

REALTORS® are different from non-member licensees in that they voluntarily subscribe to a strict Code of Ethics. If you believe that a REALTOR® has violated one or more Articles of the Code of Ethics, you can file an ethics complaint alleging a violation(s) through the local association of REALTORS® where the REALTOR® holds membership, or participates in a REALTOR® association-owned/operated MLS.

Please utilize the following information/resources to assist you in filing an arbitration complaint with the Ventura County Coastal Association of REALTORS®:

1. The **DISCIPLINARY COMPLAINT** Form (form D-1 pages 1-3) and instructions
2. NAR: Before You File an Ethics Complaint\*
3. The Code of Ethics Demystified!\*
4. The National Association of REALTORS® (NAR) Code of Ethics\*
5. The California Association of REALTORS® Code of Ethics & Arbitration Manual\*
6. CARETS / VCRDS MLS Rules and Regulations

\*These documents can be found here: <http://www.vcrealtors.com/vccar-services/disput-resolution.html>

- The Statue of Limitations is 180 days from the date of the alleged violation. Anyone can file an ethics complaint against a member of VCCAR.
- If yes warrants hearing: referred to the Professional Standards Committee.
- A hearing panel will be assembled from the committee and they will determine if there has been a violation of the Code of Ethics.  
They will also recommend the appropriate discipline.

**Reminder:** The Association is not a governmental entity, it does not have authority to take action regarding the licensing status of its members.

If you have filed a complaint with the court or a governmental agency (such as the Bureau of Real Estate), you still need to file your complaint with the Association with the allowable time limit. However, your complaint by be held in abeyance until the other investigation or proceeding is concluded.

### **Disciplinary & Arbitration Filing Fee Schedule**

- Disciplinary \$0
- Grievance Review \$100
- Disciplinary Review \$300
- Arbitration \$400
- Arbitration Review \$750
- First Continuance \$0
- Second Continuance \$150
- Third Continuance \$200
- Tape Duplication \$50

**DISCIPLINARY COMPLAINT  
VENTURA COUNTY COASTAL ASSOCIATION OF REALTORS®**

For Association Use Only Case No. _____ Complaint Received: _____, 20____
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1. I (we), the undersigned complainant(s), hereby allege that the following persons have engaged in conduct subject to disciplinary action by the Association:

**RESPONDENT(S):**

(1) \_\_\_\_\_  
Name (Type or Print)

Firm \_\_\_\_\_

BRE Number \_\_\_\_\_

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

(2) \_\_\_\_\_  
Name (Type or Print)

Firm \_\_\_\_\_

BRE Number \_\_\_\_\_

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

**RESPONDENT(S):**

(3) \_\_\_\_\_  
Name of Manager (Type or Print)

Firm \_\_\_\_\_

BRE Number \_\_\_\_\_

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

(4) \_\_\_\_\_  
Name (Type or Print)

Firm \_\_\_\_\_

BRE Number \_\_\_\_\_

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

2. The above named respondent (s) have violated the following:

Code of Ethics violations:

- Article 1: REALTORS® owe a fiduciary duty to their clients.
- Article 2: REALTORS® must avoid concealment of pertinent facts.
- Article 3: REALTORS® must cooperate with other brokers.
- Article 4: REALTORS® must disclose any interest they have in a property they are buying or selling.
- Article 5: REALTORS® must disclose any contemplated interest they have in property for which they are providing professional services.
- Article 6: REALTORS® cannot accept profit on expenditures made for their client or recommendations to their client without disclosure.
- Article 7: REALTORS® must disclose and obtain consent to accept compensation from more than one party.
- Article 8: REALTORS® must keep a trust account for clients' funds.

- Article 9: REALTORS® must ensure that all agreements are in writing and clear.
- Article 10: REALTORS® must not discriminate in their business on the basis of race, color, religion, sex, handicap, familial status or native origin.
- Article 11: REALTORS® must provide competent service.
- Article 12: REALTORS® must be honest in their real estate communications and present a true picture in advertising.
- Article 13: REALTORS® must not engage in the unauthorized practice of law.
- Article 14: REALTORS® must cooperate in professional standards proceedings.
- Article 15: REALTORS® must not knowingly or recklessly make false or misleading statements about competitors.
- Article 16: REALTORS® must not interfere with the exclusive representation agreements of other REALTORS®.
- Article 17: REALTORS® must arbitrate contractual disputes and certain non-contractual disputes arising out of the real estate business.
- Section(s) \_\_\_\_\_ of the MLS Rules and Regulations
- Other membership duty as set forth in the bylaws of the Association (specify):

3. The facts and circumstances supporting the above allegation(s) are detailed in the attached statement marked "Exhibit 1," which is hereby incorporated by reference and made part of this complaint.

4. I am informed that the named respondent(s) are current REALTOR® members of the Association and/or participants/subscribers in the MLS or that the property at issue is located within the jurisdiction of this Association.

5. Date of knowledge of alleged misconduct is \_\_\_\_\_. This complaint, meeting all filing requirements, must be filed within 180 calendar days after the facts constituting alleged misconduct could have been known in the exercise of reasonable diligence.

6. Are the circumstances giving rise to this complaint, or the respondents in this case, involved in a civil or criminal proceeding or in any proceeding before a governmental agency?  
 YES \_\_\_\_\_ NO \_\_\_\_\_ If you answered yes, please attach a written statement of explanation.

7. Have you filed, or do you plan to file a similar or related complaint with another Association of REALTORS®?  
 YES \_\_\_\_\_ NO \_\_\_\_\_ If you answered yes, please attach a written statement of explanation.

8. I understand there will be a recording of any full disciplinary hearing. I understand that the recording is subject to the rules of confidentiality and is made solely for the purpose of a Review by the Association Board of Directors, if one is requested.

9. I will be represented by an attorney, whose name address and telephone number are:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

10. I agree to abide by the rules and procedures used by this Association to conduct disciplinary hearings.

**Under the penalties of perjury, I declare that to the best of my knowledge and belief my allegations in this complaint are true and correct.**

**Dated:** \_\_\_\_\_ **at** \_\_\_\_\_, **California**

**COMPLAINANT(S):**

(1) \_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Type or Print)

\_\_\_\_\_  
Firm

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_ email

(2) \_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Type or Print)

\_\_\_\_\_  
Firm

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_ email

**COMPLAINANT(S):**

(3) \_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Type or Print)

\_\_\_\_\_  
Firm

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_ email

(4) \_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Type or Print)

\_\_\_\_\_  
Firm

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_ email