



Policy Manual

**Adopted by the Mobile Area Association of REALTORS® Board of Directors
Date/Month/Year**

Last amended, March 21, 2018

*The policy dictated within the manual is meant to coincide with and not to preclude or override the
Bylaws of the Mobile Area Association of REALTORS®.*

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List of Acronyms

AAR:	Alabama Association of REALTORS®
Affiliate	A class of membership in a REALTOR® Association for those interested in the real estate industry.
ALC:	Accredited Land Consultant, a designation awarded by the REALTORS® Land Institute
ARPAC:	Alabama REALTORS® Political Action Committee
Block “R”	The trademark “R” design denoting REALTOR®, with specific requirements for its placement and use.
BOD:	Board of Directors
CCIM:	Certified Commercial Investment Member, a designation awarded by the CCIM Institute
CEO:	Chief Executive Officer, applies to the salaried individual who manages the REALTOR ® Association
COE:	REALTORS® Code of Ethics
CPA:	Certified Public Accountant
CPM:	Certified Property Manager, a designation awarded by the Institute of Real Estate Management
D&O:	Directors & Officers Insurance, another term used to describe professional liability insurance for Associations.
DR:	Designated REALTOR®, the person in the firm with dues and professional standards authority.
EC:	Executive Committee
EOE:	Equal Opportunity Employer
GA:	Governmental Affairs
GAD:	Governmental Affairs Director, typically a staff title
GCMLS:	Gulf Coast Multiple Listing Service
IREM:	Institute of Real Estate Management, a commercial affiliate of NAR
MAAR:	Mobile Area Association of REALTORS®
Major Investor:	REALTOR® or staff member who invests \$1000 or more to NAR’s Political Action Committee (RPAC)
MLS:	Multiple Listing Service
NAR:	NATIONAL ASSOCIATION OF REALTORS®
NRDS:	National REALTORS® Database System, a centralized membership clearinghouse with rules.
PAG:	Presidential Advisory Group
REALTOR®:	A trademark term denoting membership in the National Association of REALTORS®; not a generic term.
RLI:	REALTORS® Land Institute, an affiliate of NAR
ROTY:	REALTOR® of the Year
RPAC:	REALTORS® Political Action Committee
SIOR:	Society of Industrial and Office REALTOR
WCR:	Women’s Council of REALTORS®, and affiliate of NAR primarily for women but open to men.

Section 1: Statement of Policy

1.1 Introduction

This Policy Manual concerns itself with policies established and approved by Mobile Area Association of REALTORS® (MAAR) Board of Directors (BOD). The Policy Manual provides the skeletal framework in which the MAAR conducts its business. The procedures for amending the policies established in this Policy Manual can be made by a majority vote of the MAAR BOD. If there is a contradiction in this Policy Manual with the MAAR Constitution & Bylaws then the MAAR Constitution and Bylaws will prevail.

A permanent record of all policy actions shall be kept and maintained at the Mobile Area Association of REALTORS® office (*herein after referred to as the Association*) during the Administrative year. Every two (2) years, or as needed, policy decisions will be updated and maintained, prior to the next administrative year, the Association Policy Manual will be redrafted if needed due to changes being made, with the changes in policy being voted on by the BOD. The revised manual will be presented to the incoming BOD at its first meeting of the administrative year. At the first meeting, the BOD may make whatever changes it deems necessary, then adopt the new Policy Manual.

The Policy Manual will be available on the Association website, as well as the Gulf Coast Multiple Listing Service (GCMLS) website at all times. As changes to the Policy Manual are approved, the members will be notified via e-mail that said changes have been approved and that the new edition of the Policy Manual is available on the Association website, as well as on the GCMLS website. A master copy of the Manual will be maintained by the Chief Executive Officer (CEO) indicating the most recent revision date. Master copies of the Policy Manual will be permanently retained providing for a record of changes.

1.2 Mission Statement

The MAAR provides its Members with education and resources that enable them to conduct their business successfully and profitably while bringing value to the community by advocating private property rights, property ownership and community service.

1.3 Anti-Trust

The purpose of the anti-trust handbook provided by the NATIONAL ASSOCIATION OF REALTORS® (NAR) is **not** to convert real estate brokers and salespeople into antitrust lawyers or counselors. Rather, this guide is intended to sensitize brokers and salespeople to the antitrust “red flags” that will inevitably arise in their day-to-day business affairs, and in their participation with the MAAR.

1.4 Whistleblower Policy

The MAAR Whistleblower Policy should observe the following:

- ❖ Encourage staff and volunteers to come forward with credible information on illegal practices or serious violations of the adopted policies of MAAR;
- ❖ Specifies that MAAR will protect the person from retaliation;

- ❖ Identify where such information can be reported.

This Whistleblower Policy is intended to offer protection if any Director, Officer, or employee raises concerns regarding the Association, including the following concerns: incorrect financial reporting, unlawful activity, or an activities that constitute serious improper conduct (see **Appendix A**).

1.5 Non-Discrimination

The MAAR is an Equal Opportunity Employer (*EOE*), and will not discriminate either in its hiring practices of employees or in its Association with the Association members.

Similarly, it is the policy of the Association that no employee or member associated with the Association shall discriminate in the conduct of the Association's business against any person because of the individual's race, color, religion, sex, age, national origin or familial status.

Section 2: Association Policies

2.1 Association Office Policies

The MAAR main Association office shall be at 2827 Airport Blvd., Mobile, Alabama, 36606 and at other locations as designated by the Association's BOD.

2.1.1 Office Hours

The MAAR main office hours are 8:30 a.m. to 5:00 p.m., Monday through Friday, allowing one hour of lunch daily, which totals 37.5 hours per week, except on the following holidays, with changes to the schedule below being modified at the discretion of the Executive Committee (*EC*) and the CEO.

- ❖ 2 Days at New Year's
- ❖ Martin Luther King, Jr. Day
- ❖ Mardi Gras Day
- ❖ Memorial Day
- ❖ July 4th
- ❖ Labor Day
- ❖ Veteran's Day
- ❖ Thanksgiving Day and the Day after Thanksgiving
- ❖ 2 Days at Christmas
- ❖ Each employee also receives the day off for their birthday.

2.1.2 Office Keys

Keys to the main office are held by the CEO and MAAR staff members only. Keys are not to be loaned or duplicated in any manner. If a key is lost, it should be reported to the CEO or the Financial Director immediately.

2.1.3 Office Security

After-hours access authorization to the MAAR premises shall be issued to office personnel at the discretion of the CEO. It is the responsibility of the last person leaving the office at the end of the day to ensure that all windows and doors are securely locked, and that all appliances, equipment and lights are turned off except for those lights normally left on for security purposes. It is the responsibility of the individual to report any suspicious circumstances of the presence of loiterers or undesirable characters to the CEO.

2.1.4 Office Image

- 1) All persons associated with the Association are encouraged to conduct their business activities to enhance and promote the good image and reputation of the real estate profession.
- 2) Rudeness to staff by members shall not be tolerated, nor should rudeness to members by staff, such action may be reported to the CEO, who will report the instance to the President or the next highest Officer as appropriate. Members and staff shall be courteous and considerate to one another at all times.
- 3) Smoking in the Association building is prohibited.

2.1.5 Office Parking Lot

Vehicles left in the parking lot unattended after hours or overnight are subject to being towed and the vehicle owner will be liable for expenses.

2.2 Association Communications Policies

The Communications Director and/or the CEO shall determine appropriate venues and tactics for dissemination of all information and announcements. All information submitted for articles and/or flyers is edited by the Communications Director for content, writing style and clarity. Committee Chairs should contact the Communications Director as early as possible to coordinate placement of promotional notices about activities, programs and events. All MAAR communications, including editorial content and advertising, are subject to approval by the CEO and all staff members are subject to the rules established in the Social Media Policy (**see Appendix M**).

2.2.1 MAAR Website

The CEO, in conjunction with the Communications Director, shall maintain the MAAR website. Items to be included on the website may be, but are not limited to, the following:

- 1) Calendar of Association activities
- 2) Membership activities
- 3) Committee activities
- 4) Local, State, and National Association information
- 5) Board of Directors action items
- 6) Trends and market changes
- 7) Legal briefs from the Association attorney
- 8) Articles about the real estate industry
- 9) Member recognition

2.2.2 Association Letterhead

The MAAR letterhead, envelopes, stationery, and any other item affixed with the Association's logos or marks are to remain at the Association's office and under direct control of the CEO, or under permission of the CEO given to the spokesperson of the Association, deemed as the President or the President's Designee. Blank letterhead should not be given to anyone, regardless of office in the MAAR.

2.2.3 Standard Forms

Standard Forms shall be available to the membership at no additional charge in an electronic format, through the MAAR and the Alabama Association of REALTORS® (AAR) website. Standard Forms shall also be available to the membership at the Association in written format for a price as designated by the BOD, EC and CEO (**see Appendix H**).

2.2.4 Membership Roster

Only members may be provided, upon request, an electronic file with the address, company and email address of all the members. Non-members will not be provided the information. Members, upon request, can be removed from the provided member rosters. Members will not be charged for an electronic file; however, any member requesting labels will be charged an administrative fee which shall be determined from time to time by the BOD, EC and CEO and listed on the Standard Forms Sheet (**see Appendix H**).

2.3 Association Operations Policies

The MAAR office facility may be used for Real Estate related business by REALTOR® and/or Affiliate Members of the MAAR. Usages may be classified as meeting room rentals, facility rentals, equipment usages, purchases from outside vendors through Association members, and other usages as classified under the discretion of the CEO of the Association.

2.3.1 Use of Facility and Meeting Room Policy

Prices and other specific information regarding the use of facility and meeting room rental policies, including rules for the rental can be made available from the Association staff or found in the full use of the Facility and Meeting Room Policy (**see Appendix B**).

2.3.2 Use of Equipment Policy

If a member or employee utilizes Association materials and equipment, it shall be noted in writing, with the Administrative Assistant of the Association. It must be previously approved by the CEO. It should be their responsibility to return item(s) to its designated place. A fee will be charged if said item(s) are not returned to the Association in the order that the item(s) were taken out, and if the item(s) are not returned within 7 days. A fee will be charged if use of equipment is used in conjunction with the use of the MAAR facilities and/or meeting rooms (**see Appendix B**).

2.3.3 Use of Vendor Policy

Any purchases of goods or services from outside vendors by Association Committee Chairs or members must be coordinated through the staff liaison and subject to approval by the CEO. This includes, but is

not limited to: printing, supplies, novelties, plaques, photography, creative services, event speakers, etc. Use of the MAAR logo on any materials, without prior approval of CEO is prohibited.

2.4 Association Meeting Policies

Unless there are exceptional reasons for confidentiality, all meetings of the Association are open to any members. All meeting dates and times will be published at least 7 days in advance on the Association's calendar and the GCMLS website. The following committees are authorized, on a limited basis, to conduct closed meetings:

- 1) Board of Directors
- 2) Professional Standards Committee
- 3) Grievance Committee
- 4) Nominating Committee
- 5) Presidential Advisory groups (*PAG*)
- 6) Executive Committee
- 7) Finance Committee

2.4.1 Membership Meetings

On a date and place designated by the BOD there will be a minimum of five (5) Membership Meetings following the New Member Orientation Meetings, which a list will be provided to the membership for electronic download in January each year, subject to changes as deemed necessary by the EC and CEO. At each Membership Meeting, food will be provided and followed by a business meeting. Reservations are required, and may be made online, by phone, or email. Online reservations are cut off two (2) days in advance before each membership meeting.

2.4.2 New Member Orientation Meetings

The Mobile Area Association of REALTORS® holds a minimum of five (5) New Member Orientations every calendar year, which a list will be provided to the membership for electronic download in January each year, subject to changes as deemed necessary by the EC and CEO.

2.4.3 Annual Meetings

The annual meeting of the Association shall be held during October of each year, the date, place, and hour to be designated by the Board of Directors, *as stated in the Mobile Area Association of REALTORS® Constitution and Bylaws, Article XII, Section 1.*

2.4.4 Meetings of Directors

The Board of Directors shall designate a regular meeting time at least 6 times a year and shall designate a regular time and place of meeting. Absence from four (4) regular meetings without an excuse deemed valid by the Board of Directors shall be construed as resignation. A quorum shall consist of eight members, *as stated in the Mobile Area Association of REALTORS® Constitution and Bylaws, Article XII, Section 2.*

2.4.5 Meeting Attendance

There shall be an Attendance Record which contains the name of each Board of Director member. BOD attendance at every meeting is expected.

Note: *This shall be a permanent record book to enable the Executive Committee to vigorously enforce director attendance requirements.*

2.4.6 Meeting Agenda

An agenda will be used each month at the BOD meeting. The agenda is prepared by CEO and approved by the CEO and the President prior to providing to the EC or BOD. Any written information/documents provided for the agenda shall become a part of the minutes of that meeting. The agenda will be sent to each BOD member electronically at least forty-eight (48) hours prior to any meeting.

2.4.7 Other Meetings

Meetings of the Members may be held at other times as the President or the Board of Directors may determine, or upon the written request of at least 10% of the Members eligible to vote, *as stated in the Mobile Area Association of REALTORS® Constitution and Bylaws, Article XII, Section 3*. During the first month/quarter of the calendar year the newly appointed Committee Chairs and Executive Committee will meet, at a time and place designated by the President and the CEO.

2.4.8 Notice of Meetings

Written notice shall be given to every Member entitled to participate in the meeting at least one (1) week preceding all meetings. If a special meeting is called, it shall be accompanied by a statement of the purpose of the meeting, *as stated in the Mobile Area Association of REALTORS® Constitution and Bylaws, Article XII, Section 4*.

2.4.9 Meeting Quorum

A quorum for the transaction of business other than BOD meetings shall consist of those Members eligible to vote who are present at a meeting duly called as required by this Policy Manual and the MAAR Constitution and Bylaws. A simple majority of the votes cast is sufficient for Association action, *as stated in the Mobile Area Association of REALTORS® Constitution and Bylaws, Article XII, Section 5*.

Note: *All MAAR Calendar dates and events are subject to change at the discretion of the BOD, EC, and/or CEO on an as needed basis.*

Section 3: Association Leadership

3.1 Governing Responsibilities

- 1) The Officers and Directors of the MAAR shall be familiar with the duties and responsibilities of the Association's BOD Member's Pledge and exercise the duties and responsibilities with integrity, professionalism and respect (see **Appendix I**).

- 2) The Officers and Directors of the MAAR shall be familiar with the principles listed in the BOD Policy (**see Appendix J**).
- 3) The Officers and Directors of the MAAR shall be familiar with the Code of Conduct and the duties and responsibilities in accordance with governing documents as stated in the Code of Conduct for Association Officers, Directors and Staff (**see Appendix K**).

3.1.1 Role Responsibility

- 1) Understand your role as an officer and director and the roles of staff and other volunteers in the governance and operation of the Association.
- 2) Respect the CEO's position and responsibility to manage the staff. Take up any complaints with the CEO.
- 3) Participate in the active recruitment, selection and orientation of new Association members.
- 4) Encourage continuing education for all Association members and participate in the programs.
- 5) Serve as a mentor for a new Association member when you are ready.
- 6) Help to identify and cultivate new leaders on the Association and participate in the Association leadership if you are able to do so.
- 7) Attend the Annual Leadership Orientation and demonstrate, facilitate and conduct the sound knowledge expected as an elected official of the MAAR.

Annual Leadership Orientation

The MAAR President-Elect in conjunction with the CEO, will annually, no later than the fourth quarter of the year, schedule and facilitate an orientation to be conducted prior to year-end to be attended by all members of the MAAR BOD, GCMLS BOD, Chairs and Vice Chairs of all committees who will serve the following year. MAAR Officers serve under the direction of the BOD; any actions recommended by the Officers/Executive Committee must be approved by the BOD. The prime interest of the membership must always be the focus of the BOD.

- a) Ensure that the participants are fully aware of MAAR/GCMLS Bylaws and Policies, GCMLS Rules and Regulations, Committee Policies, Roberts Rules of Order, and the responsibilities assigned to those serving in each position.
- b) Emphasis will be placed on the commitment of each person to his/her assigned role(s) as well as attendance at appropriate meetings and consequences of absences.
- c) Leadership will be reminded of their responsibility to be present at all meetings, events, and activities where they can connect with the membership.
- d) Time will be set aside for the person leaving a position to mentor his/her successor by providing lessons learned, expectation of any challenges, recognition of accomplishments that have been achieved and suggestions on how to build on former successes. The status of any planned actions which have not been completed will be passed along for consideration/implementation.
- e) Each attendee will be provided a checklist of responsibilities for each role they will serve. At this time attendees should ask for clarification of any topic that is not clearly understood.
- f) Each participant will ensure that he/she is fully aware of their duties and the governing rules of the MAAR so that he/she can serve effectively. Any person who has concerns regarding

the time involved or his/her ability to meet the demands of the position should decline a leadership role.

3.1.2 Financial Responsibility

- 1) Assist with fundraising efforts and pledge to become at least a \$99 Club contributor each year you serve as an Officer and/or Director of the Association or MLS, to encourage support amongst the leadership of the Association, as stated in the Consent to Serve Form (**see Appendix L**).
- 2) Be financially literate. Know the Association's financial situation and review the annual Audit.
- 3) Understand the budget in terms of the dollars, how the funds are being allocated and what decisions are being made as to the operation of the Association when you approve a budget each year.
- 4) Understand Association meeting expenses, reimbursements and the Association Travel Policy (**see Appendix C**).

3.2 Board of Directors

The Board of Directors is responsible for all policy decisions governing the Association including approving and incorporating new policies into this manual. The BOD shall consist of the elected officers, the immediate Past-President, twelve (12) REALTOR® Members and two (2) Affiliate Members of the Association, *as stated in the Mobile Area Association of REALTORS® Bylaws, Article XI, Section 3.*

3.2.1 Qualifications

The BOD shall be actively engaged in real estate business and hold REALTOR® membership in the Association.

3.2.2 Term

- 1) Directors shall be elected to serve for terms of two (2) years, one-half of the elected directors shall be elected for terms of one (1) and two (2) years, respectively, or such lesser terms as may be necessary to complete the first fiscal year. Thereafter, as many Directors shall be elected each year as are required to fill vacancies, *as stated in the Mobile Area Association of REALTORS® Bylaws, Article XI, Section 3.*
- 2) No REALTOR® or Affiliate shall be eligible for election to the local BOD for consecutive elected terms, *as stated in the Mobile Area Association of REALTORS® Bylaws, Article XI, Section 3.*
- 3) The following individuals who are REALTOR® Members of the MAAR shall be ex-officio Members of the BOD without voting privileges:
 - a) All Past-Presidents of the Association who maintain a REALTOR® Member or Retired Member status;
 - b) Current officers and directors of the AAR;
 - c) Current officers and directors of the NAR or any of its Institutes, Councils, or Societies, as stated in the Mobile Area Association of REALTORS® Bylaws, Article XI, Section 3.

3.2.3 Specific Duties

- 1) The annual election of officers and directors shall be during the month of October each year.

- 2) Each BOD member is expected to be present during all regular meeting times throughout the year. A Director who misses more than four meetings during their term will be considered to have resigned and be subject to write an appeal to stay on the BOD.
- 3) All official written business directives and notices (*i.e., Bylaws changes, budget proposals and changes, and voting information*) from the BOD to the members shall be signed by the President and CEO.
- 4) Refer any and all contracts containing money amounts to the Finance Committee for review for financial soundness and means of funding.
- 5) Review the performance of the Association's Certified Public Accountant (*CPA*) and Association's Attorney during the year.
- 6) Keep themselves available for special assignments, supporting all Association activities and attending Association functions.
- 7) In conjunction with the Committee Chair and Vice Chair, the BOD shall approve all Committee appointments.
- 8) Review the strategic plan and objectives for the years ahead and make adjustments as needed.
- 9) Coordinate the strategic plan with the budget and ensure that adequate resources are provided to achieve successful results.

3.3 Executive Committee

The EC conducts the affairs of the Association in accordance with the policies of the BOD. In the event a decision or action is required between meetings of the Association, the EC is authorized to make decisions or take actions on behalf of the Association. The members of the EC shall be as follows: President, President-Elect, Immediate Past-President, Treasurer and Secretary.

3.4 President

The President shall serve as the elected Chair of the BOD and the EC while providing leadership and direction for the MAAR. The President should also serve as the Past-President of the GCMLS BOD and as a Director of the AAR.

3.4.1 Term

The President serves for a one (1) year term, and can repeat non-consecutively, unless an unforeseen event happens to the President-Elect and he/she cannot serve out their term. At the end of his/her term, he/she should serve on the EC as Immediate Past-President.

3.4.2 Qualifications

- 1) The President shall have served a minimum of three (3) years as a member of the BOD of the MAAR and shall have served a minimum of one (1) year as an EC member.
- 2) The President should have served as President-Elect of the MAAR the previous year.
- 3) The President must have been a REALTOR® member in good standing for at least two (2) years and be actively engaged in the real estate business and hold REALTOR® membership in the Association.
- 4) The President shall be required to complete a background and credit check at least two (2) years prior to representing the Association.

3.4.3 Specific Duties

- 1) The President, along with the President-Elect and the CEO, will meet with each Committee Chair before the beginning of the year to outline the purpose and duties of the committee and subsequently monitor their progress, as well as, attend leadership training.
- 2) The President consults with the CEO of the Association concerning the preparation of the agenda for meetings of the BOD, including setting the date, location and agenda of all EC meetings.
- 3) The President presents an annual report on the state of the Association at the end of his/her administrative year, or at another appropriate meeting, as well as serves on the EC as Immediate Past-President.
- 4) The President should act as one of the five (5) signatories on Association checks.

3.5 President-Elect

The President-Elect serves as the second highest elected officer for the MAAR and as the President of the GCMLS BOD.

3.5.1 Term

The President-Elect shall be elected to serve for a three (3) year total term commitment as follows: Serves a one (1) year term as the President-Elect on the EC and officer of the MAAR, a second one (1) year term commitment serving as President the following year, and a one (1) year term commitment the third year serving as Immediate Past-President.

3.5.2 Qualifications

- 1) The President-Elect shall have served a minimum of two (2) years as a member of the BOD of the MAAR.
- 2) The President-Elect must have been a REALTOR® member in good standing for at least two (2) years and be actively engaged in the real estate business and hold REALTOR® membership in the Association.
- 3) The President-Elect shall be required to complete a background and credit check at least two (2) years prior to representing the Association.

3.5.3 Specific Duties

- 1) The President-Elect assumes all the responsibilities of the President in his/her absence, assists the President in carrying out the functions of that office, and performs specific duties delegated by the President.
- 2) The President-Elect works with the President to select Committee Chairs for the next Association year, and presents committee recommendations to the BOD in a Chairperson's absence.
- 3) The President-Elect (*along with the President and the CEO*) meets with each committee chairperson before the beginning of the year to outline the purpose and duties of the committee and subsequently monitors their progress. It is further recommended that the President-Elect meet with each committee at least two (2) times during his/her term in office.
- 4) The President-Elect shall develop a list of suitable, qualified members to serve as committee Vice-Chairpersons for the upcoming year, in consultation with committee chairpersons and the CEO.

5) The President-Elect should act as one (1) of the five (5) signatories on Association checks.

3.6 Immediate Past-President

The Immediate Past-President, *herein after referred to as the Past-President*, serves as a member of the EC and officer of the MAAR and as the President of the Mobile REALTORS® Charitable Foundation, Inc.

3.6.1 Term

The Past President serves for a one (1) year term as the Past-President of the MAAR in conjunction with serving a one (1) year term as the President of the Mobile REALTORS® Charitable Foundation, Inc.

3.6.2 Qualifications

- 1) The Past-President shall have served as President of the Association the previous year.
- 2) The Past-President shall have served a minimum of two (2) years as a member of the BOD of the MAAR.
- 3) The Past-President must have been a REALTOR® member in good standing for at least two (2) years and be actively engaged in the real estate business and hold REALTOR® membership in the Association.
- 4) The Past-President shall be required to complete a background and credit check at least two (2) years prior to representing the Association.

3.6.3 Specific Duties

- 1) The Past-President shall serve as an Advisor and/or any other duties as requested and be available when called upon by the President, EC or BOD.
- 2) The Past-President shall attend all meetings of the EC and BOD.
- 3) The Past-President shall serve as a resource to the succeeding leadership of the MAAR.
- 4) The Past-President shall serve as a signatory on the Mobile REALTORS® Charitable Foundation banking accounts in conjunction with the CEO.

3.7 Treasurer

The Treasurer shall be elected to serve as Chair of the Finance Committee, member of the EC, and Treasurer for the MAAR. The Treasurer shall also serve as President-Elect of the GCMLS BOD.

3.7.1 Term

The Treasurer shall serve for a term of one (1) year for the MAAR, but can repeat non-consecutively in conjunction with serving a term for one (1) year as President-Elect of the GCMLS BOD.

3.7.2 Qualifications

- 1) The Treasurer shall have served a minimum of two (2) years as a member of the BOD of the MAAR and demonstrated an aptitude for sound financial knowledge and responsibility.
- 2) The Treasurer must have been a REALTOR® member in good standing for at least two (2) years and be actively engaged in the real estate business and hold REALTOR® membership in the Association.

- 3) The Treasurer shall be required to complete a background and credit check at least two (2) years prior to representing the Association.

3.7.3 Specific Duties

- 1) The Treasurer shall serve as the chair of the Finance Committee and represent the best interests of the entire Association pertaining to fiscal responsibility and the financial soundness of the Association.
- 2) The Treasurer (*along with the CEO, the Financial Director and the Finance Committee*) will develop, recommend and upon approval, see that the Association operates within the projected annual budget and in accordance with the Financial Policies approved by the BOD.
- 3) The Treasurer will present the financial statements, including summary of income, expenses and current budget to the EC and BOD at each set meeting.
- 4) The Treasurer should act as one (1) of the five (5) signatories on Association checks.

3.8 Secretary

The Secretary shall be elected to serve as a member of the EC for the MAAR and serve as Treasurer/Secretary of the GCMLS BOD.

3.8.1 Term

The Secretary shall serve for a term of one (1) year for the MAAR, but can repeat non-consecutively in conjunction with serving a term for one (1) year as Treasurer/Secretary of the GCMLS BOD.

3.8.2 Qualifications

- 1) The Secretary must be either a current member of the BOD of the MAAR, or have served as a former member of the GCMLS BOD within the last two (2) years.
- 2) The Secretary must have been a REALTOR® member in good standing for at least two (2) years and be actively engaged in the real estate business and hold REALTOR® membership in the Association.
- 3) The Secretary shall be required to complete a background and credit check at least two (2) years prior to representing the Association.

3.8.3 Specific Duties

- 1) The Secretary shall serve as a member of the Finance Committee.
- 2) The Secretary should act as one (1) of the five (5) signatories on Association checks.
- 3) The Secretary shall be responsible for certifying a quorum for voting purposes at Association business meetings, take meeting minutes, and certify official approval of the minutes of the meeting of the EC and BOD.
- 4) The Secretary, in conjunction with a staff member as designated by the CEO, shall be responsible for maintaining policy changes and the date of approval by the BOD are incorporated in a timely manner in the Association's Policy Manual.
- 5) The Secretary shall be responsible for preparing the BOD meeting minutes, in conjunction with the appointed Association staff member as designated by the CEO, who prepares the agenda for each meeting and retain the minutes permanently.

3.9 Chief Executive Officer

The CEO, as a salaried individual, serves as the Association's Manager, making decisions within existing approved policies as established by the MAAR BOD. The CEO has sole discretion to plan, employ, organize, direct, and coordinate the administrative staff. The CEO also coordinates programs and activities of the Association to assure that objectives are attained, plans fulfilled and member needs met. The CEO maintains effective internal and external relationships and through management and leadership, achieves economical, productive performance and forward-looking programming as well as constructive growth in the Association. The CEO is visible and involved in other community organizations and activities as well.

3.9.1 Term of Employment

- 1) The term of employment of the CEO will be as established in their employment contract.
- 2) The EC is authorized to employ, terminate, or enter into an employment agreement with the CEO, and is authorized to terminate same as necessary.
- 3) Evaluations of the CEO's performance will be conducted annually, before the year's end, by a panel consisting of the then current President, President-Elect, and Past-President.

3.9.2 Responsibilities

- 1) The CEO shall serve as Manager of the Association's office and the Association staff, keep the records of the Association and its committees, and shall otherwise perform such duties as may be directed by the President and/or the BOD and other duties and functions usual to such office.
- 2) The CEO serves at the pleasure of the BOD. The CEO reports directly to the President. Within the limitations of the Bylaws of the Association and the policies established by the BOD, the CEO has commensurate authority to accomplish any and all duties responsible to the CEO.
- 3) The CEO shall maintain all Association records, legal documents, and general files for the periods of time specified time in the Association's Record Retention Policy.

3.9.3 Specific Duties

- 1) The CEO sees that BOD are kept fully informed on the conditions and operations and will attend all meetings of the BOD.
- 2) The CEO ensures that all decisions of the BOD are implemented and executed, in a timely manner, decisions and assignments made by the BOD.
- 3) The CEO helps in planning and formulating programs which will further the objectives of the Association and helps present them to the BOD for approval.
- 4) The CEO develops, for the purpose of day-to-day administration, specific procedures and programs to implement the general policies as established and approved by the BOD.
- 5) The CEO establishes a sound organization structure for the Association office to include the indoctrination, training and motivation of the Association staff.
- 6) The CEO directs and coordinates all approved programs, projects and major activities of the administrative staff.
- 7) The CEO establishes salary levels and raises, recruits, hires, trains and promotes staff, within the approved budget; individual staff salaries are confidential.

- 8) The CEO obtains maximum utilization of staff by clearly defining their duties, establishing performance standards, conducting performance reviews and maintains a competitive salary structure.
- 9) The CEO provides the necessary liaison and staff support to committee chairpersons and committees to enable them to properly perform their functions. The CEO sees that committee decisions and recommendations are submitted to the BOD for their consideration.
- 10) The CEO promotes interest and active participation in the Association's activities on the part of the membership and local groups and coordinates the reporting of activities of the Association through the communications media of the Association, AAR, NAR and the local media.
- 11) The CEO maintains effective relationships with other organizations, both public and private and sees that the position of the Association and its members is enhanced in accordance with the policies and objectives of the organization.
- 12) The CEO in cooperation with the Finance Committee and Association's Secretary and/or Treasurer develops, recommends and upon approval by the BOD operates within the annual budget. The CEO ensures that all funds, physical assets and other property of the Association are appropriately safeguarded and administered. The CEO supplies financial reports and recommendations as to financial matters to the BOD.
- 13) The CEO has oversight for all communications to the general membership, which includes administrative support for the Association's website, news releases and general mailings.
- 14) The CEO works with the Association's Attorney concerning legal matters of the MAAR.
- 15) The CEO in cooperation with the Association's CPA, MAAR Treasurer, and Financial Director prepares financial reports and recommendations concerning financial matters.

Section 4: Membership

4.1 Member Classifications

There shall be six (6) classes of members, as stated in the *MAAR Bylaws Article IV, Section 1*, listed below:

- 1) REALTOR® Members
- 2) Institute Affiliate Members
- 3) Affiliate Members
- 4) Public Service Members
- 5) Honorary Members
- 6) Student Members

4.1.1 Application Procedures

New Member applications are processed in person at the Association office with the Membership Director by appointment only. It is the Designated REALTORS® responsibility to instruct their new associate to contact the Association's Membership Director for an appointment to join the Association within 30 days of joining the firm. Proof of licensure and firm will only be confirmed using the Department of Business and Professional Regulation's online website. If a licensee is found to have been with a DR for more than 30 days without joining the Association, the DR will be notified

electronically and given 7 calendar days to pay the amount of \$511, which includes cost of membership and application fees. If this does not occur within the allotted time, the DR will be billed \$511 and a \$100 fine (**amended March 21,2018**).

The application procedure for Association Membership shall be as follows:

- 1) Applicant picks up MAAR Membership package at the Association office, which will include:
 - a) Official Application Form
 - b) Reviewing Application Fees for membership (**see Appendix G**)
 - c) Membership rules and requirements
 - d) SentiLock information packet and fees (**see Appendix E**)
- 2) **To initiate obtaining membership, next, the applicant shall return to the Association Office the following items:**
 - a) Completed application form
 - b) Payment made to *Mobile Area Association of REALTORS®* to include the application fee and the pro-rated share of applicable fees. Proration will be according to the current dues and fees schedule (**see Appendix D**).
 - c) Copy of real estate license and occupational license when required.
- 3) **The final step is the application processing, as following:**
 - a) The applications are reviewed by the CEO and BOD to ensure the applicant is applying for the correct type of membership for which he/she is licensed and that all forms are correctly and completely filled out.
 - b) Designated REALTOR® applications from sole proprietors, partners, corporate officers or branch office managers shall be reviewed according to the current Membership Qualification Criteria set forth by the NAR.
 - c) REALTOR® applications from persons other than principals of their firms shall be reviewed according to the most current Membership Qualification Criteria set forth by the NAR.
 - d) The CEO is responsible to ensure that all applicants meet qualifications for Membership as set forth by the NAR.

4.1.2 Application Fees

Fees for membership in the MAAR shall be an amount set by the BOD. If a previous member has had a lapse of membership of less than one complete dues year, the returning member will have the option of reinstating their membership by paying one full year's dues plus applicable reinstatement/processing fees from the MAAR, AAR and the NAR. If membership has lapsed more than one year, the returning member will join as a new member, with all applicable fees and requirements (**see Appendix G**).

A former member who has had his/her Membership terminated for nonpayment of dues, fees, fines, or other assessments duly levied in accordance with the provisions of these Bylaws or the provisions of other rules and regulations of the Association or any of its services, departments, divisions, or subsidiaries may apply for reinstatement in a manner prescribed for new applicants for Membership,

after making payment in full of all accounts due as of the date of termination, *as stated in the MAAR Bylaws, Article X, Section 4.*

4.1.3 Membership Records

It is the responsibility of the Association Member and Non-Member to ensure that their personal information is correctly listed on the MAAR Online Billing Site and the Association's website. If the member information is not listed correctly, or if there seems to be another underlying issue that is pertinent to your membership status, please contact a staff member at the Association to have it corrected.

4.2 Thompson Participation

Applicant must be a licensed Real Estate Broker in the state of Alabama with no affiliations to any REALTOR® Association.

Note: *Refers to early 1990's federal circuit court ruling that uncoupled MLS participation from REALTOR® membership in Alabama, Georgia and Florida.*

4.2.1 Qualification

- 1) Applicant must be a licensed Real Estate Broker in the State of Alabama.
- 2) Applicant cannot have any REALTOR® Association affiliations.
- 3) Any agents with a current active license under the broker making the application are also required to join unless subscription to a different MLS where the principal broker participates is demonstrated.

Note: *Must have all agents and broker applicant before being set up.*

Note: *Appraisers do not qualify for this membership.*

4.2.2 System Access

This category provides full access to the MLS, which is given to all members once education requirements are met and Broker Authorization form is on file. However, it does not provide access to any programs and services offered by respective REALTOR® Association shareholders to their members. Specifically, Thompson brokerages are precluded from:

- 1) Using the term REALTOR® and the REALTOR® Logo
- 2) Using Association services such as standard forms and contracts.
- 3) Having their listing posted on www.Realtor.com.

4.2.3 Completed Paperwork

- 1) Thompson Broker (non-member) Request to Participate Form
- 2) Thompson Broker/ Salesperson Membership Form
- 3) Agreement Form
- 4) Payment Authorization

4.2.4 Thompson Salesperson

Applicant must hold a current/active real estate license under a broker with no REALTOR® affiliations.

4.2.5 Qualification

- 1) Thompson Broker/ Salesperson Membership Form
- 2) Agreement
- 3) Payment Authorization

4.3 Affiliate Membership

Companies applying for Affiliate membership may obtain the application and fee information from the Association website www.mobilerealtors.com or by contacting the MAAR. The dues are calculated based on a per-company charge plus applicable application fee (**see Appendix F**).

Companies will be subject identify a Main Contact, which will be listed in the Association's Internal Membership Database as the Designated REALTOR®, and all correspondence will be directed to that individual. It is the responsibility of the Main Contact to ensure that the roster of additional staff members for the member company is correctly listed on the MAAR Online Billing Site and the Association's website. The company may change the Main Contact at any time, without fee, by notifying the MAAR Membership Director. Main contact fees remain with the company and not the individual identified by the company as the Main Contact.

4.3.1 Affiliate Associates

Additional Affiliate Members, *herein after referred to as an Affiliate Associate*, may be added to a member company for an additional fee (**see Appendix F**). Affiliate Associate fees remain with the individual member if the member transfers to a different company. Additions/ transfers of Affiliate Associate members to another member company are only effected upon the written authority of the company's Main Contact.

If a previous Affiliate member has had a lapse of membership of less than one complete dues year, the returning member will be able to reinstate their membership by paying the full year's dues. If membership has lapsed more than one year, the returning member will join as a new member, with all applicable fees and requirements.

Section 5: Association Committees

5.1 Committee Governing Policies

On business items that necessitate approval by the BOD, all committees shall report motions in writing to the EC and CEO for presentation to the BOD.

5.1.1 Committee Structure

Although not always visible, it is the committees' structure that makes the Association work.

Committees serve several general functions:

- 1) To establish measurable/quantifiable goals and report to the BOD of MAAR as to the progress of the committee.
- 2) Committees serve as the "seed bed" for new ideas and new approaches. Almost all motions brought before the BOD come from at least one Association committee.

- 3) The programs and/or policies must be created or implemented by these committees that are consistent with the Association's Bylaws, Policy Manual, and Strategic Plan.
- 4) Committees serve as a training ground for future Association leaders, both in serving as a member and possibly as a chairperson.
- 5) Committees do not establish Association policy. Only the BOD can establish policy. Decisions by the BOD, however, are usually based on the recommendations of the committees.
- 6) To coordinate with staff liaison, the plans, actions, mailings, etc. as pertains to the specific committee.
- 7) All purchases by a committee shall be on a purchase order form and signed by the CEO. The Association shall not reimburse any person or committee authorizing a purchase without said approved purchase order.
- 8) To create an environment that encourages maximum member participation.

5.1.2 Appointment and length of Term

Annually the President-Elect shall identify the Vice Chairs for the committees. The final selection shall be designated no later than the October BOD meeting each year for approval of the BOD. Once the new President-Elect is confirmed, a Vice Chair for each Committee shall be selected. These Vice Chairs must be approved by the BOD at the first meeting of the New Year. The Vice Chairs shall serve a two-year term wherein the second year on the committee, they shall serve as Chairman to the Committee. This will ensure continuity for each Committee.

- 1) Generally, a Committee Chairperson may make replacements and/or additions to the committee once the administrative year has begun.
- 2) Besides having the core of the committee members formed with members who volunteer to serve, the chairperson is encouraged to seek out additional individuals to help further the goals of the committee.
- 3) Association Bylaws may specify committee memberships in a few areas. In these cases, the Bylaws must be followed without exception.
- 4) Non-committee members may serve on task forces. All task force recommendations or projects are made to the Committee.
- 5) Committee recommendations are then submitted to the BOD for approval.
- 6) Prior to each committee meeting during the year, it is the responsibility of the Chair and Vice Chair to contact each committee member to let them know of the meeting and their responsibility and commitment to their respective committees.
- 7) Affiliate Members may serve on any Association Committee **except** the following:
 - a) Grievance Committee
 - b) Professional Standards Committee
 - c) Nominating Committee

5.1.3 Committee Chair Requirements

- 1) Chairs are appointed by the President.
- 2) If there is not a candidate found meeting the criteria, selection can be made at the MAAR President's discretion.

- 3) Chairs are held responsible for ensuring that the primary staff person has notified each committee member to let them know of meetings throughout the year.
- 4) Chairs are expected to participate in the ongoing work of the committee outside of the times set for group meetings.
- 5) Chairs are required to create an environment that encourages maximum member participation.
- 6) Chairs vote only to make or break a tie.

5.1.4 Committee Vice-Chair Requirements

- 1) Vice-Chairs are appointed by the President-Elect.
- 2) If there is not a candidate found meeting the criteria, selection can be made at the MAAR President's discretion.
- 3) Vice Chairs should have attended two-thirds (2/3) of meetings during a two-year period for the committee Vice-Chair being considered.
- 4) Vice Chairs are to be prepared to be held responsible for all Chair duties if deemed necessary and the Chair is unable to fulfil those said duties.
- 5) Vice Chairs vote only to make or break a tie.

5.1.5 Committee Budgets

Budget allocation for individual committee programs will be considered as part of the annual budgeting process of the Association. Committees should initially review the current year's budget and submit a proposed budget for the following year by the current chairman and vice-chairman to the Finance Committee no later than August. Said budget must be approved by the BOD.

- 1) It is the responsibility of the committee chairman to submit a budget to the Finance Committee and to stay within the approved budget.
- 2) No budgeted committee funds shall be used as donations to any organization or individual.

5.1.6 Committee Meetings

It is the policy of MAAR that committee's will record its own minutes. At the completion of the meeting, the minutes will be given (*or sent via electronically*) to the Association staff person who compiles the BOD meeting agenda each month. Action items from committee minutes will be brought forward as recommendations to the EC and BOD.

- 1) Committee meetings should start on time. Chairman should prepare an agenda and be prepared to conduct the meeting.
- 2) All committee meetings shall be held at the Association Office unless approved by the President or the BOD.
- 3) Committee meetings shall be coordinated with the staff, allowing adequate time for the proper notice to be sent to committee members.
- 4) A minimum of one-week notice shall be given for the meeting to be considered properly noticed.
- 5) The chair of each committee may speak to any committee motion and also provide other informational reports.

5.1.7 Committee Requests

It is the policy of MAAR that all requests to join a committee be made in writing to a MAAR staff person. The request may be made by submitting the Committee Form. Each year, committee members must re-sign for each committee. Members who fail to re-sign for committee(s) are to be assumed as to having resigned from those committee(s).

5.1.8 Committee Attendance

After a committee member has missed two properly noticed meetings; their name will be forwarded to the President. The President, or his designee, will contact the member and determine whether he/she should be allowed to continue on the committee for the completion of his term. If it is determined that the member will not complete his/her term, his/her entire service for that term will be considered not to have been served.

Note: *Committee attendance records should be maintained in a permanent sign-in book and a list of committee attendees attached to the committee reports.*

5.1.9 Quorum Requirement

ROBERT'S RULES OF ORDER should be followed at committee meetings. Attendance should be taken at each meeting to determine if a quorum is present to conduct business. A quorum shall be one half of the committee membership plus one. If a quorum is not present, the committee should not conduct business.

5.2 Finance Committee

The Finance Committee shall develop and track the Association's budgets and finances and make recommendations to the BOD in accordance with the MAAR Bylaws. The Finance Committee provides advice and recommendations to the BOD concerning current and future Association operations and planning.

5.2.1 Primary Support Staff:

- ❖ Chief Executive Officer
- ❖ Financial Director

5.2.2 Term

The Finance Committee shall be chaired by the Board of Director's Treasurer. This Committee shall be composed of nine (9) REALTOR® Members including the following: Secretary, Treasurer, President-Elect, President, Immediate Past President and four (4) at-large Members. At-large Members may serve two year staggered terms. At-large Members may serve additional terms but in no event shall they serve for more than two (2) consecutive terms, *as stated in the MAAR Bylaws Article XIII, Section 6.*

5.2.3 Duties

- 1) The committee shall meet one week prior to the monthly BOD meeting to review the finances of the Association.
- 2) On an annual basis, the committee will meet with the Association's CPA to receive an audit review of the financial position of the Association.

- 3) The committee in cooperation with the CEO and Financial Director shall create an annual budget. The process will begin in September to be completed and presented to the BOD in October for approval of the following year's projections.
- 4) The President will give a general update of the financial standing of the Association at each of the general membership meetings throughout the year.
- 5) The President and President-Elect shall contact committee chairpersons regarding budgets for their committees prior to Finance Committee meetings.
- 6) The Finance Committee shall establish a policy on how performance against the budget will be measured and how budget adjustments will be handled.
- 7) Review requests for operating funds for the staff and all committees and formulate a budget for submission to the BOD.
- 8) Review the monthly financial statements for completeness and accuracy, and ensure that disbursements are made in conformance with the Bylaws and the Membership approved budget.
- 9) Ensure that all financial transactions are documented and filed to provide a clear audit trail.
- 10) Ensure that the non-cash assets of the Association are safeguarded and that property inventories are taken on a regular basis.
- 11) The Finance Committee shall annually review property, casualty, and liability insurance policies to make sure the Association has adequate coverage.
- 12) When requested by the BOD, provide financial data and/or recommendations on special projects and other major expenditures.
- 13) Call to the attention of the BOD any trends when indicate that expenditures may exceed budgeted levels over 10% of the total budget or trends which indicate that income may fall short of expectations, so to provide an opportunity for spending levels to be adjusted.
- 14) Review recommendations of the Association's CPA and, after approval of the BOD, instruct staff as to how changes are to be incorporated.
- 15) The Finance Committee shall review alternatives for placement of the Association's funds and provide recommendations to the BOD.
- 16) Ensure that the Association has proper and adequate insurance coverage at all times.

5.2.4 Meetings

Any member with three (3) absences will be deemed to have resigned from the committee and the President will recommend a replacement to the BOD at their next meeting.

5.2.5 Budget Requests

The Finance Committee will consider budget requests from committees beginning in August of each year for the next calendar year. Budget requests will be submitted on an approved MAAR form and will include the amount desired, the general reason for the request, and for all amounts exceeding \$1,000, the specifics for that expenditure. The Finance Committee will review the requests prior to the end of the year and recommend approval, modification, or denial to the BOD, or return it to the committee for additional supporting documentation.

5.3 Grievance Committee

The Grievance Committee receives ethics complaints and arbitration requests to determine if, taken as true on their face, a hearing is to be warranted. The Grievance Committee shall follow the procedures as set forth in the NAR Professional Standards Code of Ethics and Arbitration Manual. The Grievance Committee makes only such preliminary evaluation as is necessary to make these decisions.

- 1) While the Grievance Committee has meetings, it does not hold hearings, and it does not decide whether members have violated the Code of Ethics. The Grievance Committee does not mediate or arbitrate business disputes. Grievance Committees are encouraged to hold regularly-scheduled meetings. Meetings should be called often enough to ensure timely review of ethics complaints and arbitration requests and review CEAM Case Studies and best practices.
- 2) The function of this committee is to make preliminary evaluation of the complaint as required by the CEAM, and determining whether the validity and substance of the complaint warrants forwarding to a hearing panel.
- 3) The function is also to screen complaints and determine jurisdiction of the Association over all complaints of breach of professional standards or ethics, and/or requests for mediation and/or arbitration, and recommend proper action to be taken by the Professional Standards Committee of the Association and to initiate complaints, when appropriate.

5.3.1 Primary Support Staff:

- ❖ Chief Executive Officer
- ❖ Professional Standards Administrator

5.3.2 Comprisal

- 1) The Committee shall be composed of at least nine members in good standing (*including the Chairman*). Each member shall serve a three-year term, with three members being appointed annually in order to assure continuity and experience in the committee.
- 2) Prior to appointment, the President and CEO shall determine that a prospective member has been an Association member for the immediate past three years and shall not be related or a member of the same office.
- 3) Each member will be given a copy of the Code of Ethics during a mandatory training session each year.

5.3.3 Duties

The Grievance Committee shall abide by the rules and regulations as outlined in the most recent NAR Code of Ethics and Arbitration Manual.

5.4 Professional Standards Committee

The Professional Standards Committee shall be responsible for hearings on matters of alleged unethical conduct by Association members or to provide arbitration as requested.

- 1) The Committee shall conduct its activities according to the provisions of the NAR Code of ethics and Arbitration Manual and the Bylaws of the Association.
- 2) The function of this committee is to conduct arbitrations, mediations, and ethics hearings resulting from complaints by the public, another member or the Grievance Committee.

- 3) To coordinate with the CEO on programs to educate and update Association members.
- 4) To conduct training sessions for Professional Standards and Grievance Committee.

5.4.1 Primary Support Staff:

- ❖ Chief Executive Officer
- ❖ Professional Standards Administrator

5.4.2 Comprisal

The Committee shall be composed of at least nine (9) members who have served at least a 3-year term on the Grievance Committee. Appointed members shall meet the requirements of the Bylaws and serve for the time period specified in the Bylaws.

The Committee members shall be eligible to serve on a Hearing Panel only if they have completed the recommended course of study, approved by MAAR, conducted annually. Committee members shall thoroughly review the content of the Code of Ethics and Arbitration Manual and relevant publications prior to serving on a Hearing Panel. A member may be removed from the committee, if found to be in violation of the Code of Ethics during their term.

5.4.3 Committee Chairman Duties

- 1) Work with CEO to designate at least three (3) qualified members of the committee from different firms to serve on the panel.
- 2) Designate a Chairman of the Hearing panel.
- 3) Follow the notification and hearing procedures provided in the NAR Code of Ethics and Arbitration Manual and coordinate all actions with the Association CEO.

5.4.4 Hearing Panel Chairman Duties

- 1) Follow the procedures and guidelines provided by the NAR Code of Ethics and Arbitration Manual.
- 2) Ensure that all panel members have reviewed the case in the file prior to the actual hearing.
- 3) Be responsible, in conjunction with the other panel members, for writing the case findings and submitting them to the CEO for preparation and dissemination to proper parties.
- 4) Coordinate all actions relative to the hearing with the CEO.
- 5) Follow through with any post-hearing actions necessary to finalize the hearing results.
- 6) Consult with the Association Attorney or CEO prior to submitting final hearing results.

5.4.5 CEO or Professional Standards Administrator Duties

- 1) Assist and coordinate all Hearing Panel actions with the Committee Chairman or Hearing Panel Chairman as appropriate.
- 2) Ensure that panel members and parties in the case are promptly notified of any new or revised information that is added to the file prior to the hearing.
- 3) Maintain complete and accurate files on each case in a secure manner as required by the NAR Code of Ethics and Arbitration Manual and the BOD.
- 4) Maintain Committee administrative records.
- 5) Properly document and process the receipt and disbursement of any funds submitted to the Association by participants in Arbitration or Ethics Hearings.

- 6) Maintain an operating file of current manuals, correspondence, publications and forms related to Ethics and Arbitration.
- 7) Ensure that new or revised publications received from the NAR relating to Ethics and Arbitration is reviewed by the Association Attorney for conformity to state and local laws.
- 8) Submit Final Hearing Panel Decision to the Complainant, Respondent, and BOD as required by the Ethics and Arbitration Manual.
- 9) Advise BOD of Procedural options for taking action on the Hearing Panel decision.
- 10) All documents from Grievance or Hearings will be destroyed 1 year after the meeting.

5.5 Nominating Committee

The President shall appoint the Nominating Committee, and no two members shall be from the same company. The President of the Service shall appoint a nominating committee each year, which committee shall be comprised of five (5) Participants of the Service. The appointment of the nominating committee shall be made by such a date as to enable the committee to meet and select a proposed slate of Directors of the Service not more than forty-five (45), nor less than fourteen (14) days prior to the date of the meeting of the Participants of the Service at which nominees shall be selected by vote of the Participants. The proposed slate of Directors shall be reported to the President and Secretary-Treasurer of the Service, *as stated in the GCMLS Bylaws*.

5.5.1 Comprisal

- 1) At least two (2) months before the annual election, a nominating committee of 7 REALTOR® members shall be appointed by the president with the approval of the board of directors. The nominating committee shall select one candidate for each office and one candidate for each place to be filled on the board of directors. The report of the nominating committee shall be mailed or, where permitted by state law, electronically transmitted to each member eligible to vote at least three (3) weeks preceding the election. Additional candidates for the offices to be filled may be placed in nomination by petition signed by at least 10% of the REALTOR® members eligible to vote. The petition shall be filed with the Secretary at least two (2) weeks before the election. The Secretary shall send notice of such additional nominations to all members eligible to vote before the election.
- 2) The current Association President shall serve as a Director of the Alabama Association of REALTORS®. The Nominating Committee shall nominate from the Active membership one candidate for each Directorship allotted the Association by the Alabama Association of REALTORS®. Said candidates shall be elected as above, and shall serve for incoming elected officers of the Alabama Association of REALTORS®.
- 3) The election of officers and directors shall take place at the annual meeting.
 - a) Election shall be by ballot and all votes shall be cast in person. The ballot shall contain the names of all candidates and the offices for which they are nominated.

5.5.2 Nominating Rules/ Operations

- 1) Nominating Committee members' names shall be announced to the BOD one month prior to the month of approval.
- 2) The election of new officers shall be held in October at the Membership meeting.

- 3) No more than one person per company shall be nominated as an Officer without prior approval of the BOD.

5.5.3 Timeframe Notes

- 1) July BOD Meeting – President names Nominating Committee.
- 2) August BOD Meeting – BOD approve Nominating Committee.
- 3) September– Names of nominated candidates are presented electronically to the membership.
- 4) October Association Luncheon – Election.

5.6 RPAC Committee

The REALTOR® Political Action Committee (*RPAC*) Committee is responsible for soliciting and collecting contributions for the Alabama REALTORS® Political Action Committee (*ARPAC*) which supports pro-REALTOR® policy and candidates at the local, state and federal level. It is the policy of the RPAC Committee to communicate with the members, public, and officials to establish the Association as a viable, political constituency, and to motivate members' political involvement. To organize and implement campaigns in support of, or opposition to, issues that have serious impact on the real estate industry.

5.6.1 Primary Support Staff

- ❖ Chief Executive Officer
- ❖ Governmental Affairs Director

5.6.2 Comprisal

The Chairperson shall be among the REALTOR® membership and appointed by the President-Elect and the Vice-Chair person shall be appointed by the Treasurer of the Association and approved by the BOD.

5.6.3 Duties

- 1) RPAC Committee keeps abreast of local, state, and national political activity and policies which may affect private property ownership, the real estate profession, or members of the Association.
- 2) Educate members to political awareness through analysis and suggested action on important legislation and political elections.
- 3) The RPAC Committee shall pursue and obtain knowledge and information about legislative actions affecting the real estate industry, focusing on local issues and monitoring state and national issues,
- 4) The Committee shall promote the political involvement of Association members, encourage Association members to support the RPAC Committee and recommend Association contributions to the BOD for political activities consistent with Federal and State election laws.
- 5) The Committee shall endeavor to meet the RPAC goals as defined for MAAR by AAR.

5.7 RPAC Fundraising Sub-Committee

The RPAC Fundraising Committee is a Sub-Committee of the RPAC Committee and is responsible for soliciting items and contributions for the RPAC Annual Auction to benefit ARPAC. In an effort to maximize contributions to RPAC, MAAR will include a recommended donation amount on the annual dues invoice for the RPAC. This voluntary amount will be \$35 for REALTOR® Members and \$125.00 for Designated REALTOR® Members.

5.7.1 Primary Support Staff

- ❖ Chief Executive Officer
- ❖ Governmental Affairs Director

5.7.2 Comprisal

The Chairperson shall be among the REALTOR® membership and appointed by the President and the Vice-Chair person shall be appointed by the President-Elect of the Association and approved by the BOD.

5.7.3 Duties

To encourage support and contributions for the RPAC, specific duties of RPAC shall be to:

- 1) Obtain RPAC training and procedures manual from the AAR and develop and implement its recommendations.
- 2) Attend RPAC meetings as required.
- 3) Provide information and education to local members,
- 4) Coordinate local fund raising efforts.

5.8 RPAC Allocation Sub-Committee

Prior to an election, an RPAC Allocation Committee which is a Sub-Committee of the RPAC Committee of no less than 7 members will be named by the RPAC Chair and reviewed by the Finance Committee and the MAAR President to serve for the election cycle.

5.8.1 Primary Support Staff

- ❖ Chief Executive Officer
- ❖ Governmental Affairs Director

5.8.2 Comprisal

Members of the Allocation Committee will be selected from the following: Governmental Affairs Committee, RPAC Committee, and Finance Committee.

5.8.3 Duties

- 1) To review all candidates to be considered for an election.
- 2) To submit and request necessary funding in a timely manner to AAR and NAR.
- 3) All candidates will be considered through the selection process and a determination made based on, but not limited to, their stance on issues affecting the real estate industry and private property rights.
- 4) Recommendation of candidates to be endorsed will be submitted to the MAAR Officers and BOD for final approval.

5.9 Community Relations Committee

The Community Relations Committee is responsible for coordinating special community service projects and promoting the REALTOR® image throughout the community in conjunction with working together with the Mobile REALTORS® Charitable Foundation, Inc. This may be accomplished through volunteering, service hours, and donating items to its causes or support.

5.9.1 Primary Support Staff:

- ❖ Chief Executive Officer
- ❖ Membership Director
- ❖ Communications Director

5.9.2 Comprisal

The Chairperson shall be among the REALTOR® membership and appointed by the President and the Vice-Chair person shall be appointed by the President-Elect of the Association and approved by the BOD. REALTORS® and Affiliate Members may participate on the Community Relations Committee.

5.9.3 Duties

- 1) The Community Relations Committee shall encourage Affiliates to participate in Association activities and to support the MAAR members through sponsorship of educational seminar offerings and course and event sponsorship.
- 2) The Community Relations Committee shall foster a spirit fellowship within the REALTOR® community and provide opportunity for networking.
- 3) The Community Relations Committee shall encourage members to participate in Association activities.
- 4) The Community Relations Committee shall submit budget to Finance Committee by August for following year.

5.10 Education Committee

The Education Committee in conjunction with the association staff shall be responsible for an on-going emphasis on REALTOR® Education. This may be accomplished through new member orientation, promotion of REALTOR® education videos, specific REALTOR® programs, or other methods the committee may choose.

5.10.1 Primary Support Staff:

- ❖ Chief Executive Officer
- ❖ Education Director

5.10.2 Comprisal

The Chairperson shall be among the REALTOR® membership and appointed by the President and the Vice-Chair person shall be appointed by the President-Elect of the Association and approved by the BOD.

5.10.3 Duties

- 1) The Education Committee shall be responsible for an on-going emphasis on REALTOR® safety.
- 2) The Education Committee shall be responsible for emphasizing the important of fair housing and equal opportunity practices within our industry.
- 3) The Education Committee in conjunction with staff shall be responsible for developing and implementing the curriculum of the Association's monthly new member orientation program, subject to approval of the BOD.

- 4) The Education Committee in conjunction with staff provides programs designed to educate the Association's members on current business practice issues and on services and programs that will benefit their real estate business.
- 5) The Committee shall promote interest in and attendance at continuing educational programs at local, state, and national levels.
- 6) The Education Committee shall submit budget to Finance Committee by August for following year.
- 7) The Education Committee in conjunction with staff shall provide a current list of all education offerings to disseminate to membership.
- 8) The Education Committee shall work in conjunction with the Affiliate Council and staff, to schedule and plan the Education Summit Conference.

5.11 Governmental Affairs Forum

The Governmental Affairs (GA) Forum will be open to REALTOR® Members of the MAAR. The GA Forum Chairperson shall respond publicly only with advance approval of the BOD to local issues as they affect the real estate industry.

5.11.1 Primary Support Staff:

- ❖ Chief Executive Officer
- ❖ Governmental Affairs Director

5.11.2 Comprisal

The Chairperson shall be among the REALTOR® membership and appointed by the President and the Vice-Chair person shall be appointed by the President-Elect of the Association and approved by the BOD.

5.11.3 Chairperson Duties

- 1) The Chairperson is responsible for assuring that the Association members are informed about all legislative actions that potentially could impact the real estate industry.
- 2) The Chairperson is responsible for reviewing current and local issues that could potentially affect the real estate industry and update the REALTOR® Members at monthly meetings.
- 3) The Chairperson is responsible for scheduling speakers, relevant to the legislative issues, to update the REALTOR® members at monthly meetings.

5.12 Association Task Force(s)

Task Forces may be appointed by committee chairs to manage specific committee responsibilities. Task Forces are to carry out and implement their charges and when required, submit recommendations and findings to their committee chairs who shall report the findings/recommendations to the EC and BOD for disposition. Task Forces appointed by chairs and cease to exist when their final report is presented.

5.13 Presidential Advisory Groups

Presidential Advisory Groups, herein after referred to as PAG's, may be appointed by the President, as needed for a specific function or event.

5.14 Affiliate Council

The Affiliate Council is a committee of the MAAR and the structure of the Council is made up of Affiliates, including a Chairman, Co-Chairman, and Co-Chairman Elect. The Council shall consist of a maximum of thirty (30) members; up to five (5) Affiliate Council members may consist of REALTOR® members of the Association. New members shall be elected each year. The Chairman, Co-Chairman, and Co-Chairman Elect shall be elected by the members of the Council (and shall serve 1 year terms in their respective offices). The Co-Chairman shall automatically serve as the next Chairman of the Council, and the Co-Chairman Elect shall automatically serve as the next Co-Chairman. The Past Chairman shall remain on the Council. The Chairman and Co-Chairman will serve as a Director on the Association's BOD, *as stated in the MAAR Affiliate Council Guidelines, Section 2.*

5.14.1 Primary Support Staff:

❖ Membership Director

5.14.2 Comprisal

Notification of the election for the Affiliate Council shall be posted each year and sent annually to each Affiliate member of the Association asking if they are interested in serving on the Affiliate Council. All parties must submit a statement in writing of their desire to serve on the Council for the upcoming year and a brief description of their involvement in the Association and Council events during the current year. The MAAR BOD shall elect the new members of the Affiliate Council from those Affiliates indicating interest. Vacancies shall be filled by the BOD upon the recommendation of a nomination committee made up of the Chairman Co-Chairman, Co-Chairman Elect and two (2) elected members. Membership terms will be based on a calendar year, *as stated in the Affiliate Council Guidelines, Section 3.*

5.14.3 Guidelines

Affiliate Council member's firm or the individual member must be active with the MAAR at least one year before consideration for election to the Council. Members should be from a wide range of membership. Affiliate firms may have no more than two (2) representatives from their company serving on the Council. The individuals elected to the Council must attend meetings with no substitutions. Any member, who misses more than two (2) consecutive meetings, or three (3) meetings in a six (6) month period, will automatically be replaced by the BOD. Absence may be excused with 24 hour notification to member necessary, *as stated in the Affiliate Council Guidelines, Section 4.*

5.14.3 Duties

- 1) Council members are required to actively participate where necessary in functions and meetings, *as stated in the Affiliate Council Guidelines, Section 5.*
- 2) New Council member orientation will be in December, at which time the incoming Chairman will appoint Committee Chairpersons and Committee assignments by the January meeting, *as stated in the Affiliate Council Guidelines, Section 6.*
- 3) Guidelines will be reviewed once each year at October meeting for additions and deletions, which will be determined by a vote of Council members present. A Quorum will be 50% +1 of those elected, *as stated in the Affiliate Council Guidelines, Section 7.*

5.15 Mobile Commercial Investment Real Estate Club Policies

The Mobile Commercial Investment Real Estate Club's purpose is to act as a clearing house for the distribution of marketing information regarding commercial and investment property among its members and to promote professionalism, co-operation and education in commercial, investment and exchange transactions, *as stated in the Mobile Commercial Investment Real Estate Club Bylaws, Section 1.*

5.15.1 Objectives

The Mobile Commercial Investment Real Estate Club, herein after referred to as the Commercial Exchange Club, will host weekly meetings at the Mobile Area Association of REALTORS®, with only members of the Commercial Exchange Club being present at the meetings, unless the meeting is a special meeting and the guest has had prior approval by the President of the Commercial Exchange Club. The Commercial Exchange Club's President will appoint a Program Chairman to arrange educational programs subject to the President's approval, *as stated in the Mobile Commercial Investment Real Estate Club Bylaws, Section 2.*

5.15.2 Membership Qualification

Membership in the Commercial Exchange Club shall be limited to REALTOR® members and REALTOR® Associates who are commercial and investment oriented and their sources of income must be predominantly from such activity with no part time Broker's or Salesmen allowed. Active members must also prove successful completion of CI 101 prior to application for members and have 3 years' experience in commercial and investment brokerage, *as stated in the Mobile Commercial Investment Real Estate Club Bylaws, Section 3.*

The Commercial Exchange Club also allows for Affiliate Membership to any real estate officers of a company or public agency whose responsibility includes the acquisition, sale or leasing of real estate as an ongoing activity, provided however that such company or agency is not opposed to the payment of brokerage fees to licensed real estate practitioners doing business with it, *as stated in the Mobile Commercial Investment Real Estate Club Bylaws, Section 4.*

5.15.3 Election of New Members

Qualified applicants shall submit application forms to the president along with \$25.00. The Membership Committee shall screen applications and determine if applicant shall be brought before general membership. A minimum of 15 affirmative votes by the general membership shall be required to accept application as a member. An Initiative fee shall be \$200.00 payable-\$25 with application and balance due on acceptance. Annual dues shall be \$200.00 payable semi-annually on August 1st and February 1st, *as stated in the Mobile Commercial Investment Real Estate Club Bylaws, Section 5-6.*

Section 6: Shareholder Policies

6.1 GCMLS Policies

Any REALTOR® of this Gulf Coast Multiple Listing Service, *herein after referred to as GCMLS*, or any other (Association) who is a principal, partner, corporate officer, or branch office manager on behalf of a principal, without further qualification, except as otherwise stipulated in the Gulf Coast Multiple

Listing Service, Inc. Bylaws, shall be eligible to participate in Multiple Listing upon agreeing in writing to conform to the rules and regulations thereof and to pay the costs incidental thereto. However, under no circumstances is any individual or firm, regardless of membership status, entitled to Multiple Listing Service “membership” or “participation” unless they hold a current, valid Alabama real estate Broker’s license and offer or accept compensation to and from other Participants or are licensed by an appropriate state regulatory agency to engage in the appraisal of real property. Use of information developed by or published by a Board Multiple listing Service is strictly limited to the activities authorized under a Participant’s licensure(s) or certification and unauthorized uses are prohibited. Further, none of the foregoing is intended to convey “participation” or “membership” or any right of access to information developed by or published by a Board Multiple Listing Service where access to such information is prohibited by law, *as stated in the Gulf Coast Multiple Listing Service, Inc. Bylaws, Article 4, Section 4.*

6.1.1 GCMLS Membership

- 1) Affiliate members of MAAR may subscribe to comparable tax data only, *as stated in the Gulf Coast Multiple Listing Service, Inc. Rules and Regulations Section 1.*
- 2) There is a one-time GCMLS Application Fee for new brokers and agents joining the GCMLS System for \$25.00 each, *as stated in the Gulf Coast Multiple Listing Service, Inc. Rules and Regulations Section 1.*
- 3) There is a non-member, one-time GCMLS Application Fee for new brokers and agents joining the GCMLS System for \$500.00 each, *as stated in the Gulf Coast Multiple Listing Service, Inc. Rules and Regulations Section 1.*
- 4) Any GCMLS Participant may withdraw from the GCMLS by giving a 30 day written notice to the Service, *as stated in the Gulf Coast Multiple Listing Service, Inc. Rules and Regulations Section 1.1.*
- 5) A Team or Co-Listing Agents may enter listings into the GCMLS system if the following criteria are met, *as stated in the Gulf Coast Multiple Listing Service, Inc. Rules and Regulations Section 1.4.*
 - a) Each agent is a member of the GCMLS and is paying quarterly MLS fees.
 - b) Each team member is in the same FIRM.

6.1.2 GCMLS Service

The area within which the GCMLS System, *herein after referred to as the Service*, shall function shall at all times be coextensive with or within the territorial jurisdiction of the Mobile Area Association of Realtors, Inc. and all counties adjacent thereto in Alabama and Mississippi.

The following service charges for operation of the GCMLS are in effect to defray the costs of the Service and are subject to change from time to time in the manner prescribed:

- a) *Recurring Membership Participation Fee:* The membership participation fee of each Participant shall be an amount established by the GCMLS BOD times each salesperson who has access to and use of the Service, whether licensed as a broker, salesperson, or licensed or certified appraiser who is employed by or affiliated as an independent contractor with such Participant. Payment of such fees shall be made on or before the first day of the month, *as stated in the Gulf Coast Multiple Listing Service, Inc. Rules and Regulations Section 6.*

- b) *Non-REALTOR Member Differential Fee*: An annual non-refundable MLS Differential Fee, as set by the GCMLS BOD, will be charged to MLS Participants who are not REALTORS® based on the number of active licensees affiliated with such Participant. This fee is due and payable on January 1st of each year. If such Participant joins the MLS after January 1, the MLS Differential fee will be prorated quarterly and shall be due and payable upon acceptance of Participant's Membership in the MLS, *as stated in the Gulf Coast Multiple Listing Service, Inc. Rules and Regulations Section 6.*
- c) *Application Fee for non-REALTOR Members*: An Application Fee, as set by the GCMLS BOD, shall be charged to Non-REALTOR® applicants for MLS Membership and shall be submitted with Application for Membership, *as stated in the Gulf Coast Multiple Listing Service, Inc. Rules and Regulations Section 6.*

6.1.3 GCMLS Rules and Regulations

- 1) By becoming and remaining a Participant or Subscriber in the GCMLS, each participant and subscriber agrees to be subject to the rules and regulations and any other MLS governance provision listed in the GCMLS Rules and Regulations, *as stated in the Gulf Coast Multiple Listing Service, Inc. Rules and Regulations Section 7.*
- 2) All GCMLS Participants shall agree to the standards of conduct listed in the GCMLS Rules and Regulation, *as stated in the Gulf Coast Multiple Listing Service, Inc. Rules and Regulations Sections 15.1-15.25.*

6.1.4 Discontinuance of Service

Participants of the Service may discontinue the Service by giving the Service thirty (30) days written notice and may reapply to the Service after three (3) months by making formal application in the manner prescribed for new applicants for participation provided all past dues and fees are fully paid, *as stated in the GCMLS Rules and Regulations Article 4, Section 4.3.*

6.2 Charitable Foundation Policies

The Mobile REALTORS® Charitable Foundation, Inc., *herein after referred to as the Corporation*, shall have no Shareholders or Members, as stated in the Mobile REALTORS® Charitable Foundation, Inc. Bylaws, Article II. The Corporation's Board of Directors consists of not less than three (3) nor more than seven (7) individuals (herein called Directors); provided, however, that by unanimous consent of the Board of Directors, such Board may expand the number of Directors, with such terms and conditions attached to each newly created Board position as the Board of Directors, by unanimous consent, may decide. Such Directors shall consist of the Immediate Past President of the Mobile Area Association of REALTORS®, the Current President of the MAAR, the Current President-Elect of the MAAR, two current REALTOR® Members of the MAAR at large, and two current Affiliate members of the MAAR at large. The Board of Directors controls and manages the business and affairs of the Corporation, *as stated in the Mobile REALTORS® Charitable Foundation, Inc. Bylaws, Article III, Sections 1 & 2.*

6.2.1 Charitable Foundation Purpose

The general purposes for which the Corporation is to be formed are exclusively to receive and administer funds for charitable, religious, scientific, literary, educational or other purposes within the

meaning of Section 501©(3) of the Internal Revenue Code of 1986, as amended (the “Internal Revenue Code”) in order to enhance the quality of life in the Mobile, Alabama area. The actual recipients of distributions of income and principal, and the amounts to be received by such recipients, shall be determined by the Board of Directors of the Corporation on an annual basis, *as stated in the Mobile REALTORS® Charitable Foundation, Inc. Bylaws, Article V, Section 1.*

Section 7: Financial Policies

7.1 MAAR Dues

The annual Realtor® dues billing invoice, with a due date of January 1st will be emailed to each individual member at their most current preferred email address on file in the MAAR membership database (**see Appendix D**). At that time, Realtor® and Affiliate member dues billing invoices will also be posted online for payment by credit card. Credit card is MAAR’s preferred payment method. While paying online you may print an invoice and a copy of your receipt of payment. All payments to MAAR will show as Realtor® Association on your statement. MAAR is not responsible for loss of untimely delivered payments by mail or other deliveries unless there is a receipt of or proof of delivery.

- 1) From time to time, there may be items that are invoiced to members for services or products. When products or services are billed, payment is considered late after thirty (30) days.
- 2) It is the policy of MAAR that only email notifications will be sent to members each quarter for GCMLS dues and annually for MAAR dues.

7.1.1 Dues Payable

Dues for all Members shall be payable annually in advance on the first day of January. Dues for new Members shall be computed from the first day of the quarter in which a member is notified of election and shall be prorated for the remainder of the year, *as stated in the MAAR Bylaws, Article X, Section 3.*

- 1) In the event of the REALTOR® transferring his/her license to another Member firm or to a newly created Member firm, such Member shall be given credit for any current dues paid under his/her previous membership affiliation, *as stated in the MAAR Bylaws, Article X, Section 3.*
- 2) In the event a sales licensee or licensed or certified appraiser who holds REALTOR® Membership is dropped for nonpayment of Association dues, and the individual remains with the designated REALTOR®'s firm, the dues obligation of the "designated" REALTOR® (as set forth in Article X, Section 2 [a]) will be increased to reflect the addition of a non-member licensee. Dues shall be calculated from the first day of the current fiscal year and are payable within thirty (30) days of the notice of termination, *as stated in the MAAR Bylaws, Article X, Section 3.*

7.1.2 GCMLS Dues

The charges made for participation in the GCMLS shall be as determined, and as amended from time to time by the GCMLS BOD and as approved by the MAAR BOD and specified in Rules and Regulations of the Service, as stated in the GCMLS Bylaws, Article 5.

7.1.3 SentiLock Dues

SentiLock is the REALTOR® controlled electronic lockbox solution for the MAAR. It is the only electronic lockbox provider that is owned and endorsed by the NAR. The MAAR SentiLock payments

are billed on a quarterly basis and are controlled and billed through SentriLock systems. The billing cycle runs from April-March every year and bills for a total amount of \$250.00 (see **Appendix E**).

7.1.4 Nonpayment of Dues

If dues, fees, fines, or other assessments including amounts owed to the Association or the Association's multiple listing service are not paid within thirty (30) days after the due date, the nonpaying Member is subject to suspension at the discretion of the BOD. Annual dues are delinquent if not paid within fifteen (15) days of the due date, and if annual dues are not paid within thirty (30) days after due date, membership of the nonpaying member shall automatically terminate unless within that time the amount due is paid in full. However, no action shall be taken to suspend or expel a Member for nonpayment of disputed amounts until the accuracy of the amount owed has been confirmed by the BOD. A former member who has had his/her membership terminated for nonpayment of dues, fees, fines, or other assessments duly levied in accordance with the provisions of the MAAR Bylaws or the provisions of other rules and regulations of the Association or any of its services, departments, divisions, or subsidiaries may apply for reinstatement in a manner prescribed for new applicants for membership, after making payment in full of all accounts due as of the date of termination, *as stated in the Bylaws, Article X, Section 4*).

7.1.5 State Dues

The Membership dues that are due to the Alabama Association of REALTORS® are good for one calendar year and are due on or before March 1st.

- 1) If a member pays annual dues before the March deadline whether they are active or inactive due to an inactive license AND they paid dues in the previous year, there is NO FEE for RE-Application.
- 2) If a member pays dues after the March deadline whether they were inactive due to non-payment or an inactive license, there is a \$100 FEE, due and payable to the AAR.
- 3) If a reactivating member paid dues in the previous year they must pay FULL YEAR DUES plus \$100 Fee if paying after the March deadline due and payable to the AAR.
- 4) If a reactivating member did not pay dues in the previous year they can pay PRORATED DUES plus \$100 Fee, due and payable to the AAR.

7.2 Payment Policies

Payment will be accepted in the form of cash only in an amount less than \$50. A check, or credit card will be required for all items. Payment may generally be made by credit card, except where otherwise stated. The CEO may approve other forms of payment, such as electronic transfer, so long as the cost to the Association does not exceed the charges for credit cards.

Note: *A record shall be maintained with the Financial Director or appointed staff person showing the name of the applicant, the amount paid, and the date paid.*

7.2.1 Credit Card Policy

- 1) For security purposes, credit card payments for dues will not be taken over the phone by MAAR staff members.

- 2) Member credit card information shall not be stored in the local Association's membership database system. However, if a member has opted in for their payment to be automatically drafted, their credit card information shall be stored in the NAR membership database.
- 3) All Association related charges will appear on your credit card statement as REALTOR® Association.
- 4) For the convenience of its members, MAAR accepts the following credit cards for payment of annual dues, application fees, events, luncheons, or other expenditures.
 - a) Visa
 - b) MasterCard
 - c) American Express
 - d) Discover

7.2.2 Returned Check Policy

- 1) In the case of returned checks, staff will inform the writer of the check via email and/or phone call. The returned check fee is \$40.00.
- 2) If any form of payment is returned as unpaid, the member's account will be debited effective as of the day the payment was first received. All applicable late fees will then be charged; together with all other appropriate measures as if payment had never been made, including the termination of services.
- 3) Payer will be noticed via email and/or phone call that the check was returned and payer must tender payment for the full amount of the check plus a service charge of \$40.00. At the discretion of the CEO the payer may be required to remit payment in certified funds.
- 4) If an individual has two checks (*either personal, company, or both*) returned to MAAR by the bank, marked insufficient or account closed, the member may be required to make all future payments to MAAR by official check, cashier's check, credit card, or money order for the balance of the current year.
- 5) Checks marked either insufficient funds or account closed and which are not made good within seven (7) days, shall be either turned over to the State Attorney or a collection agency for payment, or both. Check endorser will pay all costs associated with MAAR's collection of payment for the check market insufficient funds or account closed.

7.2.3 Refund Policy

Dues, fees and assessments paid for any classification of membership are not refundable at the local, state and national level under any circumstances. The established bylaws and/or policies of the NAR, AAR and the MAAR have a **no refund policy** on all dues, fees and assessments.

7.3 Accounting & Reporting

The BOD shall determine the accounting and bookkeeping procedures. The Association's CPA shall present the Finance Committee with a review of the financial stability and use of Association funds on an annual basis. At the end of the year the CPA will complete the taxes and give the Finance Committee a report concerning the year and the outlook for the coming year.

- 1) Annually, the CEO will contract with a CPA firm to conduct an audit review in accordance with Generally Accepted Auditing Standards. The CEO and the Treasurer will recommend an auditor to the BOD for approval. A copy of the audit shall be provided to the BOD upon completion. If a full audit is needed, it may be done so at the discretion of the Finance Committee.
- 2) The CEO shall provide a written financial report (*Balance Sheet and Income Statement*) on a monthly basis to the EC and the BOD. The accounts for the Association shall be on an accrual basis. It is recommended that the Association's Treasurer meet with the CEO and Financial Director to review the financial report.
- 3) The Association operates on the accrual method of account with certain exceptions. The budget will be adopted along with the adjusted accrual operating budget.

7.3.1 Association Bank Accounts

The Association shall maintain various deposit accounts as deemed necessary; withdrawal requests (checks) shall require two of the following to be executed, if the amount exceeds \$500: President, President-Elect, Secretary, Treasurer or CEO. The Association shall also have corporate charge accounts as deemed necessary with the CEO as signatory.

7.4 Association Funds

Reserve funds are set aside for necessary non-annual expenditures or long-range expenditures. They shall be set aside annually to make them available for use in the year they become due or needed.

- 1) Major areas of reserve funding should include the building, property, and other major long-range projects that evolve from time to time and meet the Reserve Fund criteria.
- 2) Once funds are established in a designated reserve account, they shall be used only for that exact purpose. It is the intent that line item expenditures hold closely to designated amounts; however, if in good judgement an item exceeds its funding, the BOD shall have authority to borrow from the fund balance to complete the purchase.
- 3) Surplus Funds may be invested to obtain the optimum interest income consistent with maintaining adequate liquidity. When investing Association cash, consideration will be given to the institutions that make mortgage loans in the geographical jurisdiction of the MAAR. Alternatives for placement of the funds shall be reviewed by the Finance Committee, who shall then provide recommendations to the BOD.
- 4) The BOD extends authority to the CEO and the Financial Director for electronically or otherwise transferring Association monies between the Money Market, Savings Account, and the Operating Account as needed and directed by the EC to maximize interest and protect the Association's assets. The CEO shall be a signatory on all accounts and all requests for transfers shall require advanced approval and signatures of two account signors. In the instance where an account has exceeded the FDIC protected amount, the CEO has the authority to move money into a lower balanced account, staying within the FDIC guidelines, with prior notice to EC (**amended October 18, 2017**).
- 5) Fiscal year-end balances shall be handled in the following manner: A fiscal year-end designated fund balance shall be carried over from one year to the next in accordance with established policies. Unexpended operating funds at the end of the fiscal year will be placed in designated funds, as determined by the BOD.

Section 8: Association Legal Policies

8.1 Association Attorney

The MAAR shall maintain legal counsel for the purpose of transacting the business of the Association. The Association Attorney shall confer only with the CEO and/or the President and shall not be available for member consultation at the expense of the Association.

8.1.1 Qualifications

- 1) The Association Attorney should have a background in real estate law, corporate law, antitrust and municipal law.
- 2) The Association Attorney will be acquainted with state and federal tax law as it relates to trade associations and will be proficient in handling litigation.
- 3) The Association Attorney will have the staff and facilities to represent the Association.

8.1.2 Duties and Responsibilities

- 1) The Association Attorney will work the Association's CEO and President and not with individual members of the Association. Counsel's fiduciary responsibility will be to the MAAR, not to its employees.
- 2) The Association Attorney will be familiar with the NAR Code of Ethics and Arbitration Manual, and will be able to advise on procedures and to meet with Professional Standards hearing panels as needed to offer advice to panel chairperson.
- 3) The Association Attorney will be familiar with the Association's Bylaws, Policy Manual and Robert's Rules of Order.
- 4) The Association Attorney will review contracts into which the Association desires to enter and offer advice as deemed necessary.
- 5) The Association Attorney will review proposed changes or additions to the Association's standard forms and contracts, and will offer advice as deemed necessary.
- 6) The Association Attorney or their designee will represent the Association in litigation,
- 7) The Association Attorney will be available to advise Association administration on matters of legal nature related to the REALTOR® organization or Association operation and administration.
- 8) The Association Attorney is encouraged to attend General Membership Meetings and report on matters of a legal nature related to the real estate profession.

8.1.3 Legal Questions

No member is authorized to contact the Association Attorney on questions relating to Association business other than the President or CEO. Those legal questions arising in committees or from the Officers and Directors or staff shall be presented to either of the above-authorized persons and, at their discretion, presented to the Association Attorney.

8.2 Association Contracts

Only the CEO and the current President are authorized to negotiate and execute agreements or contracts, that financially or otherwise, obligates and/or creates potential liability for the Association.

- 1) All contracts to be developed or considered must be reviewed by the CEO and Association President before for signature. If there is any doubt as to the determination of whether a particular situation requires a contract, the Association Attorney will provide guidance.

- 2) All Association contracts involving money shall be reviewed by the Finance Committee and Association Attorney for financial soundness and means of funding before final approval by the BOD.
- 3) Depending on the subject of the contract and other factors, other clauses may be added on an individual basis.
- 4) In order to avoid problems, which will impede the negotiation process, requests for proposals should include a list of those clauses the Association will require in a given contract. In order to assure the inclusion of all appropriate clauses, the CEO and the Association Attorney should be consulted prior to the release of requests for proposals.
- 5) Copies of draft or final contracts shall not be disseminated outside the Association without prior approval of the CEO and general counsel. Further, no employee, officer or member, other than those specifically authorized to do so, shall make oral commitments on behalf of the Association.
- 6) An original of the complete contract is to be returned to the CEO or his/her designee for retention and filing. No payments will be made to any contractor until the CEO or his/her designee has received an executed copy of the contract.
- 7) The specific terms of contracts covered by this procedure may vary depending on such factors as the foods or services to be provided, the particular contractor, the risk of the Association, etc. Therefore, it is not possible to specify a model contract.
- 8) **There are, however, basic elements which should be included in all contracts, which includes the following:**
 - a) The parties to the contract must be specifically named.
 - b) Scope of work or services should adequately specify the work to be performed.
 - c) Cost and payment scheduled (*specifying that payments will not exceed the percentage of the work performed*).

8.3 Insurance

Any vendor approved to complete work at the Association shall carry mandatory amount as deemed necessary by the CEO and the Financial Director in Liability Insurance Policies. The levels and limits of all Association insurance protection plans shall be reviewed by the CEO annually and approved by the BOD and maintained by the Financial Director and shall be listed, **but not limited to** the following insurance policies:

- 1) Liability Insurance Policy
- 2) Workers Compensation and Employers Liability Insurance Policy
- 3) Directors and Officers Insurance Policy
- 4) Business owners Insurance Policy

8.4 Record Retention Policy

The CEO shall be custodian of all records and documents of the Association. No files, records, documents, or correspondence shall be removed from the office except by permission and documentation by the CEO. All record retention policies shall be in compliance with Alabama State Laws.

**** Special thanks to the following, whose Policy Manual's served as inspirations for this document: Huntsville Area Association of REALTORS®, Tallahassee Board of REALTORS®, Birmingham Association of REALTORS®, Bay County Association of REALTORS®, the Northeast Florida Association of REALTORS®, and the NATIONAL ASSOCIATION OF REALTORS®.*

Appendix A: Whistleblower Policy

Encouragement of reporting: MAAR encourages complaints, reports or inquiries about illegal practices or serious violations of MAAR's policies, including illegal or improper conduct by MAAR itself, by its leadership, or by others on its behalf. Appropriate subjects to rise under this policy would include financial improprieties, accounting or audit matters, ethical violations, or other similar illegal or improper practices or policies. Other subjects on which MAAR has existing complaint mechanisms should be addressed under those mechanisms, such as rising matters of alleged discrimination or harassment via MAAR's human resources channels, unless those channels are themselves implicated in the wrongdoing. This policy is not intended to provide a means of appeal from outcomes in those other mechanisms.

Protection from retaliation: MAAR prohibits retaliation by or on behalf of MAAR against staff or volunteers for making good faith complaints, reports or inquiries under this policy or for participating in a review or investigation under this policy. This protection extends to those whose allegations are made in good faith but prove to be mistaken. MAAR reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints, reports or inquiries or who otherwise abuse this policy.

Where to report: Complaints, reports or inquiries may be made under this policy on a confidential or anonymous basis. They should describe in detail the specific facts demonstrating the bases for the complaints, reports or inquiries. They should be directed to MAAR's President and CEO; if both of those persons are implicated in the complaint, report or inquiry, it should be directed to the President-Elect. MAAR will conduct a prompt, discreet, and objective review or investigation. Staff or volunteers must recognize that MAAR may be unable to fully evaluate a vague or general complaint, report or inquiry that is made anonymously.

Appendix B: Use of Facility and Meeting Room Policy

MOBILE AREA ASSOCIATION OF REALTORS (MAAR)

The Association's facility may be used for Real Estate related business meetings by REALTOR® and/or Affiliate Members of the Mobile Area Association of REALTORS®.

Parking is limited to approximately 75 vehicles.

Facility Rental Fees

Set up time is included in your room use time so please allow this time when you complete the contract.

A. Small Education Room - capacity: 45 classroom style or 60 theater style (approximately 695 square feet)

½ day (up to 4 hours)	\$ 20 Per Hour
Full day (8:30AM - 5:00 PM)	\$ 20 Per Hour
Audio/Visual Equipment Use	\$ 50
Kitchen Use	\$ 50

B. Large Education Center – capacity: 90 Classroom style (approx. 1,760 sq. feet)

½ day (up to 4 hours)	\$ 45 Per Hour
Full day (8:30AM - 5:00PM)	\$ 45 Per Hour
Evening (5:00PM – 9:00PM)	\$ 250 + Additional charge for after-hours staff \$ 40 Per Hour Staff Member – Two Hour Minimum
Audio/Visual Equipment Use	\$ 75
Kitchen Use	\$ 75

C. Board Room – capacity: 18

½ day (up to 4 hours)	\$ 20 Per Hour
Full day (8:30AM - 5:00PM)	\$ 20 Per Hour

D. Small Conference Room – capacity: 8

½ day (up to 4 hours)	\$ 20 Per Hour
Full day (8:30AM - 5:00PM)	\$ 20 Per Hour

E. Patio along with the rental of any other room

½ day (up to 4 hours)	\$ 45 Per Hour
Full day (8:30AM - 5:00PM)	\$ 45 Per Hour
Evening (5:00PM – 9:00PM)	\$ 250 + Additional charge for after-hours staff \$ 40 Per Hour Staff member – Two Hour Minimum

F. Company Sales Meetings

Each member company may reserve a meeting room for their sales meeting up to Two (2) hours free of charge one time per calendar quarter (pending availability).

Facility Rental Requirements:

- All requests must be submitted for approval at least 2 weeks prior to the event to the MAAR CEO on this Facility Rental Application Form.

If you are using our Audio Visual equipment you must meet with a MAAR Staff Member prior to your meeting for training on the equipment.

Refundable deposit of \$100 must accompany application. The facility shall be left clean and orderly, and all trash must be placed in trash receptacles. If a kitchen is used, the user is responsible for cleanup of the kitchen or deposit will not be refunded and an additional clean-up fee may be charged.

Any meeting approved for non-business hours requires a MAAR Staff Member to be present at an additional charge of \$40 per hour or any portion of the hour with a two (2) hour minimum required. After hours users are also responsible for their own security.

User must have a business insurance policy for general liability which would cover MAAR for any and everything related to their use of the Association's premise. **If alcohol is to be served, a certificate of insurance covering MAAR as co-ensured must be provided in advance.**

Rooms may not be reserved more than one year in advance.

Clerical assistance, use of copy machine, etc., are not included.

Prior approval from MAAR CEO of any and all flyers, advertisements, email notices, social media notices, or any other form of notification of the event being held in MAAR facility before the notices can be distributed.

General Rules:

1. **Association Building is SMOKE-FREE.** User is responsible to assure there is no smoking in the building and that outside smokers use ash cans. If any cigarette butts are found on the grounds outside of the building or in the parking lot then deposit will not be refunded!
2. **No pushpins, nails, tape, decorations, signs, etc. shall be placed on walls under any circumstances.**
3. All activities involving alcohol must be approved by the MAAR CEO.
4. The user is responsible for reimbursing the Association for any damage to furniture, equipment or the facility.

The MAAR CEO has final approval authority of all meeting room rental applications.

Facility Rental Application

NAME OF ORGANIZATION	PHONE
----------------------	-------

NAME/TITLE OF INDIVIDUAL RESPONSIBLE FOR EVENT	PHONE
------------------------------------------------	-------

	TYPE OF PROGRAM OR EVENT
--	--------------------------

FACILITY REQUESTED:

- ☐ SMALL EDUCATION ROOM
☐ LARGE EDUCATION CENTER
☐ LARGE BOARD ROOM
☐ SMALL BOARD ROOM
☐ USE OF KITCHEN ☐ No ☐ Yes If Yes, Explain: _____
☐ USE OF PATIO ☐ No ☐ Yes If Yes, Explain: _____
☐ ALCOHOLIC BEVERAGES TO BE SERVED ☐ No ☐ Yes
 (You must have your own Business Owner's Insurance Policy specifically to serve alcoholic beverages on MAAR premises with MAAR as co-ensured and a proof of this insurance policy presented with the application)
☐ USE OF AUDIO VISUAL EQUIPMENT ☐ No ☐ Yes

DATE(S) REQUESTED: _____ HOURS: _____ TO _____

ADMISSION CHARGE: ☐ NO ☐ YES PURPOSE OF PROCEEDS: _____

BRIEF DESCRIPTION/ ADDITIONAL COMMENTS: _____

If permission is granted, we hereby agree to comply with the policy and regulations of the Mobile Area Association of Realtors which govern the use of its facilities and acknowledge receipt of same. The undersigned agrees to indemnify and hold harmless the Mobile Area Association of Realtors, Inc. ("Association") and the Gulf Coast Multiple Listing Service, Inc. ("GCMLS") for any and all claims, losses demands, actions and liabilities incurred by the Association and/or GCMLS in connection with the use of the Association's premises, or any portion thereof at 2827 Airport Boulevard, Mobile, Alabama:

SIGNATURE AND TITLE OF USER

NAME OF RESPONSIBLE PERSON
WHO WILL BE PRESENT

DATE OF APPLICATION

PERMIT FOR USE OF ASSOCIATION FACILITY
(TO BE COMPLETED BY ASSOCIATION)

You have been granted the use of the _____ on _____
 between the hours of _____ and _____ in accordance with the conditions signed by you in the above application.

PAYMENT IS DUE PRIOR TO THE DAY SERVICES ARE RENDERED.

SERVICE CHARGES

Base	\$ _____
Additional	\$ _____
Deposit	\$ <u>100</u> (to be sent with application)
(Room must be clean and trash removed)	
TOTAL	\$ _____

2. Make check payable to MAAR and mail to 2827 Airport Blvd., Mobile, AL 36606.

Association Representative

Appendix C: Travel Policy

Mobile Area Association of REALTORS®, Inc.

The following is to be used as a guideline for determining reimbursable expenses for Mobile Area Association of REALTORS® personnel, officers, directors and others as noted while doing the work of, or representing MAAR. The number of attendees designated for any one meeting and expenses to be reimbursed may vary from time to time with economic conditions and with changing personnel and directors. The information contained below is to be used as an overall guideline for reimbursement.

- 1) Every effort should be made to be a good steward of the Association's resources, to include booking flights **at least 30 days in advance** and taking advantage of any discounts.
- 2) Travel expenses must be reasonable and adequately documented to satisfy the Association's policy and IRS regulations and submitted properly **within 30 days** of returning from travel.
- 3) The **Financial Director and the CEO** have the authority to question expenses that appear excessive or are unsubstantiated.
- 4) **Volunteers should be mindful** of not having excessive expenses while traveling and representing MAAR.
- 5) Association representative or other staff member travel **may be allowed** from year to year and will be determined at the discretion of the CEO on an as needed basis and an allotted travel budget.
- 6) All travel **expenses will be monitored** by the CEO.

The Approved Association Travel Meetings are as follows:

Meetings	MAAR Representative
AAR XPRESS Conference	Executive Committee & CEO
AAR REALTOR® Day	Executive Committee, CEO, Governmental Affairs Committee Chair & GAD
AE Institute	CEO
NAR Midyear Meetings	Executive Committee, CEO & Governmental Affairs Chair
NAR Leadership Summit	President-Elect & CEO
AAR Annual Convention	Executive Committee & CEO <i>(allow guest for President & President-Elect)</i>
AAR AE or Regional Local Association Workshop	CEO
NAR Annual Convention & Expo.	President, President-Elect & CEO <i>(allow guest for President & President-Elect)</i>
CMLS or Other Similar Event (Inman)	President-Elect, CEO, Key Staff, or other Executive Committee Representative
MLS User Group Meeting	CEO, MLS Director, or other MLS Department Representative
Annual Public Policy Meeting	CEO, Governmental Affairs Committee Chair & GAD

Note: The CEO Travel (and guest travel) will be determined within the terms of his/her contract of employment.

Updated July 26, 2018

Appendix D: REALTOR® Dues

REALTOR® Dues/Fees Formula

NEW REALTOR® AGENT JOINING THE MOBILE AREA ASSOCIATION OF REALTORS®												
Board Membership Fees: (Prices include \$225.00 application fees - VISA, MC, AMEX, Discover, Money Order, cashier check or check payable to MAAR)												
	January 2018	February 2018	March 2018	April 2018	May 2018	June 2018	July 2018	August 2018	September 2018	October 2018	November 2018	December 2018
AAR Dues	206.00	188.83	171.67	154.50	137.33	120.17	103.00	85.83	68.67	51.50	34.33	17.17
AAR App Fee	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
NAR Dues	155.00	145.00	135.00	125.00	115.00	105.00	95.00	85.00	75.00	65.00	55.00	45.00
Local Dues	150.00	150.00	150.00	112.50	112.50	112.50	75.00	75.00	75.00	37.50	37.50	37.50
Local App Fee	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00
TOTAL	736.00	708.83	681.67	617.00	589.83	562.67	498.00	470.83	443.67	379.00	351.83	324.67
MLS Fees: Credit Card or Check payable to GCMLS												
Application Fee (New Broker/Agent)											25.00	
Non-Member Application Fee (MLS Only)											500.00	
Agent Quarterly Access Fee											108.00	
Designated Realtor Quarterly Access Fee											225.00	
SentriLock: Key Issuance Fee											50.00	
SentriLock: Lock Boxes: \$99.00 + \$4.10 Freight + 10% sales tax of \$9.90											113.00	
SentriLock: Annual Billing (April 2018) ***SentriLock billing is controlled by and billed by SentriLock. Phone: 866-736-2322 Website: www.sentrilock.com											250.00	

*Appendix E: SentiLock Fees***SentiLock Pricing Breakdown**

Type	Fee	Tax	Total	Invoiced
Full Year Amt.	\$227.27	\$22.73	\$250.00	April 2018 due by June 2018
Q2 – Prorated Amt.	\$170.45	\$17.05	\$187.50	June 2018 due by Sept 2018
Q3 – Prorated Amt.	\$113.64	\$11.36	\$125.00	Sept 2018 due by Dec 2018
Q4 – Prorated Amt.	\$56.82	\$5.68	\$62.50	March 2019 due by June 2019
Re-Activation	\$68.18	\$6.82	\$75.00	

*Appendix F: Affiliate Dues***Affiliate Dues (Includes AAR dues)**

MONTH	Pro-Rated Amount Due	MONTH	Pro-Rated Amount Due
JANUARY	=356.00	JULY	=178.00
FEBRUARY	=338.83	AUGUST	=160.83
MARCH	=321.67	SEPTEMBER	=143.67
APRIL	=267.00	OCTOBER	=89.00
MAY	=249.83	NOVEMBER	=71.83
JUNE	=232.67	DECEMBER	=54.67

Note: Affiliate Companies may list up to five (5) additional members (Affiliate Associates) for a fee of \$25.00 each annually.

Appendix G: Association & GCMLS Fees

Application, Transfer, Reinstatement, and Reactivation Fees

MAAR & GCMLS FEES	AMOUNT DUE
New Broker/ Agent Application Fee	\$225.00
Secondary Application Fee	\$125.00 <i>(In-State)</i> ; \$225.00 <i>(Out-of-State)</i>
New Firm Application Fee	\$450.00
Transfer Fee	\$25.00
Association Reinstatement Fee	\$125.00 <i>(After Feb. 1st)</i> ; \$225.00 <i>(After March 15th)</i>
GCMLS Reinstatement Fee	\$25.00 <i>(Members)</i> ; \$500.00 <i>(MLS Only Participants)</i>
GCMLS Reactivation Fee	\$50.00
Thompson Broker Application Fee	\$500.00
Thompson Broker Membership Fee	\$2500.00

Appendix H: Standard Forms

Standard Forms	Pack of 25	Individual
Agency Agreements:		
Buyer Agency	6.00	.50
Limited Consensual Dual Agency	8.00	.50
Closing Cost Sheets	6.00	.50
Consumer Information Booklet	5.00	.50
Final Walk Thru Inspection of Property	6.00	.50
HUD Addendum FHA	8.00	.50
Lead-Based Paint:		
Disclosure (Lessor/Lessee)	8.00	.50
Disclosure (Seller/Purchaser)	8.00	.50
Protect Your Family From Lead Base Paint	Individual	.50
Testing Contingency Addendum	8.00	.50
Leases:		
Commercial	22.00	2.00
Residential Rental Agreement	22.00	2.00
Purchase Agreements (Contract):		
Commercial	22.00	2.00
Lots/Land	17.00	1.50
Residential	32.00	2.00
Purchase Agreement Addendum	10.00	.40
Real Estate Brokerage Service Disclosure (RECAD)	5.00	.50
Release of Purchase Agreement & Earnest Money	8.00	.50
Sales Authorities (Listing):		
Residential	10.00	.50
Commercial (Transaction broker/ Agency Agreement)	10.00	.50
Commercial Sales Authority & Agency Agreement	10.00	.50

Labels:	Cost
All Members	55.00
Realtors®	40.00
Brokers	25.00
Brokers & Affiliates	30.00
Non-MLS Members	20.00
Non-MLS Brokers	20.00
Affiliates	20.00

MLS Profile Sheets	Pack of 25	Individual
Commercial	22.00	1.00
Land	25.00	1.00
Multi-Family	25.00	1.00
Rental	25.00	1.00
Residential	25.00	1.00

*****MINIMUM CHARGE FOR ALL ORDERS IS \$5.00**

Appendix I: Board Member Pledge



I will exercise the duties and responsibilities of this office with integrity, professionalism and respect. Under oath, I pledge:

- A. To attend all board, committee and task force meeting on which I serve (understand that failure to attend two (2) consecutive board meetings deemed valid by the Board of Directors is cause for dismissal from the board).
- B. To become familiar with the organization's governing documents, policies and positions so that I can be an informed representative when called upon.
- C. To come prepared to discuss the issue and business to be addressed at scheduled meetings, having read the agenda and relevant background material when applicable.
- D. To maintain confidentiality of information received for governance and decision making at board meetings.
- E. To observe the rules of order and display courteous conduct in all board, committee and task force meetings.
- F. To work with and respect the opinions of my peers who serve on this board, and to leave my personal prejudices out of discussion and decisions.
- G. To always act in the best interest of the organization, the membership, leadership, volunteers and staff.
- H. To represent this organization in a positive and supportive manner at all times and in all places.
- I. To act as a resource in identifying issues, opportunities and challenges facing the organization, community and membership that may deserve the attention of the board and staff.
- J. To serve on or act as liaison to at least one committee and keep the board informed of its' progress and goals.
- K. To avoid conflicts of interest between my position as a board member, and my professional and personal life. If such conflict does arise, I will declare that conflict and refrain from voting in matters in which I have conflict.
- L. To support in a positive manner all actions by the board of directors even when I am in a minority position on such actions.
- M. To maintain a professional business relationship with the organization's staff and any contractors.
- N. To refrain from impeding the work of committees or staff based on the responsibilities and authorities for which they have responsibility.
- O. To comply with local, state and federal laws and to protect the interest and property of the organization.

Signature

Date

Appendix J: Board of Directors Policy



In order to ensure that the Association and its members comply with antitrust laws, the following principles will be observed:

- The Association or any committee, section, chapter, or activity of the Association shall not be used for the purpose of bringing about or attempting to bring about any understanding or agreement, written or oral, formal or informal, expressed or implied, among two or more members or other competitors with regard to prices or terms and condition of contracts for services or products. Therefore, discussion and exchanges of information about such topics will not be permitted at Association meetings or other activities.
- There will be no discussions discouraging or withholding patronage or services from, or encouraging exclusive dealing with any supplier or purchaser or group of suppliers, any actual or potential competitor or group of actual potential competitor or group of actual potential competitors or any private or government entity.
- There will be no discussions about allocating or dividing geographic or service markets or customers.
- There will be no discussions about restricting, limiting, prohibiting, or sanctioning advertising or solicitation that is not false, misleading, deceptive, or directly competitive with Association products or services.
- There will be no discussions about discouraging entry into or competition in any segment of the marketplace.
- There will be no discussions about whether the practices of any member, actual or competitor, or other person are unethical or anti-competitive, unless the discussions or complaints follow the prescribed due process provisions of the Association's bylaws.
- Certain activities of the Association and its' members are deemed protected from antitrust laws under the First Amendment right to petition government. The antitrust exemption for these activities, referred to as the No err-Pennington Doctrine protects ethical and proper actions or discussions by members designed to influence:
 - (1) Legislation at the national, state and local level;
 - (2) regulatory or policy making activities (as opposed to commercial activities) of a governmental, body or;
 - (3) Decisions of judicial bodies. However, the exemption does not protect actions constituting a "sham" to cover anti-competitive conduct.
- Speakers at committees, educational meetings, or other business meeting of the Association shall be informed that they must comply with the Association's antitrust policy in the preparation and the presentation of their remarks. Meetings will follow a written agenda approved in advance by the Association or its' legal counsel.

- Meetings will follow a written agenda. Minutes will be prepared after the meetings to provide a concise summary of important matters discussed and actions taken or conclusions reached.
- At informal discussions at the site of any Association meeting all participants are expected to observe the same standards of personal conduct as are required of the Association in its compliance.

Antitrust Statement

I, _____ as an Officer /Director of the Mobile Area Association of Realtors have read and understand the current Antitrust Statement and agree to abide by the Antitrust Statement and policies of the Association as may be amended from time to time.

Appendix K: Association's Code of Conduct

All Association Officers, Directors and Staff members shall abide by the following terms:

INTRODUCTION

Members of the Board of Directors and staff carry certain duties and responsibilities for the well-being of the organization. The Code of Conduct outlines some of those duties and responsibilities in accordance with governing documents.

CONFIDENTIALITY

BOD members and staff will have access to information that, if revealed to outsiders, could be damaging or sensitive to other members or staff; harmful to the best interests of the organization or even create legal liability. Information provided to the board and staff may concern personnel, financial, contractual, membership or legal matters. It will often be confidential and is intended for use in decision making and governance. Information shall be held in the strictest of confidence and shall not be divulged to any outside party, including other members, without authorization of the board chair or organization executive.

CONFLICTS OF INTEREST

BOD members and staff members owe a high fiduciary duty to the organization. Thus, no BOD or staff member shall maintain any business enterprise or other activity that directly conflicts with the interests of the organization. Staff members shall not solicit members for any reason that is not directly related to official business.

VIOLATIONS

Violations of the Code of Conduct may result in disciplinary action in accordance with the governing documents. Discipline may include removal of a board member from office or termination of a staff member.

Acknowledgement of Receipt

I acknowledge that I have received and read a copy of the Code of Conduct and that I am responsible for compliance.

Date

BOD Member or Staff Member

Governing documents include articles of incorporation, bylaws, policy manual, etc.

Appendix L: Consent to Serve Form**Consent to Serve as an Officer or Director**

Please initial below stating that you are in compliance with the following information.

_____ I understand that by submitting this form, I consent to have my name submitted to the Nominating Committee to be considered for office in 2018 as an Officer or Director of the Mobile Area Association of REALTORS® and/or the GCMLS, and that this information will be posted on the Internet. I further understand that all candidates must be vetted by the Nominating Committee.

1. I wish to be considered for Office in 2018 as an Officer or Director of the Mobile Area Association of REALTORS® or the GCMLS:

A) Mobile Area Association of Realtors®, in the position of:

☐ President-Elect ☐ Secretary ☐ Treasurer ☐ Director

Name: _____

Office: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Email: _____

B) GCMLS, in the position of:

☐ President-Elect ☐ Secretary/ Treasurer ☐ Director

Name: _____

Office: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Email: _____

2. Please provide the following information:

Number of years as a member of MAAR: _____

Number of years as a member of GCMLS: _____

Number of years in the real estate business: _____

Real Estate Specialty _____

(e.g., residential commercial, property management, etc.)

3. Have you received any disciplinary action from the Alabama Real Estate Commission or been found guilty of violating one or more Article of the Realtor® Code of Ethics?

☐ Yes ☐ No

If you answered YES to the above question, please explain including date(s) and details.

(If you need more space please use additional sheets.)

4. What do you feel are the major challenges facing our Association today?

(If you need more space please use additional sheets.)

5. If elected, how would you recommend responding to these challenges? *(Please be as specific as possible.)*

(If you need more space please use additional sheets.)

6. Do you understand that, as a Director, you would be expected to attend Directors' meetings and selected other events throughout the year? Do you agree to do so?

☐ Yes ☐ No

7. Do you contribute to RPAC?

☐ Yes ☐ No

8. Would you pledge to become at least a \$99 Club contributor each year you serve as an Officer and/or Director of the Association or MLS?

☐ Yes ☐ No

9. As an officer or director of the Board, you will be representing the organization. Will you support positions taken by the MAAR Board of Directors, even if you opposed the positions when they were being considered and debated by the Board of Directors?

☐ Yes ☐ No

Should the above circumstance occur, how will you respond if asked about your personal feelings versus the Association's position?

(If you need more space please use additional sheets.)

10. Please describe, in your own words, your perception of the role of the position for which you seek to be elected, and

the reasons you feel you are best qualified to serve in this position.

(If you need more space please use additional sheets.)

11. Please list any prior service to the REALTOR® organization and/or the community you would like the Nominating Committee to be aware of:

A) Service to MAAR, GCMLS, AAR, or NAR:

Committee Name	Position	Dates Served
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_____	_____	_____
_____	_____	_____
_____	_____	_____

(If you need more space please use additional sheets.)

B) Community Service Involvement:

(If you need more space please use additional sheets.)

By signing below, I _____ (please print) certify that the information provided above is true and accurate, that I have been a member for at least (3) three years, and have not been found guilty of any Ethics violations during that time.

Signature _____

Date _____

Please note the following points about the Consent to Serve forms and nomination process:

- All prospective candidates for either an officer or director position, including those who may choose to be nominated from the floor, must submit a **Consent to Serve** form and be vetted by the Nominating Committee.
- The Nominating Committee is scheduled to present the slate in August 2018.
- **Consent to Serve** forms are due at MAAR by the end of business day on July 20th.
- Please email completed form to Brittany, brittany@gcmls.com.

Appendix M: Social Media Policy

All MAAR members and employees are encouraged to adhere to the following guidelines as established in the official Social Media Policy of the Mobile Area Association of REALTORS®, below. This policy will continually evolve as new media resources and technologies emerge. In this document, “social media” refers to blogs, podcasts, wikis, social networks, virtual worlds, and all new or as-yet undiscovered technologies.

Introduction

This Social Media Policy has been put together by the Communications Director and the Chief Executive Officer of the Mobile Area Association of REALTORS®, in conjunction with the approval of the Board of Directors. It shall serve as a guideline to assist MAAR staff in engaging in social media. If these practices are followed, then you will be able to meaningfully and effectively communicate with other using social media in a way that benefits you and MAAR.

Any staff member engaging in online, electronic dialogue as a delegate of the Association is required to comply with the guidelines in this document. These guidelines will also help you follow the established social media policy that can be found in the NATIONAL ASSOCIATION OF REALTORS® Social Media Policy, which is included, but summarize, for your reference below:

NAR’s HR Social Media Policy: The Association respects your right to interact and communicate about non-work related matters using the Internet. In order to protect the Association from the posting of comments and information that may have a harmful effect on its reputation and/or its employees, we have developed the following policy. For the purpose of this policy, “engaging in social media” means posting or uploading content to all types of interactive electronic communications including but not limited to websites, blogs, social networks, discussion board, and listserves.

You may not use your Association-issued email address to engage in exclusively non-work related social media communication. The Association respects your right under applicable federal, state and local laws to communicate with others about the terms and conditions of your employment. In communicating via electronic or other means, you must make it clear to the readers that the views expressed are yours alone and that statements, opinions, and beliefs do not reflect the views of the Association.

Furthermore, when engaging in social media, be vigilant to ensure that you do not disclose any information that is confidential or proprietary to the Association or to any third party that has disclosed information to us. This includes the use of Association trademarks or material.

The Association will take appropriate disciplinary action if it discovers that an employee is using social media to communicate confidential, proprietary, untruthful, derogatory or other information that is harmful to the Association, its employees or its clients, unless the communication in question is protected by the federal, state or local laws.

Mobile Area Association of REALTORS® Social Media Policy

The MAAR's social media policy grows in importance every day. The social media platforms improve and evolve rapidly as well as the tools necessary to use them; influencing our lives and those of our members to a greater degree each year. Our interest in participating in social media is to aid and assist our members in their needs to stay current with these technologies and to help inform the public by giving them access to our products and those affiliated industries and government sites relevant to real estate. While each member must make the decision to participate or not in social media platforms and find the ones that best fit their needs. Doing so expands our ability to learn and share our knowledge with others.

MAAR staff will be trained so that all departments can collaborate effectively across all MAAR social media platforms. The Communications Director and/ or the CEO will help staff develop social media strategies specific to each of MAAR's departments to complement and refurbish their existing communications strategies.

Social Media Guidelines

1. Perception is reality: When you participate in social media, you are likely to find your personal and professional lives becoming more integrated online. While it's perfectly fine to express your personal beliefs, be aware that your participation in social media is visible to the association's membership.
2. Be clear: When speaking about issues relating to the Association (real estate, property rights, interest rate tax deductions, etc.)
3. Be transparent: Reveal that you work for a REALTOR® Association before commenting on real estate related issues.
4. If you publish content related to MAAR on any non-MAAR site, identify yourself and use a disclaimer such as, "The views expressed in this post are my own and not necessarily those of the MAAR."
5. Be yourself: Do not post anonymously or use pseudonyms and don't say or do anything online you wouldn't do face to face.
6. Own up to mistakes: If you have made an error, say so but do not alter the original text of the incorrect post. Instead, add an update in which you explain and correct the error.

Social Media Participation

1. Know your Association's positions: When speaking for the Association on industry-related topics, it is your responsibility to be familiar with the Association's position.
2. Do not involve yourself in disputes: In a legal, public or political dispute between members, or between Associations and members, your job is to remain neutral. Avoid making any statement that can be viewed as preference to one Association/ member over another.
3. Before publishing a picture, tagging, photo/geotagging, tweeting, "checking-in" via location of a member, Association employee, or anyone with a professional relationship with the Association in a non-professional setting, ask for their permission. Don't post photos showing people drinking or in exotic locales.
4. Behave as a member of the REALTOR® Party.

Blogging Guidelines: Blog posts express observations, share experiences, and point readers to interesting information. One goal of a blog post is to start conversation with readers, so feel free to invite comments or ask questions.

1. Before a new blog can launch it must be approved by the Association's CEO.
2. Respect copyrights and use caution when publishing text, pictures, video, or other content that was not created by the Association.
3. Association staff members should not republish Creative Commons content unless that content is specifically licensed for commercial use.
4. Linking vs. Republishing: Whenever possible, link to content elsewhere on the Web instead of republishing it. Excerpt or quote whenever possible with a link back to the original material.
5. Be sure that any material is taken from an NAR blog, approved website, or any other affiliation of NAR to use the NAR disclaimer that can be found on www.Realtor.org.
6. Know your audience: Be sure that your content is relevant to the audience you're trying to reach.
7. Credit the original author(s) of the material. Provide a description of where the link will take the reader, and link to the exact page that you are referring to in your post.

Facebook Guidelines: It is important to understand that our member's aren't visiting Facebook with the intention of seeing what's new with the Association. Members are on Facebook to engage with and grow their sphere of influence on a personal and professional level and promote their business. To share information on Facebook, you can do it in a number of ways such as post content to a group, business page, or profile wall (member's timeline).

Profiles: It is important to understand the difference between your personal account and your Facebook Page. Your personal account is the regular user account that you log into when you sign in to Facebook, and this is the account you use to manage your Facebook Page. Your personal account profile is separate from your Facebook Page. When you edit your personal account profile or add content to it, these changes will not be reflected on your Facebook Page. Likewise, when you edit your Facebook Page, these changes will not be reflected in your personal account or your personal account profile.

Business Pages: A Business Page must be administered by at least one personal profile. Associations are encouraged to create a Facebook page to share information and interact with their members. Only an official representative of an organization is permitted to create a Facebook Page. Anyone can "Like" these public-facing pages. This means that both members and non-members will have access to the content on that page.

Groups: Facebook groups are designed to give users a designated space for interaction, discussion and information sharing. Unlike pages, groups can be open (public), or closed (only group members can see content), or secret (only group members know the group even exists). An administrator can choose to offer access to the group by invitation only. The administrator can also send all-member messages to the group, but so can every member, if allowed.

Primary Support Staff: The Communications Director and the MAAR CEO is responsible for administering the Association's Facebook Page. This includes determining the content strategy and monitoring incoming communications from followers.

Content Ideas:

1. Events: Conference, training, luncheon hosted by the Association.
2. News: Anything that affects members, news from Association or links to other sources.
3. Pictures: Members attending past events, etc.
4. Conversations: Engage with your audience.
5. Updates: About the Association itself.

Twitter Guidelines: Twitter has a 140-character limit on each communication, which forces users to keep announcements and conversations short and simple (ex. @’s, DM’s, hashtags, and RT’s). Twitter takes significant dedication and commitment from the Communications Director upon approval of the CEO.

Twitter Following: Twitter communication is not reciprocal, when one member finds value in another member’s posts; they choose to subscribe to that member by following them, who may or may not choose to follow back. Twitter should be used purely as a channel to broadcast information, then don’t follow back.

Twitter Information: It is primarily used for information and users typically only look at the conversations happening in the last few minutes. Most followers will only see posts made by the Association if they happen to tune into Twitter at the same time. Posts to Twitter should be made several times a day. The Association account requires an ongoing commitment to engage in the conversation.

Primary Support Staff: The Communications Director and the MAAR CEO is responsible for administering the Association’s Twitter Account. This includes determining the content strategy and monitoring incoming and outgoing communications from members and followers.

LinkedIn, YouTube, and any other social media platform: As of this writing, MAAR has a substantial LinkedIn and YouTube presence, but the platform is undergoing infrastructure changes. Once the guidelines are complete the changes will be provided.

****Special thanks to the NAR and BCAR Social Media Policies whose social media policies served as inspirations for this document.*