

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

### HOW THE CITATION PROGRAM 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 Program, the respondent will be notified and given ten (10) days to elect to participate in the Citation Program or request an ethics hearing.
- If the respondent agrees to the Citation Program, he/she would pay the fine and complete the education.
- Included in this brochure is a list of the articles involved in the citation process. For a full description of ALL Code of Ethics violations, visit

<http://bit.ly/1DQvrmQ>

### TO FILE A COMPLAINT:

Contact John Bolduc, CEO at  
860-892-2595  
or  
[john.bolduc@easternctrealtors.com](mailto:john.bolduc@easternctrealtors.com)  
to obtain a copy of the  
appropriate complaint forms.



Eastern Connecticut Association of REALTORS®  
106 Route 32, Suite 4  
North Franklin, CT 06254  
Phone: 860-892-2595  
Fax: 860-892-2599  
Web site: [www.easternctrealtors.com](http://www.easternctrealtors.com)

Eastern Connecticut Association of REALTORS®

## CITATION PROGRAM FOR CODE OF ETHICS VIOLATIONS



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



## BACKGROUND

ECAR's Professional Standards and Grievance Committees are 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, ECAR introduced a new Citation Program effective October 16, 2014.



## WHY SHOULD A RESPONDENT ELECT TO USE THIS SYSTEM?

➤ **For Respondents**, electing the Citation Program avoids an uncomfortable and often time-consuming hearing process while still respecting their due process rights since they may elect NOT to use the Citation System and proceed with a full hearing. The Citation Program is as confidential as the hearing process.

➤ **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.

*Please note that the Citation Program is limited to violations of selected Standards of Practice in following Articles only. Other Code of Ethics violations and arbitration/mediation services follow the regular complaint process.*

**Article 1:** When representing a buyer, seller, landlord, tenant, or other client as an agent, REALTORS® pledge themselves to protect and promote the interests of their client. This obligation to the client is primary, but it does not relieve REALTORS® of their obligation to treat all parties honestly. When serving a buyer, seller, landlord, tenant or other party in a non-agency capacity, REALTORS® remain obligated to treat all parties honestly.

**Article 3:** REALTORS® shall cooperate with other brokers except when cooperation is not in the client's best interest. The obligation to cooperate does not include the obligation to share commissions, fees, or to otherwise compensate another broker.

**Article 4:** REALTORS® shall not acquire an interest in or buy or present offers from themselves, any member of their immediate families, their firms or any member thereof, or any entities in which they have any ownership interest, any real property without making their true position known to the owner or the owner's agent or broker. In selling property they own, or in which they have any interest, REALTORS® shall reveal their ownership or interest in writing to the purchaser or the purchaser's representative.

**Article 5:** REALTORS® shall not undertake to provide professional services concerning a property or its value where they have a present or contemplated interest unless such interest is specifically disclosed to all affected parties.

**Article 6:** REALTORS® shall not accept any commission, rebate, or profit on expenditures made for their client, without the client's knowledge and consent.

When recommending real estate products or services (e.g., homeowner's insurance, warranty programs, mortgage financing, title insurance, etc.), REALTORS® shall disclose to the client or customer to whom the recommendation is made any financial benefits or fees, other than real estate referral fees, the REALTOR® or REALTOR®'s firm may receive as a direct result of such recommendation.

**Article 12:** REALTORS® shall be honest and truthful in their real estate communications and shall present a true picture in their advertising, marketing, and other representations. REALTORS® shall ensure that their status as real estate professionals is readily apparent in their advertising, marketing, and other representations, and that the recipients of all real estate communications are, or have been, notified that those communications are from a real estate professional.

**Article 14:** If charged with unethical practice or asked to present evidence or to cooperate in any other way, in any professional standards proceeding or investigation, REALTORS® shall place all pertinent facts before the proper tribunals of the Member Board or affiliated institute, society, or council in which membership is held and shall take no action to disrupt or obstruct such processes.

**Article 16:** REALTORS® shall not engage in any practice or take any action inconsistent with exclusive representation or exclusive brokerage relationship agreements that other REALTORS® have with clients.

**To learn about the procedures and the specific violations covered, go to**

<http://bit.ly/1wmRGfa>

**Fines for citations shall be as follows:**

- 1) For the first violation: \$150
- 2) For a second violation: \$500
- 3) For a third violation: \$1,000

**Education** commensurate with the Article violated is required to be taken within 90 days of the receipt of the Citation by the respondent for all violations. It is the respondent's responsibility to provide proof of attendance at the required course.



## QUESTIONS?

Contact John Bolduc, CEO at 860-892-2595 or [john.bolduc@easterncrealtors.com](mailto:john.bolduc@easterncrealtors.com)