



Offices:

Reno: 5650 Riggins Ct. Reno, NV 89502

Carson: 300 S. Curry St. #3 Carson City, NV 89701

Association Main Line: 775-823-8800

To file an **Anonymous Ethics Complaint** with the Sierra Nevada REALTORS®, the first step in this process is for you to review the enclosed **Anonymous Ethics Complaint General Information Sheet** to determine if this complaint process is correct for your situation.

After reviewing the General Information sheet, please review the **Citable Articles of the Code of Ethics** to determine which of these **Citable Articles** the REALTOR(S)® in question, may have allegedly violated. The **Standard of Practice** maybe cited to support an Article and it's potential for the alleged violation by the REALTOR(s)®.

Please complete the **Anonymous Ethics Complaint Form** and in the **Narrative Summary** form in this packet. Please explain how the REALTOR(s)® allegedly violated the Articles you cited in the **Anonymous Ethics Complaint form**. Please include any documentation that supports the allegation(s) including but not limited to:

- Duties Owed
- Appraisal
- Offer & Acceptance Agreement
- Commission Instructions
- Texts
- Amendment(s)
- Buyer/Broker Agreement
- Closing Disclosure
- Addendum
- Phone Calls/Messages
- Inspections
- Exclusive Right to Sell
- Counter Offer
- Emails
- Pictures/Screen Shots

The information you submit will be forwarded to the Association's Grievance Committee for review and used to determine if the alleged violation(s) should move forward to the Citation Panel for a hearing. The **Citable Articles** for Anonymous Ethics Complaint will be the standard by which the Grievance Committee will review the submitted allegation(s) of potential violation(s). If a violation(s) is determined to have occurred, the Anonymous Ethics Complaint will be forward to the Citation Panel for final determination on the Anonymous Ethics Complaint.

If you have any questions about the process or the paperwork in this packet, please contact the Association.

Sincerely,

Katie Fletcher, AHWD, C2EX
Vice-President of Operations
katie@snr.realtor



Sierra Nevada REALTORS®
5650 Riggins Court Reno, NV 89502
300 S. Curry St. #3 Carson City, NV 89703

General Information about an Anonymous Ethics Complaint

All REALTOR® Associations are responsible for enforcing the REALTORS® Code of Ethics. The Code of Ethics imposes duties above and in addition to those imposed by law or regulation which apply only to real estate professionals who choose to become REALTOR®.

Many difficulties between real estate professionals (whether REALTORS® or not) result from misunderstanding, miscommunication, or lack of adequate communication. If you have a problem with a real estate professional, you may want to speak with them or with the broker in the firm. Open, constructive discussion often resolves questions or differences, eliminating the need for further action.

If you would like to request an Ombudsman to help resolve a dispute **before** filing an ethics complaint, please contact us at 775-823-8800. If you wish to remain entirely anonymous, please read below:

Please keep in mind the following important points regarding an Anonymous Ethics Complaint:

1. Only members of the National Association of REALTORS® are subject to the Code of Ethics of the National Association of REALTORS®. If the agent or broker identified in the complaint is not a REALTOR®, your only recourse may be through the Nevada Real Estate Division or through the courts.
2. Only articles listed under the “Citable Offenses” are eligible for anonymous complaints. Identified articles under “Citable Offenses” are Articles 3, 4, 5, 6, 12, 14 and 16. If your complaint includes other articles, it may **NOT** be submitted anonymously.
3. Please provide any and all supporting documents of a violation (i.e. date stamped copy or photo of advertising).
4. Should the investigators determine you have **presented clear, strong and convincing** documentation to support a citable offense it will be forwarded to the Citation Panel.
5. Because this process is anonymous, you will not be notified of the results of the complaint.

Citation Panel Committee

If the Grievance Committee determines that you have provided **clear, strong, and convincing evidence** of a violation of a “Citable Article” it, will be referred to a Citation Panel. The Citation Panel will issue citations based on an escalating fine structure. If the Respondent has exceeded three offenses of the SAME Code of Ethics Article, the complaint will go before a full Professional Standards Hearing with the Citation Panel acting as the Complainant. We want to remind you, because this process is anonymous, you will not be notified of the results.

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Citable Articles of the Code of Ethics

Listed below are the National Association of REALTORS® Code of Ethics Articles and Standards of Practice that are eligible for filing an Anonymous Ethics Complaint.

Anonymous Ethics Complaints received citing any of the following articles must be substantiated by clear, strong, and convincing documentation. If the Anonymous Ethics Complaint cites more than the articles listed below, it is no longer eligible for an Anonymous Ethics Complaint and a standard Ethics Complaint will need to be submitted.

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. (Amended 1/95)

Standard of Practice 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

Standard of Practice 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 the property.

Standard of Practice 3-4: Failure to disclose existence of dual or variable rate commission arrangements

Standard of Practice 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

Standard of Practice 3-6: Failing to disclose existence of accepted offer, including offers with unresolved contingencies, to cooperating brokers.

Standard of Practice 3-8: Misrepresenting the availability of access to show or inspect a listed property

Standard of Practice 3-9: Providing access to listed property on terms other than those established by the owner or the listing broker.

Article 4:

Failing to disclose REALTOR®'s ownership or other interest in writing to the purchaser or their representative.

Article 5:

Providing professional services without disclosing REALTOR®'s present interest in property

Article 6:

Accepting any commission, rebate, or profit on expenditures without client's knowledge or consent.

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.

Standard of Practice 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

Article 12:

Failing to present a true picture in real estate communications and advertising.

Failing to disclose status as real estate professionals in advertising and other representations.

Standard of Practice 12-1: Failure to provide all terms governing availability of a “free” product or service in an advertisement or other representation

Standard of Practice 12-2: Failure to disclose potential to obtain a benefit from third party when REALTOR® represents their services as “free” or without cost

Standard of Practice 12-3: Failure to exercise care and candor when communicating the terms and conditions of premiums, prizes, merchandise discounts or other inducements to list, sell, purchase, or lease

Standard of Practice 12-4: Advertising property for sale/lease without authority of owner or listing broker

Standard of Practice 12-5: Failing to disclose name of firm in advertisement for listed property

Standard of Practice 12-6: Failing to disclose status as both owner/landlord and REALTOR® or licensee when advertising property in which REALTOR® has ownership interest

Standard of Practice 12-7: Falsely claiming to have “sold” property

Standard of Practice 12-8: Failure to take corrective action when it becomes apparent that information on a REALTOR®’s website is no longer current or accurate

Standard of Practice 12-9: Failure to disclose firm name and state of licensure on REALTOR® firm website

Standard of Practice 12-10: Misleading consumers through deceptive framing, manipulating content, deceptively diverting internet traffic, or presenting other’s content without attribution or permission

Standard of Practice 12-12: Registering or using of deceptive URL or domain name

Standard of Practice 12-13: Representing that the REALTOR® has a designation, certificate, or other credential they are not entitled to use.

Article 14:

Failing to cooperate in a professional standard proceeding or investigation in circumstances when cooperation has been demanded by the Association and the Association has advised the REALTOR® that failure to cooperate could result in an allegation of a violation of Article 14

Article 16:

Standard of Practice 16-16: Conditioning submission of a buyer’s offer on additional compensation from a listing broker

Standard of Practice 16-19: Placing for sale/lease sign on property without permission of seller/landlord

If after reviewing these Citable Articles, you have any questions, please contact the Association for more assistance. Call 775-823-4028 or email Katie Fletcher, AHWD, C2EX Vice-President of Operations at katie@snr.realtor

Date received at Association: _____

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Anonymous Ethics Complainant Form
Complete this form and the Narrative Summary Form

Respondent(s): _____

Company Name: _____

Address: _____

Review the Citable Articles in this packet and then indicate which Citable Articles, the REALTOR® allegedly violated. Only Citable Articles will be reviewed in an Anonymous Ethics Complaint by the Grievance Committee.

Article: and, if applicable Standard of Practice(s): _____

Article: and, if applicable Standard of Practice(s): _____

Article: and, if applicable Standard of Practice(s): _____

Article: and, if applicable Standard of Practice(s): _____

This Anonymous Ethics Complaint is true and correct to the best knowledge and belief of the Complainant(s) and is filed within one hundred eighty (180) days after the facts constituting the matter complained of could have been known in the exercise of reasonable diligence or within one hundred eighty (180) days after the conclusion of the transaction, whichever is later.

The Anonymous Ethics Complainant(s) confer that the alleged violation(s) are true and supported by the Narrative Summary and supporting this documentation submitted with this form.

Please return this form along with the **Narrative Summary** and all supporting documentation to the Association via email to **katie@snr.realtor**

