

**NOTE E**  
Protected area (15 CFR 922)  
The following activities are prohibited within the Stellwagen Bank Marine Sanctuary:  
Certain discharging or dumping  
Industrial exploring or developing  
Dredging and dumping  
Removing historical artifacts  
Lightering  
Refer to 15 CFR 922 for details of Sanctuary regulations.

**LORENZ LINEAR INTERPOLATOR**

MICROSECONDS

**CURRENT DIAGRAM**  
GEORGES BANK AND NANTUCKET SHOALS

Hourly directions and velocities of tide currents at three stations are shown by arrows. The length of the arrow from the center of the circle represents the average velocity on a scale of one inch equals two knots. The figures at the arrow heads are the hours after the time of maximum flood at Pollock Rip Channel, the daily predicted times of which are given in the National Ocean Service Atlantic Coast Current Tables. The velocities plotted should be increased by 20 percent when the moon is full or new and decreased by 20 percent when the moon is in first or third quarters. For effect of wind on tidal currents, see Current Tables, Atlantic Coast.

**SCALE OF VELOCITIES**  
0 1 2 KNOTS

**CAUTION**  
Temporary changes or defects in aids to navigation are not indicated on this chart. See Local Notice to Mariners.  
During some winter months or when endangered by ice, certain aids to navigation are replaced by other types or removed. For details, see U.S. Coast Guard Light List.

**REVISED FEBRUARY 2023**

**CAPE COD & ISLANDS**  
ASSOCIATION OF REALTORS®

**POLICY MANUAL**

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**I. PURPOSE OF POLICY MANUAL**

The purpose of this Policy Manual is to provide guidance regarding the governance and management of the Cape Cod & Islands Association of REALTORS® (CCIAOR) and all its subsidiaries (which should be collectively known as “the Association”).

The Policy Manual is intended to supplement but not replace the Articles of Incorporation of the Association, as amended, and the Bylaws of the Association, as amended, and any written employment agreement with the Association’s Chief Executive Officer.

**II. OPERATING**

**A. HOURS AND DAYS OF OPERATION**

The Association staff will work Monday through Friday from 8:30 a.m. to 5 p.m. except for the dates noted below. The Association may close for special events at the discretion of the CEO, and the Association will operate under the Dennis Yarmouth School District schedule for inclement weather delays and closings related to any in-person events and programs; however, during inclement weather delays and closings Association staff will continue to work remotely when possible.

The Association will be closed on the following days:

- New Year's Day
- Martin Luther King, Jr. Day
- Presidents Day
- Memorial Day
- Juneteenth
- July 4
- Labor Day
- Thanksgiving Day
- Friday following Thanksgiving

**For Christmas, see the schedule below:**

If Christmas falls on the following day:	The Association will be closed on the following days:
Monday	Monday and Tuesday
Tuesday	Monday and Tuesday

Wednesday	Tuesday at 1 pm; Wednesday; and Thursday
Thursday	Wednesday at 1 pm; Thursday; and Friday
Friday	Thursday and Friday
Saturday	Friday and Monday
Sunday	Monday and Tuesday

## B. LEGAL REPRESENTATION

The CEO or his designee is the only authorized representative to engage the services of the legal counsel unless specifically authorized by the CEO or by the majority of the Board of Directors or if acting within the confines of another policy contained herewithin.

The legal counsel for the Association is the Ardito Law Group. Other counsel may be hired for contracted services as approved by the CEO or Board of Directors through the budget of the Association or through a motion of the Board of Directors.

## C. CEO SUCCESSION PLAN

This establishes a plan should the Chief Executive Officer (CEO) position of the Cape Cod & Islands Association of REALTORS® become vacant or the Board of Directors has been notified of a pending vacancy in the position. There are three scenarios covered under this policy:

- Temporary Absence
- Unplanned Departure
- Planned Departure

This succession plan will guide the organization through the transition and gives the proper authority to the individuals mentioned herewithin to carry out this policy.

### ***Temporary Absence: Temporary CEO Succession Plan***

In the event of a temporary CEO absence either through temporary incapacitation or a leave of absence that is long enough that the Board of Directors deems the need to enact the Temporary CEO Succession Plan.

In the event of a Temporary Absence, the Chief Operating Officer (COO) will assume the role of the Interim Chief Executive Officer (Interim CEO) effective immediately.

If the COO is unable, unwilling, or the position is vacant, the MLS Director will be named Interim CEO. If the MLS Director is unable to serve in this capacity, then the Executive Committee shall

meet or convene a conference call immediately and either name a staff member as the Interim CEO or hire a temporary consultant with executive experience to fulfill the role. The Executive Committee or any officer or director is not eligible to fill the role as Interim CEO.

Upon any action of the Executive Committee, the entire Board of Directors shall be immediately notified.

The Interim CEO shall ensure that the Association and MLS continues to operate with minimal disruption and that all organizational commitments previously made are adequately executed. The Interim CEO should have the full power the bylaws and policies of CCIAOR and its subsidiaries provide.

*(See Appendix A-1: Temporary CEO Succession Plan Guidance)*

### ***Unplanned Departure: Emergency CEO Succession Plan***

Circumstances that trigger implementation of the Emergency Succession Plan:

- Death of CEO;
- CEO becomes permanently incapacitated;
- CEO's employment ends and its effective date is not enough time to implement the Planned Departure Succession Plan.

In the event of an Unplanned Departure, the Chief Operating Officer (COO) will assume the role of Interim Chief Executive Officer (Interim CEO) effective immediately.

If the COO is unable, unwilling, or the position is vacant, the MLS Director will be named Interim CEO. If the MLS Director is unable to serve in this capacity, then the Executive Committee shall meet or convene a conference call immediately and either name a staff member as the Interim CEO or hire a temporary consultant with executive experience to fulfill the role. The Executive Committee or any officer or director is not eligible to fill the role as Interim CEO.

Upon any action of the Executive Committee, the entire Board of Directors shall be immediately notified.

The Interim CEO shall ensure that the Association and MLS continue to operate with minimal disruption and that all organizational commitments previously made are adequately executed. The Interim CEO should have the full power the bylaws and policies of CCIAOR and its subsidiaries provide.

*(See Appendix A-2: Emergency CEO Succession Plan Guidance)*

### ***Planned Departure: Planned Departure CEO Succession Plan***

Circumstances that trigger the implementation of this Planned Departure Succession Plan:

- CEO announces retirement or departure at a date the Planned Departure Succession Plan can be implemented;
- CEO's employment ends and its effective date is enough time to implement the Planned Departure Succession Plan.

In the event one of the circumstances occurs that triggers the Planned Departure Succession Plan, the Executive Committee should immediately convene.

If timeline provides a gap between when the CEO leaves and a new one is in place, the Executive Committee will confirm the COO as Interim CEO effective a particular date or name another individual as Interim CEO. The Executive Committee cannot leave the position vacant or name the Executive Committee as the Interim CEO.

Upon any action of the Executive Committee, the entire Board of Directors shall be immediately notified.

*(See Appendix A-3: Planned Departure CEO Succession Plan Guidance)*

### D. SPONSORSHIP OF STATE & NATIONAL REALTOR® AFFILIATED INSTALLATIONS

CCIAOR will sponsor the installation of any CCIAOR member elected as the Chief Elected Officer of a state or national REALTOR® affiliated organization. The sponsorship amount will be at the approval of the CCIAOR Board of Directors.

### E. DBA NAMES

The Association has been granted use of Doing Business As (DBA) names by the National Association of REALTORS®. A DBA is a name for a business (or association) other than the name that appears in the articles of incorporation.

The following DBA names have been approved for use by the Association from NAR:

- Cape Cod REALTORS®
- Martha's Vineyard REALTORS®
- Nantucket REALTORS®

The approved DBAs can only be used interchangeably with the "Cape Cod & Islands Association of REALTORS®" and connote the Association as a whole and not a subset of its members. Use of the DBAs should only be used to convey the Association's official position or presence as an organization.

*Added: 05/05/2021*



### III. VOLUNTEER LEADERSHIP

#### A. VOLUNTEER LEADERSHIP AGREEMENT

As a condition of volunteering with the Association, all volunteers must agree to abide by the volunteer policies contained herewithin.

*(See Appendix B-1: Volunteer Leadership Agreement)*

#### B. CONFLICT OF INTEREST

##### ***Conflicts of Interest***

The Association and its volunteer leaders are dedicated to serving the interests of the Association's constituency in the most honorable and ethical manner possible. Among the Association's duties is the responsibility to provide assurance to its constituencies that debates, decision making, and all governance at the Association are conducted in an objective and bias-free context. Among the duties of the volunteer leaders of the Association is a duty of loyalty—to place the best interests of the Association uppermost when acting on the Association's behalf. This duty of loyalty, or “fiduciary” duty, encompasses the obligation to avoid or disclose any “other interests” that could dilute, diminish, or divide a leader's unqualified loyalty and complete commitment to the Association. Where such interests exist or even appear to exist, they are “conflicts of interest” that the Association is responsible to manage in order to ensure reasonably bias-free governance.

##### ***Summary of the Policy***

The Association's policy is to require that volunteer leaders disclose “other interests” as defined in this policy at least once each year or more frequently if “other interests” arise. Then the governing board, or delegated representatives of the governing board, must decide what if anything to do in reaction to disclosures of “other interest” according to the Association's procedures for doing so. In most cases it will be decided that the proper corrective measure is disclosure of the “other interests” to the governing board or other governance body of the Association. But in some cases, the volunteer leader might be asked to “recuse”—refrain from participating in debate or resolution of matters where the volunteer leader has “other interests.” In rare cases the volunteer leader might be asked to resign from the position on the board or elsewhere in the governance structure of the Association.

##### ***“Other Interests”***

1. To what volunteer leaders does this policy apply?

The governing board has determined that the policy applies to officers, directors, senior executives and committee/group members of the Association.

2. What “other interests” are to be disclosed?

Disclosure is expected of these “other interests”:

- a) Ownership, employment, or volunteer or agency interest or involvement in a commercial entity or nonprofit organization that competes with the Association;
- b) Ownership, employment, or volunteer or agency interest or involvement in a commercial entity or nonprofit organization that is, or seeks to be, a vendor of products or services to the Association; or
- c) Position as spokesperson, consultant, employee, or agent for another commercial or nonprofit organization that advances opposing or adverse public policy positions from those of the Association.

Note: The “Association” includes the Association’s subsidiaries and affiliates.

Note also: The volunteer leader should disclose these “other interests” personally for the employer or company, and for close business associates and family members.

### 3. When and how is disclosure to be made?

Disclosure is to be made at least annually when requested by the governing board, and after that at any time throughout the year when an “other interest” arises or becomes known that was not disclosed at the time of, or has significantly changed since, the annual disclosure. Disclosure should always be in writing. Disclosure forms are provided for that purpose. Volunteer leaders should feel free to provide additional information as appropriate.

### 4. What information is to be disclosed about “other interests”?

The volunteer leader should provide sufficient information about any “other interest” so as to permit an evaluation of what effect the “other interest” might have on the leader’s participation in the Association’s governance.

### 5. What about confidential information on “other interests”?

Any confidential information should be clearly marked as such on the volunteer leader’s disclosure. The Association will endeavor to keep the information confidential. But if a requirement for confidentiality precludes the governing board of the Association from fairly evaluating the disclosure, the Board may respond accordingly in its recommendation regarding corrective measures.

### ***Corrective Measures***

It is the Association’s prerogative, not the disclosing volunteer leader’s, to make determinations regarding corrective measures with respect to “other interests.” The governing

board or its delegated representatives will do so. Among the corrective measures available to be recommended are these:

1. Disclosure to the governance body. In most cases, it is expected that the possibility of subjectivity or bias will be sufficiently offset by disclosing the “other interest” to the entire governance body of which the disclosing volunteer leader is a member. That governance body will be expected to take the individual’s “other interest” into consideration when discussions, debates, or decisions occur in the governance body. The Association, its governing board, and the volunteer leader will all have fully discharged their duties.
2. Recusal. In some instances, it may be determined that the avoidance of conflicts of interest, or even the mere appearance of conflicts of interest, will dictate that the disclosing individual should avoid discussions, debates, and decision making on subjects related to the disclosure. The volunteer leader will remain a member of the governance body affected but will withdraw from portions of meetings or activities appropriately.
3. Resignation. There could be situations, expected to be rare, in which the volunteer leader’s “other interest” is so extensive or pervasive that, in the view of the Association’s governing board or its representatives, the leader’s involvement in discussions, debates, or decision making in the pertinent governing body on any subject will be adversely affected. In that case the leader will be asked to resign. If resignation is not forthcoming, the governing board will decide on alternatives consistent with the Association’s Bylaws and governing state law.

### **Procedures**

The appropriate steps in implementing this policy are these:

1. Annual disclosure. Officers, directors and senior executives of the Association will be asked to complete a disclosure form annually. Forms should be submitted at other times as well if “other interests” arise or become known. Committee/group members of the Association are only required to submit the attached disclosure form if and when they have “other interests” to disclose.

*(See Appendix B-1: Disclosure of Other Interests)*

2. Review, evaluation, and recommendation. The Executive Committee of the Association will review any disclosure forms where “other interests” are disclosed. The volunteer leader may be asked to provide additional information as a result of this review. If this reviewing body determines that no action is required, then none will be taken. If the body determines that disclosure to the full governing body on which the volunteer leader sits is the appropriate corrective measure, this will be undertaken with notice to the volunteer leader. If other corrective measures are recommended, the matter will come before the governing board.

3. Governing board. The governing board makes the final determination of the appropriate corrective action to be recommended to the volunteer leader and any subsequent action or procedures that may become expedient.

Any questions about the Association's policy or procedures should be raised with the Board of Directors or Legal Counsel of the Association.

### C. CONFIDENTIALITY

All volunteers agree to respect the confidentiality of the committees, task forces and Boards of Directors of the Association. They will not reveal discussions, deliberations, or information outside the scope of your authority. If you have a question as to whether information is confidential, you will consult the CEO or assigned staff.

### D. ANTITRUST

#### *Policy*

It is the undeviating policy of the Association to comply strictly with all federal, state, and applicable international trade regulations, antitrust, and competition laws. Any activities of the Association-related actions of its officers, directors, committee chairs, REALTOR® Members, Participants, Subscribers, or staff (Parties) that violate these regulations and laws are detrimental to the interests of the Association and are unequivocally contrary to the Association policy. By following the guidelines within this policy, the Association serves to prevent anti-competitive conduct of the previously described Parties; but it also aims to reduce even the appearance of anti-competitive conduct.

#### *Implementation*

Implementation of the antitrust compliance policy of the Association includes, but is not limited to, the following:

**A. Meetings.** Association membership meetings, and those of the Board of Directors, the Executive Committee, and other committees, are to be conducted pursuant to agendas distributed in advance to attendees; discussions should be limited to agenda items; there should be no substantive discussions of the Association matters other than at official meetings; minutes shall be distributed to attendees promptly.

All Parties who receive a notice and agenda should review it in advance to identify any agenda item that might raise concerns under this policy and ask the staff or the presiding member to refer any such items to general counsel for review prior to the meeting. If a discussion is, or is likely to become, inconsistent with this policy, suspend the discussion until general counsel can review the discussion under the antitrust laws; minutes should note the suspension.

**B. Prohibited Subjects.** All Association activities or discussions shall be avoided that might be construed as tending to (1) raise, lower, or stabilize prices; (2) regulate production or services; (3) allocate markets, customers, or clients; (4) encourage boycotts; (5) foster unfair trade practices; (6) assist in monopolization; or (7) in any way violate federal, state, or applicable international trade regulations and antitrust laws.

**C. Authorization.** No officer, director, or member of the Association shall make any representation in public or in private, orally or in writing, that states, or appears to state, an official policy or position of the Association without specific authorization to do so.

**D. Obligation to Withdraw and Report.** Anyone observing a violation of the Prohibited Subjects should immediately and firmly object and stop the discussion, immediately and conspicuously withdraw from the group if discussion continues and report any conduct or discussions that may violate this policy to general counsel. Mere silence is not enough.

**E. General Counsel.** General Counsel is available to consult whenever potential antitrust issues arise. Parties must never consult with each other regarding any of these issues unless they form a joint venture or other collaborative effort under the advice of general counsel.

**F. Sanctions.** Association members, officers, directors, or employees who participate in conduct that the Board of Directors determines to be contrary to the Association antitrust compliance policy are subject to disciplinary measures up to, and including, termination as per the CCIAOR & CCIMLS Bylaws.

## E. INTELLECTUAL PROPERTY RIGHTS

The Association desires to retain all intellectual property rights in all projects in which volunteers are engaged. All volunteers agree to irrevocably assign and transfer to the Association any and all copyright rights, and other intellectual property rights, and all actions and causes of actions related to the foregoing, and all damages, profits, and other recoveries related thereto, which may be created, had, developed, acquired or contributed during the course of the volunteer engagement. Volunteers agree and acknowledge that the Association will own all intellectual property rights associated with all works created for the Association during their volunteer engagement and that they shall not challenge or take any action inconsistent with such rights.

## F. FREEDOM FROM HARASSMENT AND DISCRIMINATION

The Association is committed to a work environment free from all forms of discrimination and unlawful harassment, including sexual harassment. This policy applies to the working relationships between the Association's employees and applicants, members, customers, vendors, and others with whom contact is necessary to perform Association business.

This policy also applies to all work-related settings and activities, whether inside or outside the workplace and includes member sites, business trips and business-related social events. The Association's property (telephones/cell phones, copy machines, facsimile machines, computers and computer applications such as e-mail and Internet access) may not be used to engage in conduct that violates this policy. The Association's policy against harassment covers employees and other individuals who have a relationship with the company (including members, outside contractors, vendors, etc.)

The Association will not tolerate any form of unlawful harassment or discrimination in the workplace. For purposes of this policy, the term harassment includes, but is not limited to, threatening, belittling, obscene or offensive language, jokes, or other verbal or physical conduct about a person's age, ancestry, disability, gender, gender identity, genetic information, military/veteran status, national origin, pregnancy, race or color, religion, or sexual orientation. Discrimination means different treatment of employees based on one of the above-listed protected classes.

While harassment or discrimination based on **any** characteristic identified above is prohibited, sexual harassment requires particular attention. Sexual harassment is behavior directed towards any employee based on gender or sex, and can include sexual advances, requests for sexual favors, or verbal and physical conduct of a sexual nature when:

submission to such conduct is made either explicitly or implicitly a term or condition of employment, or

submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual; or

such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

The Association encourages employees and members to come forward with any complaints of harassment or discrimination and/or to cooperate in any investigation of harassment or discrimination. The Association prohibits retaliation against an employee or member for filing a complaint of harassment or discrimination, or for cooperating in the investigation of such a complaint. Any retaliation will not be tolerated.

*(See Appendix C for the Harassment Complaint Procedure and Appendix D for the Harassment Complaint Investigation and Confidentiality Statement.)*

## G. WHISTLEBLOWER

The Association requires directors, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. Employees and

members of the Association must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

### **REPORTING RESPONSIBILITY**

This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns internally so that the Association can address and correct inappropriate conduct and actions. It is the responsibility of all board members, officers, employees and volunteers to report concerns about ethics violations or suspected violations of law or regulations that govern the Association's operations.

### **NO RETALIATION**

It is contrary to the values of the Association for anyone to retaliate against any board member, officer, employee or volunteer who in good faith reports an ethics violation, or a suspected violation of law, such as a complaint of discrimination, or suspected fraud, or suspected violation of any regulation governing the operations of the Association. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

### **COMPLIANCE OFFICER**

The Chief Executive Officer of the Association or his or her designee shall serve as the officer responsible for ensuring compliance with this Whistleblower Policy (the "Compliance Officer"). The Compliance Officer is responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved. The Compliance Officer will advise the Executive Committee of all complaints and their resolution.

### **REPORTING PROCEDURE**

The Association has an open-door policy and suggests that employees share their questions, concerns, suggestions or complaints with their supervisor. If you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with the CEO, President or the Association's Legal Counsel. Supervisors and managers are required to report complaints or concerns about suspected ethical and legal violations in writing to the Association's Compliance Officer, who has the responsibility to investigate all reported complaints. Employees with concerns or complaints may also submit their concerns in writing directly to their supervisor, the Chief Executive Officer, the President or the Association's Legal Counsel.

### **ACCOUNTING AND AUDITING MATTERS**

The Association's Compliance Officer shall notify the Finance Committee of any concerns or complaint regarding corporate accounting practices, internal controls or auditing and work with the committee until the matter is resolved.

### **ACTING IN GOOD FAITH**

Anyone filing a written complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

### **CONFIDENTIALITY**

Violations or suspected violations may be submitted on a confidential basis by the complainant. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

### **HANDLING OF REPORTED VIOLATIONS**

The Association's Compliance Officer will notify the person who submitted a complaint and acknowledge receipt of the reported violation or suspected violation. All reports will be promptly investigated, and appropriate corrective action will be taken if warranted by the investigation.

## **H. TRAVEL & EXPENSES**

From time to time, volunteers of the Association will be required to attend meetings away from the office. When required, the Association will incur all reasonable costs of such travel, provided the employee follows the travel expense policies. Should a family member elect to travel to any national meetings, his/her personal expenses will be the responsibility of the volunteer member, the volunteer's first and foremost duty is to attend the meetings for the purpose stipulated by the Chief Executive Officer. All volunteer travel is approved annually through the budget or approved directly by the appropriate Board of Directors.

Immediately following the required travel, expenses must be reported to the Chief Executive Officer or his/her designee for reimbursement approval. All travel expenses must be itemized and should include receipts for all expenses.

Any volunteer leadership who travels on behalf of the Association should consult with the CEO/or assigned staff prior to the trip to get input as to the itinerary and the meetings needed to be attended. After the travel and at the next available Board of Directors meeting, the volunteer leadership shall provide a report to the Board of Directors as to updates from the event attended. In addition, if requested, the volunteer leadership shall provide the CEO a written report of meetings attended and relevant updates from the travel for distribution to the membership within a week of returning from the trip.

The following guidelines are necessary for the proper preparation and submission of expense reports by volunteers of the Association:



- AIR TRAVEL: No paid air travel may be scheduled without prior approval of the CEO and only coach class tickets will be assumed by the Association.
- AUTO TRAVEL: Travel by personal auto on business, except for travel to the Association offices or meetings within the jurisdiction of the Association, will be reimbursed for actual miles traveled at current IRS approved rates. Expenses such as parking fees, tolls, etc., will be reimbursed if the proper receipts are submitted and approved by the CEO.
- OVERNIGHT TRIPS: Expenses for lodging, meals, tips, and other related expenses will be paid by the Association with proper receipts and approval. No alcohol will be reimbursed by the Association. Hotel expenses will only be incurred for those traveling more than two hours off Cape, unless allowed for separately in this manual. The CEO can waive this stipulation if the travel is required for consecutive days.
- HOTEL EXPENSE: The CEO/or assigned staff shall determine the hotel accommodations to minimize the cost to the Association. When traveling on business, you are representing the Association and it may not always be appropriate for spouse and/or children or friend(s) to travel with you. You should consult the CEO to determine if it is appropriate to have family members accompany you on any trip.
- PER DIEM REIMBURSABLE EXPENSES: The Association will reimburse up to the maximum per diem expense that is determined by IRS rates. This will include the cost of meals. Receipts are required for all expenditures over \$5.
- CANCELLATIONS: The Association will not assume cancellation fees. If a volunteer has already committed to a trip, but is unwilling or unable to attend, the volunteer will assume all fees pre-paid for the trip. The CEO can waive this in the event of extreme and unforeseen circumstances.

### I. ISLAND BOARD OF DIRECTOR TRAVEL

The Association will pay all reasonable transportation costs for the Association Board of Directors to travel from the Islands to the location for meetings on Cape Cod. The Association will reimburse the cost of a plane flight or boat trip (with car). If needed, The Association will also pay reasonable transportation cost of a car rental for the day of travel. Expenses such as parking fees, tolls, etc., will be reimbursed if the proper receipts are submitted and approved by the CEO or his/her designee. Parking fees will only be paid for the day of the meeting.

If the Association requires an Island BOD member to be on Cape Cod for two consecutive days, schedules a meeting too early for planned island transportation or weather delays a return to the Island, the Association will cover a hotel stay. Island Board of Director members are required to work with the CEO/or assigned staff to determine the budget for their travel for the year and the CEO may make alterations to this policy within the budget amount.

## IV. GOVERNANCE

### A. ELECTIONS

#### ***CCIAOR BOARD OF DIRECTORS***

In accordance with the CCIAOR Bylaws, the election of Officers and Directors shall take place at the Annual Meeting.

#### ***CCIMLS BOARD OF DIRECTORS***

In accordance with the CCIMLS Bylaws, the election of Officers and Directors (except for the ones serving in ex-officio capacity) shall be by the majority vote of the CCIAOR Board of Directors at their Annual Meeting.

### B. BOARD OF DIRECTORS

#### ***AGENDA***

Agendas for the Board of Director meetings shall be created by the CEO and/or staff designee in consultation with the President and President-Elect. Any board member may request a topic be placed on the agenda by contacting the CEO or the President at least 5 days prior to the meeting. Whenever possible, agendas are to be distributed to the Board of Directors at least 4 days prior to the meeting.

#### ***WEBSITE DISPLAY OF BOARD MEMBERS***

The Association's website shall contain an accessible list of the names of all officers and directors and show their current title and term expiration date for all boards, including its subsidiaries.

#### ***BROKERAGE LIMITATION FOR CCIAOR DIRECTOR SEATS***

If for any reason, including but not limited to, company merger(s), licensee transfer, or elections, there exists more than two acting directors from the same brokerage, and the current bylaws do not resolve the matter, then the Designated REALTOR® (DR) for the company shall determine which two acting directors shall remain in office at the end of the calendar year. The following procedure shall be followed:

1. Upon notice that more than two acting directors from the same company are in office, the Association shall send a letter to the DR for said company requesting that the DR select, in writing, which two directors shall remain in office;
  - a. The letter shall include a list of the company's acting directors' names, positions and terms;
  - b. The letter shall provide a 14 (fourteen) day response period for the DR to make his/her written response;

- c. The letter shall also provide the option for the DR to defer the decision to the Leadership Development Committee.
2. At the expiration of 14 (fourteen) days from the date on the letter, if no response has been received, then the Leadership Development Committee shall make a recommendation to the Board of Directors on which two directors shall remain in office at the end of the current year.

### ***BROKERAGE LIMITATION FOR CCIMLS BOARD OF DIRECTORS***

If for any reason, including but not limited to, company merger(s) or licensee transfer, there exists more than one acting directors from the same brokerage, then the Designated REALTOR® (DR) for the company shall determine which acting directors shall remain in office at the end of the calendar year. The following procedure shall be followed:

1. Upon notice that more than one acting directors from the same company are in office, the CCIMLS shall send a letter to the DR for said company requesting that the DR select, in writing, which two directors shall remain in office;
  - a. The letter shall include a list of the company's acting directors' names, positions and terms;
  - b. The letter shall provide a 14 (fourteen) day response period for the DR to make his/her written response.
  - c. The letter shall also provide the option for the DR to defer the decision to the Leadership Development Committee.
2. At the expiration of 14 (fourteen) days from the date on the letter, if no response has been received, then the Leadership Development Committee shall make a recommendation to the Board of Directors on which director shall remain in office at the end of the current year.

## **B. CCIAOR COMMITTEES & APPOINTMENTS**

In accordance with the CCIAOR Bylaws, the President shall appoint from the among the REALTOR® members, subject to confirmation by the CCIAOR Board of Directors, the following standing committees needed to operate the Association:

- Professional Standards
- Grievance
- Executive
- Finance
- Leadership Development

In addition, the Association should have the following committees appointed each year in accordance with this policy manual:

- Leadership Academy Selection Committee

- Awards Committee
- CEO Review Committee

The Board of Directors shall determine yearly, and in accordance with the Strategic Plan, any additional committees, workgroups, presidential advisory groups, or task forces the Association may need to accomplish its plan and scope of work.

### **COMMITTEE SELECTION**

Committees contained within the CCIAOR Bylaws shall be constructed and appointed pursuant to those Bylaws. Committees not within the Bylaws, working groups and task forces may be added at any time throughout the year and are created when the Board of Directors confirms their purpose, structure, and roster.

The President shall recommend committees, work groups, and task forces, along with its purpose and rosters, to the Board of Directors for approval and shall consult with the CEO and the President-Elect in making those recommendations. The Association shall solicit and collect names of volunteers for committees. Any member who has expressed interest shall be considered for appointment.

### **PROFESSIONAL STANDARDS COMMITTEE**

The Professional Standards Committee conducts ethics and arbitration hearings to enforce the REALTOR® Code of Ethics and to arbitrate business disputes.

The Committee's responsibilities include:

- To be aware of the concepts of due process and be faithful to those concepts in all matters;
- To prepare by studying the Code of Ethics and applicable hearing procedures;
- In the case of an Ethics Hearing, to hear the matter, make findings of fact, render a decision and recommend appropriate penalty if violation of the Code is determined;
- In the conduct of any Hearing, to make a calm, objective and judicial atmosphere;
- In the conduct of an arbitration hearing, to maintain high ethical standards of integrity, faithfulness to agency and fairness to all parties.

**Committee Composition:** The Committee should be made up of at least 20 members and not more than 30 members serving 3-year terms with a maximum of 3 terms. After reaching their term limit, a member should be off the Professional Standards Committee for at least 2 years. Each member should have previously served on the Grievance Committee.

All members of the Professional Standards Committee should have attended Professional Standards training within the last three years.

### **GRIEVANCE COMMITTEE**

The Grievance Committee conducts evaluations of ethic complaints and arbitration requests forwarded to the Committee from individual members, the public, and other committees or upon the committee's own motions and determines whether an ethics hearing or an arbitration hearing should be held or conversely, whether it should be dismissed as insufficient on its face, within the guidelines outlined in the Code of Ethics and Arbitration Manual of the National Association of REALTORS®.

The Grievance Committee DOES NOT conduct hearings and DOES NOT determine if a violation of the Code of Ethics has occurred.

The Committee's responsibilities include:

- To review all requests for Ethics and Arbitration Hearings;
- Seek clarification from the complainant, if there is uncertainty whether the complaint is an ethics complaint or an arbitration complaint;
- If necessary, to help the complainant draft the complaint in proper form;
- Upon its own motion or upon instruction of the Directors, investigate the actions of a member when there is reason to believe the member's conduct may be subject to disciplinary action;
- Be the complainant on anonymous complaints that are received and have been found to have merit by the Committee;
- Act as the Citation Panel for complaints, in which, an offense that is citable, according to CCAOR's Citation Policy, is found with merit;
- Forward appropriate complaints to the Professional Standards Committee.

**Committee Composition:** The committee is to comprise of least 7 members and not more than 13 members with no more than 3 from any one company, serving 3 terms with a maximum of 2 terms. The Grievance Committee can pull from the Professional Standards Committee or the Board of Directors to create a group to review ethics complaints as needed.

All members of the Grievance Committee should have attended Professional Standards training within the last three years and have been a CCAOR member for at least three years.

### **FINANCE COMMITTEE**

The role and composition of the Finance Committee is defined in the CCAOR Bylaws.

### **INVESTMENT COMMITTEE**

The role of the Investment Committee is to implement and oversee the Cape Cod & Islands Association of REALTORS® investment policies as approved by the Finance Committee and

the Board of Directors. The Investment Committee is guided by an independent outside professional advisory firm.

**Committee Composition:** The Committee should be made up of three (3) members serving one (1) year terms. Members must also serve on the Finance Committee, the CCIAOR Board of Directors or have demonstrated experience in the financial services industry. The CCIAOR Treasurer shall serve as Chairperson.

### ***LEADERSHIP DEVELOPMENT COMMITTEE***

The role of the Leadership Development Committee is to recruit and qualify candidates for the Board of Directors and to oversee the annual Board of Directors election process ensuring compliance with the CCIAOR and CCIMLS Bylaws. Recruitment involves identifying current and projected vacancies on the board, assessing the composition of the current board and identifying gaps in competencies or demographics, and finding and recruiting potential candidates. The Leadership Development Committee is also charged with developing a position description for board membership to inform prospective candidates of qualifications in terms of their experience and background and what will be expected of them if they join the board.

The Leadership Development Committee shall solicit and accept applications for all positions up for election in that year, including:

- The CCIAOR Board of Directors officer and director positions;
- The CCIMLS Board of Directors officer and director positions;
- Any NAR Director allocated to CCIAOR.

In addition, they are to recommend at least one candidate for any vacancy that occurs in the elected positions throughout the year.

**Committee Composition:** The composition of the Leadership Development Committee is defined in the CCIAOR Bylaws.

### ***AWARDS COMMITTEE***

The awards committee shall meet annually and with enough time prior to the annual presentation of the Association's awards to consider candidates and recipients for the Association awards. CCIAOR Members and staff may submit awards nominations. Staff will ensure there are a minimum of three (3) eligible candidates for each award category. Announcement of award recipients is kept confidential until the Award Ceremony.

The Association awards are:

- **REALTOR® of the Year:** This award recognizes a CCIAOR member whose work expands the interest of their fellow REALTORS®, their profession, and the community at large. Nominees must be a CCIAOR member in good standing and have no Code of Ethics violations in the nomination period. Nominees will be judged based on the member's contributions in the preceding 18 months in the following categories:
  - Association involvement and impact (local, state, and national)
  - Civic activity and impact
  - Business accomplishments and recognition
  - REALTOR® spirit and cultivation of pride in the REALTOR® organization and industry
- **Chuck Lockhart Award:** This award was created in 1996 to honor and recognize exemplary service to the Association and was designed as a distinguished service award. It is different than REALTOR® of the Year as the Chuck Lockhart Award is for continued and distinguished service throughout a member's career on an ongoing nature to the Association and is based on continued participation in its activities and loyalty to its purpose.
- **Affiliate of the Year Award:** This award is given to the CCIAOR affiliate member who has gone beyond the normal affiliate participation level and given immense value to the Association and its efforts through their participation in Association activities.
- **Good Neighbor Award:** This award recognizes a CCIAOR member who has made an extraordinary commitment to improving the quality of life in their community through volunteer work, educational programs, youth/elder activities, and any other civic or charitable work. The Good Neighbor Award will specifically recognize members who have made significant contributions to the Cape & Islands communities through volunteer work. In addition, the Association will contribute \$500 to the recipient's organization, in which, they have are being honored for their volunteer work.

The Awards Committee shall also nominate a CCIAOR member for the Massachusetts Association of REALTORS® (MAR) REALTOR® of the Year Award. The MAR guidelines for selecting the REALTOR® of the Year based on category breakdowns shall be used for determining the award nominee.

**Committee Composition:** The committee shall comprise of the following members:

- The most immediate recipient of CCIAOR's REALTOR® of the Year (provided they are a current member) or the most recent willing and eligible past recipient, who shall serve as chair.
- The most immediate recipient of CCIAOR's Chuck Lockhart Award (provided they are a current member) or the most recent willing and eligible past recipient.

- The most immediate recipient of CCIAOR's Good Neighbor Award (provided they are a current member) or the most recent willing and eligible past recipient.
- A past president appointed by the president.
- A current member of the Board of Directors appointed by the president.

### ***LEADERSHIP ACADEMY SELECTION COMMITTEE***

The role of the Leadership Academy Selection Committee is to select participants for the Leadership Academy Program. The committee also provides feedback to staff on how to improve the program as well as the recruitment and selection process for participants. For the purposes of selecting the Leadership Academy participants, the committee shall meet with enough time prior to the selection deadline to review and consider candidates. All applicants and discussions are kept confidential. Chosen participants are kept confidential until they are contacted.

**Committee Composition:** The committee shall be composed of the following:

- Four (4) Leadership Academy alumni from previous years' classes appointed by the President and confirmed by the Board of Directors.
- The President-Elect who shall also serve as the Chairperson of the Committee.

### **CRITERIA FOR SELECTING CANDIDATES FOR LEADERSHIP ACADEMY:**

- Must be a CCIAOR REALTOR® member in good standing; preference will be given to candidates who have been a REALTOR® for at least 2 (two) years and have demonstrated production.
- Commitment to the program; ability and motivation to attend all sessions and be an active participant.
- Level of involvement in the REALTOR® Association and level of commitment to the profession.
- Potential for leadership demonstrated through involvement in REALTOR® Association or the community.
- Commitment to apply the lessons of the Leadership Academy and anticipated benefit to the community or Association from participation.
- Education, training, work history and professional accomplishments.

The Selection Committee will be seeking representation from a cross-section of membership to select for the Leadership Academy. Consideration will be given to ensure a diverse and representative group, including geographic location, firm affiliation, level of experience, specialty or special interest, and demographic diversity.



### ***CEO REVIEW COMMITTEE***

The CEO Review Committee and its responsibilities are governed under the contract between the CEO and the Association and are laid out as mutually agreed upon between the entities.

The CEO Review Committee is responsible for the following:

- Conducting the Annual CEO Review
- Recommending adjustments to the CEO's compensation package to the CCIAOR Board of Directors
- Recommending bonuses based on merit or Association and/or MLS financial performance to the CCIAOR Board of Directors

### **COMMITTEE COMPOSITION:**

Committee appointments are recommended by the CCIAOR Executive Committee and approved by the CCIAOR Board of Directors each year.

- The CCIAOR Immediate Past President who shall serve as the chairperson.
- A member of the CCIMLS Board appointed for a two-year term (staggered with the CCIAOR board appointment).
- A member of the CCIAOR Board appointed for a two-year term (staggered with the CCIMLS board appointment).
- Two (2) REALTOR members who must have served as a committee, task force or group chair or on the CCIAOR, CCIMLS or MVMLS Board of Directors in the past three years and are not current Board of Director members (2-year terms, staggered).

### **CEO ANNUAL REVIEW PROCESS**

- The CCIAOR President will make appointments to the CEO Review Committee by July 31st each year.
- The CEO annual review shall commence in August and conclude no later than November 30th.
- The Association's legal counsel will serve as the staff liaison for the committee and will coordinate the annual review in conjunction with the Chair.
- The Committee Chair will formally set the meeting schedule. Meetings can be held virtually or in person at the discretion of the Chair.
- The Committee shall have access to the CEO's job description, previous performance reviews and current contract.

- The Committee shall offer to meet with the following individuals, as a whole or individually, regarding the CEO's performance:
  - The Association's Executive Committee (President, President-Elect, Treasurer)
  - The Presidents of CCIMLS and MVMLS
- The Committee shall provide the following individuals the opportunity to provide written feedback regarding the CEO's performance:
  - CCIAOR and CCIMLS Staff Members
  - CCIAOR & CCIMLS Board Members (excluding Executive Committee)
- The Committee Chair shall provide the CEO with a self-evaluation form to complete. The Committee or the Committee Chair shall offer to meet with the CEO to review the CEO's completed self-evaluation.
- After receiving the CEO's self-evaluation and collecting any feedback from the individuals specified above, the CEO Review Committee will meet to finalize the CEO review and complete the CEO evaluation form. The Committee shall also formalize a recommendation on the CEO's bonus to the CCIAOR Board of Directors.
- The Committee Chair shall meet with the Board of Directors in executive session to present the performance review and bonus recommendation.
- Following approval from the Board of Directors, the Committee Chair shall meet with the CEO and go over the completed performance review.
- The CEO shall have the right to appeal the performance review to the entire Board of Directors.
- The finalized performance review should go into the CEO's personnel file, which shall be kept by the Association's legal counsel. No other copies of the CEO's personnel file shall be kept.

### **SUGGESTED MEETING SCHEDULE**

#### **First Meeting - August**

The CEO Review Committee Chair schedules a meeting of the committee to review the process and decide how to reach out to each constituency.

#### **After the first meeting:**

- The Committee Chair or staff liaison sends a request for written feedback on the CEO's performance to staff and the Board of Directors (excluding Executive Committee members). The feedback form should be completed by September 30th.
- The Committee Chair or staff liaison sends the CEO Self Evaluation Form to the CEO to be completed by September 30th.

### **Second Meeting - September**

The Committee meets with the Association Executive Committee (CCIAOR President, President-Elect, and Treasurer) as well as the Presidents of CCIMLS and MVMLS either together or individually for input and feedback.

### **Third Meeting - October**

The Committee reviews the completed CEO Self Evaluation Form. The Committee should offer to meet with the CEO to discuss the completed self-evaluation.

### **Forth Meeting - October**

The Committee reviews any written feedback from staff or the Board of Directors that has been submitted. The Committee may request to meet with any staff or board member who submitted written feedback for further discussion.

### **Fifth Meeting - October**

The CEO Review Committee meets to complete the CEO Performance Review Form and formalize any recommendation on the CEO's bonus to the CCIAOR Board of Directors.

### **Chair Meets with CCIAOR Board of Directors - November**

The Committee Chair meets with the Board of Directors in executive session at their November meeting to present the CEO's performance review and bonus recommendation.

### **Chair Meets with CEO - November**

Following Board approval, the Committee Chair meets with the CEO to deliver the performance review and bonus.

## ***CEO SEARCH COMMITTEE***

Upon either an Emergency Departure or a Planned Departure as defined in the CEO Succession Plan, a CEO Search Committee should immediately be formed. This committee shall have the authority to compile and recommend a process and budget to the CCIAOR Board of Directors

for approval to fill the vacant position. This should be done prior to the next scheduled CCIAOR Board of Directors meeting or at a special called one to address the matter.

The meetings of the CEO Search Committee shall be confidential and closed to only the members of the committee.

**Committee Composition:** The CEO Search Committee shall be made up of the CCIAOR Executive Committee (CCIAOR President, President-Elect, Immediate Past CCIAOR President, and Treasurer), the CCIMLS President and two (2) appointments of CCIAOR members by the CCIAOR President. These appointments shall have experience in both the governance of the Association and/or MLS and experience in hiring employees.

If any member of the Executive Committee should not wish to or are able to serve, then the CCIAOR President would appoint a replacement member. The CCIAOR President shall appoint a chair of the Search Committee, from within the committee, and the chair shall not be the CCIAOR President.

If the CEO Search Committee is assembled after officers have been elected for the following year, the CEO Search Committee should be made up of those officers for the following year instead of the current year; however, the role of the CCIAOR President in this policy shall be the current year's CCIAOR President.

### ***LEGAL ACTION FUND REVIEW TASK FORCE***

For the purposes of when a request comes in for application to the CCIAOR Legal Action Fund, the CCIAOR President shall appoint 5 members of the CCIAOR Board of Directors to review each Legal Action Request that comes in and name a chairman for that group. The task force is to ensure the procedure outlined in the Legal Action Fund Policy is followed, review the proposal, and make a recommendation to the Board of Directors regarding the application.

### ***MAR DIRECTORS AND COMMITTEE APPOINTMENTS***

Prior to the deadline by the Massachusetts Association of REALTORS® (MAR), the current CCIAOR President-Elect shall appoint MAR Directors and any alternates for the upcoming year based on the allocation given to CCIAOR by the Massachusetts Association of REALTORS® to fill any open director seats. Any vacancies during the year by CCIAOR's allocated directors or alternates shall be filled by appointment by the CCIAOR President. MAR Director appointments must be made pursuant to MAR bylaws and policies.

In addition, the CCIAOR President-Elect shall make any committee appointments granted by MAR to the Cape & Islands Region, CCIAOR, or the CCIAOR President, as allowed by and pursuant to MAR bylaws and policies.

The current committee appointments are:

- An appointment to MAR Government Affairs for one-year.
- An appointment to MAR Forms Advisory Committee for one-year.

### ***NAR DIRECTOR***

For every NAR Director allocated to CCIAOR, the CCIAOR Board of Directors shall appoint a NAR Director who shall serve a one (1) year term. To be eligible, you must be a current member of CCIAOR in good standing, actively engaged in the business of real estate, and have served in some capacity within NAR governance, a state or local association, or NAR Institute, Society, or Council. The Leadership Development Committee shall take applications in the manner as prescribed for under the Board of Directors elections process and consider additional eligible members and submit at least one nominee to the Board of Directors for approval. The NAR Director must be submitted to NAR by September 15<sup>th</sup> each year.

### **C. CCIMLS COMMITTEES AND APPOINTMENTS**

In accordance with the CCIMLS Bylaws, the President, subject to confirmation by the CCIMLS Board of Directors, shall create such standing or ad hoc committees, task forces, work groups or Presidential Advisory groups as he/she deems desirable and shall appoint their Chair and members.

#### ***MLS Advisory Group***

The role and composition of the MLS Advisory Group is defined in the CCIMLS Bylaws.

### **D. COMMITTEE MEETINGS AND POLICIES**

#### ***COMMITTEE MEETINGS***

Committee meetings shall be held in accordance with Robert's' Rules and the Association Bylaws. Committee meetings may be held virtually or in person at the Association office. The meeting format and schedule should be determined by the Committee Chair and Staff Liaison considering the needs of the committee and availability and preference of committee members. There should be no meeting of a committee without staff notifying the members of the committee and staff present to complete the role of staff liaison to the committee except for the CEO Review Committee and the CEO Search Committee.

All committee, working group, and task force motions are recommendations to the Board of Directors and do not take effect until passed by the Board of Directors unless contained specifically herewithin or through a motion of the Board of Directors.

Representatives from committees, task forces and work groups may attend Board of Directors meetings, at the request of the President, for the purpose of presenting their groups' recommendations to the Board of Directors.

### **ROLE OF STAFF LIAISONS IN COMMITTEE MEETINGS**

The CEO will assign a professional staff member to assist Committees. The staff liaison is responsible for:

- Assisting with scheduling and preparation of notices and agendas
- Implementing or assisting with most committee policies and projects
- Advising on Association policies and procedures
- Handling correspondence
- Providing continuity from year to year

## **V. FINANCIAL**

### **A. COMMITMENT TO FINANCIAL TRANSPARENCY**

As member-based (CCIAOR) and cooperation-based organizations (MLSs), the Association is committed to providing maximum transparency to its key stakeholder groups. In addition to the regular reporting outlined in the "Review of Financial Information" section, members of either organization's Board of Directors shall be provided, upon request, detailed General Ledger activity of all organization activity, with the exception of personnel records including salary and other personnel information deemed confidential.

CCIAOR members and MLS Participants shall be permitted to review the corresponding organization's balance sheet and/or income statement upon request and in the presence of the CEO/or his designee, Board President or Secretary/Treasurer.

Consumers, non-members, MLS subscribers, and other outside parties are entitled only to review the organization's federal tax filings as detailed in the "Request for Financial Records" section.

### **B. ANNUAL BUDGET**

A budget is to be approved by the Board of Directors annually. A zero-based budget approach will be utilized, with detailed explanations provided for all projected revenues and expenses, regardless of prior year data. Staff will develop the administrative budget proposal.

These budgets will be combined and reviewed by the CEO and presented to the Treasurer and Finance Committee in accordance with CCIAOR Bylaws.

At least one meeting that is advertised and open to the membership shall be held to present the proposed budget prior to the Finance Committee recommending a budget to the Board of Directors. The notification of the meeting shall include communication about the main initiatives in the budget.

### C. UNBUDGETED EXPENDITURES

Unbudgeted expenditures exceeding \$10,000 shall first go to the Finance Committee for a recommendation before the Board of Directors acts upon them.

Any unbudgeted expenditures from general operating reserves exceeding ten percent (10%) of the current year's approved budget shall go through a budget amendment process to the Annual Budget. Legal judgements, court orders and existing contractual obligations shall be excluded from this policy.

### D. CHECK SIGNATORIES

The CEO, the Treasurer and one additional staff member as assigned by the CEO shall have the authority to sign checks on behalf of the Association. The CEO shall be the primary check signatory or in the CEO's stead, the additional staff member assigned by the CEO.

The Treasurer shall authorize in writing checks above \$10,000 (with the exception of inter-company transfers) and all expenses and reimbursements of the Chief Executive Officer. If the Treasurer fails to authorize the CEO's reimbursement/expenditure, then a motion of the CCIAOR Executive Committee may direct the staff signatory to execute the action.

### E. REVIEW OF FINANCIAL INFORMATION

Each month, the staff accountant will reconcile all bank statements and ensure accounts payable and accounts receivable are current and accurate. The CEO will be provided a copy of the general ledger and financial statements for review. Once approved by the CEO, a quarterly financial summary shall be presented to the Secretary/Treasurer, outlining totals of assets and liabilities, along with the revenues and expenses.

The Board of Directors and Finance Committee shall be provided a copy of the financials at their meeting. These summaries will include actual revenues and expenses compared to the budget. Upon request, any member of the Board or Finance Committee shall be provided additional detailed information, including but not limited to the balance sheet, general ledger and detailed income statement.

### F. REQUEST FOR FINANCIAL RECORDS

In accordance with IRS guidelines, the Association shall make readily available copies of the organization's IRS Letter of Determination and copies of the organization's IRS Form 990 for the most current three years from the date of request. All such information has been made widely available to the general public at no charge online at <https://www.Guidestar.org>. Active members in good standing may be given electronic copies of these documents upon request. Anyone requesting printed copies of these documents shall be assessed a reasonable charge (as determined by the IRS) of \$1.00 for the first printed page and \$0.15 for each additional

printed page. All requests for these public documents must be honored within three business day of request.

Requests for public inspection of records (whereby no copy of the forms are requested, rather a review only) shall be honored within five business days of request. All financial record inspections shall be done with the organization's CEO/or his designee, Board President or Treasurer present. Please direct all financial inquires to the CEO. Any email or hard copy communications containing financial information is to be kept confidential and only disclosed through the mechanisms prescribed in this policy manual.

### G. ACCOUNTING METHOD

The Association shall operate using the accrual method of accounting in accordance with generally accepted accounting principles.

### H. FISCAL YEAR

The Association's fiscal year is January 1<sup>st</sup> through December 31<sup>st</sup>.

### I. INDEPENDENT REVIEW

Independent review of both the Association's financial records shall be conducted annually by an outside CPA firm approved by the Board of Directors. Final accountant communications and associated reports will be submitted to each Board for review.

### J. TAX FILINGS

An independent CPA firm will be utilized for preparation of all annual tax documents. The CCIAOR Board of Directors shall be provided a copy of the organization's Form 990 prior to submittal for review.

### K. RESERVES

The goal of the Association is to maintain sufficient funds in liquid reserves (i.e., cash and other assets that are readily converted to cash) to allow the Board of Directors and staff to manage the finances of the Association prudently and with flexibility, to be able to meet the goals and initiatives in the strategic plan, to support initiatives important to the real estate industry, and to best manage any fluctuations in revenues by the Association.

Funds designated by the Board of Directors are just that, board designated funds, and are considered unrestricted funds for accounting purposes. It is the intent of the Board of Directors to maintain reserve accounts enough to meet potential needs, however, the actual level of funds will fluctuate throughout the year, and it is the Finance Committee's role to monitor and make any recommended changes.



The Board Designated funds are below and are expended at the direction of the Board of Directors, except as otherwise specified in this policy:

**1. General Operating Reserves**

- a. To be maintained at six months to one year of the average of the last two years budget of the Association and MLS. Actual year-end expenses should be used when available instead of budgeted expenses. This fund is reserved to offset any loss of operations as a result of providing member services or support of the Association or MLS or to fund any initiative, budget, or expense that falls outside or above the capacity of the other Board-allocated reserve funds. A minimum of four months of general operating reserves must be maintained in cash (non-invested funds) and the remainder may be invested in accordance with the Association's investment policy as long as it is in a liquid asset.

**2. Issue Mobilization Fund**

- a. Issue Mobilization funds are designed to be used to influence the public or lawmakers on public policy issues affecting real estate at the local government level. These funds are to organize and manage effective campaigns, advocacy, and lobbying efforts to promote positions on public policies that affect REALTOR® interests that align with the CCIAOR Public Policy Guide or established positions of CCIAOR as approved by the CCIAOR Board of Directors. These funds should be used to best leverage other funds, specifically the Massachusetts Association of REALTORS Private Property Protection Fund (PPPF) and NAR REALTOR Party grants. All expenditures of this fund must be done in compliance with any applicable election law and reporting requirements and may require the setting up a separate account or transfer of funds for specific issues.

**3. Legal Action Fund**

- a. The Legal Action Fund, with expenses approved by the CCIAOR Board of Directors, is to provide financial assistance to support litigation of significance to the Association or MLS, including matters relevant to the practice of real estate, the operation of real estate associations, ownership and use of real estate, and private property rights and should be dispersed within the criteria set forth in Appendix E: Legal Action Fund.

*(See Appendix E: Legal Action Fund)*

**4. Facilities and Capital Investment Fund**

- a. The Facilities and Capital Investment Fund is to provide funds to invest in the CCIAOR offices, conference center, and any other associated facilities the association may view as good investments, worthwhile endeavors, and a prudent way to provide member service. CCIAOR owns a building and must

continue to make upgrades and enhancements to protect that asset and adjust to the ever-changing demands of an Association, MLS, and the way offices work. This fund is also designed to cover the purchase and replacement of capital items, such as computers, copiers, printers, furniture, etc., beyond what is contained within the yearly capital budget.

#### 5. Innovation Fund

- a. The Innovation Fund is designed to cover strategic initiatives and capitalize on opportunities to provide members with the technology needed to compete in today's real estate industry and to have the association and MLS deliver an exceptional member experience.

## VI. MEMBERSHIP

### A. CCIAOR MEMBERSHIP

#### 1. CCIAOR MEMBERSHIP CATEGORIES

**Designated REALTOR®** - individuals who hold an active real estate or appraiser license in the Commonwealth of Massachusetts and have been designated the 'Broker in Charge' of their office (i.e. sole proprietors, partners, corporate officers or branch office managers acting on behalf of the brokerage principal(s)). This individual shall be responsible for all duties and obligations of membership including the obligation to arbitrate pursuant to Article 17 of the Code of Ethics and the payment of Association dues as established in the Bylaws and must meet all other qualifications for REALTOR® membership established in the Bylaws.

**REALTOR®** - individuals who hold an active real estate or appraiser license in the Commonwealth of Massachusetts and are affiliated with a Designated REALTOR®.

**CCIAOR REALTOR® Emeritus** - A REALTOR® Member who has held membership in the Cape Cod & Islands Association of REALTORS® for a cumulative period of 40 years and has completed at least five (5) years of service via membership on the CCIAOR Board of Directors, or any CCIAOR committee, task force or group or on any subsidiary company Board of Directors, committee, task force or group is eligible for REALTOR® Emeritus status. The five (5) years of service are not required to be continuous. Future CCIAOR dues shall be waived for certified Emeritus members who shall retain all other right and privileges of CCIAOR membership.

CCIAOR members may also qualify as a NAR REALTOR® Emeritus and/or a MAR Lifetime Member, with requirements defined by NAR and MAR respectively.

### 2. CCIAOR MEMBERSHIP STATUSES

**Primary Member** - members who pay their state and national dues through CCIAOR. A REALTOR® can join as a primary member with CCIAOR if their Designated REALTOR® is a member of CCIAOR (either primary or secondary).

**Secondary Member** - members who pay their national and/or state dues through another local Association of REALTORS® and pay local dues to CCIAOR.

**Provisional Member** - CCIAOR operates on a provisional membership basis where Provisional Membership is granted upon submission of completed application with application fee and pro-rated annual dues. Provisional Members immediately receive the privileges and obligations of membership. Upon completion of new member requirements, the provisional status will be removed.

### 3. REQUIREMENTS TO JOIN CCIAOR

- Must hold an active Massachusetts salesperson, broker or appraiser license.
- Must either hold your license under a broker who is a Designated REALTOR® or must be the Broker-In-Charge.
- If a REALTOR® previously, must provide a letter of good standing from prior Association;
- Must complete New Member Requirements within 120 days of joining (see “New Member Requirements” section below).

### 4. DUES & FEES

The application fee for REALTOR® Membership is \$100. For those who are also joining CCIMLS, the joint application fee is \$500 for Designated REALTORS®/MLS Participants and \$250 for REALTORS®/MLS Subscribers. Application fees are non-refundable.

2023 REALTOR® Dues for primary CCIAOR members are \$626. Annual dues pay for REALTOR® membership at the local, state and national levels and are allocated as follows: \$260 for CCIAOR dues, \$171 for MAR dues, \$195 for NAR dues for a total of \$626. For new members, dues are prorated based on the month you join and must be paid as part of the application process. Once an application has been processed and approved, prorated dues are non-refundable. For renewing members, dues are payable by January 1st each year.

Annual dues are non-refundable after the first of each year. Payment will be accepted in the form of cash, check, VISA, MasterCard, American Express or Discover. Dues payment plans are available if you sign up before January 1st.

### 5. PAST DUE POLICY

A past due fee of \$25 will be applied to all accounts not paid by January 1st. Members with account balances on February 15th will have their REALTOR® membership suspended and if

applicable, MLS membership, and the member's Designated REALTOR® will be issued a non-member assessment for that individual (see section on *Designated REALTOR® Dues Formula*). Members with account balances on March 15th will be inactivated from REALTOR® membership and if applicable, MLS membership. Designated REALTORS® with account balances as of March 15th will have their entire offices' REALTOR® Membership inactivated and if applicable, MLS Membership. After March 15th, a reinstatement fee of \$35 will be charged per member plus any late fees will have to be paid to reactivate membership.

### 6. REINSTATEMENT POLICY

If an individual held REALTOR® membership in the prior year, they are responsible for the full current year dues plus any fees and a \$35 reinstatement fee. If an individual did not hold REALTOR® membership in the prior year, they do not need to pay past fees but must submit a new application and pay the application fee as well as prorated dues to rejoin. Individuals who reinstate their membership and have not completed the Code of Ethics for the most recent triennial cycle will be required to complete the Code of Ethics requirement within 120 days of reinstating their membership. Additionally, individuals who are reinstating after being inactive for two (2) or more years will be required to attend New Member Orientation.

### 7. EXPIRED / INACTIVE LICENSE POLICY

REALTOR® Members who have an expired or inactive Massachusetts real estate license will have their CCIAOR membership suspended, and if applicable, CCIMLS membership suspended until their license has been reactivated by the state. REALTOR® Members will continue to have access to their education benefits for a 30-day period following suspension in order to complete the required continuing education to reinstate their license. Any listings in CCIMLS will be transferred to the member's MLS Participant/Designated REALTOR® upon suspension until the license has been reactivated.

If the license has not been reactivated within 60 days of the expiration date, membership to CCIAOR and CCIMLS will be inactivated. If the individual renews their license after inactivation and wishes to reinstate their membership, they will be subject to a reinstatement fee.

If a Designated REALTOR®/MLS Participant has an expired or inactive license they will be granted ten (10) days to renew their license with the state or their entire office will be suspended from REALTOR® membership and if applicable, MLS Membership. Additionally, any listings in CCIMLS belonging to the Designated REALTOR® or their agents will be temporarily removed until the Designated REALTOR®/MLS Participant's license has been renewed.

If the license has not been renewed within 30 days of the expiration date, the Designated REALTOR®/MLS Participants' membership to CCIAOR & CCIMLS will be inactivated along with

any members affiliated with their office. If the individual renews their license after inactivation and wishes to reinstate their membership, they will be subject to a reinstatement fee.

### 8. NEW MEMBER REQUIREMENTS

New REALTORS® who hold primary membership with CCIAOR and hold a sales or broker license must complete the following requirements within 120 days of the date membership is granted:

- CCIAOR New Member Orientation
- NAR Code of Ethics Training
- Protecting the Protected Classes Continuing Education Class (RE111RC)
- Getting Started in Real Estate Continuing Education Class

New REALTORS® who hold primary membership with CCIAOR and **only** hold an appraiser license must complete the following requirements within 120 days of the date membership is granted:

- CCIAOR New Member Orientation
- NAR Code of Ethics Training
- Protecting the Protected Classes Continuing Education Class (RE111RC)

New Designated REALTORS® who hold primary membership with CCIAOR must complete the following requirements within 120 days of the date membership is granted:

- CCIAOR New Member Orientation
- NAR Code of Ethics Training (*if not yet completed within the current NAR cycle*)
- Protecting the Protected Classes Continuing Education Class (RE111RC)
- Brokerage Liability Continuing Education Class
- Office Policies 101 Continuing Education Class

Upon application, all REALTORS® agree to meet the new member requirements listed above. These requirements will be considered satisfied upon presentation of evidence that the member has completed an educational program conducted by this Association or any other recognized educational institution which, subject to the opinion of the Board of Directors, is an adequate substitute for the training programs conducted by the Association.

Failure to complete new member requirements within the timeframe allowed will result in membership suspension and no refunds will be provided. If requirements are not completed

90 days after suspension, membership will be inactivated, and a new application and application fee will be required to reapply for membership.

## 9. STATUS AND AFFILIATION CHANGES

A REALTOR® Member whose employment status or brokerage affiliation changes must provide written notification of such change to the CCIAOR within thirty (30) days.

## 10. CONTINUING REALTOR® CODE OF ETHICS TRAINING

Effective January 1, 2019, through December 31, 2021 and for successive three year periods thereafter, each REALTOR® member of the association (with the exception of REALTOR® members granted REALTOR® Emeritus status by the National Association) shall be required to complete ethics training of not less than two (2) hours and thirty (30) minutes of instructional time. This requirement will be satisfied upon presentation of documentation that the member has completed a course of instruction conducted by this or another REALTOR® association, the State Association of REALTORS®, or the NATIONAL ASSOCIATION OF REALTORS®, which meets the learning objectives and minimum criteria established by the NATIONAL ASSOCIATION OF REALTORS® from time to time. REALTOR® members who have completed training as a requirement of membership in another association and REALTOR® who have completed the New Member Code of Ethics Orientation during any three year cycle shall not be required to complete additional ethics training until a new three year cycle commences.

Failure to satisfy the required periodic ethics training shall be considered a violation of a membership duty. Failure to meet the requirement in any three-year cycle will result in suspension of membership for the first two months (January and February) of the year following the end of any three-year cycle or until the requirement is met, whichever occurs sooner. On March 1 of that year, the membership of a member who is still suspended as of that date will be automatically terminated.

## 11. CONTINUING REALTOR® MEMBER EDUCATION REQUIREMENTS

Effective January 1, 2022, through December 31, 2024, each REALTOR® member of the association shall be required to complete ONE of the following requirements:

- Protecting the Protected Classes Continuing Education Class (RE111RC)
- NAR's At-Home with Diversity Certification
- NAR's Bias Override: Overcoming Barriers to Fair Housing
- Diversity, Equity and Inclusion – Why it Matters to RE Commercial Practitioners (RE111C21). *Applicable only if the member's business is primarily commercial real estate.*

Completion of any requirement listed above in 2021 will count toward the 2022-2024 cycle requirement.

Effective January 1, 2025, through December 31, 2027, and for successive three-year periods thereafter, each REALTOR® member of the association shall be required to complete ONE of the following requirements:

- Protecting the Protected Classes Continuing Education Class (RE111RC)
- Fair Housing Continuing Education Class (RE19RC)
- Americans with Disabilities Act Continuing Education Class (RE21RC)
- NAR's At-Home with Diversity Certification
- NAR's Bias Override: Overcoming Barriers to Fair Housing
- Diversity, Equity and Inclusion – Why it Matters to RE Commercial Practitioners Continuing Education Class (RE111C). *Applicable only if the member's business is primarily commercial real estate*

This requirement will be considered satisfied upon presentation of evidence that the member has completed an educational program conducted by this Association or any other recognized educational institution which, subject to the opinion of the Board of Directors, is an adequate substitute for the training programs conducted by the Association. Any member who fails to meet this requirement will be suspended until this requirement is fulfilled. If requirements are not completed 90 days after suspension, membership will be inactivated.

### 12. FINES FOR NON-COMPLETION OF CONTINUING REALTOR® CODE OF ETHICS TRAINING & CONTINUING REALTOR® MEMBER EDUCATION REQUIREMENTS

Per the CCIAOR Board of Directors, as of January 1st, members who have not completed the Code of Ethics and/or the Continuing REALTOR® Education Requirements for the prior three (3) year cycle will be subject to a \$250 reinstatement fee. Additionally, members who have completed the Code of Ethics and/or the Continuing REALTOR® Education Requirements for the prior three (3) year cycle but have not provided proof of completion to CCIAOR by January 1st, will be assessed a \$50 late fee.

### 13. DESIGNATED REALTOR® DUES FORMULA

Per the National Association of REALTORS® Designated REALTOR® Dues Formula, the Designated REALTOR® of a brokerage is responsible for a dues assessment equal to the number of individuals licensed with that Designated REALTOR®. In other words, all active real estate licensees working under a Designated REALTOR® must also be REALTORS® (and pay dues) or the Designated REALTOR® is required to pay a non-member assessment per licensee which is equivalent to the cost of REALTOR® membership. Note that all active licensees, including

licensed assistants, are included in the Designated REALTOR® Dues Formula. The only exception to the NAR Designated REALTOR® Dues Formula is for agents who are Licensed for Referral Only Companies and qualified Mortgage Loan Originators. Please refer to the [Designated REALTOR® Dues Formula FAQ](#) for more information.

### 14. BROKERAGE CERTIFICATIONS

Designated REALTOR® Members of the CCIAOR shall, when requested, certify, on a form provided by CCIAOR, a complete listing of all individuals licensed or certified with the REALTOR®'s office and shall designate a primary Association/Board for each individual who holds membership. Designated REALTORS® shall also identify any non-member licensees in the REALTOR®'s office(s) and if Designated REALTOR® dues have been paid to another Association/Board based on said non-member licensees, the Designated REALTOR® shall identify the Association/Board to which dues have been remitted. These declarations shall be used for purposes of calculating dues under Article X, Section 2 (a) of the NAR Bylaws.

### 15. LICENSEE AFFILIATION CHANGES

Designated REALTOR® Members shall notify CCIAOR of any additional individual(s) licensed or certified with the brokerage(s) within thirty (30) days of the date of affiliation or severance of the individual.

REALTORS® transferring from one company to another shall notify the Association in writing. All notifications must be provided by the new Designated REALTOR® or their authorized representative. The transfer of listings is at the sole discretion of the original listing Designated REALTOR® and shall only be transferred when the request is submitted in writing by the original listing Designated REALTOR® to the CCIMLS office.

### 16. AFFILIATE MEMBERSHIP

Individuals that conduct business in a field related to real estate and are in sympathy with the objectives of the Association may apply to join CCIAOR as Affiliate Members. Affiliate Members receive benefits including marketing and promotion of their business to CCIAOR members. Affiliate applicants must be reviewed and approved by CCIAOR staff prior to becoming Affiliate Members. Additionally, CCIAOR staff reserves the right to terminate an Affiliate Membership for any reason with notice provided to the Affiliate Member.

Affiliate dues are \$250 annually and are prorated depending on join date. Additional individuals from an Affiliate company may join for \$50 annually. For renewing affiliates, dues will be invoiced in December and are payable by February 1st each year. If payment has not been received by March 1st, affiliate membership will be inactivated.



## B. CCIMLS MEMBERSHIP

### 1. CCIMLS MEMBERSHIP CATEGORIES

**Participant** - individuals who hold an active real estate license in the Commonwealth of Massachusetts and have been designated the 'Broker in Charge' of their office (i.e. sole proprietors, partners, corporate officers or branch office managers acting on behalf of the brokerage principal(s)). This individual shall have all rights, benefits, and privileges of the CCIMLS, and shall accept all obligations to the CCIMLS for the Participant's brokerage, partnership, or corporation, for compliance with the Bylaws and Rules and Regulations of the CCIMLS by all persons affiliated with the Participant who utilize the CCIMLS.

**Subscriber**- Subscribers (or users) of the CCIMLS include non-principal real estate brokers, sales associates, and licensed real estate appraisers affiliated with CCIMLS Participants.

**Administrative Users** - Affiliated licensed or unlicensed administrative and clerical staff or personal assistants who are under the direct supervision of a CCIMLS Participant or the Participant's licensed designee. Administrative users do not have access to list and sell in CCIMLS and if unlicensed, are not required to hold REALTOR® membership.

### 2. REQUIREMENTS TO JOIN & MAINTAIN CCIMLS MEMBERSHIP

- Must hold an active Massachusetts salesperson, broker or appraiser license.
- Must be a REALTOR® in good standing. If you are not a member with CCIAOR, you will have to provide a letter of good standing from your local Association.
- Designated REALTOR® (Broker-In-Charge) must join CCIMLS as your brokerage's Participant. Additionally, all active real estate licensees at the office location must also join CCIMLS as Subscribers or must be approved as fee waived licensees
- Applicants will need to complete an online orientation on the rules and regulations of CCIMLS prior to accessing the MLS suite of tools

### 3. DUES & FEES

The application fee for CCIMLS membership is \$500 for Participants and \$250 for Subscribers. There is no application fee for Administrative memberships. Application fees are non-refundable.

For those who are members of the Cape Cod & Islands Association of REALTORS®, CCIMLS access fees for both Participants and Subscribers are \$396 annually and are billed and due on a quarterly basis at a payment of \$99 per quarter. For those who are not members of the Cape Cod & Islands Association of REALTORS®, CCIMLS access fees for both Participants and

Subscribers are \$480 annually and are billed and due on a quarterly basis at a payment of \$120 per quarter.

Each office location receives one (1) complementary administrative membership and additional administrative memberships are \$33 per quarter. For new members, fees are prorated based on the month you join and must be paid as part of the application process. Once an application has been processed and approved, prorated dues are non-refundable. For renewing members, fees are payable quarterly on the first of January, April, July and October. CCIMLS fees are non-refundable. Payment will be accepted in the form of cash, check, VISA, MasterCard, American Express or Discover. Auto Pay is also available.

#### 4. PAST DUE POLICY

Membership will be suspended and a past due fee of \$75 for Participants and \$25 for Subscribers will be applied to all accounts not paid 30 days after the quarterly due date. If a Subscriber's fees are not paid 60 days after the quarterly due date, the fees will be transferred to the office Participant and due within 30 days. Failure to pay within 30 days of invoicing will result in the suspension of MLS access for the MLS Participant and any affiliated Subscribers until full payment is made.

#### 5. REINSTATEMENT POLICY

Individuals who voluntarily end their membership or individuals who are suspended for nonpayment and wish to rejoin within a 12-month period must pay past fees from the date their membership ended as well as any applicable late fees. Accounts that have been inactive for more than 12 months do not need to pay past fees but must pay the application fee of \$500 for Participants and \$250 for Subscribers, plus prorated quarterly MLS fees to rejoin.

#### 6. MLS PARTICIPANT RESPONSIBILITIES FOR FEES

The Participant (Designated REALTOR®) will be assessed a yearly fee for each salesperson and licensed or certified appraiser in the office, whether licensed as a broker, sales licensee, or licensed or certified appraiser who is employed by or affiliated as an independent contractor with such Participant, except that this fee shall be waived for licensees subject to a fee waiver under Section 6.6 of the Rules and Regulations. Payment of such fees shall be made on or before the first day of each quarter. Fees shall be prorated on a monthly basis. Administrative (whether licensed or unlicensed) clerical staff and personal assistants are eligible for MLS access for a reduced fee.

#### **Subscriber Fee Waivers**

MLS provides participants the option of a no-cost waiver of MLS fees, dues, and charges for any licensee or licensed or certified appraiser in a participating office who can demonstrate (i) subscription to a different MLS where the principal broker for the office also participates or (ii) that they work exclusively with rentals. MLS requires Participants to sign a certification for

nonuse of MLS services, which includes penalties and termination of the waiver if violated. Normally, under Section 6.2 of the Rules and Regulations, any per-subscriber fee is calculated based on each salesperson and licensed or certified appraiser affiliated with a participating office. The effect of fee waiver is that the number of subscribers in a participating office for purposes of any recurring per-subscriber fees paid by a participant under Section 6.2 shall be reduced by the number of licensees and certified appraisers who are subject to waiver under Section 6.6 of the Rules and Regulations.

### 7. MEDICAL & MILITARY WAIVER FOR CCIMLS FEES

A CCIMLS member may request a temporary waiver (maximum of 1 year) of MLS Participant or Subscriber fees due to:

- Significant medical illness that prevents member from providing real estate services to any individual (a copy of the doctor's note is required); or
- Military deployment (a copy of the deployment papers is required)

The waiver must be signed and dated by both the individual requesting the waiver and their MLS Participant (if applicable) and approved by CCIMLS. Note that a CCIMLS Participant is not eligible for the waiver if they have affiliated CCIMLS Subscribers. To request a waiver, members can contact [support@cciaor.com](mailto:support@cciaor.com)

### 8. NEW MEMBER TRAINING

Upon application acceptance, CCIMLS Participants and Subscribers must complete an online training on the rules and regulations of CCIMLS prior to accessing the MLS Suite of Tools.

### 9. CCIMLS PARTICIPANT & SUBSCRIBER AGREEMENTS

Upon application, Participants must agree to the Cape Cod & Islands Multiple Listing Service, Inc. Participant Agreement.

Upon accessing the MLS for the first time, Subscribers must agree to the Cape Cod & Islands Multiple Listing Service, Inc. Subscriber Agreement.

### 10. LICENSEE AFFILIATION CHANGES

Each Participant shall provide the MLS with a list of real estate licensees or licensed Appraisers employed by or affiliated as independent contractors with such Participant or with such Participant's brokerage and shall immediately notify the MLS of any changes, additions, or deletions from the list. This list shall include any licensees under any Broker associate affiliated with the Participant.

The Participant must at all times provide to MLS up-to-date information on all licensees, whether they are subscribers or fee-waived licensees, in each participating office. Participants

shall notify the MLS within five (5) business days of any change in status for Subscribers and any change in qualifications of fee-waiver licensees.

### C. OFFICE MEMBERSHIP & POLICIES

#### 1. REFERRAL ONLY OFFICES

A REALTOR® with a direct or indirect ownership interest in an entity engaged exclusively in soliciting and/or referring clients and customers to the REALTOR® for consideration on a substantially exclusive basis shall annually file with the CCIAOR, on a form approved by the CCIAOR, a list of the licensees affiliated with that entity and shall certify that all of the licensees affiliated with the entity are solely engaged in referring clients and customers and are not engaged in listing, selling, leasing, managing, counseling or appraising real property. The individuals disclosed on such form shall not be deemed to be licensed with the REALTOR® filing the form for purposes of this Section and shall not be included in calculating the annual dues of the Designated REALTOR®. Designated REALTORS® shall notify the Association within three (3) days of any change in status of licensees in a referral firm.

The exemption for any licensee included on the certification form shall automatically be revoked upon the individual being engaged in real estate licensed activities (listing, selling, leasing, renting, managing, counseling, or appraising real property) other than referrals, and dues for the current fiscal year shall be payable.

Contact [support@cciaor.com](mailto:support@cciaor.com) to request a Limited Referral Only Office Certification Form.

#### 2. OFFICE ACQUISITION POLICY

In the case where a company or office is acquired by another company or office, statistical history in CCIMLS will not be transferred to the new company. If a current company or office has a name change, whereas the license number of the brokerage remains, or a broker who is a sole proprietor incorporates and receives a new license number, the statistical office history in CCIMLS may be updated to reflect the new name or a new office may be created.

### D. REAL ESTATE SCHOOL POLICIES

The Real Estate Institute, managed by the Cape Cod & Islands Association of REALTORS® (CCIAOR), is a real estate school authorized by the Massachusetts Division of Public Licensure Board of Registration for Brokers and Salespersons and adheres to all state requirements in regard to course offerings and issuing Continuing Education (CE) credits.

#### **ATTENDANCE, ISSUANCE OF CONTINUING EDUCATION (CE) CREDITS & CERTIFICATES**

1. Breaks, tardiness, or other interruptions are not to be included in the total number of Continuing Education (CE) hours. Students must attend the full length of the course to receive credit, this includes arriving prior to the start of the course.

1. CCIAOR has the right to decline to issue CE credit to any student who arrives late, does not remain in the class for the appropriate amount of time, or for online CE classes, any student who does not interact throughout the course verifying their attendance.
2. If for any reason a class begins later than scheduled, CCIAOR has the right to extend the end time of the class to meet state requirements.
2. All students must sign into class to obtain credit.
  1. For live classes, all students must sign themselves into the class prior to the start of the class. Allowing another agent to sign in on your behalf may void your ability to receive credit or take future classes with CCIAOR.
  2. For online classes, all attendees must meet the required thresholds to prove their active attendance throughout the class.
3. Continuing Education credits and certificates will only be issued to agents who meet all attendance requirements.
  1. All credits issued by The Real Estate Institute will be recorded by CCIAOR for at least three years as required by law, along with the sign-in sheet for each class.
    1. For live classes, certificates will be issued at the end of each class and must be picked up by the certificate holder upon dismissal of the class as proof they attended for the full duration of the class.
    2. For online classes, certificates will be emailed to the attendee within one week after the conclusion of the class.

### **CLASS FEES & REFUNDS**

1. CCIAOR Members in good standing have access to Continuing Education classes offered by CCIAOR at no cost.
  1. Special classes (i.e., Designations and Certifications) that offer Continuing Education credits may have fees for members to attend.
  2. Each class may be subject to its own course fees and policies. Any specific policies or fees will be noted on the class registration information.
  3. If any fees were paid for a class that is rescheduled or canceled, a refund or credit is available.
  4. For regular in-person classes which did not have a fee to attend, if a member does not attend a class they registered for and has not canceled their

registration at least 24 hours in advance of the class starting, a \$25 no-show fee may be applied to their account.

2. Individuals who are not members of the Cape Cod & Islands Association of REALTORS® (“Non-members”), must pay the following fees for Continuing Education classes: \$50 per CE class for live in-person, \$50 per CE class for live online, \$30 per CE class for online on-demand or \$150 for a bundle of 6 online online on-demand classes.
  1. Payment is due prior to or at the time of registration for all classes.
  2. Non-members who register for Continuing Education classes can cancel their registration before the start of the class for a full refund.
  3. If a non-member does not attend a class they registered for and has not canceled their registration, no refunds will be issued.
  4. If a member has paid their CCIAOR dues for a given year and then subsequently their membership is inactivated or terminated (i.e., they become a non-member), the fee for Continuing Education classes taken during that year may be waived at the discretion of CCIAOR by contacting the Education Department.

### **CLASS CANCELLATIONS & RESCHEDULING**

1. CCIAOR maintains the right to cancel, reschedule, or change any class offerings as they see fit.
  1. The cancellation or rescheduling of a class in no way grants those registered any extensions in licensing requirements related to renewing their Real Estate License issued by the Commonwealth of Massachusetts.
2. Attendees will be notified as soon as possible of any cancellations or schedule changes via the email they have provided during registration or email address previously on file.
3. In the event of weather-related cancellations, CCIAOR will contact those registered with a time of decision or course of action. Typically, CCIAOR follows the Dennis-Yarmouth School System regarding weather-related cancellations.
4. If a class is rescheduled, those registered for the class will be registered for the rescheduled class date.

### **CLASS MATERIALS**

1. Any class materials created by CCIAOR are created as a member benefit and intended for the personal use of our members.

2. The distribution of any course materials not created by CCIAOR is at the discretion of the instructor as they are the instructor's intellectual property.
3. Class materials/handouts will be distributed electronically to all class attendees. For in-person classes, handouts may be printed in advance and brought to the class, and a limited number of printed handouts will be available for a \$5 fee at sign in.

### **INSTRUCTORS**

1. All instructors hired by CCIAOR are hired as independent contractors for The Real Estate Institute and must agree to the Instructor Policies.
2. Instructors are responsible for maintaining his/her own licensure as it relates to the practice of real estate, property management or appraisal, including any associated fees, education requirements or affiliations, including those paid directly to CCIAOR or CCIMLS. Should any Instructor wish to join CCIAOR or CCIMLS, he/she will be solely responsible for all duties, obligations, fees, and requirements thereof.
3. Instructors must provide 2 hours of content per course as required by the Board of Registration of Real Estate Brokers and Salespersons and shall make every effort to ensure all material taught is accurate and current and will not present themselves as an expert or offer opinions or advice on topics for which he/she is not sufficiently knowledgeable and competent. If it is found incorrect information is provided, the instructor may contact attendees with the corrected details. Additionally, CCIAOR asks that all Instructors include at least two facts that directly connect the course topic and the Cape Cod, Martha's Vineyard, or Nantucket real estate market, depending upon the location being taught. CCIAOR Staff will assist in providing any relevant local data upon request.
4. Instructors must always be a REALTOR® in good standing and comply with the ethical standards of the real estate profession, including, but not limited to, the REALTOR® Code of Ethics.
5. At no time may any Instructor utilize his/ her status as an independent contractor to recruit students or promote his/her real estate related business. They shall refrain from personal commercial solicitations while teaching. No printed or illustrated material shall be tendered by an Instructor except that which has a direct bearing on the subject unless approved in advance by CCIAOR.
6. All writings, lectures, and other products provided by CCIAOR shall remain the intellectual property of CCIAOR and shall be used by an Instructor only in accordance with the course guidelines. Such material shall not be used for any other purpose (including but not limited to educational programs for any persons, organization,

company, or other forms of recognition in the field of real estate licensing instruction). Any use of materials outside the classroom or beyond the scope of the course currently being taught requires CCIAOR's advance written permission for the specific use contemplated and such approval may be withheld at CCIAOR's sole discretion.

### E. RECORDING POLICY

CCIAOR may record any virtual classes, events, or programs for documentation purposes and/or for sharing on various platforms for on-demand viewing. The recordings of Continuing Education (CE) classes will only be shared on a case-by-case basis with students who have technical difficulties outside of their control to make up the time needed to meet the state's two-hour requirement. Replays of non-CE classes and events may be posted on various platforms for on-demand viewing if the content is not confidential or personal in nature, and the event is deemed to be a "public" event. Attendees and participants will be notified of the recording status at the start of the session and asked to consent to being recorded.

### F. EVENTS & PROGRAMS

#### 1. CANCELLATION & NO-SHOW POLICY

For CCIAOR and CCIMLS programs and events which have a fee to attend, a full refund will be provided if registration is canceled three (3) business days prior to the date of the event. Refunds will not be available if registration is canceled less than three (3) business days before the date of the event.

For events and programs that are offered free to members, but that CCIAOR/CCIMLS may incur costs per person registered (i.e., for food, beverages, staff time or space rental), a no-show fee will be charged to members who register to attend but do not show up or notify us in advance that they cannot attend. The no-show fee amount and the latest date to notify us that you cannot attend will be determined on a per event basis and will be indicated during the registration process.

#### 2. CONSENT TO USE PHOTOGRAPHIC IMAGES & VIDEO POLICY

By registering to attend or participating in CCIAOR events and activities, attendees consent that CCIAOR, or its assignees, may take photographs and/or video of them during the program and may use those photographs and video recordings for CCIAOR's purposes, including but not limited to news, publicity, and fundraising purposes, without further compensation. All such photos and videos are the sole property of CCIAOR.



## VII. APPENDICES

### A. CEO SUCCESSION PLAN

#### 1. TEMPORARY CEO ABSENCE SUCCESSION GUIDANCE

In addition to executing the Temporary Absence CEO Succession Plan, the following guidance is provided to give the CCIAOR President, the Executive Committee, and the Association and MLS Board of Directors a path to follow to ensure all steps are met.

**To do immediately (within 24 hours):**

1. Immediately, the CCIAOR President shall determine who is the Interim CEO according to the policy and meet with the identified person and the CCIMLS President and go over this guidance with them;
2. CCIAOR President should consult with Human Resources or outside expertise to advise on personnel issues regarding disability insurance, etc.;
3. Written memo to staff from the CCIAOR President explaining events and anticipated actions. Memo to include:
  - a. Announcement of Temporary Absence
  - b. Circumstances of departure if appropriate to share
  - c. Appointment of Interim CEO or person temporarily responsible until CEO is returned
  - d. Person to whom employees should refer questions
  - e. Person designated to provide information to members, media, or other stakeholders on the topic

**To do within the first 2 weeks:**

1. The CCIAOR President should convene a meeting of the Executive Committee to make any recommendations to the Board of Directors for temporary or bonus pay for the Interim CEO.

#### 2. EMERGENCY CEO SUCCESSION PLAN GUIDANCE

In addition to executing the Emergency CEO Succession Plan, the following guidance is provided to give the CCIAOR President, the Executive Committee, and the Association and MLS Board of Directors a path to follow to ensure all steps are met.

**To do immediately (within 24 hours):**

1. Immediately, the CCIAOR President shall determine who is the Interim CEO according to the policy and meet with the identified person and the CCIMLS President, and go over this guidance with them;

2. The President shall schedule a conference call or an in-person meeting with the Executive Committee. The Association's Legal Counsel, the CCIMLS President, and Interim CEO, if one exists, shall be invited to the meeting. At that meeting, the President shall:
  - a. Go over the Emergency CEO Succession Plan Policy;
  - b. Review the meeting the CCAOR President had with who is now the Interim CEO, or if needed, the Executive Committee should name an Interim CEO;
  - c. Review Emergency CEO Communication Plan Policy and set-in motion plans to execute;
3. The CCAOR President should consult with Human Resources or outside expertise to advise on personnel issues regarding disability insurance, etc.;
4. Written memo to staff from the CCAOR President explaining events and anticipated actions. Memo to include:
  - a. Announcement of CEO departure;
  - b. Circumstances of departure if appropriate to share;
  - c. Appointment of Interim CEO or person temporarily responsible until an Interim CEO is named;
  - d. Person to whom employees should refer questions;
  - e. Person designated to provide information to members, media, or other stakeholders on the topic;
  - f. Process for hiring new CEO;
  - g. When and how additional information will be provided;
  - h. Availability of counseling or support services, if necessary.

**IF CEO was terminated, the following steps should be taken immediately:**

- Secure cash and checks
- Secure employee files
- Secure contracts
- Change security codes, passwords and combinations
- Change locks
- Safeguard personal property of departing CEO
- Cancel or change credit cards and authorization cards
- Change signature cards at banking institutions

**To do within the first 2 weeks:**

1. The CCAOR President appoints members of the CEO Search Committee and names the chairman of the CEO Search Committee;
2. The CCAOR President should convene a meeting of the Executive Committee and the CCIMLS President to: discuss any recommendations to the Board of Directors for

temporary or bonus pay for the Interim CEO; review the Association and MLS business and strategic plans; conduct a brief assessment of organizational strengths, weaknesses, opportunities and threats to identify priority issues that may need to be addressed during the transition process and to identify attributes and characteristics that are needed in the next Chief Executive Officer.

3. CEO Search Committee Chair calls initial meeting of the committee and the committee considers the following:
  - a. The CEO Search Committee shall determine any internal applicants and known applicants to determine if they feel it is in the best interest of the Association to conduct a search;
  - b. Decide whether to hire a search firm to assist in the process. Examples of firms providing executive search services particularly for REALTOR® Association Executives, includes but should not be limited to the National Association of REALTORS® Strategic Association Management Group, Jerry Matthews, and Leonard Pfeiffer & Company.
  - c. Establish a timeline for the process;
  - d. Provide updates to the staff, the Board of Directors, and the members as to the timeline and the process decided upon in a timely and transparent manner.

### 3. PLANNED DEPARTURE CEO SUCCESSION PLAN GUIDANCE

In addition to executing the Planned CEO Succession Plan, the following guidance is provided to give the CCIAOR President, the Executive Committee, and the Association and MLS Board of Directors a path to follow to ensure all steps are met.

#### **To do immediately (within 24 hours):**

1. CCIAOR President, CCIMLS President, and CEO should meet and go over the Planned Departure CEO Succession Policy and Guidance and determine if there will be any gaps between the planned departure date and when it is conceivable to have a new CEO in place.
2. If there is an anticipated gap, they should consult the policy for who would be the Interim CEO in the gap and immediately begin that conversation.
3. Written memo to staff from the CCIAOR President explaining events and anticipated actions. Memo to include:
  - a. Announcement of CEO departure;
  - b. Circumstances of departure if appropriate to share;
  - c. Appointment of Interim CEO or person temporarily responsible until an Interim CEO is named if applicable;

- d. Person to whom employees should refer questions;
- e. Person designated to provide information to members, media, or other stakeholders on the topic;
- f. Process for hiring new CEO;
- g. When and how additional information will be provided;
- h. Availability of counseling or support services, if necessary.

**To do within the first 2 weeks:**

1. The CCIAOR President appoints members of the CEO Search Committee and names the chairman of the CEO Search Committee;
2. The CCIAOR President should convene a meeting of the Executive Committee and CCIMLS President to conduct a brief assessment of organizational strengths, weaknesses, opportunities and threats to identify priority issues that may need to be addressed during the transition process and to identify attributes and characteristics that are needed in the next Chief Executive Officer.
3. CEO Search Committee Chair calls initial meeting of the committee and the committee considers the following:
  - a. The CEO Search Committee shall determine any internal applicants and known applicants to determine if they feel it is in the best interest of the Association to conduct a search;
  - b. Decide whether to hire a search firm to assist in the process. Examples of firms providing executive search services particularly for REALTOR® Association Executives, includes but should not be limited to the National Association of REALTORS® Strategic Association Management Group, Jerry Matthews, and Leonard Pfeiffer & Company.
  - c. Establish a timeline for the process;
  - d. Provide updates to the staff, the Board of Directors, and the members as to the timeline and the process decided upon in a timely and transparent manner;
  - e. The outgoing CEO should assist as much as the Search Committee wishes them to participate.

## B. VOLUNTEER LEADERSHIP

### 1. AGREEMENT

Volunteer Name: \_\_\_\_\_

Volunteer Position: \_\_\_\_\_

Agreement: By signing below, I acknowledge that I have read the CCIAOR Policy Manual and agree to abide by all volunteer policies including the following:

- Conflict of Interest
- Confidentiality
- Antitrust
- Intellectual Property Rights
- Harassment
- Whistleblower
- Travel & Expenses

Volunteer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## 2. DISCLOSURE OF OTHER INTERESTS

As a volunteer leader of the Association, I recognize that the Association must provide bias-free governance to the Association’s constituency, and that I owe a duty of loyalty to the Association. One aspect of fulfilling my duty is to avoid or disclose “other interests” according to the Association’s policy and procedures on conflicts of interest. I am therefore disclosing the following “other interests” as defined by the Association. I will provide further information if requested and will cooperate with any review and evaluation on behalf of the Association.

1. Any ownership, employment, or volunteer or agency interest or involvement in a commercial entity or nonprofit organization that competes with the Association:

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2. An ownership, employment, or volunteer or agency interest or involvement in a commercial entity or nonprofit organization that is, or seeks to be, a vendor of products or services to the Association:

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3. Any position as spokesperson, consultant, employee, or agent for another commercial or nonprofit organization that advances opposing or adverse public policy positions from those of the Association:

Note: The “Association” includes the Association’s subsidiaries and affiliates.

Note also: The volunteer leader should disclose these “other interests” personally, for the company or employer, and for close business associates and family members.

Please use additional sheets or attached explanatory documents if appropriate.

Please indicate whether any information provided here is requested to be kept confidential by the Association.

This information is accurate and complete to the best of my knowledge and ability.

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Signature

Date

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Association Position

Date

### C. HARASSMENT COMPLAINT PROCEDURE

Any employee or member who feels that he/she has been harassed or discriminated against should utilize the following complaint procedure:

1. Report the matter to the Chief Executive Officer. If it concerns the CEO, the individual should report it to the President of the Association or the Association’s Legal Counsel. Reports should be made as soon as possible from the date of the incident. Upon receipt of the report, the Association will promptly investigate the matter and will report to the individual issuing the complaint upon the conclusion of its investigation. All reports will be investigated confidentially.
2. The Company will not retaliate against any employee or member who files a complaint or cooperates in an investigation. Any report of retaliation will be dealt with confidentially and promptly.
3. We hope that you will bring incidents of harassment/discrimination to our attention and resolve them internally. Employees who wish to file formal charges of harassment/discrimination, however, may contact an appropriate government agency.

For employees in Massachusetts, the state agency responsible for enforcing the laws prohibiting harassment and discrimination is the Massachusetts Commission Against Discrimination (“MCAD”). The MCAD is located at One Ashburton Place in Boston, MA and the telephone number is (617) 994-6000. The federal agency responsible for enforcing federal laws prohibiting harassment and discrimination is the Equal Employment Opportunity Commission (“EEOC”). The EEOC is located at One Congress Street, Boston, MA and the telephone number is (617) 565-3200.

#### D. HARASSMENT COMPLAINT INVESTIGATION AND CONFIDENTIALITY

The investigatory team responsible for investigating the complaint shall be the President or President-Elect and one member of the Board of Directors selected by the highest-ranking officer not named in the complaint, upon consultation with legal counsel for the Association. If the complaint involves the President or President-Elect, they may not participate in the proceedings and shall be replaced by the Past President or alternatively, by another member of the Board of Directors selected by the highest-ranking officer not named in the complaint.

The identity of the individual making the complaint, as well as the identity of the individual accused of harassment, will be kept as confidential as possible, consistent with conducting an effective investigation. To the extent possible, information regarding the harassment charge will be made known only to individuals directly involved either as a party, witness, an investigatory team member or the CEO. Witnesses interviewed will be provided only such information as is necessary to elicit from them their observations and other relevant information. During the investigation, both the complainant and the accused will be provided a full opportunity to tell each side of the story.

##### **Discipline**

Any member of the Association may be reprimanded, placed on probation, suspended or expelled for sexual harassment of an Association member or employee. Any employee engaging in harassment is subject to severe discipline, including termination. The decision of the appropriate disciplinary action shall be made by the investigatory team in consultation with Association legal counsel.

##### **Follow-up**

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

## E. LEGAL ACTION FUND

The purpose of the Legal Action Fund, with expenses approved by the CCIAOR Board of Directors, is to provide financial assistance to support litigation of significance to the Association or MLS, including matters relevant to the practice of real estate, the operation of real estate associations, ownership and use of real estate, and private property rights.

The following policies are to be followed for the Legal Action Fund:

- A. Financial support provided by CCIAOR to litigants must be used exclusively to pay the legal fees, costs, and expenses incurred in connection with the litigation for which assistance is requested and provided. It may not be used to pay judgments, damages, fines, settlements or opposing counsel fees or costs, or any legal fees or costs incurred in connection with requesting financial assistance with the litigation from CCIAOR. CCIAOR may use this fund for legal research and opinions regarding their operations or any of its subsidiary operations or to conduct research related to grants requests received for this fund;
- B. No Legal Action Fund resources shall be authorized without submission of a request in writing to the CEO for review by the CCIAOR Legal Counsel and the Board of Directors;
- C. All Legal Action Fund requests must be reviewed by CCIAOR Legal Counsel and contain an overview and recommendation of the case pursuant to this policy;
- D. While requests for Legal Action Fund resources must be submitted to the CEO in writing, the requestor has the right to appear before the Board of Directors to verbally support his/her request;
- E. Approval of disbursement of Legal Action Fund resources does not constitute, nor is it equivalent to, an endorsement from CCIAOR of the requestor's position on the issue in question;
- F. The CCIAOR President shall appoint 5 members of the Board of Directors to review each Legal Action Request that comes in and name a chairman for that group. The group shall make a recommendation to the Board of Directors for review and action.

**Criteria:** The Board of Directors, with the advice of Legal Counsel, shall determine if litigation is appropriate for support based on the following criteria:

- A. Presents an opportunity for a clarifying precedent, or involves issues of significance to the membership;
- B. Is designed to promote or defend the rights of members, the public, or others concerned with the protection of private property, home ownership or the operations of real estate brokerages;



- C. Names the Cape Cod & Islands Association of REALTORS® or any of its subsidiary corporations;
- D. The cost of assistance is reasonable under the circumstances;
- E. Other matters as the Board of Directors deems appropriate.