

# POLICY MANUAL

Ventura County Coastal Association of REALTORS® Policy Manual  
Changed, Modified, Amended & Restated as of May 19, 2020





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## SECTION 1: ASSOCIATION GOVERNANCE POLICIES

### 1.1 Rules of the Ventura County Coastal Association of REALTORS®

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An association may adopt or be issued various kinds of rules. Below is a historical narrative concerning the rules of the Ventura County Coastal Association of REALTORS® (VCCAR).

VCCAR was established in the state of California on September 13, 1996. The most current document available is the charter which was rendered to the Association in 1997 by the National Association of REALTORS®. The charter prescribes VCCAR's privileges and responsibilities, including the duty to abide by the constitution and bylaws and observe the code of ethics of the National Association of REALTORS®.

- **October 30, 1925** The Ventura Realty Board is admitted to membership in the National Association of Real Estate Boards (NAREB).
- **June 7, 1926** The Oxnard Realty Board is admitted to membership in the National Association of Real Estate Boards.
- **April 29, 1932** The Ventura Realty Board is dropped from membership in NAREB.
- **October 26, 1934** The Oxnard Realty Board is dropped from membership in NAREB.
- **November 16, 1943** The Oxnard Harbor District Real Estate Board and the Ventura Real Estate Board are admitted to membership in the National Association of Real Estate Boards (NAREB).
- **November 14, 1967** The Camarillo Board of Realtors is admitted to membership in the National Association of Real Estate Boards.
- **September 13, 1996** The Ventura Association of REALTORS®, the Camarillo Association of REALTORS, and the Oxnard Harbor Association of REALTORS merge to form the Ventura Association of REALTORS®.
- **September 15, 1997** The Associations name is changed to the Ventura County Coastal Association of REALTORS®.

VCCAR was granted tax-exempt, not-for-profit 501(c)(6) status by the U.S. Treasury Department, Internal Revenue Service. VCCAR originally filed Article of Corporation (not-for-profit status) with the state of California in 1996.

VCCAR recognizes, in its bylaws, the latest edition of Robert's Rules of Order as the authority governing all meetings and conferences of the association.

In addition, VCCAR members in regular or special meetings, or VCCAR's Board of Directors, in a regular or special meeting, may adopt special rules governing their meetings as found necessary to supplement or modify rules provided in Robert's Rules of Order. Special rules supersede any rules in the parliamentary authority with which they may conflict.

Standing rules as outlined in the Policy Manual may also be adopted at any regular or special meetings prescribed above and are rules which relate to the details of the administration of VCCAR, rather than to parliamentary procedure.

Finally, VCCAR is subject to all provisions of local, state and national law and regulation applying to professional trade, tax-exempt, not-for-profit 501(c)(6), corporations.

The following documents pertaining to the rules of VCCAR are made part of this manual or are located at the VCCAR office for review:

## 1. National Association Bylaws

- a. Constitution and Bylaws of the National Association of REALTORS®
- b. Code of Ethics of the National Association of REALTORS®. Charter issued by the National Association of REALTORS®.
- c. Membership Criteria of the National Association of REALTORS®

## 2. Federal Government Rules

- a. Tax exempt, not-for-profit 501(c)(6) status letter granted by the U.S. Treasury, IRS

## 3. State Government Rules

- a. Articles of Incorporation granted by the California Secretary of State, for the Ventura County Coastal Association of REALTORS®

## 4. Association Bylaws

- a. Bylaws provide the foundation for Association governance and are amended by the Board of Directors and membership as outlined in these policies.

## 1.2 POLICY FORMULATION VS. POLICY ADMINISTRATION ---

Distinctions are quite often obscure between and among such terms as policies, rules, positions, directives, regulations, procedures, practices, et al. Consequently, the following shall serve as definitions for VCCAR concerning the terms used in the manual and VCCAR generally:

1. **ARTICLES AND BYLAWS** are rules governing the operation of VCCAR adopted by the Board of Directors.
2. **RULES OF ORDER AND STANDING RULES** are rules governing the operation of VCCAR adopted by the Board of Directors in session with the advice and/or recommendation of staff.
3. **POSITIONS** are descriptive narratives, sometimes including recommendations, outlining the concerns and/or views of VCCAR members on current issues adopted by the Board of Directors in session with the advice and/or recommendation of staff.
4. **PROGRAMS** are descripts of activities relating to VCCAR adopted by the Board of Directors and/or membership in session with the advice and/or recommendation of staff.
5. **POLICIES** are general or fundamental principles relating to Board involvement adopted by the members of the Board of Directors or membership in session with advice and/or recommendation of staff. They are broad enough to allow latitude in implementation but narrow enough to give clear guidance.
6. **PROCEDURES** are detailed explanations, directions or actions to implement adopted articles, bylaws, rule, positions, programs and policies selected and applied by staff with the advice and/or recommendation of the President. They address specific direction telling how, by whom and when things are done.
7. **DEFINITIONS**

**Member in Good Standing.** A “member” defined in this document is always in reference to a member in good standing. A member in good standing is defined as an individual that has paid all current dues and fees and whose REALTOR® status has not been suspended or terminated.

**Standing Committee.** A standing committee will address strategies, programs and basic capacities through its own direct action or by the creation of special committees and task forces to get the work accomplished.

**Special Committee.** A committee appointed for a limited purpose by the President or a Standing Committee to handle an ongoing issue or program.

**Task Force.** A task force appointed by a Standing Committee or Special Committee to do in-depth analysis. A task force reports its findings/analysis to the group which requested the information. The committee then decides what action is appropriate from those findings.

**Presidential Advisory Group (PAG).** A small group (5 – 9 people) appointed by the President with a defined beginning and a defined end with a measurable result as its outcome. It will make recommendations to the Board of Directors. It is designed to serve as an outreach strategy to include members and nonmembers who are not involved in the direction of the organization. The President during whose term the PAG is expected to report shall make the appointments to the PAG. Presidential Advisory Group follows the standard committee procedures within the current VCCAR Policy Manual including meeting minutes, document the formation of a Presidential Advisory Group, purpose, method of selection, regular reporting and final report and process (See below\*\*)

**Ex-Officio.** A person included by virtue of their position and considered a voting member unless otherwise noted.

\*\*Standing Committee Rules apply including: Does not subvert a Member Association Function; CEO to assign a staff member to each Advisory Group; Advisory Groups follow Open/Closed Meeting Policy; Minutes will be provided for appropriate publication.

Despite careful descriptions and definition, it is not always easy to distinguish between what is a policymaking and policy-administration function. These tend to merge one with the other and what one views as policymaking may be viewed by another as policy-administration. This difficulty can be held to a minimum, however, if everyone involved seeks to follow the distinctions herein.

### 1.3 DEFINITION AND ROLE OF THE BOARD OF DIRECTORS ---

The Bylaws of the VCCAR defines The Board of Directors as the governing body of VCCAR. Essentially, it is the Association's most important committee.

First and foremost, it is a policy-making body. Policy decisions are those that affect the organization as a whole, to determine mission, vision, goals, programs on the broadest scale. On the other hand, operational decisions affecting individual programs, services or people (employees), the efficiency and quality of services and day-to-day operations are the purview of the Chief Executive Officer.

As further defined in the Bylaws, The Board of Directors of the VCCAR consists of the following voting members: (rev. 2/18)

- President
- President-Elect
- First Vice President
- 1 Treasurer (Appointed)
- Immediate Past President
- 9 REALTOR® Directors
- 1 Affiliate Director
- 1 Non-REALTOR®

(rev 2/2020)

A basic rule is that the legal entity, rather than the Board of Directors, is the holder of legal power. The powers of the Directors are not inherent in them, but in the organization as such. The principle exists that Directors or trustees exercise the powers of the organization, but do not own it. Thus, the Board of Directors has the power and duty to carry on whatever transactions the corporation or the association

itself has the power to carry on. The power of the Board of Directors is superior, in ordinary matters, so long as it is exercised lawfully and in lawful transactions.

The Board of Directors is, in essence, the trustee in the literal and legal sense of the term. No matter how the organization is structured, or the degree of authority delegated to committees, staff or affiliates, the Board - and therefore the Directors - are ultimately accountable. The Board of Directors holds in trust the principal responsibility for fulfilling the association's purpose and mission - as well as the legal accountability for its operations.

This does not mean that you should fear liability for every association loss or mishap that may occur; VCCAR Board members are protected from liability for errors of judgment - as long as they act reasonably and in good faith, and with the basic interests of the association as the foremost objective.

Members of the Board of Directors shall have the utmost interests of the VCCAR in mind at all times. They shall avoid any contract that may serve their personal interests and should never assume any position that brings their personal interests into conflict or competition with the interests of VCCAR.

Finally, The Board of Directors, as the elected and/or appointed officials, has the responsibility to serve the entire industry or profession. As such, every member has the ability to embarrass or enhance the reputation of the group. Each individual member of VCCAR has an important responsibility to the Association.

## **1.4 STANDING RULES FOR THE BOARD OF DIRECTORS**

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### **RULE I: MEETINGS**

**Section 1.** Meetings shall be conducted in accordance with the Bylaws and Standing Rules. Cases not otherwise covered shall be governed by the most current edition of Robert's Rules of Order Newly Revised.

### **RULE II: AGENDAS**

**Section 1.** Preliminary meeting agendas shall be prepared by the President and the Chief Executive Officer.

**Section 2.** Final meeting agendas shall be adopted by the Board of Directors.

### **RULE III: EXECUTIVE SESSIONS**

**Section 1.** Only Board members, Chief Executive Officer, and specified staff may attend Executive sessions unless an exception is granted by the President or majority of the Board present and voting.

### **RULE IV: SPEAKER RECOGNITION**

**Section 1.** Members or Directors wishing to speak shall be recognized by the chair before addressing the body.

### **RULE V: MOTIONS**

**Section 1.** Motions for consideration by the Board of Directors shall be submitted by individual Directors to the chair in writing.

### **RULE VI: VOTING**

**Section 1.** Members and Directors shall be entitled to participate fully in all discussions and deliberations. However, only Directors shall be entitled to vote on matters before the body.

**Section 2.** Unless another form of voting is requested by a Director, voting on matters shall be by voice vote except when ballots are necessary for votes on officer and director elections, dues changes or bylaw amendments.

**Section 3.** Roll call votes on matters may be requested by the meeting chair or a director. The President or his/her designee shall call the name of each Director for their vote.

## **RULES VII: POLICIES**

**Section 1.** Policies may be adopted, revised, deleted or suspended during any Board of Directors Meeting without advance notice.

**Section 2.** Adopted policies shall not be in conflict with the Bylaws.

**Section 3.** Adopted policies shall be included in the policy manual.

## **RULE VIII: MINUTES**

**Section 1.** Minutes shall be kept for all meetings of the Board.

**Section 2.** The draft minutes of the Board meetings shall be communicated to each Board Member within 4 weeks following a meeting. (rev 2/2020)

**Section 3.** After the draft minutes are approved, they may be made available for general distribution.

**Section 4.** The draft and official Executive Session minutes shall be maintained and available to the members of the Board only.

## **RULE IX: ATTENDANCE**

**Section 1.** Three absences in a twelve (12) month period (one-year term) will result in the automatic removal of the Director. Re-instatement can be appealed to the Board of Directors in extraordinary circumstances for consideration. Absences due to work on behalf of Association business are automatically excused.

## **RULE X: VOTING**

**Section 1.** Board of Director voting on election of officers, Bylaws, Policy and annual dues amounts shall be conducted as prescribed in the Bylaws, or through policy.

**Section 2.** All ballots shall be destroyed at the close of the business meeting after validation by the President and CEO.

## **RULE XI: AMENDMENTS, DELETIONS, ADDITIONS, OR SUSPENSION**

**Section 1.** These Standing Rules may be amended, deleted, added to or suspended at a regular or special meeting of the Board by a majority vote of those present and voting.

## **RULE XII: POSTAL HOLIDAYS**

If any of the deadline dates referred to in this Policy Manual fall on a Saturday, Sunday or U.S. Postal holiday then the date shall be extended to the next calendar day.

## **1.5 COMPLIANCE GUIDELINES FOR THE BOARD OF DIRECTORS**

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The members of the Board of Directors of VCCAR acknowledge and accept the scope and extent of our duties as Directors. We have a responsibility to carry out our duties in an honest and businesslike manner and within the scope of our authority, as set forth in the Bylaws and governance policies. As Directors we must act within the bounds of the authority conferred upon us and with the duty to make and enact informed decisions and policies in the best interests of VCCAR members and its staff. The Board of Directors has adopted the following Compliance Guidelines and our Directors are expected to adhere to the standards of loyalty, good faith, and the avoidance of conflict of interest that follow.

### **Board Members will:**

- Act in the best interests of, and fulfill their obligations to VCCAR members;



- Act honestly, fairly, ethically and with integrity;
- Conduct themselves in a professional, courteous and respectful manner;
- Comply with all applicable laws, rules and regulations;
- Act in good faith, responsibly, with due care, competence and diligence, without allowing their independent judgment to be subordinated;
- Act in a manner to enhance and maintain the reputation of VCCAR;
- Maintain confidentiality of information until such time as it is decided that a “public” statement will be made, or position taken or when authorized or legally required to disclose such information;
- Not use confidential information acquired in the course of their service as Directors for their personal advantage;
- Disclose potential conflicts of interest that they may have regarding any matters that may come before the Board and abstain from discussion and voting on any matter in which the Director has, or may have, a conflict of interest pursuant to the Conflict of Interest Policy adopted by the Board and any future modifications which may be adopted by the Board in the future; and
- Make available to, and share with, fellow Directors information as may be appropriate to ensure proper conduct and sound operation of VCCAR and its Board of Directors.

A Board member who has concerns regarding compliance with this Compliance Guidelines should raise those concerns with the Officers, who will determine what action shall be taken to deal with the concern. In the extremely unlikely event that a waiver of these Guidelines for a Board member would be in the best interest of VCCAR, it must be approved by the Officers.

## **CONFIDENTIALITY AGREEMENT BOARD OF DIRECTORS**

This Confidentiality Agreement is entered into ANNUALLY between all members of the Board of Directors of the Ventura County Coastal Association of REALTORS®.

The parties hereto will engage in discussions and, in some cases, make policy decisions concerning the financial position of the Association, members’ accounts, members’ files, future plans of the Association, Professional Standards Hearings Findings, employment policies, remuneration and other benefits, and other confidential and sensitive information. In order to make prudent decisions that serve the best interests of the Association and to intelligently consider all options in making these recommendations, the parties must discuss and evaluate confidential, sensitive and proprietary information. (“Confidential Information”)

Each member of Board of Directors agrees to the following:

1. “Confidential Information” as used herein, shall mean all information, documentation, concepts, data membership lists, bank records, financial records, findings from Professional Standards hearings, marketing analysis, financial projections products, services, processes, software, trade secrets and devices disclosed or made available by any of the parties hereto to any of the other parties, including without limitation, the existence of discussions concerning the possibility of additional mergers, consolidation, sales of assets, etc.
2. The parties acknowledge and agree that the Confidential Information is proprietary and may include information that disclosure of or unauthorized use of this information may cause irreparable harm to member or the Association.
3. Once an issue has been discussed and a final decision has been made by a majority of the Officers and Directors, all members of the Board of Directors agree to abide\* by and support the decision. Prior to a final decision, the Board encourages vigorous debate among Board members. The intent of this paragraph is to make it clear, however, that once a final decision has been made, individual Board members should not make statements outside the boardroom that undermine the Board’s decision, even if the Board member disagrees. The Board does not

expect every member to become a vocal proponent of a Board decision, but members should understand that the Board acts as a unit and that individual members must respect the collective will of the Board.

4. The only persons with whom the parties hereto may share the Confidential Information are other Officers and Directors of the Association Board of Directors, Chief Executive Officer, Association CPAs and Attorneys for the Association.
5. No rights or licenses, express or implied, are hereby granted to the parties hereto by any of the other parties under any patents, copyrights, or trade secrets as a result of or related to this Agreement.
6. The restrictions and obligations of this Agreement shall survive any termination, cancellation or expiration of this Agreement, and shall continue to bind the parties hereto and their successors and assigns.
7. This Agreement may be executed in any number of counterparts, all of which together shall be an original.

(rev 2/2020)

## **1.6 OWNERSHIP DISCLOSURE AND CONFLICT OF INTEREST POLICY**

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### **Ownership Disclosure Policy**

1. When VCCAR has an ownership interest in an entity and a member has an ownership interest in that same entity, such member must disclose the existence of his or her ownership interest prior to speaking to a decision-making body on any matter involving that entity.
2. If a member has personal knowledge that VCCAR is considering doing business with an entity in which a member has any financial interest, or with an entity in which the member serves in a decision-making capacity, then such member must disclose the existence of his or her financial interest or decision-making role prior to speaking to a decision-making body about the entity.
3. If a member has a financial interest in, or serves in a decision-making capacity for, any entity that the member knows is offering competing products and services as those offered by VCCAR, then such member must disclose the existence of his or her financial interest or decision-making role prior to speaking to a decision-making body about an issue involving those competing products and services.

After making the necessary disclosure, a member may participate in the discussion and vote on the matter unless that member has a conflict of interest as defined below.

### **Conflict of Interest Policy**

Members of the VCCAR decision making bodies, including but not limited to, the Officers, Board of Directors, workgroups and other committees (hereinafter "Committee/Director Member") should not use their position with the Association to further their private interests. Committee/Director Members should avoid placing themselves in situations where their personal interest may conflict with the interests of the Association and should at all times avoid the appearance of conflict of interest. Association duties should be performed in good faith and for the benefit of the Association.

Committee/Director Members will be considered to have a conflict of interest on an issue when:

1. The issue involves a business providing products or services to VCCAR in which the Committee/Director Member or a member of the Committee/Director Member's immediate family is a principal, partner or corporate officer.
2. The issue is one in which the Committee/Director Member or a member of the Committee/Director Member's immediate family has a financial interest involving money, employment, investments, credit or contractual rights.

Committee/Director Members with a conflict of interest must immediately disclose their interest at the outset of any discussions by a decision-making body pertaining to the issue. Such Committee/Director Members may not participate in the discussion relating to that issue other than to respond to questioning asked of them by other Committee/Director Members of the body. Committee Director Members with a conflict of interest may not vote on any issue in which they have a conflict of interest, and should not be present when the vote on the issue is taken.

If a Committee/Director Member is believed to have an undisclosed conflict of interest, a five (5) person panel from the Professional Standards Committee shall be convened under the policies of the Ethics hearing and a decision shall be rendered to the Board of Directors absent the accused. The panel is allowed to impose all of the penalties within the jurisdiction of the Professional Standard Committee's procedures as well as to recommend removal from trusteeship of the person found to have violated the Conflict of Interest policy. The Directors shall be required to ratify the penalty by a majority vote. If the Directors are unable to ratify the actions by majority vote, all charges against the individual shall be dismissed.

During an appeal to Professional Standards or Grievance decisions, if a Director was a member of a panel or is a member of a company involved in arbitration, professional standards, grievance appeals or ratification, when identity of the parties are known, that member shall be excused from the Directors' meeting during the discussion of that matter.

## **1.7 DUTIES OF THE PRESIDENT**

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**1.7.a** Serves as executive elected officer representing the entire Association membership and its best interests within the limits of the Articles of Incorporation, Bylaws and Policies, the President is responsible for and has commensurate authority.

**1.7.b** To serve as the chair of the Board of Directors and to keep them informed of the condition and operation of the Association.

**1.7.c** Serves as spokesperson for the Association in conjunction with the paid Chief Executive Officer.

**1.7.d** To recommend incoming Chair and members to the President.

**1.7.e** To monitor and coordinate the activities of the Chief Executive Officer in accordance with the Chief Executive Officer's employment and job description.

**1.7.f** A President's Advisory Group (PAG) will select and hire the Chief Executive Officer (CEO).

**1.7.g** Reviews, monitors, and evaluates the CEO'S performance.

**1.7.h** Conducts the Officer's meeting for an annual review of organizational performance and Association effectiveness.

**1.7.i** Directs the Board of Directors in formulating policies and programs that will further the goals and objectives of the Association.

**1.7.j** To serve as official host of the Association at its social events.

**1.7.k** To approve contracts and official documents in conjunction with the Chief Executive Officer as directed by the Board of Directors.

**1.7.l** To serve as ex-officio member of the VCCAR committees pursuant to the Roberts Rules of Order.

**1.7.m** Monitors expenditures to assure operation within the annual budget.

**1.7.n** To appoint, subject to approval of the Board of Directors, chairmen and members of Association committees, forums and task forces and to outline their purpose and duties, and to monitor their progress.

**1.7.o** To perform those duties as directed by the Board of Directors and the Officers.

**1.7.p** Appoint Director Liaisons to committees. (See 1.15 Duties of the VCCAR Director Liaison.)

**1.7.q** Be familiar with all governing documents of the Association and assist in the implementation of the objectives and strategies of the Strategic Plan.

## **1.8 DUTIES OF THE PRESIDENT-ELECT**

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**1.8.a** Assumes the responsibilities of the executive elected officer in his or her absence. Assists the executive elected officer in carrying out the functions of that office and performs specific duties delegated by the executive elected officer. This position may be used as an orientation for the future executive elected officer.

**1.8.b** To serve as a member of the Board of Directors.

**1.8.c** Performs duties assigned by the executive elected officer which may include serving as chair of one or more of the Association committees.

**1.8.d** To recommend incoming Vice Chair and members to the President.

**1.8.e** Represents the Association with other associations or organizations as requested by the executive elected officer.

**1.8.f** To plan programs and activities appropriate for the upcoming year in concert with the Strategic Plan and in coordination with VCCAR.

**1.8.g** Assists the executive elected officer in the performance of his or her duties whenever requested to do so.

**1.8.h** Reviews and evaluates the CEO'S performance at the President's request.

**1.8.i** Be familiar with all governing documents of the Association and assist in the implementation of the objectives and strategies of the Strategic Plan.

**1.8.j** Serve on the Finance Committee at least one (1) full year within the last three (3) years. (Can be served during term of office.)  
(rev 5/2020)

## **1.9 DUTIES OF THE FIRST VICE PRESIDENT**

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**1.9.a** Assumes the responsibilities of the executive elected officer in his or her absence, in the event the President Elect is not available to perform his/her duties. Assists the executive elected officer in carrying out the functions of that office and performs specific duties delegated by the executive elected officer. This position may be used as an orientation for the future executive elected officer.

**1.9.b** To serve as a member of the Board of Directors. **1.9.c** To assist the President and the President-Elect as assigned.

**1.9.d** To work in concert with the President, President-Elect, VCCAR in carrying out the programs and activities of the Association.

**1.9.e** To represent VCCAR at other associations/boards or organizations as assigned by the President.

**1.9.f** To assist the President-Elect in planning programs and activities appropriate for the upcoming year, in concert with the Strategic Plan and in coordination with VCCAR.

**1.9.g** To perform other duties as assigned by the President.

**1.9.h** Reviews and evaluates the CEO'S performance at the President's request.  
(rev 10/18)

**1.9.i** Be familiar with all governing documents of the Association and assist in the implementation of the objectives and strategies of the Strategic Plan.

**1.9.j** Serve on the Finance Committee at least one (1) full year within the last three (3) years. (Can be served during term of office.)  
(rev 5/2020)

## **1.10 DUTIES OF THE TREASURER**

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**1.10.a** Ensures the integrity of the fiscal affairs of the Association and serves on the Board of Directors.

**1.10.b** To serve as chair of the Finance Committee and to review and recommend the annual budget to the Board of Directors.

**1.10.c** To review monthly financial statements with the accounting staff and CEO and to report to the Board of Directors, highlighting current and prospective variances between budget and actual, citing the reasons and authority for such variances; and to review as necessary all financial accounts and records of the Association.

**1.10.d** To review and make recommendations with the accounting staff, CEO and Finance Committee the association investments while adhering to the investment policies.

**1.10.e** To perform other duties as outlined in the Policies and Procedures or as assigned by the President.

**1.10.f** Reviews and evaluates the CEO'S performance at the President's request.

**1.10.g** Be familiar with all governing documents of the Association and assist in the implementation of the objectives and strategies of the Strategic Plan. (rev. 2/18)

## **1.11 DUTIES OF THE DIRECTORS**

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**1.11.a** Ultimate responsibility for the Association rests with the Board of Directors. The responsibility is recognized by state and federal laws; legally, the Board of Directors is responsible for the activities, employees and fiscal integrity of the Association. The appropriate role of the Board of Directors is to set policies that ensure it fulfills its legal and professional responsibilities to the Association. The Board of Directors should set the tone for dynamic and aggressive leadership within the Association.

**1.11.b** To ensure that the needs of the membership are met.

**1.11.c** Approve and evaluate programs and activities of the Association.

**1.11.d** Plan the future direction of the Association.

**1.11.e** Establish Association policies to guide the operation of the Association.

**1.11.f** Reviews and evaluates the CEO'S performance at the President's request.

**1.11.g** Set financial objectives and monitor their achievement.

**1.11.h** Be familiar with all governing documents of the Association and assist in the implementation of the objectives and strategies of the Strategic Plan.

## **1.12 DUTIES OF THE AFFILIATE DIRECTOR**

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**1.12.a** An Affiliate member will be elected to the Board of Directors as a voting member with the exception of Professional Standards or Grievance matters.

**1.12.b** An Affiliate member must be a member of the Association and shall be an active member of the affiliate committee and remain active during the term of their office and will be elected by REALTOR® and Affiliate members to serve a two (2) year term. Serve as Director Liaison to the Affiliate Committee. (rev 10/18, 2/2020)

**1.12.c** Be familiar with all governing documents of the Association and assist in the implementation of the objectives and strategies of the Strategic Plan. (rev 2/2020)

## **1.13 DUTIES OF THE IMMEDIATE PAST PRESIDENT**

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**1.13.a** Serve as a member of the Board of Directors, and as a resource to the succeeding leadership.

**1.13.b** Serve as an Officer of the association.

**1.13.c** Serve and perform other duties as directed by the President.

**1.13.d** Be familiar with all governing documents of the Association and assist in the implementation of the objectives and strategies of the Strategic Plan.

**1.13.e** The Immediate Past President serves in this position in the year immediately following the year served as President.

**1.13.f** Reviews and evaluates the CEO'S performance at the President's request.

**1.13.g** Be familiar with all governing documents of the Association and assist in the implementation of the objectives and strategies of the Strategic Plan.

## **1.14 DUTIES OF THE C.A.R. DIRECTOR**

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**1.14.a** Attend all C.A.R. Board of Directors meetings.

**1.14.b** Keep the VCCAR Board of Directors informed of the activities of the C.A.R.

**1.14.c** Present to the VCCAR Board of Directors any programs, suggestions or concerns of their Member Association.

## **1.15 DUTIES OF THE CHIEF EXECUTIVE OFFICER**

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There shall be a Chief Executive Officer, appointed by the Board of Directors, who shall be the chief administrative officer of the Association. The Chief Executive Officer shall have the authority to hire,

supervise, evaluate and terminate other staff, if any, and shall perform such other duties as prescribed by the Board of Directors. The Chief Executive Officer shall not hold an active California real estate license.

## **1.16 C.A.R. DIRECTOR VOTING** \_\_\_\_\_

Inasmuch as Directors of the C.A.R. are elected and/or appointed by the VCCAR Board of Directors to act and represent the membership of the local and state, they should be left to cast their vote(s) according to their conscience.

Therefore, on all matters to be voted upon by the Board of Directors of the C.A.R., the Board of Directors of VCCAR may take a position on the particular matter. They may only suggest, but never require, that an C.A.R. Director vote the position of the VCCAR Board of Directors.

## **1.17 C.A.R. DIRECTOR AT LARGE** \_\_\_\_\_

Per the C.A.R. Bylaws, the C.A.R. President may select up to twenty-five Directors at Large to serve during the year of the President's term of office subject to the ratification of the Board of Directors. If any Directors at Large are ratified after January 1 of the elective year of the President, he or she shall only serve as a Director for the balance of the elective year.

### **1.17.a Successful applicants must be willing and agree to:**

1. Submit the application to C.A.R. by the deadline as required (once approved).
2. Travel to and attend all three (3) C.A.R. meetings during their appointed term.
3. Attend all Region Caucus meetings at the three (3) C.A.R. meetings during their appointed term.
4. Attend and vote at all C.A.R. Board of Directors meetings at the C.A.R. meetings during their appointed term.
5. Provide written and verbal reports to the Board, and if requested, to the general membership.

### **1.17.b Expense Reimbursements for VCCAR C.A.R. Directors-at-Large:**

1. VCCAR appointed C.A.R. Voting Directors shall be eligible for expense reimbursement up to \$75 per day of travel, subject to the annual budget.

(rev 2/19)

## **1.18 DUTIES OF THE VCCAR DIRECTOR LIAISON (COMMITTEE)** \_\_\_\_\_

**1.18.a** The Director Liaison to a committee (appointed by the President) should attend meetings and become familiar with a committee and be a non-voting member of the committee.

**1.18.b** The liaison should be able to assist in an unbiased manner and relay information to the Directors with an unbiased, objective viewpoint, putting aside personal opinions.

## **1.19 NAR DIRECTOR/S** \_\_\_\_\_

VCCAR NAR Directors shall be appointed by the current Board of Directors when notice and allocation is sent from NAR. Consideration should include: current and Past Presidents, current or Past President Elects, current or past local Directors, current or past C.A.R. Directors, current or past local Committee chairs, past committee Chairs at C.A.R. and others who may be suggested by current Board leadership and /or staff.

### **1.19.a Expense Reimbursements for VCCAR NAR Director/s:**

VCCAR NAR Directors shall be eligible for expense reimbursement subject to the annual budget.

## **1.20 ELECTION PROCESS** \_\_\_\_\_

**1.20.a LEADERSHIP CANDIDATE REQUIREMENTS.** In order to qualify as a candidate to serve as an Officer or local Director of VCCAR, the following requirements must be fulfilled.

**1.20.b** Complete a Nomination Application Form (by the deadline noted).

**1.20.c** A deadline for candidates to turn in their candidate applications for Director or Officer position shall be no later than May 1.

**1.20.d** Must attend a VCCAR Candidate Orientation in the same calendar year as the election. All candidates, excluding current Board members, will attend a Candidate Orientation prior to the ballot being certified by the Board of Directors. (by third Tuesday in May)

**1.20.e** Any candidate for office must follow procedures as established.

**1.20.f** After initial candidate vetting and, in the event, that a question arises as to the qualifications of any candidate, the Leadership Development Committee shall review the qualifications to verify their eligibility. The Committee shall meet as often as necessary. A candidate shall not be placed on the ballot for more than one (1) elected position.

**1.20.g CANDIDATE REQUIREMENTS FOR PRESIDENT-ELECT.**

- Must be a REALTOR® member in good standing.
- Must have completed at least (2) years as a Director by the time he/she takes office.
- Chaired a VCCAR Committee for one (1) full year or served as a State or National Director, served on a State Committee for one (1) full year (forums excluded) by the time of taking office.
- Must be actively engaged in the real estate business and hold an active real estate license in the state of California.  
(rev 5/2020)

**1.20.h CANDIDATE REQUIREMENTS FOR FIRST VICE PRESIDENT.**

- Must be a REALTOR® member in good standing.
- Must have completed at least (2) years as a Director by the time he/she takes office.
- Served in good standing on a VCCAR Committee for one (1) full year or in a leadership role (i.e., on the Board of Directors) with NAR industry partners such as NAHREP, AREAA, NAGLREP, WCR for at least one (1) full year and by the time of taking office.
- Must be actively engaged in the real estate business and hold an active real estate license in the state of California.  
(rev. 2/18, 5/2020)

**1.20.i CANDIDATE REQUIREMENTS FOR TREASURER.**

- Officer for the Treasurer position are: must be able to read and interpret financial statements, have financial experience and be able to facilitate the duties of a Treasurer. Preference to a member of the association but not required. A Treasurer shall be appointed by the President and must be ratified by the Board of Directors with a majority vote.  
(rev. 2/18)

**1.20.j CANDIDATE REQUIREMENTS FOR DIRECTOR.**

- Must be a REALTOR® member in good standing.
- Must be a REALTOR® member for at least two (2) years prior to taking office.
- Served in good standing on a VCCAR Committee for one (1) full year or in a leadership role (i.e., on the Board of Directors) with NAR industry partners such as NAHREP, AREAA, NAGLREP, WCR for at least one (1) full year and by the time of taking office.
- Must be actively engaged in the real estate business and hold an active real estate license in the state of California.  
(rev 5/2020)



### **1.20.k CANDIDATE REQUIREMENTS FOR AFFILIATE DIRECTOR.**

- Must be an Affiliate member in good standing.
- Must be an Affiliate member for at least two (2) years.
- Served in good standing on the Affiliate Committee for on (1) year.

### **1.20.k ELECTION OF OFFICERS AND DIRECTORS.**

**ELECTION CHRONOLOGY.** The VCCAR staff shall submit an Election Chronology to the Directors for approval no later than April 1 each year.

- First Friday in April – Election Candidate Nomination Application Forms and procedures are made available to members.
- May 1 – Deadline for Candidate Nomination Applications.
- By May 31<sup>st</sup> – Board of Directors approval of Candidates.
- June 1 – Announcement of approved Candidates.
- Fourth Thursday in June – Election Opens.
- First Friday in July – Election Closes and results announced.

The voting shall be handled as determined by the Board of Directors on an annual basis.

The names of all qualified candidates shall appear in alphabetical order on the ballot under the designated office or directorship.

Each year there will be one (1) President-Elect and one (1) First Vice President elected to serve as Officers. For the office of President-Elect and First Vice President, the candidate for each office receiving the greatest number of votes for that particular office shall be elected. For the position of Director/Affiliate Director, the candidates for each position receiving the greatest number of votes for that particular position shall be elected. (rev. 2/18, 10/18)

### **1.20.I ELECTION POINTS OF POLICY.**

- Ballots shall be printed with the names of the candidates for each position listed in alphabetical order.
- Ballots shall clearly state the number of candidates who may be selected for each position.
- REALTOR® and Affiliate members (primary and secondary) in good standing are entitled to vote. (rev 2/19)
- Each person eligible to vote shall be e-mailed a ballot with an explanation of the voting instructions including the deadline for voting.
- The ballots shall be delivered electronically to each voting member in good standing on the fourth Thursday in June.
- The Association shall maintain the roster of those eligible to vote. If a member indicates voting information is needed, staff shall provide voting instructions, including the deadline for voting.
- There shall be only one Ballot allowed per member. No proxy votes shall be cast by or for anyone.
- New members who join the Association on the day of the election, and standing members appearing in person, shall be given the privilege of voting prior to 5:00 p.m. on the day of the election. Votes received up to 5:00 p.m. on the day of the election shall be tabulated.

Tabulation shall be completed in accordance with the Election Chronology.

- Candidates receiving the highest number of votes, corresponding with the number of positions to be filled shall be deemed elected. Results of the election shall follow the Election Chronology.
- In the event of a tie between two candidates for a particular position VCCAR shall notify candidates and its membership five (5) days following the final tabulation of votes. At the direction of the Leadership Development Committee a new e-mail Ballot will be produced for completing the run-off election within 30 days from the close of the original election.
- The electronic results will be destroyed ninety (90) days after the election if no election challenge or objection is filed with the Chief Executive Officer or Association President.
- Any challenge to the election must be submitted in writing to the Chief Executive Officer or Association President specifying exactly who or what is being challenged within five (5) business days after the membership meeting where the results were announced.
- If a recount is called for, the challenger shall be given a choice of having either a certified audit or having the Leadership Development Committee do the recounting. If the challenger chooses to use an outside firm, the challenger is responsible for payment of the cost regardless of the outcome. Both parties, the Association and challenger must agree upon the firm to conduct the outside audit.

#### **1.21 VENTURA COUNTY COASTAL ASSOCIATION OF REALTORS® AND VENTURA COUNTY COASTAL ASSOCIATION OF REALTORS® LOGO.** \_\_\_\_\_

The Ventura County Coastal Association of REALTORS® logo is trademark work in which the Ventura County Coastal Association of REALTORS® retains all rights. Any use of this logo without the express written consent of the Association is prohibited. If the use of any Association logo is permitted by the Association, the person using the logo (upon approval) must clearly indicate that logo is trademarked. (rev 2/2020)

#### **1.22 NAR CORE STANDARDS** \_\_\_\_\_

**1.22.a REQUIREMENT.** The Core Standards were approved by NAR's Board of Directors in May 2014, and were amended in May 2016 to replace the Organizational Standards. The purpose of the standards: to raise the bar for REALTOR® associations and ensure high-quality service for REALTORS®. Local, state, and territorial associations of REALTORS®, as a condition of membership in the National Association of REALTORS®, must meet NAR's Organizational Alignment Core Standards, a set of requirements that fall into six categories:

1. Code of Ethics
2. Advocacy
3. Consumer Outreach
4. Unification Efforts and Support of the REALTOR® Organization
5. Technology
6. Financial Solvency

**1.22.b CERTIFICATION.** REALTOR® associations must certify compliance with the standards each subsequent year or be subject to revocation of their charter.

**1.22.c ENFORCEMENT.** Enforcement of the Organizational Alignment Core Standards will be the joint responsibility of the local associations, state and territorial associations, and National Association.

## **SECTION 2: COMMITTEE/TASK FORCE POLICIES**

### **RULE I: Authorization**

**Section 1.** The Standing Committees, Board of Directors or President may authorize Special Committees or Task Forces. However, no Committee or Task Force shall be authorized or appointed which would have the intent of subverting a Member Association function.

**Section 2.** Committees and Task Forces may be abolished by the authorizing body.

### **RULE II: Charges**

**Section 1.** Annually the charges of the standing committees will be reviewed and approved by the Board of Directors. Each standing committee will prepare its work plan based on the strategic plan, and submit the plan and budget to the Board for approval. In emergency situations the President may assign a charge until such time as the Board can consider its approval.

**Section 2.** Special committees shall receive their charges from the appropriate Committee. (Note: Said charge shall not go beyond the parameters of the "parent committee" charges.)

### **RULE III: Committee Recruitment/Term Selection Process**

#### **Recruitment of Members:**

1. VCCAR will provide members with Committee Request Forms upon approval of the Strategic Plan for the following year. (no later than the end of September)
2. A cutoff date will be put on the Committee Request Form to avoid confusion as to when they need to be submitted, and the problem with last minute submissions. (November)
3. VCCAR will provide members with Applications for Chair and/or Vice Chair positions along with a description of the position.

#### **Committee Terms:**

1. Members may serve unlimited terms.
2. Terms are served on a one-year, annual basis unless indicated otherwise elsewhere.
3. The incoming Chair shall attempt to include new members each year. Grievance, and the Professional Standards committees shall be appointed to staggered three-year terms. (rev 2/2020)

#### **Committee Selection Process:**

1. All Committee Request Forms must be submitted by designated due date.
2. Staff will compile the request forms and create a matrix to send to the incoming President, and committee Chairs.

#### **Committee Matrix will include:**

1. Entire list of those requesting a committee, and will show their 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> choice.
2. Staff will only screen committee applications where individuals are applying for committees that have restrictions (i.e. Grievance/Professional Standards) and indicate which individuals would not be eligible for that committee.

#### **Staff will send to incoming Chairs:**

1. Committee Request Matrix
2. A copy of the Committee Roster, with member terms (those with expiring terms will not be included)
3. Minimum number of committee members for the committee, along with a recommendation from the staff liaison as to what the maximum number of members on that committee should be. (This is only a recommendation; the total desired number is at the discretion of the incoming Chair.)
4. Contact information for all incoming Chairs.
5. Current committee rosters showing committee terms of members.

**Incoming Chairs will respond to their staff committee liaison within 10 days.**

1. Response will include the list of individuals they have selected to serve on a committee.
2. Response will include the list of individuals not selected for a committee, but who they wish to serve on a task force.
3. Response will include the list of individuals not selected for either the committee or a task force.

**Recruitment by incoming Chairs.**

1. If the incoming Chair is unable to fill the number of committee positions available, with the names given on the matrix, he/she shall be responsible for the recruitment of additional committee members.
2. The incoming Chairs may contact each other to discuss potential members listed on the matrix, but who may not have requested their specific committee.
3. The incoming Chairs and incoming President may contact individuals listed on the matrix directly, to see if they would be interested in serving on a committee other than requested.

**Invitations to serve on Standing Committees will be emailed to members:**

- a. Staff will send the lists provided to them by the incoming Chairs for approval as soon as possible.
- b. Staff will prepare and email letters to members to confirm committee/task force assignments and their term.

**RULE IV: QUORUM**

Fifty-one (51) percent of committee members present shall constitute a quorum. (rev. 2/18)

**RULE V: ATTENDANCE**

Any committee member who misses three (3) or more meetings shall have their name automatically removed from that group's membership roster. A member can rejoin a committee with the consent of the Committee Chair if they have been "dropped" for absences. Appointments to committees are on a calendar year basis. (rev 2/2020)

**RULE VI: CLOSED MEETINGS**

For reasons of confidentiality, the following committees/work groups are closed\*:

- Board of Directors\*\*
- Grievance
- Professional Standards Hearings
- Annual Awards (REALTOR®, Affiliate, Broker/Owner/Manager of the Year)

\*For any closed meeting, it is at the discretion of the President or Chairman, whichever is applicable, to invite guests to attend for a specific purpose and timeframe (i.e., provide input on a specific agenda item, make a presentation or request).

\*\*Following the Annual Election, those elected to serve as an Officer or Director the following calendar year will be invited to attend the remaining Board meetings and would be required to sign any confidentially statement required previously of the current Officers and Directors.

(rev 2/2020)

## 2.2 STANDING COMMITTEES

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The President shall appoint from among the members, subject to the confirmation by the Board of Directors, the following standing committees and their chair.

- Finance Committee
- Grievance Committee
- Professional Standards Committee

(rev 2/2020)

**2.2.a Finance Committee.** Ensures that Association financial resources are properly allocated through the annual budget, responsible for recommending the annual budget to the Board of Directors, provides a review of the monthly financials, and recommending financial policies. Investigates the best methods of financing programs, projects, and investments when so instructed by the Directors.

**2.2.b Grievance Committee.** Acts as a reviewing body for complaints turned into the Association to determine whether to dismiss or send forward to the Professional Standards Committee for a hearing.

**2.2.c Professional Standards Committee.** Responsible as the Judicial Body of the Association. Conducts due process hearings in accordance with Bylaws on alleged violations of the Code of Ethics and Arbitration, Bylaws and Articles of Incorporation. \*PS Committee members must have served not less than one year on the Grievance Committee. Governed by the California Code of Ethics and Arbitration Manual, as published and from time to time amended by C.A.R., which by this reference is made a part of these policies. (rev 2/2020)

**2.2.e Special Committees.** The President may appoint, subject to confirmation by the Board of Directors, such special committees and their chair as deemed necessary. Including but not limited to:

### **California Regional Multiple Listing Service (CRMLS) Committees.**

- CRMLS Association Executives Committee
- CRMLS Operational Steering Committee
- CRMLS Finance Committee
- CRMLS Rules Committee

## 2.3 RESPONSIBILITIES OF CHAIR

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- The work of a chair shall always encompass the missions and goals of VCCAR and shall never be influenced by self aims and personal objectives and shall avoid self-dealings in any matters relating to VCCAR.
- Before each meeting, consult with VCCAR staff and other key members of the committee in planning the committee's task force's objectives and activities. The entire program of work

should be thoroughly reviewed so that individual committee/task force and PAG assignments can be effectively made.

- Direct the committee in reviewing and achieving the committee's objectives. Be responsible for stimulating group thinking, encourage and channel discussion, weigh the value of expressed ideas and suggestions, summarize constructive suggestions and seek out decisions.
- In coordination with staff, insure that accurate minutes are kept, motions recorded, necessary reports prepared, and a record of committee work maintained.
- Remain constantly informed regarding the progress of individual committee/task force and PAG members' assignments.
- Motivate the members of the committee/task force and PAGs toward active participation and involvement. With VCCAR and the committee objectives in mind, channel the interests and talents of individual members into productive efforts and insure the necessary follow-up action.
- Have a thorough knowledge of VCCAR's policies.
- Select Special Committee chairs, as directed by committee policy and provide them with the Special Committee charge.
- Be familiar with the events of other committees so as to avoid duplication.
- Continually review and evaluate the committee's business plans and their progress.
- Accept all responsibilities as assigned by the President and the Board of Directors.

#### **2.4 RESPONSIBILITIES OF VICE CHAIR**

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- Be responsible for all the duties and responsibilities of the Committee Chair in the event of the Chair's absence or incapacity.
- Serve and perform other duties as directed by the Chair.
- Serve as the Vice Chair of the Committee.
- Attend all meetings of the Committee.
- Be familiar with all governing documents of the Association and assist in the implementation of the objectives and strategies of the Strategic Plan.

#### **2.5 RESPONSIBILITIES OF COMMITTEE MEMBERS**

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While the duties of the individual committee member may vary, there are certain basic responsibilities when he/she accepts an appointment.

- The work of a member shall always encompass the missions and goals of VCCAR and shall never be influenced by self-aims and personal objectives and shall avoid self-dealings in any matter relating to VCCAR.
- Acknowledge immediately all communications regarding committee work.
- Determine their availability for committee meetings and inform the chair or staff as soon as possible.

- Insure that their organization's superiors are fully aware of their responsibilities and commitments for meetings.
- Become acquainted with committee members early in the year.
- Thoroughly review all pertinent background material and the agenda before coming to meetings.
- Take an active part in all discussions.
- Seek to understand and have respect for others' ideas and conflicting viewpoints.
- Consider all problems objectively and impersonally.
- Seek clarification on any point or problem not fully understood.
- Follow through on accepted assignments as requested by the chair or committee.

## 2.6 ROLE OF COMMITTEE STAFF

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An important consideration is to understand the role of the staff and its relationship to committees. The staff should render all possible assistance, but should never assume the committee's prerogative. The staff representative is involved so as to answer questions, offer suggestions or raise questions when appropriate. Staff is the lead and responsible for communicating all committee information and business on behalf of the Chair to committee members, staff and Board of Directors. They are expected to be knowledgeable on Association policy, committee scope, and the subject under discussion. They are not, however, to serve as accomplishers of the committee's tasks. (rev 2/2020)

The control of internal operating activities and procedures of VCCAR rests with the Chief Executive Officer. Staff allocation remains the responsibility of the CEO.

## SECTION 3: FINANCIAL POLICIES

### 3.1 BUDGET TIMELINE

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**March/April** – Strategic Planning Conducted & Draft Plan Formulated

**May** – Board of Directors will review and approve the Strategic Plan

**July/August** - Detailed budget and history reports through June 30<sup>th</sup> are provided to Committee Chairs and Staff for finalizing Budgets and Business Plans

**July/August** – CEO and Staff return budget projections and Business Plans for their areas to the Accounting Manager for assembly.

**August** – The Finance Committee will meet to set the preliminary membership projections for the following year

**August** – Begin developing Committee Business Plans based on approved Strategic Plan and membership projection (budget).

**August** – Draft operating budget for following year. Details reviewed by CEO and Accounting Manager.

**September** – The Finance Committee will review and modify the one-year draft.

**September** – Incoming President determines Committees and appoints Committee Chairs & Vice Chairs.

**October** - Incoming Committees/Task Forces are announced and Request forms sent out.

**November** – The Board of Directors will meet and may amend the proposed budgets if necessary, prior to final approval.

**November/December** – Committee member lists are compiled and presented to Chairs for appointments

**December** – Committee appointments are approved by the Board of Directors.

## **3.2 GENERAL DUES/FEE POLICIES**

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**3.2.a DUES & FEES.** Payment of dues or fees is subject to the Bylaws and is a membership obligation.

**3.2.b BILLING.** Annual VCCAR, C.A.R. and NAR renewal dues will be billed annually starting in December and as follows:

- December: Dues Renewal Invoices are sent to members.
  - January 1: Dues Renewal Payments are due.
  - January 16: Unpaid Invoices will now reflect a late fee.
  - February 1: Unpaid Invoices now reflect a Re-Instatement Fee and the unpaid member is now a non-member.
- Annual MLS fees will be billed annually with renewal notifications going out in May and payable within one (1) month of the invoice date. (rev 11/18)

**3.2.c ANNUAL DUES PAYMENT.** Dues are assessed annually by the Board of Directors in accordance with the Bylaws. Dues are the property of the Association and are non-refundable. Dues paid in advance by applicants for Association membership become the property of the Association when paid.

**3.2.d APPLICATION FEE.** The application fee must accompany the application for membership. All requirements for membership, including orientation, must be completed within thirty (30) days of application or application for membership is terminated. (rev 2/19)

Application Fee for Affiliates is determined annually by the Board of Directors.

**3.2.g INSUFFICIENT FUNDS POLICY.** Any member who submits a check for payment of dues or fees owed to the Association that is returned for insufficient funds shall be charged a \$50 fee to process and re-submit the checks for payment.

If a check is unable to be resubmitted for payment or it is returned a second time, then the member who submitted the check shall deliver or cause to be delivered to the Association, cash, money order, cashier's check or other certifiable funds in the amount of the uncollected debt plus the \$50 fee for the insufficient check.

## **3.3 GENERAL FINANCIAL POLICIES**

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**3.3.a** All items under Financial Policy 3 shall be reviewed and updated prior to the annual budget preparation process.

**3.3.b ANNUAL BUDGET.** The annual budget shall be submitted to the Directors no later than November for approval preceding the upcoming budget year.



**3.3.c** The Board of Directors shall supervise the expenditures of the Association's funds and shall designate the depository in which such funds are deposited. The President, President Elect, First Vice President, Treasurer, Chief Executive Officer are authorized to sign the checks on the Association's checking accounts. Each check requires two (2) signatures. (rev. 2/18)

Contracts and agreements with vendors can only be entered into by the Association with the approval of the Board of Directors and executed by the CEO as defined by the limits placed on expenditures for budgeted and non-budgeted items.

The President shall cause to have a review of the Association's assets annually and review such audit with the Board of Directors. The Association President may review the checking accounts monthly and date and initial the review by the last check written. The Directors shall review the monthly financial reports. No distribution of checks shall be made without proper invoice or receipt being submitted.

**3.3.d INVESTMENT POLICY.** Investments and reserves shall be governed by the Investment Policy approved by the Board of Directors:

- VCCAR maintains reserve funds in order to meet long-term and/or unexpected cash needs in service of our mission.
- VCCAR will maintain 9-12 months in operating cash reserves
- Reserve funds will be invested to secure the best rate of return while keeping risks moderate.
- Invested funds will be allowed to grow, but generally should not exceed 25% of the annual budget.

A portfolio approach will be selected via the following criteria; be a relatively simple approach, using standard investment vehicles with moderate risks, be based on the recommendations of the selected portfolio manager, and will not include exotic or risky investment vehicles, which include but are not limited to hedge funds, commodities, options trading, and margin.

- The treatment of capital gains will be to be reinvested.
- The Distribution of dividends will be to be reinvested.
- Proxy voting will be determined by the fund manager.

The Finance Committee will monitor performance of the investments to ensure adherence to investment objectives and guidelines and serve as the oversight body for the portfolio manager. The portfolio manager will present to the Finance Committee (at a minimum of two times per year) to evaluate performance and review any strategy changes.

**3.3.e SPENDING FOR NON-BUDGETED ITEMS.** The Directors have approved a spending authority for the Chief Executive Officer for non-budgeted items up to \$2,500.

**3.3.f RESOLUTION OF DEPOSIT.** WHEREAS: The Ventura County Coastal Association of REALTORS® is a not for profit organization receiving dues, fees and other monies from its members, and

WHEREAS: These funds should be deposited in a financial institution within the jurisdictional boundaries of the Association; now therefore be it:

RESOLVED: That all FDIC or FSLIC insured financial institutions within the jurisdictional boundaries of the Association that are duly authorized California banking institutions be acceptable depositories in which funds of the Association may be deposited; further, that any officer of the Association is hereby authorized for and on behalf of the Association to open an account or accounts with said financial institutions, to accept the provisions and conditions set forth on the financial institutions' required signature card(s) relating to said account or accounts, and to make arrangements for the conduct thereof as he or she shall deem proper; and that the Chief Executive Officer or their designee of the

Association be duly authorized to sign checks that indebted the Association and further, that any one of the following named Officers of the Association shall also be authorized to sign checks indebted the Association effective during the duration of their elected term: President, President-Elect, First Vice President and Treasurer. (rev. 2/18)

And be it further:

RESOLVED: That two signatures of any of the above-named representatives of the Association be required to withdraw funds or close established accounts with any duly authorized depositor(s); and, be it further:

RESOLVED: That the approved depositories be authorized and directed to honor and pay checks that are properly executed in accordance with the Bylaws and this resolution; and be it further:

RESOLVED: That the foregoing resolution shall remain in full force and effect until written notice of the amendment or rescission thereof shall have been delivered and receipted by the depository institution; and, be it further:

RESOLVED: That the Chief Executive Officer or Treasurer of the Association be, and he/she hereby is, authorized and directed to certify to the Bank that these resolutions and the provisions thereof are in conformity with the Articles of Incorporation and the Bylaws of the Association. (rev. 2/18)

**3.3.g CHECKING RECONCILIATION.** Monthly bank statements shall be reconciled with checking account and tied into the general ledger balance. The Treasurer is required to review the record of reconciliation via unscheduled visits. (rev. 2/18)

**3.3.h PERSONAL VEHICLE USE REIMBURSEMENT POLICY.** It shall be the policy of VCCAR that any employee who uses their personal vehicle on Association business expecting reimbursement must have an acceptable driving record and carry a minimum of \$100,000/\$300,000 underlying limit of liability for their personally owned auto insurance. Acceptable driving record to be defined as proof of insurance at minimum stated.

The Ventura County Coastal Association of REALTORS® shall be listed as an additional insured on the automobile insurance policy.

**3.3.i ASSOCIATION RELATED TRAVEL.** All items of Association related travel shall be reviewed and updated prior to the annual budget preparation process and reviewed by the Directors annually at the Directors' Planning Session, as well as any other time deemed necessary.

**3.3.j TRAVEL EXPENSES.** The travel policy shall cover travel expense reimbursement to all meetings considered regular and normal, local, State, Regional or National, approved by the Board of Directors. The Board of Directors reserves the right to determine in their annual budget who gets reimbursed for travel expenses.

**3.3.k REIMBURSEMENT.** Reimbursement for Association-related travel shall be approved by the Board of Directors and Officers.

All budgeted reimbursable expenses, incurred on behalf of the Association and received within thirty (30) days, shall be reimbursed within fifteen (15) days of receipt of a properly completed request for reimbursement form, which is approved by an Officer of the Association or the CEO. If a request for reimbursement of expenses is not received by the Association within thirty (30) days after the occurrence of the expense, then the reimbursement is to be made only after approval of the Directors at a duly called regular or special meeting. (All new VCCAR and C.A.R. Directors will be instructed in the policy use of reimbursable expenses and all necessary forms and reports regarding expenses.)

All reimbursements from other sources shall be first subtracted from reimbursable expenses submitted to VCCAR. Combined reimbursements shall not exceed actual expenses. All expense report reimbursement forms are available from the Association office.

### **3.3.I REIMBURSABLE EXPENSES - DEFINITIONS**

**TRAVEL.** The ordinary expenses to and from the meeting location at the IRS allowable rate or actual costs of mileage, taxi and/or airfare (at coach rates of most economical available rate established 30 days in advance and confirmed by staff).

**PER DIEM.** The Association provides authorized travelers with a per diem at budgeted rates approved for each meeting. Per diem expenses are to be cumulative over the number of authorized days at association expense.

**RECEIPTS.** All cash and credit expenditures must be verified with copies of receipts attached to the expense form unless the IRS per diem is used. The Association may deduct expenses that are deemed beyond industry standards for a reasonable business expense.

**GUIDELINES.** Only ONE method can be used for the entire trip:

1. **IRS Per Diem:** \$75\* per day = No receipts required. Per diem covers breakfast, lunch, dinner and incidentals.

-OR-

2. **Association/MLS Daily Allowance:** \$76 up to \$100 per day = All receipts required to accompany expense report for reimbursement. If an advance is given, any unused portions of the advance must be returned with the documented on the expense report.

*\*Indicates IRS allowance at time of printing.*

**TRAVEL TEAM CHECK.** Travel team checks are prepared 1-2 weeks prior to the travel day. Checks are prepared under the assumption that member or staff is traveling under the IRS Per Diem method. Per diem checks include hotel expense (without taxes) and daily per diem amount of \$75 per each travel day. Members are allowed submit a check request (with receipts) for reimbursement: airfare, mileage to and from airport (or destination), and hotel taxes.

**EXPENSE REPORT.** All disputes of policy shall be submitted to the Treasurer for consideration with a final ruling by the Board of Directors, based on appeal of the Treasurer's ruling. (rev. 2/18)

**LODGING.** The actual cost of overnight lodging shall be reimbursed at the single room rate for standard rooms (lodging) during the required stay for the assigned meetings. When rooms (lodging) are shared, the expenses of the double room shall be paid, either half to each or all to the individual who paid the fees.

\*Specific dollar amounts are referenced at the time of printing and will be regularly reviewed and updated as necessary.

**3.3.m OFFICE TRANSFER FEE.** All changes in member affiliation (except transfers with the same Designated Broker) shall be made in writing and shall be submitted with a \$20.00 transfer fee. No changes will be made in MLS and membership records until Agent Change Form is completed and fees are paid. There will not be a fee for an agent changing from one branch office to another.

**3.3.n EDUCATION CREDIT/REFUND POLICY.** There is a "no refund" policy for prepaid registration to Association educational programs.

## SECTION 4: GENERAL POLICIES

### 4.1 FACILITIES & ASSOCIATION PROPERTY

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**4.1.a ASSOCIATION ASSETS.** Membership dues or fees shall not create a vested interest in any properties owned by the Association.

**4.1.b OFFICIAL ADDRESS.** The Directors shall designate an address as the official headquarters and office of the Association if any change should be made from the Association's present address.

**4.1.c SMOKING.** The Association has been designated as a non-smoking facility except in designated areas.

**4.1.d ALCOHOLIC BEVERAGES.** There will be no open bars at a local function of the Association, only cash bars and not more than two (2) free drink tickets per person attending any function of the Association.

Association members, staff and volunteers may not serve, or otherwise furnish other members or guests with alcohol at or in connection with Association functions. Instead, professional bartenders (unrelated to the Association or its members or staff), must be retained to serve alcohol at Association functions.

### 4.2 RENTAL FEES AND POLICIES

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**4.2.a RENTAL OF ASSOCIATION TRAINING & BOARD ROOM/S.** The Association training and board room shall be made available to members and nonmembers of the Association, and fees shall be established annually by the Board of Directors. Nonmembers shall file a hold harmless agreement for use of the Association facilities.

Institutes, Societies and Councils of NAR may use the Association facilities, upon approval of the Board of Directors, at no charge, on the condition that no fees are charged for admission by the institutes, societies and councils of NAR. C.A.R. representatives may use the Association facilities on the condition that no fees are charged for admission.

Each group using the Association office will be responsible for cleanup of the room/s after use, i.e., disposal of empty cups and soft drink cans, etc.

**4.1.b SPECIAL RENTAL FEES.** If the group is renting the facility for five or more days, they are entitled to a special contract rate, to be determined at the time arrangements for the rental are being made.

### 4.3 GENERAL MEMBERSHIP POLICIES

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**4.3.a BROKER AFFILIATION CHANGE.** All changes in member affiliation shall be made in writing and shall be submitted to VCCAR within thirty (30) days of the change. The Association shall maintain a form for the use by members to sever, add, or transfer a member or licensee.

**4.3.b BROKER COMPLIANCE.** The California Association of REALTORS® (C.A.R.) holds local REALTOR® associations responsible for ensuring broker compliance with the National Association of REALTORS® (NAR) Variable Dues Formula. The formula was crafted to ensure fairness by basing member dues on the number of individuals licensed with REALTOR® principals (known as Designated REALTORS®, or DRs). The premise is that every licensee in a firm, benefits from the DR's membership in the Association, and the DR's dues payment should reflect all licensees in the firm—even those who are not REALTORS®.

- **Pay a Non-member Assessment:** If any agents, brokers, or appraisers affiliated with a firm (Primary Membership with VCCAR) choose not to be REALTORS®, then the Designated REALTOR® would be assessed a non-member assessment for each non-member. There are no association benefits or services provided and the use of the REALTOR® trademark is prohibited.
- **Licensee Joins as a REALTOR®:** The licensee joins and pays REALTOR® dues and receives all the benefits of being a REALTOR®. With this option, you do not pay the nonmember assessment.
- **Exemption for Referral Agents:** Licensees working for a separate entity owned by the Designated REALTOR® (Broker), which is exclusively engaged in referring clients, can be excluded from your due's calculation. Any licensees identified on the Limited Function Referral Office (LFRO) Certification Form are excluded from paying REALTOR® Dues and the Designated REALTOR® (Broker) is not responsible for paying the non-member assessment.
- **Exemption for Mortgage Loan Originators:** Affiliated MLO licensees in your firm may be excluded from your due's calculation. You must provide a list of the affiliated MLO licensees and certify that all of the listed licensees: (1) have an MLO license or endorsement; (2) are not engaged in real estate licensed activities except those for which an MLO is required; and (3) are not participants or subscribers in any 'Multiple Listing Service ("MLS")'.
- **Commercial Certification:** In the case of a Designated REALTOR® member in a firm, partnership, or corporation whose business activity is substantially all commercial, any assessments for non-member licensees shall be limited to licensees affiliated with the Designated REALTOR® in the office where the Designated REALTOR® holds membership and any other offices of the firm located within the jurisdiction of this Association. In order for a commercial agent to qualify for the exemption status, all three conditions must apply: (1) the office must be substantially all commercial; (2) the office must be outside of the board's jurisdiction; and (3) the office must not be the broker's main office that he/she works out of.

**4.3.c ORIENTATION POLICY.** Any former member who is reapplying for membership will be credited with having completed the orientation requirement if the applicant completed the Association Orientation course within one (1) year, unless membership has been previously terminated "not in good standing".

**4.3.d MEMBERSHIP INDUCTION AND PLEDGE.** Newly elected REALTORS® shall be officially installed at the conclusion of the New Member Orientation Class.

**4.3.e NEW MEMBER CODE OF ETHICS.** New members are required to complete the online Code of Ethics course provided by NAR. A certificate of completion must be provided to attend and be admitted into the New Member Orientation course.

**4.3.f SPONSORSHIP.** Sponsorship is the financial support of an Association event, program, class or special activity to the extent that the sponsoring person or organization provides or pays for advertising, promotion, materials, awards and/or other items or services of value associated with such sponsorship.

Sponsorships are available exclusively to Association members only and on a first come first serve basis. VCCAR reserves the right to limit total sponsorships available.

All sponsors agree to comply with the Association Alcoholic Beverages Policy (4.1.d).

Real estate brokerage recruitment is strictly prohibited during an Association event, program, class or special activity.

Sponsors release the Association and its affiliated entities, officers, directors, employees, agents and members from any and all liability related to any and all damages, injuries, losses, claims, actions,

charges, fees, and lawsuits resulting or arising from any advertisement and/or sponsorship with the Association.

The Association, in its sole discretion, reserves the right to reject or cancel any advertisement and/or sponsorship at any time, for any reason, with or without notice to the advertiser and/or sponsor.

#### 4.4 DOCUMENT RETENTION POLICY

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**4.4.a DOCUMENT DESTRUCTION AND RETENTION.** VCCAR shall retain records for the period of their immediate or current use, unless longer retention is necessary for historical reference or to comply with contractual or legal requirements. Records and documents outlined in this policy include paper, electronic files (including emails) and voice mail records.

In accordance with 18 USC §1519 and the Sarbanes Oxley Act, the Association shall not knowingly destroy a document with the intent to obstruct or influence an investigation or proper administration of any matter within the proper jurisdiction of the United States. If an official investigation is anticipated or underway, document purging will stop. Further, to eliminate accidental or innocent destruction, the Association follows a Records Retention Schedule as set forth:

Description/s (Listed Alphabetically)	Retention Period
Accident Reports and Claims (settled cases)	7 years
Accounts payable ledgers and schedules	7 years
Accounts receivable ledgers and schedules	7 years
Audit reports of accountants	permanently
Bank reconciliations	3 years
Capital stock and bond records; ledgers, transfer registers, stubs showing issues, record of interest coupons, options, etc.	permanently
Charts of accounts	permanently
Checks (canceled but see exception below)	7 years
Checks (canceled for important payments, i.e., taxes, purchases of property, special contracts, etc. [checks should be filed with the papers pertaining to the underlying transaction])	permanently
Contracts and leases (expired)	7 years
Contracts and leases still in effect	permanently
Correspondence (routine) with members, customers, or vendors	2 years
Correspondence (general)	3 years
Correspondence (legal and important matters only)	permanently
Deeds, mortgages, and bill of sale	permanently
Depreciation schedules	permanently
Duplicate deposit slips	2 years
Employee personnel records (after termination)	7 years
Employment applications	3 years
Expense analyses and expense distribution schedules	7 years
Financial statements (end-of-year, other months optional)	permanently
General and private ledgers (and end-of-year trial balances)	permanently
Insurance policies (expired)	7 years
Insurance records, current accident reports, claims, policies, etc.	permanently
Internal reports (miscellaneous)	7 years

**4.4.b RETENTION OF PROFESSIONAL STANDARDS ETHICS & ARBITRATION COMPLAINT FILES.** Ethics complaint files which were found IN violation shall be destroyed after seven (7) years. However, a copy of the decision of the hearing panel shall be retained in the respondent's personal file at the Association office indefinitely.

Ethics complaints found NOT in violation shall be destroyed after the appeal period is over and ratification has been made by the Board of Directors.

Arbitration case files in which NO AWARD was made shall be destroyed after the 20-day appeal period is over if no appeal has been made.

**4.4.c PROFESSIONAL STANDARDS ETHICS & ARBITRATION COURT REPORT RECORDS.** Recordings on Ethics complaint files or Arbitration cases shall be destroyed after the review period is over/finalized.

## **4.5 LEGAL POLICIES**

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**4.5.a LEGAL COUNSEL.** The Board of Directors may employ legal counsels.

**4.5.b ACCESS TO ASSOCIATION ATTORNEY.** Only the President, President-Elect, and Chief Executive Officer or their designee is authorized to contact the Association attorney on official business of the Association. Billings for unauthorized contacts will be the responsibility of the contacting party.

**4.5.c LEGAL CASES AND LEGAL INFORMATION.** No member, or group of members, shall be permitted to obligate VCCAR for legal fees or litigation costs in which individual members of the Association are involved. No member of the Association shall seek legal information from the Officers, Directors or office staff of the Association; whenever an Association member requires legal advice, he/she shall consult an attorney. If a member requests legal advice from the Association's attorney, he/she shall do so with the understanding he/she is seeking such information as an individual and is obligated to pay any legal charges for such services rendered.

**4.5.d WHISTLE BLOWER.** VCCAR is committed to lawful and ethical behavior in all of its activities and requires its staff to conduct themselves in a manner that complies with all applicable laws and regulations. If at any time a concern exists regarding the propriety or legality of action contemplated to be taken or that has been taken by a VCCAR Officer, Director, staff, Association member, committee member or any contract or vendor as the action relates to VCCAR activities, or if an action needs to be taken in order for VCCAR to be in compliance with law or appropriate ethical standards you can address the issue directly by going to the CEO, President or President-Elect as needed until matters are satisfactorily resolved.

Alternatively, if you are not comfortable speaking to the CEO about the matter or do not feel your issue has been properly addressed; you may contact VCCAR's President or President-Elect about the matter. If you do not believe that direct channels of communication can/should be used to express your concerns, you can send an anonymous letter or mail utilizing the U.S. mail or any internet hosted email service (using an anonymous name) to the CEO, President or President-Elect.

## **4.6 HARASSMENT POLICIES**

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VCCAR fully supports the right of all its members and employees to work in an environment free from harassment. Harassment means any verbal or physical conduct including threatening or obscene language, unwelcome sexual advances, stalking, action including strikes, shoves, kicks or similar physical contacts or threats to do the same, or any other with the purpose or effect of unreasonably interfering with an individual's work performance by creating a hostile, intimidating, or offensive work environment.

**A. Definition of Sexual Harassment.** Sexual harassment includes:

- Unwelcome sexual advances;
- Unwelcome requests for sexual acts or favors;
- Other verbal or physical conduct that has the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile or offensive work environment.
- Nonverbal: Sexually suggestive or offensive objects, pictures, posters, photography,

cartoons, drawings, and gestures; offensive materials sent via email or Internet; graphic commentaries; suggestive or insulting sounds; leering; and whistling.

**B. Complaint Procedure.** Any member or employee who believes he/she has suffered harassment by any other member or employee, including supervisors and co-workers, or by any member of the Association or by any guest or visitor of the Association must bring the problem to the attention of any of the following individuals: his/her supervisor, the Chief Executive Officer; or an elected Officer (President, President Elect, First Vice President or Treasurer). The complaint must be in writing. It is helpful if details of the dates, times, places and witnesses, if any, to the harassment can be provided. If the CEO or Association President is involved as the complainant or accused, then the findings and recommendations should be made to the remaining officers. (rev. 2/18)

**C. Complaint Investigation and Confidentiality.** All complaints will be investigated promptly by a team comprised of those cited in the Section above, plus legal counsel, if necessary. The identity of the member or employee making the complaint as well as the identity of the individual accused of harassment will be kept strictly confidential to the extent possible. Information regarding the charge of harassment will not be made known to anyone who is not directly involved either as a party, a witness, a member of the investigatory team, or the Chief Executive Officer. Witnesses interviewed will be provided only such information as is necessary to elicit from them their observations and other relevant information. During the investigation, both the complainant and the accused will be provided a full opportunity to tell their side of the story. Witnesses identified by the complainant or the accused will be provided a full opportunity to tell their side of the story. Witnesses identified by the complainant or the accused will also be interviewed. Upon completion of the investigation, the investigatory team will prepare a written report of its findings and recommendation for the Chief Executive Officer. Authority for the final resolution of all charges and the determination of appropriate sanctions rests with the Chief Executive Officer, who shall report their recommendations to the Board of Directors.

**D. Discipline.** Harassment is a serious offense and any member or employee found to have engaged in such conduct is subject to severe discipline, including termination. It is contrary to the Association policy for a supervisor to retaliate against any member or employee who files a charge of harassment. All possible steps will be taken to eliminate the possibility of retaliation resulting from the filing of a complaint. In the event a complaint of harassment is found to be totally and completely without basis, appropriate disciplinary measures may be taken against the member or employee who brought the complaint. While this is in no way intended to discourage any member or employee who believes they have been the victim of harassment from bringing a complaint, the Association recognizes that a charge of harassment can cause serious damage to the accused's personal reputation and professional career.

**E. Follow Up.** In instances in which harassment is found to have occurred, a member of the investigatory team will remain in communication with the victim to find out whether the harassment has ceased or if any retaliation has occurred.

## **4.7 AWARD & SPECIAL HONORS POLICIES**

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**4.7.a RECOGNITION AWARDS.** Awards for service to the Association shall be given to qualifying members for Affiliate of the Year, REALTOR® of the Year, and Broker/Owner/Office Manager of the Year. An additional award may be presented to a member awarded by the outgoing President. The Officers will bring forward, discuss and select annual award recipients in a closed meeting. Awards will be presented at the annual Board of Directors Installation. (rev 2/2020)

**4.7.b COMPLIMENTARY TICKETS TO OFFICERS.** All Board Officers and Directors will receive complimentary tickets when attending real estate related business functions and events as approved budget permits.



## 4.8 POLITICAL CANDIDATE POLICIES ---

**4.8.a** The Local Candidate Review Committee (LCRC) will present local government candidates recommended for contributions to the Board of Directors for consideration and possible ratification. All Candidates recommended to and supported by the Board of Directors will be recommended for funding from California Real Estate Political Action Committee (CREPAC).

**4.8.b** The Local Candidate Review Committee (LCRC) will present candidates recommended for endorsement to the Board of Directors for consideration of possible ratification. No candidate for local office will be endorsed by the Association without Board approval.

## 4.9 COMMUNICATION POLICIES ---

**4.9.a TITLES, USE OF OFFICIAL.** Officers and/or Directors may use the title bestowed upon them by VCCAR as a statement of fact.

**4.9.b OFFICIAL SPOKESMAN.** The President and Chief Executive Officer of VCCAR are the only official spokesmen for Association. The President may also appoint an official spokesman on behalf of the Association.

**4.9.c EXTERNAL COMMUNICATION POLICY.** All correspondence which involves the Association's standing or reputation in the community or correspondence from any committee, or communication from any Director to an external source, or any external correspondence of a legal nature, must either be signed by the President or Chief Executive Officer of VCCAR for the communication to be distributed. It is extremely critical that the Association knows what correspondence is being distributed which materially effects the reputation or operations of VCCAR.

## 4.10 SOCIAL MEDIA POLICY ---

**4.10.a PARTICIPATION.** This policy applies to VCCAR staff, the Board of Directors, contractors, volunteers, members of the Association or any third party who participates in social media activities with or on behalf of the Association. Social media participants should be honest, fair and transparent.

- **No expectation of privacy.** All contents of VCCAR Information Technology (IT) resources and communications systems are the property of the Association. Therefore, staff and/or representatives should have no expectation of privacy whatsoever in any message, file, data, document, facsimile, social media post, or any other kind of information or communication transmitted, received, printed, stored or recorded on the Association's electronic information and communications systems.
- **Social Media Review.** All comments posted to VCCAR's social media pages are subject to review and removal by the page administrator at his or her discretion.
- **Published Content.** VCCAR aims to publish all user-submitted content unless it:
  - Contains language that VCCAR, in its sole discretion, considers offensive or inappropriate. This includes remarks that are racist, homophobic and/or sexist as well as those that contain obscenities or are sexually explicit.
  - Infringes on the trademarks or copyrights of the Association or any third parties.
  - Breaks the law or encourages others to do so. This includes respecting copyright and trademarks and fair use laws. If you are talking about somebody else's work, reference that work or the person, and where possible include a link.
  - Easily identifies members and/or staff of VCCAR or the Association in defamatory, abusive, or negative terms. Derogatory, vulgar or offensive comments and statements that are targeted at other organizations or individuals are also prohibited.
  - Does not show proper consideration for others' privacy or are considered likely to offend or provoke.
  - Is not relevant to the site or a post that is being responded to.

- Is a commercial endorsement, company advertisement, including spam. Absolutely NO individual or company promotion is allowed.

**4.10.b OFFICIAL VCCAR SOCIAL MEDIA ACCOUNTS.** It is against VCCAR's policy to create your own social media account or page on behalf of an Association committee. Staff will act as "administrators" and members (volunteers) will have access and serve as "editors" to social media outlets.

**4.10.c ROGUE PAGES.** Board Members, CEO, Staff, and Committees that find an unauthorized page depicting, using or containing VCCAR information or its brand should immediately report the page to VCCAR staff. The CEO will contact the party and request the immediate removal of VCCAR's information or brand.

## **4.11 PHOTO & VIDEO POLICY**

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**4.11.a PHOTO / VIDEO DISCLAIMER:** VCCAR reserves the right to use any photograph/video taken at any event sponsored by VCCAR without the express written permission of those included within the photograph/video. VCCAR may use the photograph/video in publications or other media material produced, used or contracted by VCCAR including, but not limited to: brochures, invitations, books, newspapers, magazines, television, websites, etc.

Any person desiring not to have their photo taken or distributed must contact VCCAR, in writing, of his/her intentions and include a photograph (so you can easily be identified – VCCAR will use the photo for identification purposes and will hold it in confidence).

## **4.12 PRE-TOUR MEETINGS**

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Pre-Tour Meeting is the meeting/s held in advance of the "physical" home tours. The objective of the Pre-Tour meeting is to benefit VCCAR members by providing them with an avenue to familiarize agents and brokers with newly listed properties. All members are welcome to attend.

**4.12.a. Pre-Tour Meeting Moderator/s:** The Pre-Tour Meeting Moderator position is filled by a REALTOR® member of VCCAR. The Moderator is the key contact and organizer for the assigned tour and presides over the Pre-Tour Meeting. The Coordinator may be an Affiliate member of VCCAR. (rev 2/2020)

### **4.12.b. Pre-Tour Meeting Attendance & Participation:**

- Open to all members of the Association. (This means open to both REALTOR® and Affiliate members, AND other REALTOR® members regardless of their primary Association.) REALTOR® members from other Associations are welcome to attend.
- The Pre-Tour Meeting Moderator may politely ask a non-member to leave the closed "members only" meeting.
- If the listing agent is unable to attend the Pre-Tour Meeting another REALTOR® may serve as substitute for the listing agent to present. Affiliate members are prohibited from presenting a property on behalf of a REALTOR® member.
- Documentation relating to the homes on tour are intended for and distributed to REALTOR® members only.
- Affiliate members are encouraged to bring and attend with a REALTOR® member.

### **4.12.c. Pre-Tour Meeting Sponsorships:**

- Each Pre-Tour Meeting is responsible for securing sponsorships as necessary.
- Each sponsor will be allowed a 2 - 4 minute promotional/commercial time slot as the schedule

allows, with no more than 15 minutes total for all sponsors.

- To be a Pre-Tour meeting sponsor please contact the Pre-Tour Meeting Moderator or Coordinator. (rev 2/2020)

#### **4.12.d. VCCAR Marketing & Support:**

- Approved Pre-Tour Meetings information will be promoted and marketed to members on a regular basis via; the website, emails, text message, social media, etc.
- Pre-Tour Meetings information will be included in the New Member Orientation presentations.

#### **4.13 PROFESSIONAL STANDARDS POLICIES**

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**4.13.a AUTHORITY.** The Professional Standards Committee is a Standing Committee authorized by NAR, C.A.R., and Association's Bylaws. Professional Standards Policies and procedures are further defined in the California Association of REALTORS® (C.A.R.) Code of Ethics and Arbitration Manual and utilized by the Association.

**4.13.b PURPOSE.** Responsible for enforcement of the NAR Code of Ethics, Multiple Listing Service Rules and Association Bylaws or Rules through a hearing and entry of an award by the Professional Standards panel, but does not include conversion into a collection of a civil court judgment.

- Provides procedures for enforcement of the NAR Code of Ethics, Multiple Listing Service Rules and Association Bylaws or Rules.
- Provides hearings for alleged violations of the NAR Code of Ethics, Multiple Listing Service Rules and Association Bylaws or Rules.
- Provide arbitration hearings pursuant to NAR Code of Ethics Article 17 disputes between REALTORS® or REALTOR® and their clients.

#### **4.13.c BOARD OF DIRECTORS PROFESSIONAL STANDARDS REVIEW PANEL.**

- **PURPOSE.** To review the recommendations issued by the Hearing Panel of the Professional Standards Committee and to hear matters which were heard by the Hearing Panel of the Professional Standards Committee when a Request for Review is filed. The purpose of the Board of Directors' Review Panel is defined in the C.A.R. Code of Ethics and Arbitration Manual.
- **COMPOSITION.** The Board of Directors' Review Panel is composed of three (3) Directors selected by the Professional Standards Administrator on a case-by-case basis.
- **QUALIFICATIONS.** A Director appointed to serve on the Board of Directors' Review Panel must meet each of the following qualifications during the year immediately prior to being appointed, at the time appointed, and during the term of service:
  1. Be licensed without any restriction by the California Department of Real Estate.
  2. Be in compliance with the Regulations of the Real Estate Commissioner.
  3. Not have been placed on probation by the California Department of Real Estate.
  4. Not have been sanctioned for a violation of the Code of Ethics within one year or have sanctions pending, or any ethics matter pending.

**4.13.d GRIEVANCE COMMITTEE.** There shall be a standing committee, known as the Grievance Committee of at least five (5) Association members. The members of the Committee shall be appointed by the President, subject to confirmation by the Board of Directors, for staggered three (3) year terms, unless

the term is otherwise specified by the Association's bylaws. The President shall annually designate the Chairperson and the President-Elect shall annually designate the Vice Chairperson(s) of the Committee.

#### **4.13.e PROFESSIONAL STANDARDS COMMITTEE.**

- **Membership; Terms.** There shall be a standing committee, known as the Professional Standards Committee, of at least nine (9) Association members. The members of the Committee shall be appointed by the President, subject to confirmation by the Board of Directors, for staggered three (3) year terms, unless the term is otherwise specified by the Association bylaws. The President shall annually designate the Chairperson and the President-Elect shall annually designate the Vice Chairperson(s) of the Committee.
- **Role of Committee Members.** Members of the Professional Standards Committee shall be selected to serve on hearing Panels as required to hear matters of alleged membership duty and ethical misconduct by Association members that may result in discipline. In addition, the Committee hears alleged violations of MLS rules by MLS Participants or Subscribers under the provisions of Part One of the C.A.R. Code of Ethics and Arbitration Manual and provide arbitration as requested under the provisions of Part Two of the C.A.R. Code of Ethics and Arbitration Manual.