

Palm Springs Regional
Association of REALTORS®

2020

Policy Manual

POLICY MANUAL

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SECTION 1: INTRODUCTION

The Palm Springs Regional Association of REALTORS® is an association of volunteer members governed by Bylaws adopted March 28, 2017. Qualification for and objectives of membership are found in the Bylaws, as approved by the National Association of REALTORS®. The governing body of the Association is a Board of Directors. The activities of the Association are carried out through committees of volunteer members. The policies found in this manual are in addition to, not a replacement for the Association's Bylaws.

SECTION 2: MEMBERSHIP

2.1 Application for REALTOR® Membership

1. Applications must be submitted to the Association office fully completed and signed by the Designated REALTOR®.
2. Association staff is to verify licensee's status and broker affiliation via the California Department of Real Estate website and print and attach it to the application.
3. Application fees as set by the Board of Directors must be submitted with application and are non-refundable (\$25 as of 7/21/16).
4. Dues are prorated monthly and computed from the month in which a licensee submits his/her application.
5. Applications are processed following PSRAR Bylaws.
6. Designated REALTORS® are responsible for a non-member salesperson fee for any licensee working under their Brokerage License who have not joined the Association. This is an increase in the DR's dues and does not supply membership to the salesperson.

2.2 Application for Affiliate Membership

1. Non-REALTORS may join PSRAR as Affiliate Members.
2. Applicants must provide: Photo ID
3. Application fees as set by the Board of Directors, must be submitted with the application and are non-refundable.
4. Dues are prorated monthly and computed from the month in which an affiliate submits his/her application.
5. Applications are processed following PSRAR Bylaws.

2.3 Changes in Membership Status

Requests for changes to records must be received by the Association in writing and signed by the member whose record is to be changed.

Changes in membership status, e.g., transfers to new Designated REALTOR®, etc. must be received by the Association office in writing, within seven (7) days of said change and signed by the REALTOR® member as well as the new Designated REALTOR®.

When a member transfers to a new Designated REALTOR® there will be a \$25.00 administration charge to offset the staff, time involved in making the change to the agent's records.

2.4 Orientation

All applicants must attend Orientation.

Orientation must be completed within three scheduled meetings of submitting application or application fee will be forfeited and application process must be repeated in order to gain membership.

2.5 Resignation from the Association

Resignations must be sent in writing to the Association office.

2.6 Local Honorary Senior Member for Life (Emeritus status)

Qualifications:

1. Member of PSRAR for at least 25 years;
2. At least 65 years of age.

Procedure:

1. Submit letter to PSRAR recommending appointment. Include real estate history, previous Association memberships, date of birth;
2. Appointment to be approved by Association Board of Directors;
3. Application to be filed not less than 45 days prior to the annual installation of Officers/Directors;
4. PSRAR President to confirm Honorary Senior status with letter to recipient;
5. Local association dues waived.

2.7 Dues / Assessments / Fees

Association dues are due on January 1st and considered past due if not paid by that date. E-mail notifications will be sent to past-due account holders. A member who has not paid their annual Realtor® or Affiliate dues by January 31 will have a \$30 late fee assessed. (CAR also has a late fee) On February 15th the member's record will be placed on Inactive status (discontinuing their member benefits). If the 15th falls on a non-business day the inactivation will take place of the first business day thereafter. On February 28th membership will terminate. Membership may be reinstated if a reinstatement fee of \$50.00 is paid by February 28th. After that, the entire admissions process and fees would be necessary.

Where Designated REALTORS® have paid non-member dues for a salesperson, there is no refund if said salesperson joins the Board.

2.8 Members' Access to Meetings & Materials

- A. It is the policy of the Palm Springs Regional Association of REALTORS® to welcome the attendance of members to the Association's Board of Director's meetings. The Association reserves the right, to protect the interests of its members and employees in maintaining confidentiality. All guests and staff, with the possible exception of the Association Executive (AE), will be excused when the Board is called into Executive Session at which time matters relating to confidential personnel matters, professional standards hearings (results and appeals, contracts, and attorney-client communications, including but not limited to other confidential matters)
- B. Minutes of the Board of Directors Meetings shall be available to Members of the Association for review at the Association Office upon written request. Minutes of the Board of Directors meetings are available to all members except those actions pertaining to Association staff.
- C. All committee meetings are open to the general membership to attend as guest observers except for Executive Committee, Executive Session, Grievance Committee and Professional Standards.
- D. At the written request of a member, and under the supervision of the Association Executive, the Association will make an appointment for inspection of books and records of the corporation's accounts and minutes of the proceedings of its members, Board of Directors and committees. If requested, a copy of the most recent 990 filing will be provided. This statement of policy shall not constitute a waiver of the Board's right, at its discretion, to maintain as privileged, any other documents in its files which it is not required by law to disclose. For any member examining the Board's books and records, the Chief Executive Officer may request that the member submit any questions they have in writing to the Board.

2.9 Memberships in Other Organizations

The Association may join certain other organizations as approved by the Board of Directors (i.e.: Chambers of Commerce, Builders Association, etc.). If the organization requires an individual be named as the member, it shall be the AE. The Association Executive or designee may attend organization functions. As events are identified, the AE shall notify the Board of Directors, Government Affairs Director (GAD), Local Government Relations (LGR) chair and Public Relations committee chair as appropriate. Membership fees shall be paid by the PSRAR as approved by the Board of Directors. AE will investigate and apply for any applicable reimbursement opportunities such as IMPAC, ALF, etc.

SECTION 3: BOARD OF DIRECTORS

The Officers and Directors of the Palm Springs Regional Association of REALTORS® shall comprise the governing body of the Association of REALTORS®. Specific responsibilities and duties of the Board of Directors are as follows:

3.1 Directors' Responsibilities

- Serve as the governing body of the Association and control all the affairs of the Association subject to the restrictions imposed by the Bylaws.
- Select the financial institution(s), by resolution, to deposit all Association monies.
- Employ such Chief Executive Officer (also referred to as the Association Executive (AE)) to manage the day-to-day operations of the Association.
- Contract with an outside independent accounting firm to be available for consultation per policy 7.4 Legal Counsel & CPA and to conduct audits of the Association's books including the annual

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audit. Said annual audit shall commence no later than the end of first quarter after the close of the fiscal year. The Directors shall make available to the membership an annual report of the audited income and expenses and balance sheet of the Association no later than the next Annual Meeting of the Association.

- Contract with outside legal counsel to be available for such consults as considered necessary per policy 7.4 Legal Counsel & CPA.
- Review and approve a budget prepared by the Budget & Finance Committee reflecting projected income from all sources and projected costs and expenses of the Association for the next fiscal year. Report regularly and promptly to the members all actions of the Board of Directors. The Board of Directors and/or individual Directors do not report on, nor show discussion of individual Directors.
- Review and act on committee requests. If financial requests deviate from the approved budget, such requests must first be reviewed by the Budget & Finance Committee.
- Approve, or disapprove actions of the Executive Committee (if Executive Committee is being used) carried out in the interim between Directors' meetings, except for confidential matters.
- Approve and amend such rules, regulations, and policies necessary to the operation of the Association.
- Attend all Board meetings. Any Officer or Director of the Board that is absent from three (3) regular monthly Board meetings in one (1) calendar year shall be automatically removed from their position. There shall be no differentiation between "excused" or "unexcused" absences. In extraordinary circumstances, an appeal for reinstatement may be sent for consideration by the Board of Directors. Any absence from a Board of Directors meeting should be reported to the President and AE in advance, when possible.
- Serve without compensation.
- Represent the entire membership by:
 - Soliciting member input as much as possible.
 - Placing the welfare of the **entire membership** ahead of geographical or factional considerations.
 - Expressing their viewpoints and sharing their opinions on issues before the group.
- Be informed and knowledgeable in areas of interest, concern and importance to the Association and the real estate industry.
- Supply reasonable access to member guests. It is the policy of the Association to protect the interests of its members and employees in keeping confidentiality. All guests and staff (with the exception of the AE unless the discussion pertains to the AE) will be excused when the Board is called into Executive Session at which time matters relating to confidential personnel matters, professional standards hearings, results and appeals, and attorney-client communications, among other possible matters, may be discussed.
- Minutes of the Board of Directors meetings shall be taken by the AE or his/her designee. In Executive Session meetings if the AE is not in attendance the Secretary or designee will take minutes. Only action items are reported in the minutes, including action items coming from executive session.
- A Consent Agenda may be used for such things as approving the agenda, approving last month's minutes, committee reports with no action items, etc.

3.2 Information / Education

Both the national and state associations can provide Directors with many resources for obtaining information. In addition, Association staff can help in most areas.

Directors are a vital link between the membership and the Association. Directors should bring from the membership specific problems or concerns and should take back information concerning the

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Association's activities and programs. Member access to meetings or materials is defined under 2.9 Members' Access to Meetings and Materials.

Directors should be familiar with:

- A. Association Leadership Handbook, current bylaws, constitution, and policies of the National Association of REALTORS®; the California Association of REALTORS®; and the current bylaws, policies, procedures, and issue positions of the Palm Springs Regional Association of REALTORS®.
- B. Legislative activity on local, state, and national level.
- C. Robert's Rules of Order, latest edition.
- D. Minutes, any other meeting materials, and notices of Directors meetings shall be emailed to members of the Board of Directors when available prior to the next regular scheduled meeting of the Board of Directors.
- E. Directors should review all materials prior to the meeting.

3.3 Nominating and Election of Directors & Officers

Nominations. The Nominating Committee shall select candidates for each place to be filled on the Board of Directors. All nominations shall follow the Candidate Information requirements and require certification by the Nominating Committee. To qualify as a candidate for the Board of Director's the potential nominee must have served at least one year on a standing committee in the past three years. No person may be nominated for office unless they will meet all the qualifications for the office at the beginning of the term for which they are a nominee. No nominations will be accepted after the due date deadline.

Candidate Information. All candidates wishing to run for an Officer position, or a Director position must submit a personal statement no later than thirty(30) days before the first day that voting is to begin. The personal statement shall be no more than (five hundred) 500 words and shall not include false allegations or libelous comments about other candidates, the REALTOR® Associations, the Board of Directors or other individuals. The PSRAR President and/or the Executive Officer or the Executive Committee of PSRAR may, in his/her/their discretion, withhold, remove or require the candidate to revise any statement they deem inappropriate or unsuitable for publication such as information that is not factually correct or that unfairly impugns the character of someone. A webpage will be created on the PSRAR website that shall hold the candidate photos and personal statements. No less than thirty (30) days prior to the commencement of voting, the candidate information shall be posted on the website. All candidate information received by the deadline shall be posted at the same time.

Election Committee and Voting Procedures. The President, with the approval of the Board of Directors, shall appoint an Election Committee of four (4) members to conduct the election. The members of the Nominating Committee may also serve as the Election Committee. No member of the Election Committee nor their spouse or partner may be a candidate for office or the Board of Directors. The Election Committee shall set a date on or before the annual meeting on which the election will be held. Election shall be conducted electronically.

Elections shall be per Section 5 (d) (e) of the Association Bylaws.

To be eligible to vote, members, whether primary or secondary, must be in good standing. Total results of the e-balloting and paper votes will be tallied and reported to the President of the Association and

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emailed to the entire membership as soon as possible after the close of the election. Board of Directors will be privy to total votes as a confidential matter.

Term / Firm Limits. Two (2) or more active members associated with the same firm may be Directors, subject to the limitation that not more than twenty-five (25) percent of the Board of Directors may be from the same firm. After Board elections, if the maximum number of members per firm is exceeded due to a merger of firms, or to a Director moving from one firm to another, no change in composition of the Board of Directors will be required until the next regularly scheduled election. Directors are elected to serve three-year terms. No Director may serve more than two consecutive terms as a Director. The President and President-Elect may only serve one term in each position. The Secretary and Treasurer or Secretary/Treasurer may not serve more than three consecutive terms.

SECTION 4: OFFICERS

4.1 Executive Committee

The Executive Committee is composed of all Officers elected by the General Membership, or their successors, and the Immediate Past President of the Association. The Association Executive shall be a non-voting member of the Executive Committee. The Executive Committee shall meet at the call of the President. The Executive Committee may only make recommendations to the Board of Directors for its consideration and action and may not act on behalf or exercise the authority of the Board of Directors except to transact business of an emergency or confidential nature between meetings of the Board of Directors, while reporting such actions at the next Board of Directors meeting for confirmation.

4.2 President / Duties, Responsibilities and Authority

The President, as chief elected officer, represents the entire membership and the best interests of the Association; exercises personal leadership in the motivation of other officers, board members, committee members and staff; acts as spokesperson and inspirational leader and takes an important part in monitoring and evaluating organizational performance and effectiveness. The office of President is one of leadership and personal commitment to the members of our Association. Within the limits of the bylaws and policies, the President's authority is to carry out the duties set forth below and to perform such other duties as approved by the Board of Directors:

- A. It is essential that the President be informed and knowledgeable in all areas of Association involvement and in the real estate industry in general.
- B. Represent the Association and acts as the primary spokesperson.
- C. Work closely and harmoniously with the AE for the betterment of the Association.
- D. Appoint such committees and appoint their chairs.
- E. Serve as ex-officio member of all committees of the Association except the Nominating Committee, Election Committee, Professional Standards Committee and Grievance Committee.
- F. Supports and defends policies and programs adopted by the Board of Directors.
- G. Presides at and attends all meetings of the Board of Directors, Executive Committee, and the membership meetings.
- H. President, or AE, serves as the Association spokesperson and represents the interest and objectives of the Association in dealings with the news media, allied organizations and industries, local, state and federal legislators and the general public.
- I. Along with the AE, ensures that the Board of Directors and Officers are kept fully informed on the conditions and operations of the Association.
- J. President or their designee acts as NAR voting delegate.
- K. Represents the Association in attendance at the NAR Legislative Meetings, NAR Delegate meetings and NAR Convention as allocated in the Association budget. Serve as a CAR Director

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and attend the Mid-winter Business Meetings, Legislative Meetings, and Fall Convention and Business Meeting as well as all Region 28 Caucuses.

- L. And to perform such other duties as approved by the Board of Directors.

4.3 President-Elect / Duties, Responsibilities & Authority

It is the responsibility of the President-Elect to perform the duties of the President if the President's absence or disability. The office of the President-Elect is one of leadership and personal commitment to the members of our Association. Within the limits of the bylaws and policies, the President-Elect's authority is to carry out the duties set forth below and to perform such other duties as approved by the Board of Directors:

- A. It is essential that the President-Elect be informed and knowledgeable in all areas of Association involvement and in the real estate industry in general.
- B. Attends as a voting member, all meetings of the Board of Directors, Executive Committee, and membership meetings, and presides in the absence of the President.
- C. Serves as Chairperson of the Strategic Planning Committee.
- D. Attends the NAR Convention as distributed in the Association budget. Serve as a CAR Director and attend the CAR Mid-winter Business Meetings, Legislative Meetings, and Fall Convention and Business Meeting as well as all Region 28 Caucuses. Attend the NAR Leadership Summit and the CAR Leadership Conference as distributed in the PSRAR budget.
- E. And to perform other duties as approved by the Board of Directors.

4.4 Secretary-Treasurer / Duties, Responsibilities & Authority

The office of the Secretary is one of leadership and personal commitment to the members of our Association. Within the limits of the Bylaws and policies, the Secretary is responsible and has equal authority to accomplish the duties set forth below and to perform such other duties as approved by the Board of Directors:

- A. It is essential the Secretary/Treasurer be informed and knowledgeable in all areas of the Association involvement and in the real estate industry in general.
- B. Serves a member of the Executive Committee and member of the Board of Directors.
- C. Shall have charge of such books, documents and papers as the Board of Directors may determine.
- D. Is responsible for ensuring that minutes of all the meetings of the Board of Directors and General Membership are properly kept.
- E. Shall perform, in general, all duties incident to the office of Secretary, subject to the authority of the Board of Directors and shall perform such other duties as may be assigned by the Board of Directors.

The office of the Treasurer is one of leadership and personal commitment to the members of our Association. Within the limits of the Bylaws and policies, the Treasurer is responsible and has equal authority to accomplish the duties set forth below and to perform such other duties as approved by the Board of Directors:

- A. The Treasurer shall oversee the funds and assets of the Association. In the absence of the Treasurer, or at the discretion of the Board of Directors, the duties of the office will be assigned to the AE as required from time to time.
- B. It is essential the Treasurer be informed and knowledgeable in all areas of the Association involvement and in the real estate industry in general. It is particularly important that the Treasurer be knowledgeable of Association financial activities.
- C. Serves as chairperson of the Finance Committee, member of the Executive Committee and member of the Board of Directors.
- D. Shall have charge of such books, documents and papers as the Board of Directors may determine .

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- E. Shall perform, in general, all duties incident to the office of Treasurer, subject to the authority of the Board of Directors and shall perform such other duties as may be assigned by the Board of Directors.
- F. Has responsibility of all funds, property, and securities of the Association subject to such regulations as may be imposed by the Board of Directors.
- G. When necessary or proper, the Treasurer may endorse on behalf of the Association, checks, notes and other obligations and shall deposit same credit to the Association at such bank or banks or depository as the Board of Directors may designate.
- H. On behalf of the Association and in conjunction with the Executive Officer;
 - Signs promissory notes issued by the Association, except in cases where the execution of documents shall be expressly designated by the Board of Directors or the Bylaws to some other officer or agent of the Association.
 - Makes such payments as may be necessary or proper on behalf of the Association.
- I. The Treasurer shall enter regularly on the books of the Association full and accurate account of all monies and obligations received, paid or incurred for, or on account of the Association, and shall exhibit such books at all reasonable times to any Director upon request at the offices of the Association.
- J. Prepares with the Finance Committee and AE, an annual budget to be approved by the Board of Directors and makes recommendations for amendments to the budget when necessary.
- K. Presents financial reports at the regularly scheduled meetings of the Board of Directors.

4.5 Past President

When agreeing to serve as President of PSRAR it is also agreed to serve the following year as Past President. The Past President's involvement is vital to the Association as resource for the current President and for continuity. The Past President will serve on the Executive Committee of the Association and will attend all meetings of the Board of Directors.

SECTION 5: COMMITTEES & TASK FORCES

5.1 Committees of the Association

Committees serve to aid in the effective implementation of Association objectives and specific programs, and each shall have a purpose and operate in alignment with the Vision and Mission statements and the Strategic Plan of the Association. The President, with the approval of the Board of Directors, may appoint such Committees, Special Committees, Task Forces and/or Working Groups and designate their Chairpersons and Vice-Chairpersons as deemed advisable and where not otherwise specified in these policies. The following are standing committees: Budget & Finance, Education/Membership, Equal Opportunity, Grievance, Local Government Relations, Multiple Listing, Professional Standards, Strategic Planning and Public Relations.

Each year a committee interest sheet will be circulated to the members via email, and on the Association website. Members interested in a committee must fill out the form to be considered for a position. Committee interest sheets will also be available at the Association office and on the website.

Absence from three committee meetings in any year given will constitute a resignation from that committee and the member will be removed from the roster. A member who believes there were extenuating circumstances which caused the member to miss the three meetings may apply to the Board of Directors for reinstatement by detailing the reason for the missed meetings and submitting it to the

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President for consideration by the Board of Directors. If reinstated and the committee member misses another meeting they will be removed from the committee with no added chance for reinstatement.

5.1(a) Budget & Finance Committee - Works with the Chief Executive Officer to aid in developing the annual budget and reviewing the financial performance of the association. The committee is responsible for creating, checking and recommending revisions to the Association's investment policies and reserve policies. The committee will make recommendations to the full Board of Directors on the financial position of the association. The committee will evaluate needs, consider bids, and make recommendations regarding owned real estate. **Composition:** The committee shall comprise of the Treasurer who will also serve as the Chair, the President-Elect, the immediate Past President, the CEO and two (2) Presidential Appointees. One (1) appointee shall be currently serving on the Board of Directors and the other may come from either the Board of Directors or the general membership of the Association. Serve one (1) year terms. After the association elections each fall the new incoming Treasurer will serve as a non-voting member of the committee through the balance of that year.

5.1(b) Education Committee - Oversees the Fast Start program. Works with the staff to recommend and review course offerings and/or suggested matter for professional development and seminars. Works to bring prompt educational opportunities to the membership. **Composition:** REALTOR® and Affiliate members of the Association who have an interest in education.

5.1(c) Election Committee - Sets the date for the annual election. Administers the election by the Bylaws and Policies of the Association. Ratifies the results of the election with the Executive Officer. **Composition:** Four REALTOR® members selected by the President with approval of the Board of Directors. (Bylaws Section 5(d)). (The Election Committee may also serve as the Nominating Committee)

5.1(d) Grievance Committee Duties - Acts as a reviewing body for ethics complaints turned into the Association to determine whether to dismiss or send forward to the Professional Standards Committee for a hearing. **Composition:** The committee shall include of no more than thirty (30) REALTOR® members. No member of this committee shall serve simultaneously on either the Professional Standards Committee or on the Association's Board of Directors. Members of the committee shall serve a term of three (3) years. Terms will be staggered. All members of the Grievance committees must attend an approved training session as soon as possible after appointment to the committee and at least every two (2) years thereafter, if required.

5.1(e) Local Candidate Recommendation Committee Trustees - Members of the Local Government Relations Committee (LGR) shall serve as the Local Candidate Recommendation Committee (LCRC) Trustees. **Composition:** The LGR Committee members.

5.1(f) Local Government Relations Committee - Invites guest speakers to educate members on issues pertinent to the industry, responds to and promotes CAR & NAR "Calls to Action"; takes part in candidate interviews and monitors local governmental bodies.

5.1(g) Multiple Listing Committee - Discusses general information about the MLS. Submits recommendations to the Board of Directors, through proper committees recommending changes to system which would affect all members and/or changes, requests for Palm Springs specific or other items of interest that should be discussed. Gets feedback from users important to issues regarding the MLS for consideration to be sent to the MLS vendor. Is involved with education to train users of the MLS. Reviews products that offered on a voluntary basis to the association that would help participants in their profession. Is chartered with evaluating MLS vendors and their contracts for recommendation to the Board of Directors.

5.1(h) Nominating Committee - Identifies, accepts nominations and vets/certifies one (1) or more candidates to run for each office, except that of President if there is a sitting President-Elect based on the criteria and process described in 3.3 Nominating and Election of Directors & Officers. Verifies that Candidates have served at least one (1) year on the Board of Directors prior to being nominated for an Officer position and at least one (1) year on a standing committee, within the past three years, prior to being nominated for a Director position. Communicates the list of candidates to each member at least thirty (30) days preceding the first day of voting. **Composition:** The Committee shall be comprised of the four (4) REALTOR® members appointed by the President with the approval of the Board of Directors. current Members of the Committee shall be ineligible to run for a Director or Officer position. Members of the committee shall serve a term of one (1) year. (The Nominating Committee may also serve as the Election Committee.)

5.1(i) Professional Standards Committee – Committee is responsible as the Judicial Body of the Association. Conducts due process hearings in accordance with California Professional Standards manual on alleged violations of the Code of Ethics, and Arbitration hearings. **Composition:** The committee shall include of no more than thirty-five (35) REALTOR® members. No member of this committee shall serve simultaneously on either the Grievance Committee or on the Association’s Board of Directors. Members of the committee must serve on the Grievance Committee prior to serving on the Professional Standards Committee. Members of the committee shall serve a term of three (3) years. Terms will be staggered. All members of the Professional Standards committees must attend an approved training session as soon as possible after appointment to the committee and at least every two (2) years thereafter, if required.

5.1(j) Special Events/Affiliate – Plans and executes events for the Association within the Association budget and strategic plan. Events must be approved by the AE and Board of Directors prior to any obligations to the Association being undertaken. **Composition:** REALTOR® members and Affiliates interested in supporting the community.

5.1(k) Strategic Planning - No later than February 28th of each year, the Strategic Planning Committee shall meet to create a strategic plan or suggest revisions to the current strategic plan. The plan shall be presented to the Board of Directors no later than the April Board of Directors meeting. **Composition:** The President-Elect shall chair the committee. The committee shall include no more than twelve (12) REALTOR® members, with a minimum of four (4) current PSRAR Directors and the balance being a diverse cross-section of membership and the AE. Members of the committee shall serve a term of one (1) year.

5.1(l) Young Professionals Network - To be the voice of young professionals who are focused on personal growth, networking, and association involvement with a primary focus on helping other young professionals engage in Association activities and leadership roles. Network events should revolve around the four pillars of Education, Technology, Philanthropy and Social. Education events should be coordinated with the Education committee to cut duplication and/or conflicting dates. Philanthropy events should be coordinated with the Special Events committee to cut duplication and/or conflicting dates. **Composition:** The network is open to all members.

5.2 Chairperson’s Responsibilities Committee

Chairpersons are responsible to the Board of Directors. It is the responsibility of the Committee Chairperson to see that recommendations, decisions and actions of the Committee are reported to the Board of Directors. Chairpersons are charged with working closely with their Staff Liaison in organizing

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committee members and implementing the specific goals and objectives of the committee as established annually by the Board of Directors. Chairperson's responsibilities:

- A. Preside at committee meetings.
- B. Keep accurate list of committee members and attendance records.
- C. Work with Staff Liaison to prepare agendas at least one (1) week prior to the committee meeting.
- D. Maintain accurate and precise committee minutes and/or reports to be archived at the association.
- E. Any special financial requests outside of the budget shall be submitted to the Budget & Finance Committee for review to the Board of Directors
- F. Responsible for actively involving each committee member to ensure their retention and developing their leadership potential.
- G. Remove committee members who have missed three meetings during the year.
- H. It is essential that Committee Chairpersons be informed and knowledgeable in areas of the Association that affect their committees.
- I. Should be familiar with current bylaws, policies, procedures, and Robert's Rules of Order latest edition.
- J. Make recommendations for future committee chairs and membership to the President.
- K. Submits to the AE a request for item/issue to be placed on upcoming agenda. AE is responsible for adding item to agenda. Chair handles assigning a committee member to speak to the item/issue.

5.3 Staff Liaisons to Committees

For optimal coordination between the committees, it is best if a staff liaison is available for all the committees. Staff liaisons are assigned by the AE and are responsible for preparing the agenda for each committee meeting, per the guidance of the respective committee chair, assisting committee chairpersons with communications and correspondence, meeting preparation, taking minutes, keeping attendance records, keeping detailed records of the revenues and expenses for their respective committees. The AE shall assimilate the action items and report them to the Board of Directors as a part of the monthly meeting material.

SECTION 6: NAR & CAR

6.1 NAR Directors & CAR Directors

- A. The Association currently does not have a NAR Director. NAR allocates one Director for every two thousand (2,000) REALTOR® members.
- B. The Association is entitled to four (4) CAR Directors based on the current CAR allotment policy. The President and President-Elect shall serve as CAR Directors for the year in which they serve. All other CAR Director seats allocated to PSRAR shall be elected by the Board of Directors. Each CAR Director and the Association Executive are to attend all CAR meetings, Committee meetings on which they are a member or Region Representative, Board of Directors sessions and Region 28 Caucuses. The Government Affairs Director shall attend government related meetings and shall return home once those meetings are finished.
- C. Travel for NAR Directors and CAR Directors will be reimbursed per the 8.10 Travel Reimbursement policy.

SECTION 7: LEGAL

7.1 Bonding

Officers, Directors, and staff shall be bonded.

7.2 Errors and Omission Insurance Coverage

The Palm Springs Regional Association of REALTORS® is covered by Professional Liability and Errors and Omissions Insurance as prescribed by the National Association of REALTORS®. Coverage is based on compliance by the Association with the policies and recommendations of the NAR. Failure to comply will result in loss of coverage. It shall be the policy of the Board to take required actions to remain in compliance with NAR policies and recommendations.

7.3 Contracts

No member, officer, director, committee chair or committee member shall have authority to sign any contract on behalf of PSRAR. All contracts will be signed by the Association Executive and shall follow PSRAR Bylaws.

7.4 Legal Counsel & CPA

The Association shall engage the services of Legal Counsel to recommend and counsel the Association relative to matters of interest to the Association, which have legal implications. Legal Counsel shall start action only after approval of the Board of Directors. Only the AE or President may contact the Association Counsel.

7.5 Anti-Trust Compliance

The Palm Springs Regional Association of REALTORS® does not fix, control, recommend, suggest or maintain commission rates or fees for services to be rendered by members or any percentage of division of commissions or fees between cooperating members or nonmembers. Therefore, there shall be no discussion at any time by the Board of Directors, committees, or staff of the Palm Springs Regional Association of REALTORS® which may infer or lead to antitrust violations. Antitrust information shall be shared at the first meeting of the Board of Directors, each committee, and the networks of the Palm Springs Regional Association of REALTORS® annually.

7.6 Harassment Policy

The Palm Springs Regional Association of REALTORS® is committed to maintaining a professional environment that is free from discrimination and in which members and staff at all levels can devote their full attention and best efforts to the activities of the Association. The Association does not authorize and will not tolerate any form of harassment on the following factors: race, color, religion, sex, handicap, familial status, national origin, sexual orientation, gender identity, age or any other characteristic that is protected by law. Examples of "harassment" that are covered by this policy include offensive language, jokes or other physical, verbal, written or pictorial conduct relating to the individual's race, color, religion, sex, handicap, familial status, national origin, sexual orientation, gender identity, age or any other characteristic that is protected by law which would make a reasonable person experiencing such behavior feel uncomfortable or harassed. It is impossible to list every type of behavior that can be considered harassment in violation of this policy. In general, any conduct that could create an offensive environment will be considered harassment in violation of this policy. This is the case even if the

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offending party did not mean to be offensive. It is essential that all members and staff be sensitive to the feelings of others.

Reporting Harassment - Any individual who feels they have been harassed or witnesses harassment has a duty to immediately report the alleged harassment so that it may be investigated, and appropriate action taken. This is true whether the alleged harasser is an employee, association member, Officer or Director. The Palm Springs Regional Association of REALTORS® cannot resolve matters about which it does not know. To report alleged harassment, you must contact the current AE of the Association. In the case that he or she is the subject of the allegation, you must contact the next highest-ranking Officer. Once your report has been received, a prompt and thorough investigation will be conducted. At the conclusion of the investigation the reporting individual will be informed of the action taken, if any. All investigation results will be kept as confidential as possible. Any member of the Association may be reprimanded, placed on probation, suspended, or expelled for harassment of an association or MLS employee or Association Officer or Director after an investigation in accordance with the policies of the Association. As used in this Section, harassment means any verbal or physical conduct including threatening or obscene language, unwelcome sexual advances, stalking, actions including strikes, shoves, kicks, or other similar physical contact, or threats to do the same, or any other conduct with the purpose or effect of unreasonably interfering with an individual's work performance by creating a hostile, intimidating or offensive work environment.

The decision of the appropriate disciplinary action to be taken shall be made by the investigatory team comprised of the President, and President-elect and/or Chief Executive Officer and one (1) 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. Disciplinary action may include any sanction authorized in the association's Code of Ethics and Arbitration Manual. If the complaint names the President, President-Elect or Chief Executive Officer, they may not participate in the proceedings and shall be replaced by the Immediate Past President or, alternatively, by another member of the Board of Directors selected by the highest ranking officer not named in the complaint. No recourse will be taken against individual reporting legitimate harassment or for cooperating in an investigation.

7.7 Whistleblower Policy

PURPOSE

The Association has a unique relationship to its members, local, state, and national REALTOR® associations, and others in the real estate industry. This policy is intended to promote honesty and integrity and compliance with applicable laws and regulations by encouraging and enabling Directors, Officers, Committee Members, employees and others to raise serious concerns and report violations or suspected violations of law and Association policy within the Association prior to seeking resolution outside the Association. All Officers, Directors, Committee Chairs, and staff will be needed to sign the Whistleblower Policy Acknowledgement which is Appendix #1 at the end of this policy manual.

POLICY

Duty

It is the responsibility of all Directors, Officers, Committee Members, and employees of the Association to practice honesty and integrity in fulfilling their responsibilities and to follow all applicable laws and regulations. All Officers, Directors, Committee Chairs, and staff are to sign the Whistleblower Policy Acknowledgement which is Appendix #1 to this policy manual.

Whistleblower Protection

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A Director, Officer, Committee Member, employee, or other person who in good faith reports a violation or suspected violation of law or Association policy (including financial policies) in accordance with this policy will be protected as a "whistleblower" and not suffer harassment, retaliation or adverse consequences .

A "whistleblower" is a person who reveals wrongdoing within an organization to the public or to those in positions of authority. Protection of whistleblower activity is a key element of the Sarbanes Oxley Act.

Reports

In support of the Association's open-door policy, the Association suggests that questions, concerns, suggestions, or complaints be shared with someone who can address them properly.

- a) Association members, Directors, Officers, and Committee Members may make Reports to the President or the President-Elect if the President is the subject of the report.
- b) Association employees may make reports to the Chief Executive Officer or the President if the Chief Executive Officer is the subject of the report.
- c) The President, President-Elect and Chief Executive Officer must at once report suspected violations of law and Association policy to the Association's Board of Directors.

False Reports

Anyone filing a complaint concerning a violation or suspected violation of law or Association policy must be acting in good faith and have reasonable grounds for believing the information shown, indicates a violation of law or Association policy. Any allegations that are not substantiated, or to have been made maliciously or known to be false, will be treated as a serious disciplinary offense. Reports may be given on a confidential basis or may be given anonymously and will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Investigations

The Association's Board of Directors will address all reported concerns or complaints and has specific and exclusive responsibility to investigate all reported violations of law or Association policy. Within five business days of making a report, acknowledgment of receipt will be given to the reporting person. All reports will be promptly investigated, and proper corrective action will be taken if warranted by the investigation.

Enforcement

Violation of this policy will be grounds for disciplinary action against the individuals involved or engaging in prohibited activities and may be considered a breach of fiduciary duty. The Association may adopt rules governing the application of this Policy.

A Director, Officer, Committee Member, employee, or other person who violates this policy protecting whistleblower activities may be subject to censure or discipline up to and including removal from their position of service within the Association , suspension or termination of membership in the Association , or termination of employment.

7.8 Staff/Member Relations

The Association Executive works for the Board of Directors and owes his/her fiduciary duty to the Association. All other staff works for the Association Executive. They do not work for the Board of Directors and the Board of Directors may not direct staff. All requests for staff services must be directed through the Association Executive. Staff handles all internal communication to the membership and scheduling. No officer, director or member shall ask an employee to do personal (non-PSRAR) business.

7.9 Staff with Real Estate Licenses

Any PSRAR employee or independent contractor with a valid, current real estate license must inactivate the license through the Department of Real Estate (DRE) before beginning their position with the PSRAR.

7.10 Record Retention Policy

This retention schedule shows the minimum length of time listed records series in the Association, if applicable, must be kept by PSRAR before destruction or archival preservation and are to be based on the laws of retention. Questions about validity should be addressed by the CPA or Legal Counsel.

To keep records

Accounting Records

- Accounts payable and receivable (seven years)
- Annual financial statements (permanently)
- Bank statements (seven years)
- Accounting correspondence: routine (four years)
- Deeds and closing papers (permanently)
- Deposit slips (four years)
- Employee expense reports (seven years)
- Income tax returns (permanent)
- Inventory count & costing sheets (seven years)
- Insurance policies (four years after expiration)
- Investments (seven years after disposal)
- Payroll journals & ledgers (permanently)
- Purchase orders (except accounts payable copy) (one year)
- Purchase invoices & orders (seven years)

Association Corporate Records

- Articles of incorporation and amendments (permanently)
- Bylaws and amendments (permanently)
- Corporate filings (permanently)
- Corporate minute book (permanently)
- IRS exemption letter (permanently)

Employment Records

- Documents relating to job recruitment: advertising, job orders given to employment agencies, interviewing, testing, hiring, training, demotions, promotions, layoffs, discharges, and other personnel decisions (one year)
- Employee benefit plan documents (duration of plan)
- Garnishments/wage assignments (three years)
- Immigration I-9 forms (duration of employment plus one year, minimum of three years)
- Payroll records showing name, address, date of birth, occupation, rate of pay, and weekly compensation (three years)
- Personnel records (ten years after employment ends)

Legal Documents

- Contracts (ten years after expiration)
- License applications (one year after expiration)
- Licenses (one year after expiration)

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Trademarks, patents & copyrights (permanently)
Warranties & guarantees (two years beyond terms of the warranty)
Legal correspondence: (permanently)

MLS Documents

Rules and regulations (permanently)
MLS policies (permanently)
Listing agreements (until expiration of listing)
Lockbox key agreements/leases (one year after agreement terminates)
MLS service mark license agreements (permanently)
Contracts (seven years after expiration)
Subscription agreements (ten years after expiration)
Participation agreements (ten years after expiration)
Web site click-through confirmations (ten years)

NAR/Association Documents

NAR charter (permanently)
Territorial jurisdiction (permanently)
Realtor® Agreement (until superseded)
Member file & membership applications (two years after membership terminates)
Professional standards policies (five years)
Professional standards hearing records-- Ethics (result of hearing- permanent; rest of hearing file- minimum of 1 year after satisfaction of sanctions (if any) and there is no threat of litigation)
Arbitration/mediation (minimum of 1 year after award and there is no threat of litigation)

7.II Conflict of Interest & Confidentiality

Applicability

This section regarding Conflicts of Interest and Confidentiality applies to all Directors of the Association as well as, to the Association Executive and all staff members. All Officers, Directors and staff will be required to sign the Conflict of Interest and Confidentiality Policy Compliance Certification/Acknowledgement yearly and the Conflict of Interest Organization/Affiliation Policy Disclosure and/or the Conflict of Interest Business Activity Disclosure if they are or become applicable. These disclosures are Appendixes #2, 3 and 4 at the end of this policy manual.

Purpose

The primary purpose of the Palm Springs Regional Association of REALTORS® ("Association") is to serve its licensed real estate members, affiliates, and the public. To accomplish that purpose, the Association establishes and maintains unique relationships with its members and with local, state and national REALTOR® associations and others, including governmental bodies, in the real estate industry, and with individuals and organizations in its local community. To perform those member services and maintain those relationships the Association gathers, creates, and studies information including member information, which may be proprietary sensitive or confidential (hereinafter referred to as "Information"). That Information becomes accessible to members serving on the Board of Directors of the Association ("Directors").

The Association Executive and the Directors have a fiduciary duty to the Association that includes an obligation to strictly maintain the confidentiality of Information that is not authorized by the Association's Board of Directors for release and to not disclose, disseminate, or use Information for personal gain. This duty continues after service on the Board of Directors is concluded

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The Association does not seek to interfere with appropriate personal or business conduct of its Directors. However, this Conflict of Interest and Confidentiality Policy has been established for important reasons, including but not limited to the following:

1. To protect the Association, its members, Directors, Officers, committee volunteers, and employees;
2. To protect the Association's Information;
3. To avoid any actual or apparent conflict between the interests of the Association, its members, its Director, Officers, committee volunteers, and employees; and,
4. To ensure that due deliberation and consideration is given to Association, Board of Directors, and committee matters before any decisions are made, actions are taken, or pronouncements, statements, or positions are taken by or on behalf of the Association by anyone in a position of apparent authority to act or speak on behalf of the Association.

General Conflict of Interest

Subject to California law, the Association's Bylaws, the Association's adopted Policies and Procedures as modified from time to time, and the stated Policies and Procedures of the National Association of REALTORS® (NAR) and the California Association of REALTORS® (C.A.R.), a Director of the Association, including a newly elected or appointed Director, may not engage in any activity, employment or enterprise which the Board of Directors of the Association deems to be inconsistent, incompatible, inimical, or in conflict with the Director's duties to the Association and its members or the protected interests of the Association or its members.

Integrity

Members serving as Directors shall vote in a manner that is in the best interests of the Association and its members. If you are also a member of another board of directors or serve in any other decision-making capacity with another entity, your duties do not change as it relates to your duty as a Director of the Association.

For example, Directors shall NOT:

1. Engage in any undisclosed conflicts of interest.
2. Take inappropriate advantage of their positions.
3. Abuse their positions of trust and responsibility.
4. Use non-public Information made known to them because of their position to benefit personally or to benefit another entity in which they are involved.
5. Use Information derived from the Directors meetings to the detriment of the Association (or its members) or use the information in a manner inconsistent with the fiduciary duty of a Director.
6. Disclose the Association's strategic or confidential Information to any other person or entity.
7. Make or maintain an investment in any entity or business with which the Association, its subsidiaries or affiliated entities have a business relationship if the investment is of such a character (whether because of the size or value of the investment or for any other reason) as might create, or give the appearance of creating, a conflict of interest.
8. Advocate for a public policy position for another policy organization without first fully disclosing the relationship with that organization (i.e., officer, director, member, consultant, attorney, etc.) which relates in any way to the matter being discussed before the Board of Directors.

Disclosure of Organization Affiliations

If a Director serves in a decision-making capacity with, or has any direct or indirect ownership or financial interest in an entity that advocates public policies that are being considered by the Association, or that is doing business with entities that are advocating policies that are being considered by the Association that Director should disclose such position or business relationship prior to speaking to the related issue under consideration.

Among the activities which are prohibited are the following:

Interests in Contracts with the Association

A Director may not be directly or indirectly financially or otherwise interested in any contract negotiated or made by the Association or the Director in the Director's official capacity on behalf of the Association.

A Director may not be the purchaser in any sale or the vendor in any purchase made by the Director in the Director's official capacity on behalf of the Association, unless the full nature and extent of the direct or indirect financial interest and status of the Director as a prospective purchaser or vendor is fully disclosed in writing to the Association's Board of Directors in advance of any decision or discussion. If a Director has any direct or indirect ownership or financial interest in, or serves in a decision-making capacity with any entity, that competes with products and services offered by the Association, its subsidiaries or affiliated entities, then the Director must disclose that interest prior to speaking to a decision-making body about an issue involving those competing products or services.

A contract entered by the Association involving a Director will not be subject to this policy if all the following conditions are met:

1. The Director's direct or indirect interest is fully disclosed in advance to the Association's entire Board of Directors in writing and is noted in the Board of Directors' official records; and,
2. The Board of Directors makes an express determination that the Director has only a "remote interest" (meaning an insignificant, inconsequential, or minor interest which, in the Board of Directors' sole judgment, does not compromise or prevent the contract from being in the best interests of the Association), or is otherwise exempt from this policy, and that determination is noted in the Board of Directors' official records; and,
3. The Board of Directors expressly authorizes, approves, or ratifies the contract in good faith by a vote of its Directors (or, if necessary, its members), without counting the vote or votes of any person with the remote interest, who shall be ineligible to vote thereon or participate in the discussion leading to the vote, and that authorization, approval, or ratification is noted in the Board of Directors' official records.

Activities engaged in by a Director that are exempt from the provisions of this policy are the following:

1. The processing of a Director's own MLS listings with the Association's Multiple Listing Service.
2. Service.
3. The acquisition of standard forms, education materials, and other materials of similar nature from the Association.
4. The participation or use of benefits available to members of the Association or its MLS.

Use or Disclosure of Proprietary, Sensitive and/or Confidential Information

It is the strong policy of the Association that, except as may otherwise be provided by duty or required by law, a Director may not, without prior written disclosure to and the express written authorization of the Board of Directors, disclose or discuss with any unauthorized person or entity (including, but not limited to, a spouse or domestic partner), or use for personal or monetary gain in any manner that is contrary to the best interests of the Association and its members, any Information, or proprietary, sensitive or confidential documents or other materials acquired in the course of the Director's service to the Association, including, but not limited to, personnel, membership, professional standards, financial, proposed and executed contracts, litigation and legal matters. Directors may not use their position with the Association in order to achieve a

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financial, strategic or political benefit for themselves or a third party to the detriment of the Association, its subsidiaries or affiliated entities, nor may Directors disclose strategic or confidential information regarding the Association and its policies, business, or organizational objectives. This policy includes, to the fullest extent allowed by law, all matters considered privileged by Association counsel. This section will not apply to any disclosure made by subpoena or other similar legal process not subject to a gag or protective order.

Results of Disclosure

After the necessary disclosure, including disclosure to the body when debating the issue involving the interest, the Director may still be able to debate the issue, depending on the issue and whether the conflict is significant enough to warrant abstention from voting, such as one that creates a conflict of interest.

Direct or Indirect Family and Other Relationships

Financial or other conflicts of interest may be direct or indirect. Direct and indirect interests include any interest of any family member or significant person, and any organization in which the Director, or a family member or significant person, is a director or officer, has any ownership interest, financial interest, contract, employment or stands to benefit from the issue considered. For purposes of this policy, family members include an individual's spouse, registered domestic partner, his/her siblings and their spouses, his/her ancestors, and his/her descendants and their spouses. Family members of Association Executive or staff members shall not be employed by the Association.

Enforcement of Policy

Violation of this policy will be grounds for disciplinary action to be taken against the Director and other parties involved or engaging in prohibited activities. The Association may adopt written rules governing the application of this policy. The rules may, where reasonable and subject to due process, support:

1. Advanced notice to the Director that a specific activity is prohibited;
2. Limited access to Association, Board of Director, committee, and member information;
3. Exclusion from Board of Director task force and committee meetings involving potentially conflicting and privileged information;
4. Disciplinary action against a Director and other parties involved or engaging in prohibited activities; and
5. Appeal by affected persons from actions taken and affecting them.

SECTION 8: FINANCE

8.1 Authorized Signatures

The Treasurer, President, Secretary, President-Elect, and Chief Executive Officer shall have authorization to sign checks and financial documents for the Association. Signature authorization cards and resolutions will be filed annually by staff with all banks and savings institutions in which the Association keeps accounts. Physical checks over \$5000.00 require two signatures. If payment is made via the electronic bill pay service, the approval of one signer and the payment function of a second signer are needed. Checks are issued for approved invoices only. A check request form must be completed and approved for all non-invoice purchases/payments to be made.

8.2 Financial Information Disclosure to Members

Member access to financial information of the Association is defined under section 2.9 *Members' Access to Meetings and Materials*. A complete financial report will be published to members a minimum of once a year

as required by law. That should be published to the membership as soon as possible after the annual audit as possible but before the annual meeting.

8.3 Annual Operating Budget

The Treasurer shall prepare the Annual Operating Budget of the Association with the aid of the Chief Executive Officer and Finance Committee. The Treasurer shall present the annual budget to the Board of Directors in the October/November meeting. Approval of said budget shall occur no later than the December Board of Directors meeting. The Association Executive has authority to spend up to \$2500 on unbudgeted expenditures without prior Board of Director's approval. (7/16) Unbudgeted capital expenditures more than \$5000 may not be made unless authorized by a majority of PSRAR members eligible to vote and present at a duly held membership meeting. (Bylaws, Article X, Section 8) However, unbudgeted expenditures required for the protection of capital assets or to respond to emergency situations may be incurred by the Board of Directors without the prior approval of the full membership of PSRAR. When planning the annual budget, the Treasurer shall evaluate and take into consideration any economic factors which may affect the income from membership dues. The budget should align with the current strategic plan, specific goals or programs projected for implementation during the coming year and evaluation of existing programs and services of the Association.

8.4 Financial Reserve Policy

The target Reserve Fund of the Association is to be an amount equal to a minimum of six (6) months of operating expense. At no time are reserves to exceed seventy-five percent (75%) of the Association's annual Operating Expenses averaged using the previous two (2) years, nor fall under twenty-five percent (25%) of the Association's annual Operating Expenses averaged using the previous two (2) years. Funds in excess of the established General Operating Reserves and other dedicated reserves will be expended at the recommendation of the Finance Committee and by approval of the Board of Directors for the reduction of long-term debt, to offset a deficit budget or for the betterment of the Association and its members through providing for the operations and initiatives of the Association.

8.5 Member Unpaid Bills

Association dues are due on January 1st and considered past due if not paid by that date. E-mail notifications will be sent to past-due account holders at 15 days. A member who has not paid their annual Realtor® or Affiliate dues by January 31st, a \$30 late fee will be assessed. On February 15th, the member's record will be placed on Inactive status (effectively turning off their member benefits). If the 15th falls on a non-business day the inactivation will take place of the first business day thereafter. On February 28th membership will end.

MLS fees are due on the 15th of the month prior to the beginning of the quarter. MLS users who have not paid by the first day of the quarter will have their MLS deactivated. There will be a \$50 reactivation fee and any arrears must be brought current prior to reactivation. (7/16)

A returned check fee in the amount of the amount approved by law will be assessed for all returned checks. Any firm and/or member whose check is returned insufficient funds, after a second offense, will be put on a cash only or credit card basis for 12 (twelve) months and if applicable, a late fee will be assessed. Any firm and/or member who is behind in any financial obligation to the Association may only purchase items or services from the Association by cash or credit card.

Offices and Members with accounts more than sixty (60) days past due will be placed on a cash basis.

8.6 Petty Cash

The Association shall keep a petty cash fund in an amount of \$500.00 necessary for minor miscellaneous expenses of the Association. The Chief Executive Officer or Secretary/Treasurer shall authorize disbursements from petty cash.

8.7 Dues Refunds

No refund of the dues paid to the Palm Springs Regional Association of REALTORS® shall be made except for overpayment.

No MLS fee refunds will be issued, unless they are requested, before the start of the quarter they are being applied to.

8.8 Annual Audit

An annual review of the Association's financial records shall be conducted by a Certified Public Accountant selected by the Board of Directors after the close of the fiscal year, or upon approval of the Board of Directors at such other times as may be required. The Review shall meet NAR and CAR standards. The results of the Review shall be presented to the Board of Directors.

8.9 Fundraising, Special Events and Contributions

Eighty percent (80%) of all fundraising and charitable donations, after expenses will be distributed among Board approved charities for those events during the calendar year. Twenty percent (20%) will be retained by the Association to compensate for PSRAR for administrative and core support.

Contributions by the Association of REALTORS® to various causes, organizations or individuals shall not be funded from the Board's financial reserves. The current operating income in any fiscal year shall be the only source for such contributions unless a fundraising drive is conducted for a stated purpose.

8.10 Travel Reimbursement

Reasonable expenses related to travel on behalf of PSRAR shall be reimbursed based on the approved budget. If there is a question about an expense, the Executive Committee will determine reimbursement. All travel reimbursement requests and reports shall be submitted within fourteen (14) days after the end of the event.

8.10(a) CAR Meeting Travel

CAR Directors, the Association Executive and the Government Affairs Director shall travel to CAR meetings as the budget allows. To be eligible for travel reimbursement, all attendees shall comply with Section 6.1(B) of this policy manual and share relevant information with the Directors and membership upon their return. In the event a CAR Director is unable to attend a CAR meeting, the Director shall notify the CEO of the planned absence as soon as possible.

8.10(b) NAR Meeting Travel

The President, Association Executive and Government Affairs Director shall attend the spring Legislative meetings in Washington DC as the budget allows. Only the President stays for the delegate meeting. The President-Elect and Association Executive attend the fall Convention and Meetings.

8.10(c) CAR President's Leadership Symposium

The President-elect and the Association Executive shall attend the CAR President's Leadership Symposium as allocated in the Association budget.

8.10(d) NAR Leadership Summit

The President-Elect and the Association Executive shall attend the NAR Leadership Summit as allocated in the Association budget.

8.10(e) Officers, Directors and Executive Staff Travel Compensation

Transportation will be at coach fare. Mileage will be reimbursed based on IRS mileage guidelines. If a traveler chooses to drive, mileage reimbursement shall not exceed airline coach fare

Lodging will be at the established CAR/NAR single room rate, and reservations will be made by the Association Executive. If two directors wish to share a room, the Association Executive may place them on the concierge level of the hotel if it is cost saving over two rooms at the single rate.

Per Diem allowance is up to \$100 per day to defer the cost of food and incidentals. It will be paid as requested by the traveler, upon return. Per Diem allowance will be reimbursed for the total of qualifying receipts only, which must be sent with the traveler's expense report and meeting report.

Per Diem allowance will be reduced for any day that PSRAR supplies or pays for a lunch or dinner. Per Diem will be reduced by cost if PSRAR supplies a lunch or lunch ticket and by cost if PSRAR provides a dinner or ticket to an event that includes a dinner.

Expenses may be reimbursed for one day prior to the start of the event, and/or one day after conclusion of the event if it is not reasonable for the traveler to travel on the first/last day of the event. Per Diem will be reduced depending on travel times.

Registration fees and other meeting costs for Officers, Directors, the Association shall pay the Association Executive and Government Affairs Director. Per Diem may be reduced if meals are included.

CAR Directors are expected to attend the CAR Mid-Winter Business, Legislative and Convention meetings. To be eligible for reimbursement of reasonable expenses, CAR Directors must attend the Regional Caucus, the Board of Directors Meetings, the meetings of any committees they are a member of and any committees they are the Regional Representative for. Directors may be excused from attending the Regional Caucus if they serve on a CAR Committee or Task Force that has a conflicting meeting time. Expense reports must be filed within 14 days and requests for reimbursement of any expenses must be accompanied by receipts and reports of meetings attended.

8.10(f) Staff Travel Reimbursement

At times staff members may be needed to travel (i.e.: training, MLS vendor meetings, etc.). Travel will be reimbursed at the same level as director travel and under the same rules, as the budget allows. If an employee uses their personal vehicle for PSRAR purposes they shall be reimbursed at the current IRS mileage rate.

8.10(g) Expense Reports, Invoices and Receipts

Expense reports and supporting documentation such as receipts or invoices, shall be scanned into QuickBooks or other such accounting software used by Association Executive or designee for recordkeeping.

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SECTION 9: COMMUNICATIONS, PUBLICATIONS & WEBSITE

9.1 REALTOR® Review

Any Palm Springs Regional Association of REALTORS® publication that has paid advertising shall adhere to the policy 13.1 Association's Advertising/Sponsorship. The AE shall have the responsibility for proof reading and editing all articles before publication. The AE shall have the authority to accept or reject articles submitted for publication in any method of communication.

No communication shall go to any media before approval of the AE or Board of Directors if AE is unavailable.

SECTION 10: GOVERNMENT AFFAIRS

10.1 Candidate Interview Policy

The PSRAR Local Candidate Recommendation Committee (which is made up of the LGR Committee) conducts candidate interviews. The PSRAR Board of Directors are invited to take part.

- A. Any member who takes part in the interview process must sign a disclosure statement to acknowledge any personal political involvement, opinions or agendas.
- B. The LGR chair will act as the chair for each interviewing session.
- C. Questions will be limited to those pertinent to the real estate industry issues.
- D. Interviews are conducted after the ballot is official. No support shall be started until candidate is officially on ballot.
- E. Interviews are limited to the cities of Cathedral City, Desert Hot Springs and Palm Springs, and the County of Riverside.
- F. All candidates covered under Item #D will be offered the opportunity of an in-person interview.
- G. The LCRC's recommendations are reported to the PSRAR Board of Directors.

SECTION II: FACILITIES, EQUIPMENT, SERVICES & SUPPLIES

The public side of 4045 E. Ramon Rd. is available for rental by members and the public. Members may receive a discount from the published fees supplied the intended use follows the facilities contract. The Association will maintain a current copy of the facilities contract and fee structure.

11.1 Access and Use

Advance and confirmed reservations are required. All scheduling is on a first-come basis. A member of the staff shall be present and available when the facility is in use. All rentals after hours will be charged for the employee in attendance at overtime rates.

A cleanup deposit of \$100 will be charged if post event clean-up is needed.

Use of any PSRAR facility, equipment, or service by any PSRAR member or non-member must be authorized by the Association Executive in advance. Fees, rules, and limitations are governed by the Facility Rental Agreement AND Conditions of Rental & Applicant Responsibility.

11.2 Order of priority:

- Association-sponsored Continuing Education classes
- MLS Training

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- MLS or Association meetings
- Association-sponsored Designation classes

Non-PSRAR-sponsored Continuing Education classes:
Must be open to all licensees;

Use by Non-PSRAR Groups:

- a) To be approved by Association Executive on a case-by-case basis. The Association Executive will consult with the Association President if needed.
- b) Not available for political groups

11.3 Rosters

Membership rosters are available to REALTOR® members and Affiliate Members only.

11.4 Stationery

Association stationery (letterhead, etc.) is not to be used for any communication, correspondence, or any other purpose except by Association staff for Association business.

11.5 Association Calendar

The Association shall keep a current calendar of time away from the office or unavailable by the Association Executive and the staff.

The Association Executive shall notify the President by email, phone call or text message of unscheduled time away from the office as soon as practical.

12. ADVERTISING / SPONSORSHIP

12.1 Advertising / Sponsorship

Sponsorship and/or advertising in connection with an Association Event, Program, Publication or Function by which an individual, firm, or other legal entity is paying money or providing goods or services beyond a nominal value in exchange for name recognition.

Sponsorship opportunities including for Committees of the Association as defined above shall be offered to any business, firm or organization wishing to sponsor except for:

- Businesses in direct competition with Association events, programs, and functions.
- Any business, organization or content that is determined in the sole discretion of PSRAR's Board of Directors to be contrary to PSRAR's mission/vision statements or the interests of PSRAR membership as a whole
- No advertisements soliciting agent recruitment or the offering of their real estate services to other members will be allowed

13. ASSOCIATION EVENTS

13.1 Association Events

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This policy shall apply to all Association events sponsored by PSRAR, whether at the Association offices or off-site. The Palm Springs Regional Association of REALTORS® does not allow firm recruiting at Association Events. PSRAR insists upon keeping neutrality.

13.2 Installation

Installation of the new Officers & Directors is one of the highlights of PSRAR the year. Installation should remain a dignified event but also reflect the fun nature of PSRAR. The budget for the event is dependent on the financial status of the Association in any given year. The fact that it is subsidized with member dues dollars should be kept in mind. Ticket price and sponsorships to cover the expense are to be solicited, with aim of revenue neutrality.

Dependent upon budget allocation and Board of Director's approval:

1. Each member of the incoming Board of Directors will be supplied a complimentary admission ticket.
2. REALTORS® for life will be supplied a complimentary admission ticket.
3. Awards will be given to recipients during the event, with input from membership, and decided upon by President.
4. Committee Chairs to be recognized for the existing year and future year.
5. Past Presidents in attendance will be recognized.

13.3 REALTOR of the Year and Affiliate of the Year.

The REALTOR® of the Year and Affiliate of the Year will be selected by a special committee formed for that purpose by the President.

The nomination form for REALTOR® of the Year will be made available to the membership on or before October 1st of each year. Any member may nominate any other member who meets the qualifications by completing the required REALTOR® of the Year Nomination Form and sending it to the PSRAR office no later than October 31st each year. No nominations will be accepted after this date.

Qualifications for REALTOR® and Affiliate of the Year: The nominees must be a current member and is an individual who exemplifies the finest attributes of being a REALTOR®, or Affiliate, combining service to the profession and to our community, professional competency, fairness and integrity.

Duties of the Committee: Identifies a REALTOR® member and Affiliate who exemplifies the finest attributes of being a member, combining service to the profession and to the community, professional competency, fairness and integrity.

Composition of the Committee: The committee shall comprise of no more than four (4) REALTOR® members consisting of the immediate past award winner, who will serve as Chair, and three (3) Presidential appointees, one (1) of which will be a current member of the Board of Directors. Members of the committee shall serve a term of one (1) year.

13.4 President's Award Selection.

This award is selected at the discretion of the current President to recognize a member who exemplifies dedication to PSRAR and the real estate industry.

SECTION 14 MULTIPLE LISTING SYSTEM

14.1 MLS Rules

The MLS shall be governed by the MLS Rules and Regulations of the current vendor.

14.2 MLS Fees

MLS fees will be billed forty-five (45) days in advance of the beginning of the quarter and are due on the 15th of the month prior to the beginning of the quarter. MLS fees are past due on the 16th day prior to the beginning of the quarter, a late fee of \$30 will be assessed. On the first day on the new quarter accounts with outstanding fees, will be deactivated. There will be a \$50 reactivation fee. MLS fees may be refunded if a request is received by the Association Executive prior to the first day of the quarter for which they apply. No MLS fee refunds will be issued without prior Board of Director's approval after the beginning of the first day of the quarter for which they apply

14.4 Affiliate Keys

Qualified PSRAR Affiliates, limited to Appraisers, Home Inspectors, Home Stagers, Photographers and Pest Inspectors; and their unlicensed assistants (UA) are now eligible to lease an Affiliate Key from PSRAR. Affiliate Keys differ from Agent Keys in that they DO NOT give the key holder unlimited entry access through lockboxes. For an Affiliate Key to access a lockbox the Affiliate/UA must enter the Call Before Showing (CBS) code, a code which is embedded in all Supra lockboxes and is different for each lockbox. The CBS code can only be obtained from the listing Broker or with the Broker's permission, the listing agent.

If a Broker wishes to allow Affiliates and/or his or her UA to have lockbox access to his/her agent's listings he/she must first obtain the seller's written permission. Then when a qualified Affiliate or UA wants to access one of the Broker's listings, he/she must first call the listing Broker and obtain the CBS code. It is at the Broker's discretion whether to give the Affiliate/UA the code or to deny lockbox access on that listing.

If a Broker does not wish to allow Affiliate lockbox access, they don't have to do a thing. If they don't give out the CBS code no Affiliate Key will be able to open their lockboxes.

In order for a PSRAR Affiliate to be eligible to lease an Affiliate Key they must be an Affiliate in good standing (active, fees paid, etc.) with the PSRAR and must be an Appraiser, Home Inspector, Home Stager, Photographer or Pest Inspector. (The Board of Directors of the Palm Springs Regional Association of REALTORS® shall in their sole discretion determine eligibility for the use of the Keybox System by their respective Affiliates). An employee of an Affiliate firm must himself/herself be an individual Affiliate to be authorized to lease/use an Affiliate Key.

If a Broker (or agent with Broker's permission) wants their UA to have an Affiliate Key the UA must be working for that agent/broker.

The Affiliate/UA must have an iPhone or an Android capable of running the Affiliate eKey software.

The Affiliate/UA must complete and sign the PSRAR and the Supra Key Agreements.

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Additionally For Affiliates: The Affiliate must provide PSRAR with a Certificate of Liability Insurance from a recognized agency in the Affiliate Business Name with the Palm Springs Regional Association of REALTORS® identified as the Certificate Holder that indicates general commercial liability insurance coverage in a minimum amount of \$1,000,000 per occurrence; \$2,000,000 aggregate. The Affiliate must maintain insurance coverage during the entire period of this agreement.

The Affiliate must pay all fees related to the lease of a Supra Affiliate Key.

Additionally, For Unlicensed Assistants: The UA must be a registered clerical with the MLS and all fees must be current. The UA must complete and sign the PSRAR Affiliate and Supra Key Agreements. The sponsoring Agent and Broker must also sign the PSRAR Affiliate Key Agreement.

The sponsoring Agent or Broker must accompany the UA when getting the key and pay all fees related to the lease of the UA's Supra Affiliate Key. Broker/Agent is responsible for UA's use or misuse of key. Broker/Agent must notify PSRAR IMMEDIATELY when the Broker/Agent no longer employs the UA.

Appendix #1

WHISTLEBLOWER POLICY ACKNOWLEDGMENT

By signing below, I acknowledge the following:

1. I have a duty of honesty, integrity and loyalty to the Association and its members.
2. I have a duty to report violations of law and Association policy.
3. I have a duty under this policy and the Sarbanes Oxley Act to protect and not harass, retaliate or allow adverse consequences against a "whistleblower."
4. A breach of this policy may be a violation of my duty of honesty, integrity, and loyalty or of California law and may expose me to disciplinary action, termination, and damages.
5. I have read and understand the above policy and agree to be bound by it.

Signature

Date

Printed Name

Appendix #3

BUSINESS ACTIVITY DISCLOSURE

I am directly or indirectly engaging in, or profiting from, the following business activity that is in contract with, or providing products or services to, the Association, its subsidiaries or affiliated entities, or being considered to provide products or services to the Association, its subsidiaries or affiliated entities:

Business Entity and Activity: _____

Role, position, financial interest, relationship: _____

I am directly or indirectly engaging in or profiting from the following business activity that is in competition with or similar to the Association's, its subsidiaries' or affiliated entities' relating to the issue under discussion or consideration below:

Issue Pertinent to Disclosure: _____

Business Entity and Activity: _____

Role, position, financial interest, relationship: _____

NOTE: If you become aware of any disclosable interest in the future, please contact the Association's Chief Executive Officer to update your disclosure.

Signature

Date

Printed Name

Appendix #4

ORGANIZATION/AFFILIATION POLICY DISCLOSURE

I am directly or indirectly have the following position as officer, director, member, ownership, employee or financial or business relationship with, an organization actively advocating for or against policies being considered by the Association, its subsidiaries or affiliated entities:

Issue Pertinent to Disclosure: _____

Organization or Entity: _____

Role, position, financial interest, relationship: _____

NOTE: If you become aware of any disclosable interest in the future, please contact the Association's Chief Executive Officer to update your disclosure.

Signature

Date

Printed Name

Appendix #5

CLERICAL ASSISTANT REGISTRATION FORM

A Clerical Assistant is a real estate assistant/secretary who is authorized to access Broker Load for the sole purpose of imputing Listings and Changes, who does not hold an “active” real estate license

I, _____ acting as Broker Participant in the office
of: _____ hereby submit

_____ to be registered as a Broker Load Clerical Assistant through my participation in the Multiple Listing Service of the Palm Springs Regional Association of REALTORS®. The Clerical Assistant may be licensed however, they may not be a practicing licensee.

The Clerical Assistant understands that the password is CONFIDENTIAL and issued solely to the individual. Transfer or use by anyone other than that of the assigned Clerical Assistant is a FELONY as cited in the California Penal Code.

By submitting a \$25.00 application fee and the current MLS fees I agree that the Clerical Assistant will attend a Broker Load Training prior to being given formal authorization in Membership Records to access the Broker Load Screens.

I also understand that ALL fees are non-refundable and non-transferable

REGISTRATION DATA (Please Print)

Clerical Assistant Name: _____

DRE License (if applicable): _____ Email: _____

Business Name: _____ Phone: _____

Business Address: _____ City: _____

Date: _____ Clerical Assistant Signature: _____

I certify that the above-named Clerical Assistant does not hold an ACTIVE Real Estate License.

Broker Signature: _____ Date: _____



Appendix #6

**PALM SPRINGS REGIONAL
ASSOCIATION OF REALTORS®**

STUDENT APPLICATION

APPLICANT NAME: _____

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

EMAIL: _____

CELL PHONE: _____

DRIVERS LICENSE: _____

DATE OF BIRTH: _____

SCHOOL NAME: _____

SCHOOL ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

SCHOOL PHONE: _____

SCHOOL WEBSITE: _____

Please supply a copy of your Student ID or documents showing student status

Signature: _____

Return with payment to PSRAR, 4045 E Ramon Road, Palm Springs, CA 92264 or email to info@psrar.org. Please make check payable to PSRAR or pay by credit card below.

Visa/MC/Amex/Discover# _____

Exp Date: _____ CVC#: _____

Amount: \$50.00 per calendar year.

