

SouthEast Valley Regional Association of REALTORS®
Board of Directors Meeting Minutes

October 27, 2016

1:00pm – 4:00pm

Board of Directors Room

1363 S. Vineyard Mesa, Arizona 85210

I. CALL TO ORDER

The meeting was called to order by President, Keri Means at 1:00pm.

Pledge of Allegiance

A) Roll Call:

Present: : President, Keri Means; President Elect, Craig Peck; Vice President, Dawn Johnson; Past President, Heidi Quigley Larke; Treasurer, Nicole Hamming; Directors – Shane Cook (via conference call); Danette Earnest, Derek Anglin, Christie Ellis, Margie Wilson, Shivani Dallas, Torey Gannon, Liz Harris, Cathy Joyce, Lidia Cruz Whitmoyer

Absent: Rick Padelford

Staff: CEO, Janet Kane; Admin., Barney Thornton; Victoria Agudelo Martin, Controller; Wyndi Austin, Director of Marketing Communications

Guests: Jim Amdahl

B) Conflict of Interest Policy and Confidentiality Statement

A quorum was present.

II. MEMBERSHIP FORUM

III. APPROVAL OF AGENDA – The agenda was approved as presented.

IV. CONSENT AGENDA - Motion and second – Motion carried.

A) Approval of Board Minutes – September 22, 2016

B) Approval of 2015 new SEVRAR members:

Individual Affiliate Members - 10, Institute Affiliate – 0, Designated Appraisers - 1, Broker Primary 01, Secondary Brokers – 4, MLS Only-0, Non Members – 6, REALTORS® - 148

C) Approval of 2016 New Committee Members

V. EMERITUS PRESENTATION – Jim Amdahl was presented with his Emeritus award.

VI. ACTION ITEMS

A) Recommendations from the Finance Committee:

1) **Motion:** To approve the September, 2016 Financials as presented for audit. **Motion carried.**

2) **Motion:** To approve the following change to the 2017 Proposed Budget line item # 3005, Office Transfer Fees (REV) from \$30 to \$50 per transfer. **Motion carried.**

3) **Motion:** To approve adding \$1,500 to budget line item #5501 to cover Leadership Retreat (EXP). **Motion carried.**

4) **Motion:** To approve increasing the 2017 Budget Expense line item # 7530 by \$6,500 for coffee supplies. **Motion carried.**

5) **Motion:** To approve the 2017 Budget as amended. **Motion carried.**

B) Recommendations from the Executive Committee:

1) **Motion:** To approve changing SEVRAR Policy Manual page 16, Article: 2.2a to add the following as underlined: With the exception of the Treasurer and Vice Chair of Finance. **Motion carried.**

2) **Motion:** To recommend that only the SEVRAR President attend the Region 11 meeting. **Motion carried.**

3) **Motion:** To alter the Travel Budget to include current President and CEO, as well as the incoming President, President Elect and Vice President to attend the AAR Leadership Conference. **Motion carried.**

4) **Motion:** Recommend that the SEVRAR NAR Delegate support the NAR Proposals at the Delegate Meeting in Orlando. **Motion carried.**

- C) **Motion and second:** To approve Jeff Murray as the 2017 SEVRAR Treasurer. **Motion carried.**
- D) **Motion:** To approve the recommendations from the Professional Standards Committee. **Motion carried.**
See attached.
- E) **Motion:** To approve the recommendations from the Marketing Home Tour Committee. **Motion carried.**
See attached.

VII. UPDATES

- A) CEO Report – CEO, Janet Kane gave a CEO Report.
- B) ARMLS Report – Liz Harris gave an ARMLS Report.
- C) Critical Need Task Force – Heidi Quigley Larke gave a Critical Needs Report.
- D) Committee Liaison Reports were made available.
- E) Task Force Reports

VIII. EXECUTIVE SESSION

IX. ANNOUNCEMENTS

- A) Next Meeting December 8, 2016
- B) Festival of Trees – SEVRAR - Set up – October 28 & 29, 2016 – Delivery of Trees – December 3, 2016
- C) “Of the Year” awards – Deadline – November 4, 2016
- D) Committee application deadline – November 18, 2016
- E) SEVRAR Closed November 24th and 25th in observance of Thanksgiving
- F) Board Installation – December 2, 2016 – SEVRAR – 12pm-2pm
- G) SEVRAR Closed December 23rd and 26th in observance of Christmas
- H) SEVRAR Closed January 2, 2017 in observance of New Year’s

X. NEW BUSINESS

XI. PRESIDENT’S REMARKS

XII. ADJOURNMENT

There being no further business to come before the Board the meeting adjourned at 2:43pm.

Submitted by,

CEO, Janet L. Kane, CAE, CIPS, RCE

MOTION PACKET

Professional Standards COMMITTEE

Chair: Suzanne Steinmann

Vice Chair: John Karadsheh

Date: September 23, 2016

Staff Liaison: Tonya Deskins

RECOMMENDATION(S):

MOTION 1: m/s/p To revise policy 4.3.b and 4.3.c as follows and combine into one policy:

4.3.b. Retention of Professional Standards Ethics & Arbitration Complaint Files.

1. Grievance Committee Dismissal: Destroy file after twenty (20) day appeal period.
2. Ethics case: If respondent is found not in violation of the Code of Ethics, destroy the file after the decision's adoption by the Professional Standards panel responsible for ratification.
3. Ethics Case: If respondent is found in violation of the Code of Ethics, records relative to the rest of the ethics file should be retained for one year after any discipline has been complied with absent a threat of litigation. (A copy of the decision will remain in the member's personal file at the association office).
4. Arbitration case: Destroy after twenty (20) day review period has been completed and award has been paid.
5. Files of ethics cases withdrawn as a result of an SEVRAR mediation agreement will be retained for one year after the mediation agreement is reached.
6. After time specified, no later than 30 days all documents will be destroyed.

EXECUTIVE COMMITTEE ACTION:

BOARD OF DIRECTORS ACTION:

SOURCE OF FUNDING: n/a

RATIONALE:

The National Association has no policy governing retention of professional standards records. Boards are encouraged to consult legal counsel when determining how long professional standards records should be kept.

NAR recommends that the results of an ethics hearing be retained permanently; records relative to the rest of the ethics file should be retained for one year after any discipline has been complied with absent a threat of litigation. In arbitration cases, records should be retained for one year after the award has been paid absent a threat of litigation. Minimally, all professional standards records should be retained until the appeal or procedural review

period has expired and it is recommended that the final decision of arbitration Hearing Panels and the Board of Directors relative to ethics proceedings be retained permanently in the respondent's membership file.

MOTION 2: m/s/p To revise policy 4.11.b as follows:

4.11.b POWER TO TAKE DISCIPLINARY ACTION. Discipline that may be imposed for a violation includes: letter of warning; letter of reprimand; requirement to attend the ethics portion of the Association's indoctrination course or another appropriate course or seminar specified by the Hearing panel that respondent could reasonably attend; fine not to exceed ~~\$5,000~~ \$15,000 (regardless of number of Articles violated); probation for one year or less; suspension for not less than 30 days, or more than one year; expulsion from membership for a period of one to three years.

Additionally, the Board of Directors has the option to allow the Respondent to pay a fine (not in excess of ~~\$5,000~~ \$15,000 in lieu of suspension. However, this option may be exercised only once during any given three-year period with respect to a particular member, and may not be offered as an option if the conduct giving rise to the suspension is failure to arbitrate.

EXECUTIVE COMMITTEE ACTION:

BOARD OF DIRECTORS ACTION:

FISCAL NOTE: n/a

SOURCE OF FUNDING: n/a

RATIONALE:

In 2013, NAR moved the fine limit from \$5,000 to \$15,000. This allows a fine to be accessed up to \$15,000.

MOTION 3: m/s/p To revise policy 4.11.e as follows:

Professional Standards Committee hearings shall be recorded ~~by a court reporter~~ at the expense of the Association. The transcription of the proceedings may be ordered by the Association or by the parties only for the purpose of an appeal or a procedural review. If the parties request the transcript, it will be at their expense.

EXECUTIVE COMMITTEE ACTION:

BOARD OF DIRECTORS ACTION:

FISCAL NOTE: n/a

SOURCE OF FUNDING: n/a

RATIONALE:

The words by a court reporter were removed. Not using a court reporter will save the association money. A hand held device can be used to record hearings. There is software available to transcribe the recording if needed.

MOTION 4: m/s/p To revise policy 4.11.h and 4.11.j as follows:

SEVRAR Policy Manual

4.11.h ~~APPEAL OF HEARING DECISIONS~~ REQUEST FOR APPEAL (ETHICS) and REQUEST FOR PROCEDURAL REVIEW (ARBITRATION). ~~An appeal of a hearing decision must be accompanied by a deposit in the sum of \$250. (Rev. 12-14). A Request for Appeal Form must be accompanied by a deposit in the amount of \$500. A Request for Procedural Review must be accompanied by a deposit in the amount of \$500.~~

4.11.j MANNER OF INVOKING ARBITRATION. (a) Arbitration requests must be accompanied by the required deposit of ~~\$250~~ \$500; (b) will be presented for determination by the Grievance Committee at the next scheduled meeting as to whether the matter is subject to arbitration.

EXECUTIVE COMMITTEE ACTION:

BOARD OF DIRECTORS ACTION:

FISCAL NOTE: n/a

SOURCE OF FUNDING: n/a

RATIONALE:

The policy was changed to more accurately reflect the updates done by NAR to the Code of Ethics & Arbitration Manual and raise the deposits to appeal and file a request to arbitrate to \$500 from \$250.

MOTION 5: m/s/p To revise policy 9.10 as follows:

9.10 Professional Standards Administration Fee

A \$500 administrative fee will be charged to any member found in violation of a code of ethics complaint.

EXECUTIVE COMMITTEE ACTION:

BOARD OF DIRECTORS ACTION:

FISCAL NOTE: n/a

SOURCE OF FUNDING: n/a

RATIONALE:

*In addition to any discipline imposed, Boards and Associations may, at their discretion, impose administrative processing fees **not to exceed \$500** against each respondent found in violation of the Code of Ethics or other membership duties. Any administrative processing fee will be in addition to, and not part of, any disciplinary sanction imposed. Boards and Associations shall determine in advance when, and under what circumstances, administrative processing fees will be imposed so that imposition is a matter of administrative routine.*

MARKETING HOME TOUR COMMITTEE

Chair : Chellee Robinson

Vice-Chair: Dawna Lepler

Date: October 10, 2016
Thornton

Staff Liaison: Barney

RECOMMENDATION(S):

Motion: To approve the following recommendations from the Marketing Home Tour Committee:

- Sponsoring Affiliates choosing to attend a tour must fill out a feedback sheet.
- Sponsors are required to participate in the entire tour. To take effect beginning January, 2017.
- To be a tour sponsor must pay price of sponsorship. (Moved from page 3)
- Participants with a home on tour must go to all homes on their leg of the tour, or coordinate a replacement. “No Follow-Through” REALTOR® may be subject to as much as a 3-month sanction, when recommended by Tour Moderator with concurrence of SEVRAR Marketing Home Tour Committee Chair/Vice Chair. “No Follow-Through” REALTOR® shall be subject to a 3 month sanction. All tours will report the “No Follow Through” REALTOR® to the Marketing Home Tour Committee Vice Chair. The Vice Chair will track and email the Marketing Tour Committee Members the updated Sanction List.
- No shows will not be allowed back on a SEVRAR tour for 3 months. Coordinators Vice Chair will send the list of “No shows” to the Committee Staff Executive within 72 business hours. SEVRAR will send a letter to the individual advising them of the 3 month sanction, with a copy to their broker.
- If a participant has a seller that refuses to show a registered property, the REALTOR® must still attend the tour to provide feedback on homes and not be affected by the three month sanction referenced above. “No Follow-Through” REALTOR® may be subject to not more than 3-month sanction when recommended by Tour Moderator with concurrence of SEVRAR Marketing Home Tour Committee Chair/Vice Chair.
- The moderator/coordinator may choose to allow REALTORS® All participants on a tour to will vote for “Best House on Tour” and be provided a sign rider for the listing. REALTORS® are **not** allowed to vote for their own home on tour.

- Coordinators are to work together to create a fair process to rotate responsibilities
- Coordinators ~~may~~ will attend tour and wear a SEVRAR name badge, indicating them as the Coordinator and their name. Affiliates cannot wear company name badges or company apparel.
- Each tour will consist of a Moderator(s) and two Coordinators.
- During any month of the fourth quarter the Coordinator and Moderator positions will be voted on for the next calendar year. If there are any vacancies during the current calendar year the Chair will temporarily appoint a replacement until the committee meets.
- ~~Each tour shall award a “Best Home On Tour” sign rider as selected by the Realtors & Affiliates attending the tour.~~

EXECUTIVE COMMITTEE ACTION:

BOARD OF DIRECTORS ACTION:

FISCAL NOTE:

SOURCE OF FUNDING:

RATIONALE: Purpose of changes is to update the Marketing Home Tour Guidelines and address current problem areas.