable and readily apparent manner either in the advertisement or in electronic advertising via a link to a display with all required disclosures. |
| | \$400 | SOP 3-8. Misrepresenting the availability of access to show or inspect a listed property. | | \$500 | SOP 12-6. Failure to disclose status as both owner/landlord and REALTOR® or licensee when advertising property in which a REALTOR® has ownership interest. |
| | \$500 | SOP 3-9. Providing access to listed property on terms other than those established by the owner or the listing broker. | | \$250 | SOP 12-7. Claiming to have "sold" a property when not the listing broker/cooperating broker to the transaction or posting of a "sold" sign by cooperating broker prior to closing without the consent of the listing broker. |
| Article 4: | \$300 | Failure to disclose REALTOR®'s interest in a property being bought or sold. | | \$250 | SOP 12-10. Misleading consumers through deceptive framing, manipulating content, deceptively diverting internet traffic, or presenting other's content without attribution or permission. |
| Article 5: | \$300 | Providing professional services without disclosing REALTOR®'s interest in the property. | | \$200 | SOP 12-13. Representing that the REALTOR® has a designation, certification, or other credential they are not entitled to use. |
| Article 6: | \$400 | Accepting any commission, rebate or profit on expenditures without client's knowledge or consent. | | | |

QUESTIONS?

(269) 382-1597 or ProStandards@GKAR.com

Please Note! The Citation System is limited to these violations only. Other Code of Ethics violations and arbitration/mediation services follow the regular complaint process. Go to **GKAR.com** for more details.

Filing an ethics complaint against a REALTOR® is a time-consuming process. With the Citation System, Respondents can elect to avoid the lengthy hearing process when a REALTOR® or a member of the public files a complaint against them.

TO FILE A COMPLAINT

Contact Professional Standards at:

ProStandards@GKAR.com to obtain copies of the appropriate complaint forms.

HOW THE CITATION SYSTEM WORKS

A REALTOR® or member of the public would file a complaint in the customary manner. If the Grievance Committee decides that the Articles cited in the complaint make the case eligible for the Citation System, the Respondent will be notified and given twenty (20) days to elect to participate in the Citation System or request an ethics hearing.

If the Respondent agrees to the Citation System, he/she would pay the standard, pre-set fine associated with that Article.

Included in this brochure is a list of violations that are eligible for this process. For a full description of ALL Code of Ethics violations, visit **GKAR.com**.

BACKGROUND

GKAR's Professional Standards and Grievance Committee is charged with upholding the highest principles of the Association and ensuring that Members adhere to the REALTOR® Code of Ethics.

Over the years, Members have sought ways to avoid time-consuming ethics complaint filings and hearings. In response, GKAR introduced the Citation System.



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CITATION SYSTEM FOR CODE OF ETHICS VIOLATIONS



GKAR's ongoing effort to increase professionalism in the marketplace for our Membership, streamline the ethics hearing process and protect the interests of the general public.