



# POLICY & PROCEDURES

**Revisions adopted by  
The BOARD OF DIRECTORS on October 17, 2019**

Fayette County Board of REALTORS, Inc.  
101 Devant Street, Suite 706, Fayetteville, GA 30214

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## **BOARD MISSION STATEMENT**

The mission of the Fayette County Board of REALTORS is to provide members with the resources that enable them to conduct business with professionalism, integrity and competency. We strive to protect Private Property Rights; to be the voice of real estate in issues that affect our profession; to serve our communities; and to educate the public as to the benefits of working with a REALTOR.

## **BOARD VISION STATEMENT**

To provide the services and tools which maximize members' productivity and profitability.

### **Article 1. BOARD OF REALTORS**

#### **Section 1. What is a Board of REALTORS?**

- Simply stated, it is an organization that can do collectively for its members what they cannot do independently.
- It provides a facility for education, research and exchange of information for those engaged in the recognized branches of the real estate business for the purpose of raising the standards of real estate practice and preserving property rights in the public interest.
- It promotes and maintains high standards of conduct in the transaction of the real estate business.
- It promotes, protects and enforces the Code of Ethics of the National Association of REALTORS.
- It licenses its members to display the emblem seal of the National Association and to use the terms "REALTOR" and REALTORS".
- It informs the public of the advantages of transacting business with REALTORS and encourages use by members of the term REALTOR and the REALTOR logo.
- It affords its members the opportunity to become members of the Georgia and National Associations of REALTORS.

#### **Section 2. Why Have a Board of REALTORS®?**

The history of real estate Boards began in the late 19<sup>th</sup> century. Within this period, they have grown up in practically every community in the United States and Canada large enough to maintain a group of active real estate licenses. At first, they were organized to serve business purposes only. They were called "exchanges", and, as the name implies, the real estate exchange was conceived as a meeting place where brokers who had property to sell and brokers who desired to buy certain types of property for clients might get together to their mutual advantage. As time went on, however, numerous problems which have arisen in connection

with the rapid development of the real estate business absorbed more and more time and attention in the exchanges, and they became largely professional organizations.

The movement towards more professionalism of the real estate business received an added impetus when, in 1908, the National Association of Real Estate Boards was organized. The Board has proven to be a clearing house for the best thoughts and ideas developed everywhere in the business. It has been an instrument through which the collective conscience of those engaged in the business can express itself with respect to business practices. It has been an instrument for the development of public policy in matters affecting real property.

When real estate people state that they are professionalizing their business, they do not mean that they are seeking to give it any fictitious dignity. They only mean that they are setting up those inhibitions upon the business conduct of those engaged in the vocation which experience has proven wise – that they are attempting to establish higher qualifications for those who desire to enter the business – that they are assembling an organized body of knowledge for the benefit of those who are now engaged in the real estate business and who will hereafter come into it – that they are conscious of a definite responsibility to society as a whole in the performance of their economic functions.

## **Article 2. BOARD HISTORY**

### **Section 1. Fayette County Board of REALTORS History**

The Fayette County Board of REALTORS was organized in 1969 with nine charter member brokers. They were Peggy Seay, Ed McKown, Miriam Fulton, Reba Thompson, Buddy Trammell, Huie Bray, Cliff Bullard, Roland Brown and Irene Mitchell.

The first Officers were:

President	Peggy Seay
Vice President	Buddy Trammell
Secretary	Irene Mitchell
Treasurer	Reba Thompson

The first Directors were:

Ed McKown  
Huie Bray  
Miriam Fulton

The Board did not belong to a Multiple Listing Service (MLS). Every Friday, a compilation of listings was mailed to each brokerage. On Wednesdays, a Trailways bus was chartered. Everyone packed a lunch and spent the day touring and inspecting the listed properties.

Educational seminars were quite different in the beginning stages of the Board. For instance, one of the educational seminars was a visit to the courthouse with an attorney who taught agents how to do a record search. Another was an all-day session taught by brokers from other boards who taught organization, sales techniques, closing techniques, listing procedures, and many other topics now taught in the “taken-for-granted” continuing education seminars and company training sessions.

During the early years, the Board meetings were held in the Civic Room in the basement of the Tri-City Federal Savings and Loan Association (now Regions Bank) on West Lanier Avenue in Fayetteville.

- 1969** Fayette County Board of REALTORS® received charter from National Association of REALTORS.
- 1973** Received award from GAR for growth in membership. Scholarship program was begun; \$500 given to Fayette County High School graduate.
- 1974** Ed Isakson of Atlanta’s Northside Realty and Past-President of GAR presented \$1,000 scholarship to the University of Georgia in honor of Peggy and Bob Seay for their devotion to the Fayette County Board and the real estate industry. Women’s Council of REALTORS® chapter organized.
- 1978** Board hired its first Executive Officer, Mary Jane Weaver.
- 1979** Young REALTORS® of the Fayette County & Clayton/Henry Board of REALTORS formed the Young REALTORS® Association.
- 1982** The Women’s Council of REALTORS was reorganized after being disbanded during some of the “lean” years.
- 1983** Bob Disharoon elected President of the Georgia Association of REALTORS®.
- 1983** Voted to become an all-REALTOR association, doing away with REALTOR-associates.
- Fayette County has had several representatives serving a six-year term as GRI Governor, to include Haskell Burks, Jim Fulton, Jim Moncus, and Terri Hornfeck.
- 1984** McIntosh High School in Peachtree City added to scholarship program.
- 1986** Hosted GAR annual convention at the new Wyndham Conference Center in Peachtree City.
- 1987** Purchased land for construction of Board office.
- Beverly Bryant served as National WCR President. She was the first from Georgia.
- 1988** Cindy Lester served as State President for WCR.
- 1989** Cindy Lester served as Governor of the state chapter of WCR. New Board office building at 205 Brandywine Boulevard completed and occupied. Open House held March 23, 1989.

<b>1990</b>	Sharlene Alexander served as State Treasurer for WCR.
<b>1991-92</b>	Cindy Disharoon Rampley served as GAR Region IV Vice-President.
<b>1994</b>	The first Noel November was held at the Indoor Soccer Center and approximately \$5,000 was raised for local charities.
<b>1998</b>	Mortgage paid off on Board office building and the note burned!  Kathy Murphy served as State President of WCR.
<b>1999</b>	Kathy Murphy served as Governor of the state chapter of WCR.  First Strategic Planning retreat held; developed Board's vision statement.
<b>2000</b>	Mike Robinson served as CRS State President.
<b>2002</b>	Michaele Gatheridge served as CRS State President.
<b>2003</b>	Cindy Disharoon Rampley served as President of GAR.  Bill Bonner appointed to the Georgia Real Estate Commission.  Opened the first Georgia MLS satellite mini-store located inside the Board office.
<b>2003</b>	Kathy Murphy served 2-year term as GAR Regional Director (Region IV).
<b>2004</b>	Celebrated 10-year anniversary of Noel November
<b>2005</b>	Dorothy Reinecke served as State President for CRS
<b>2006</b>	Bill Bonner appointed by Governor Sonny Purdue to serve as Chair of the Georgia Real Estate Commission. Membership peaked in December 2006 at 1000. Karen Allen served two terms as State President for CRS.
<b>2007</b>	Purchased land (3.8 acres) in Tyrone for new Board Building for \$300,000.
<b>2008</b>	Sold Board office located at 205 Brandywine Blvd (Fayetteville) building (May 9, 2008) to Sheldon and Wendy Sam for \$500,000.
<b>2013</b>	A new fundraiser called "Fayette Celebrity Dancers" was started to continue raising money for local charities.
<b>2014</b>	Celebrated the 20 <sup>th</sup> anniversary of Noel November.
<b>2015</b>	A charitable branch was created, Realtors Caring for Fayette, a 501(c)3 organization developed for the purpose of providing tax-deductible fundraising. Veronica Bangsboll served as State President of WCR.
<b>2016</b>	Veronica Bangsboll served as Governor of the State Chapter of WCR.

**2018**

Veronica Bangsboll served as Governor of the State Chapter of WCR.  
Michael Faulkner elected President of the Georgia Association of REALTORS®.

**2019**

The Fayette County Board of REALTORS celebrated its 50<sup>th</sup> anniversary since being chartered with NAR in 1969. Noel November was brought back for the 50<sup>th</sup> anniversary celebration.



## **Section 2. Past Presidents**

<b>1970</b>	Peggy Seay*	<b>2005</b>	Cheri Scranage
<b>1971</b>	Buddy Trammell*	<b>2006</b>	Sue Monson
<b>1972</b>	Bob Seay*	<b>2007</b>	Patti Harris Ayers
<b>1973</b>	Bob Seay*	<b>2008</b>	Dawn Scarbrough
<b>1974</b>	Miriam Fulton*	<b>2009</b>	Johnny Bolton
<b>1975</b>	Jim Henderson	<b>2010</b>	Patty Tarver
<b>1976</b>	Dot Turner	<b>2011</b>	Jackie Begg
<b>1977</b>	Derrell Martin*	<b>2012</b>	Dorrie Marsh Love
<b>1978</b>	Jim Fulton	<b>2013</b>	Mary Watts
<b>1979</b>	Diana Mitchell	<b>2014</b>	Jeff Warlick*
<b>1980</b>	Larry Alexander	<b>2015</b>	Michelle Warren
<b>1981</b>	Ralph McCurdy	<b>2016</b>	Stephen Walker
<b>1982</b>	Charles Dewberry*	<b>2017</b>	Veronica Bangsboll
<b>1983</b>	Connie King	<b>2018</b>	Vickie Butler
<b>1984</b>	Jack Tolan	<b>2019</b>	Kavita "Kay" McInroe
<b>1985</b>	Chet Ping	<b>2020</b>	Martin Wise
<b>1986</b>	Chet Ping		
<b>1987</b>	Bob Disharoon*		
<b>1988</b>	Dawn Weir		
<b>1989</b>	Haskell Burks		
<b>1990</b>	Shirley Rush		
<b>1991</b>	Jim Moncus*		
<b>1992</b>	Norma Hill		
<b>1993</b>	Cindy D. Rampley		
<b>1994</b>	Kenny Johnson*		
<b>1995</b>	Tutt Larsen		
<b>1996</b>	Mike Robinson		
<b>1997</b>	Dot Reynolds		
<b>1998</b>	Beverly Mobley		
<b>1999</b>	Carolyn McCullough		
<b>2000</b>	Martha Hayhurst		
<b>2001</b>	Kathy Murphy		
<b>2002</b>	Michael Faulkner		
<b>2003</b>	Joanie Keller		
<b>2004</b>	Terri Kellerman		

*\* Deceased*

### **Section 3. Past REALTORS of the Year**

<b>1970</b>	Peggy Seay*	<b>2004</b>	Stephen Walker
<b>1971</b>	Buddy Trammell*	<b>2005</b>	Kathy Murphy
<b>1972</b>	Bob Seay*	<b>2006</b>	Cheri Scranage
<b>1973</b>	Bob Seay*	<b>2007</b>	Sue Monson
<b>1974</b>	Miriam Fulton*	<b>2008</b>	Dorrie Love
<b>1975</b>	Jim Henderson	<b>2009</b>	Kay McInroe
<b>1976</b>	<i>Unknown</i>	<b>2010</b>	Martin Wise
<b>1977</b>	Betsy Hogan Donovan	<b>2011</b>	Stephan Curcio
<b>1978</b>	James Fulton	<b>2012</b>	Jackie Begg
<b>1979</b>	Bob Disharoon*	<b>2013</b>	Ernest Curtis
<b>1980</b>	Louise Holman	<b>2014</b>	Stephen Walker
<b>1981</b>	Ralph McCurdy	<b>2015</b>	Michael Faulkner
<b>1982</b>	Bob Disharoon*	<b>2016</b>	Michelle Warren
<b>1983</b>	Jim Moncus	<b>2017</b>	Stephen Walker
<b>1984</b>	Larry Alexander	<b>2018</b>	Dorrie Love
<b>1985</b>	Jim Moncus*	<b>2019</b>	Vickie Butler
<b>1986</b>	Chet Ping		
<b>1987</b>	James Fulton		
<b>1988</b>	Cindy D. Rampley		
<b>1989</b>	Haskell Burks		
<b>1990</b>	Shirley Rush		
<b>1991</b>	Charles Dewberry*		
<b>1992</b>	Norma Hill		
<b>1993</b>	Beverly Mobley		
<b>1994</b>	Dot Reynolds		
<b>1995</b>	James Fulton		
<b>1996</b>	Kathy Murphy		
<b>1997</b>	Mike Robinson		
<b>1998</b>	Beverly Mobley		
<b>1999</b>	Cindy Lester		
<b>2000</b>	Martha Hayhurst		
<b>2001</b>	Michaele Gatheridge		
<b>2002</b>	Martha Hayhurst		
<b>2003</b>	Paul Schwinne		

\* *Deceased*

#### **Section 4. President's Award Recipients:**

The Past President's Award is presented annually to the person(s) who most helped the President during their year. It began in 2003 with President, Joanie Keller and is modeled after GAR President's Award.

<b>2003</b>	Martha Hayhurst
<b>2004</b>	Dave Edmondson
<b>2005</b>	The 2005 Leadership Team
<b>2006</b>	Michael Faulkner
<b>2007</b>	Kristen Walker
<b>2008</b>	Debbie Lowe
<b>2009</b>	Michael Faulkner
<b>2010</b>	Tommy Tarver
<b>2011</b>	The 2011 Leadership Team
<b>2012</b>	Michael Faulkner
<b>2013</b>	Chris Flanigan
<b>2014</b>	Cherie Jolley
<b>2015</b>	Kay McInroe
<b>2016</b>	Cathy Gailey
<b>2017</b>	Jackie Begg
<b>2018</b>	Sheree Gripper
<b>2019</b>	Mary Watts

## **Article 3. BOARD POLICIES**

### **Section 1. Discrimination**

The Fayette County Board of REALTORS does not discriminate in membership or hiring policies. The Fayette County Board of REALTORS does not hold events at private clubs that discriminate in membership practices.

The Fayette County Board of REALTORS strictly adheres to all applicable state and federal laws.

### **Section 2. Harassment**

Harassment is illegal conduct and is contrary to the policy of the Fayette County Board of REALTORS®. All members and employees are responsible for assuring that he/she does not engage in any conduct which could be construed as harassment.

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.

#### **Complaint Procedure:**

Any Board employee, officer or director who believes he/she has suffered harassment by any other employee, or by any member of the Fayette County Board of REALTORS® must bring the problem to the attention of one of the following individuals:

1. Association Executive;
2. President, Fayette County Board of REALTORS®.
3. President-Elect, Fayette County Board of REALTORS®.

The complaint **must** be in writing. It is helpful if details of dates, times, places and witnesses, if any, to the harassment can be provided.

#### **Complaint Investigation and Confidentiality**

All complaints will be investigated promptly by a team comprised of the President, President-elect or a Vice President and one member of the Board of Directors selected by the highest ranking officer not named in the complaint, upon consultation with legal counsel for the board. If the complaint names the President, President-Elect or a Vice President, 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.

The identity of the employee making the complaint as well as the identity of the individual accused of harassment will be kept strictly confidential. Information regarding the charge of harassment and the investigation of that charge will not be made known to anyone who is not directly involved either as a party, a witness, a member of the investigatory team, the Association Executive, or a member of the Board of Directors. Witnesses interviewed will be provided only such information as is necessary to elicit from them their observations and other relevant information.

During the investigation both the complainant and the accused will be provided a full opportunity to tell their side of the story. Witnesses identified by the complainant or the accused will also be interviewed. Upon completion of the investigation, the investigatory team will prepare a written report of its findings and recommendations for the Association Executive or the Board of Directors.

### **Discipline**

With regard to members, disciplinary action may consist of any sanction authorized in the Board's Code of Ethics and Arbitration Manual and Bylaws. With regard to employees, any found to have engaged in such conduct is subject to severe discipline, including termination.

It is contrary to Board policy for a supervisor to retaliate against any employee who files a charge of harassment. All possible steps will be taken to eliminate the possibility of retaliation resulting from the filing of a complaint.

In the event a complaint of harassment is found to be totally and completely without basis, appropriate disciplinary measures may be taken against the complainant. While this is in no way intended to discourage any complainant, who believes they have been the victim of harassment, the Board recognizes that a charge of harassment can cause serious damage to the personal reputation and professional career of the accused.

### **Section 3. Conflict of Interest**

The Board of Directors of the Fayette County Board of REALTORS® (FCBR) has adopted the following policy designed to avoid any possible conflict between the personal interest of Board members, committee chairs, members and staff and the interests of FCBR. This policy also applies in any case in which a committee chairperson or committee member may be delegated the authority to transact any business on behalf of FCBR.

The purpose of this policy is two-fold. First, the policy seeks to reflect the spirit of FCBR's commitment to promote the highest ethical standards. Second, the policy seeks to ensure that decisions about FCBR operations and the use or disposition of FCBR assets are made solely in terms of the benefits of FCBR and are

not influenced by any private profit or other personal benefit to the individuals affiliated with FCBR who take part in the decision. In addition to actual conflicts of interest, board members are also obligated to avoid actions that could be perceived or interpreted in conflict with FCBR's interest.

Conflicts of interest may occur when FCBR enters into transactions with not-for-profit organizations as well as those that are undertaken with profit-making entities. The best way to deal with this problem is to make known one's connection with organizations doing business with FCBR and to refrain from participation in decisions affecting transactions between FCBR and the other organization. Such relationships do not necessarily restrict transactions so long as the relationship is clearly divulged and non-involved individuals affiliated with FCBR make any necessary decision.

### **Policy**

Any member of the Board of Directors, committee chairs, members and staff who may be involved in a FCBR business transaction in which there is a possible conflict of interest shall promptly notify the President. The Director shall refrain from voting on any such transaction, participating in deliberations concerning it, or using personal influence in any way in the matter. The Director's presence may not be counted in determining the quorum for any vote with respect to a business transaction in which he or she has a possible conflict of interest. Furthermore, the Director, or the President in the Director's absence, shall disclose a potential conflict of interest to the other members of the Board before any vote on a FCBR business transaction and such disclosure shall be recorded in the Board minutes of the meeting at which it is made. Any FCBR business transaction which involves a potential conflict of interest with a member of the Board of Directors, committee chairs, members and staff shall have terms which are at least as fair and reasonable to FCBR as those which would otherwise be available to FCBR if it were dealing with an unrelated party.

A written disclosure regarding any possible conflicts and of any adjustments made to avoid possible conflicts of interest shall be kept by the Association Executive.

### **Definitions**

A. "Involved in a FCBR business transaction" means initiating, making the principal recommendation for, or approving a purchase or contract; recommending or selecting a vendor or contractor; drafting or negotiating the terms of such a transaction; or authorizing or making payments from FCBR accounts. That language is intended to include not only transactions for FCBR's procurement of good and services, but also for the disposition of FCBR property, and the provision of services or space by FCBR.

B. A "possible conflict of interest" is deemed to exist where the Director or close relative, or a member of that person's household, is an officer, director, employee, proprietary, partner or trustee of, or, when aggregated with close relatives and members of that person's household, holds 1% or more of the issued stock in the organization seeking to do business with FCBR. A possible conflict is

also considered to exist where such a person is (or expects to be) retained as a paid consultant or contractor by an organization which seeks to do business with FCBR, and whenever a transaction will entail a payment of money or anything else of value to the official, member, to a close relative, or to a member of that person's household.

C. A "possible conflict of interest" exists when an individual affiliated with FCBR has an interest in an organization which is in competition with a firm seeking to do business with FCBR if the individual's position gives him or her access to proprietary or other privileged information which could benefit the firm in which he or she has an interest.

D. A "possible conflict of interest" exists when an individual affiliated with FCBR is a trustee, director, officer or employee of a not-for-profit organization which is seeking to do business with or have a significant connection with FCBR or is engaged in activities which could be said in a business context to be "in competition with" the programs of FCBR.

#### **Acknowledgment**

This policy statement shall be made available to each Director, committee chairs, members and staff. Such people will be asked to sign the acknowledgment and an attached disclosure concerning reporting of potential conflicts of interest.

## **Section 4. Confidentiality Agreement**

### **CONFIDENTIALITY AGREEMENT / Fayette County Board of REALTORS**

This Confidentiality Agreement is entered into between all members of the Board of Directors, viz., Officers, Directors (Local and State); and Committee Chairs. The parties hereto will engage in discussions and, in some cases, make policy decisions concerning the financial position of the Board, members' accounts, members' files, future plans of the Board, Professional Standards Hearings Findings, and other confidential and sensitive information. In order to make prudent decisions that serve the best interest of the Board, and to intelligently consider all options in making these recommendations, the parties must discuss and evaluate confidential, sensitive, and proprietary information. ("Confidential Information").

Each member of Board of Directors and Committee Chairs and members while in attendance of any Board of Directors meeting or discussion agree to the following:

1. "Confidential Information" as used herein, shall mean all information, documentation, concepts, data membership lists, bank records, financial records, findings from Professional Standards hearings, marketing analysis, financial projections products, services, processes, software, trade secrets and devices disclosed or made available by any of the parties hereto to any of the other parties, including without limitation, the existence of discussions concerning the possibility of additional mergers, consolidation, sales of assets, etc..
2. The parties acknowledge and agree that the Confidential Information is proprietary and may include information that disclosure of or unauthorized use of this information may cause irreparable harm to member or the Board.
3. Once an issue has been discussed and a final decision has been made by a majority of the Officers and Directors, all members of the Board of Directors agree to abide by and support the decision. The Discussion of a final decision or confidential matter by any Director (or other member in attendance) with members not in attendance at a Board of Directors meeting shall be grounds for immediate dismissal from their position as a Director or other disciplinary actions, as may be determined by a majority vote being cast by not less than 2/3 of all State and Local Directors.
4. The only persons with whom the parties hereto may share the Confidential Information are other Officers and Directors of the FCBR Board of Directors, Association Executive, Association Bookkeeper, CPA and Attorney for the Board.
5. No rights or licenses, express or implied, are hereby granted to the parties hereto by any of the other parties under any patents, copyrights, or trade secrets as a result of or related to this Agreement.
6. The restrictions and obligations of this Agreement shall survive any termination, cancellation or expiration of this Agreement, and shall continue to bind the parties hereto and their successors and assigns.
7. This Agreement may be executed in any number of counterparts, all of which together shall be an original.

The undersigned member of the Fayette County Board of REALTORS agrees to be bound by the terms of the foregoing Confidentiality Agreement.

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PRINT Name and Title

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Date

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Signature

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Effective Dates



## **Section 5. Board Attorney**

All contacts, of whatever nature, to the Board's attorney must be made through the Association Executive or the President in all matters concerning the Board. The Association Executive shall contact attorney only if authorized by the Executive Committee or President. Individual members contacting the Board's attorney on their own behalf must be responsible for any fees charged.

## **Section 6. Media**

1. All requests from the media regarding the position of the Board on any matter of public interest or any other matter related to the Board or its members shall be referred to the current President. When necessary, the President shall call a meeting of the Board of Directors for the purpose of composing a statement for release to the press. Only the Board of Directors can authorize a policy statement and authorize comment on issues.
2. All information released to the press shall be in writing, with specific instructions to the media that reproduction, whether oral or in print, must be exactly as written and released by the Board.
3. Advertising, information, or publicity of any type or in any form shall not be endorsed by the Fayette County Board of REALTORS unless it is related to the work of the Board and benefits the entire Board membership.
4. Information about or lists of, individual members are not provided to non-members.

## **Section 7. Sponsoring Events**

1. Affiliate members and others in allied fields are encouraged to become a Partner of the Board for an annual donation, which support Board activities, meetings and special events.
2. From time to time friends of the Board graciously agree to make contributions in the form of funds and/or services for the betterment of Board programs and events, making these activities more affordable for the Board membership. While the Board is grateful for these generous contributions, in recognition of the role of Partners of the Board and to avoid duplication of efforts, all requests to sponsor events must be directed to the Association Executive. Requests will then be considered by appropriate committee in accordance with the Board's policy.

## **Section 8. Record Retention**

It is the policy of the Fayette County Board of REALTORS® ("Board") that the following records shall be maintained for at least the periods of time set forth below.

No employee, officer or director of the Board shall destroy any of the below referenced records without following the procedures set forth herein. The Association Executive shall be responsible for periodically reviewing the records of the Board for compliance with this policy. No records of the Board shall be destroyed except under the supervision of the Association Executive.

Any officer of the Board shall have the right to suspend the destruction of any records of the Association for thirty (30) days upon written notice to the Association Executive specifying the records not to be destroyed during this thirty (30) day period of time period.

## **RECORD RETENTION SCHEDULE**

<b>Accident reports and claims</b> (settled cases) .....	30 years
<b>Audit reports</b> .....	Permanently
<b>Capital stock and bond records</b> ; ledgers; transfer registers, stubs showing issues, record of interest coupons, options; and so forth .....	Permanently
<b>Checks</b> (cancelled; see exception below) .....	4 years
<b>Checks</b> (cancelled; for important payments, such as taxes, purchases of property, special contracts, and so forth, checks should be filed with the papers pertaining to the underlying transaction) .....	Permanently
<b>Contracts and Leases</b> (expired) .....	7 years
<b>Contracts and Leases</b> (still in effect) .....	Permanently
<b>Correspondence</b> (routine) with customers or vendors .....	1 year
<b>Correspondence</b> (general) .....	3 years
<b>Correspondence</b> (legal and important matters only) .....	Permanently
<b>Deeds, Mortgages and Bills of Sale</b> .....	Permanently
<b>Depreciation Schedules</b> .....	Permanently
<b>Employee Personnel Records</b> (after termination) .....	7 years
<b>Employment Applications</b> .....	3 years
<b>Expense Analyses and Expense Distribution Schedules</b> .....	7 years
<b>Financial Records</b> (including AR/AP ledgers and schedules, bank reconciliations, cash books, chart of accounts, duplicate deposit slips, employee time records, petty cash vouchers, travel expense records, vouchers register and schedules vouchers for payments to vendors, employees and so forth (includes allowances and reimbursements of employees, officers, and so forth for travel and entertainment expenses) .....	7 years
<b>Financial Statements</b> (end-of-year, other months optional) .....	Permanently
<b>Insurance Policies</b> (length of policy) .....	plus 10 years
<b>Internal Audit Reports</b> .....	7 years
<b>Inventories</b> of products, materials and supplies .....	7 years
<b>Invoices</b> (to customers / from vendors) .....	7 years
<b>Minutes</b> (Board of Directors, Bylaws, Charter) .....	Permanently
<b>Occupational Injury and Illness records</b> .....	5 years
<b>Payroll Records and Summaries</b> (including payments to pensioners) .....	7 years
<b>Professional Standards</b>	
<b>Ethics</b> (original decision in permanent ethics file with a copy in the member's file. Remainder of file destroyed after the appeal period has ended) .....	Permanently
<b>Arbitration</b> (destroy entire file after the appeal period has ended) .....	After Appeal
<b>Property Appraisals</b> (by outside appraisers) .....	Permanently
<b>Property Records</b> (including costs, depreciation reserves, end-of-year trial balances, blueprints & plans) ....	Permanently

<b>Reorganization Records</b> .....	Permanently
<b>Tax Returns and Worksheets</b> (revenue agents' reports and other documents relating to determination of income tax liability) .....	Permanently
<b>Tax Records</b> (affiliated group) .....	Permanently
<b>Tax Records</b> (bad debts or losses on securities) .....	7 years
<b>Trademark Registrations</b> .....	Permanently

## **Section 9. Privacy and Security**

We recognize the importance of protecting the personal information you provide to the Fayette County Board of REALTORS. We maintain the following policy:

1. We gather the following types of information needed to process your transactions, fulfill your requests and maintain membership records:
  - a. Contact information you provide (for example, your personal and business addresses, phone and fax numbers, email addresses, firm affiliations and titles).
  - b. Tracking information which our website automatically recognizes each time you visit the site or communicate with us by email (for example, your domain name, email address and what page you visit); and
  - c. Information you volunteer, via applications or surveys (for example, education, designations, specialties, affiliations with other real estate organizations and general demographic data).
2. We use this information to:
  - a. Improve and customize the content and layout of our website and other periodic communication tools.
  - b. Notify you of updates to our site.
  - c. Notify you of relevant products, programs and services.
  - d. Notify you of upcoming meetings and events.
  - e. Compile specialty directories, of which you will be made aware.
  - f. Track usage of our site.
3. The Board does not share, sell or trade email addresses to outside vendors or non-members but may provide you with on-line informational or marketing messages that have been approved by NAR, GAR or the Board for the purposes described below in Paragraph 4 of this policy.
4. We will not share, sell or otherwise provide other information about you to third parties except for:
  - a. Partners of the Board for the purpose of notifying you of Board-approved promotions.
  - b. When required by law or valid legal process, or to protect the safety of our members or the public.
  - c. Some or all of the data collected during promotions or contests on our site may be sponsored by third parties and may be shared with those sponsors for the limited purpose of a one-time marketing follow-up by the sponsor. If information about you will be shared with the sponsor, you will be notified prior to your participation in the promotion or contest so you can decide whether or not to participate.

- d. Offsite backups that are encrypted for transmission and while in storage.
  - e. We do provide members of the Board the option to obtain member rosters containing *only* business information that is already available publicly (office address, office phone, office email, etc.). A member's private information is not provided as part of a roster request.  
Information provided may not be distributed to third parties.
5. Credit information that you and credit authorizers provide when you make payments by credit card or electronic check for products, services or dues will only be used to process the transactions you request. We do not store this information. This information will be provided to and maintained by reputable credit reporting databases, but will never be sold, traded, shared or otherwise provided to third parties.
  6. We maintain security procedures and standards we believe are safe as current technology permits. We modify them regularly as new technology and procedures become feasible.
  7. We utilize a strict Opt-Out policy for sending on-line notifications regarding services, product and programs. You may adjust your communications preferences by logging onto [www.FayetteRealtors.com](http://www.FayetteRealtors.com) and clicking on "Update Profile" on the upper right to change your information.
  8. Data is retained and destroyed in accordance with the Board's Record Retention Policy.

## **Section 10. RESPA**

Section 8 of RESPA provides that no person shall give and no person shall accept any fee, kickback, or thing of value pursuant to any agreement or understanding, oral or otherwise, that business incident to or a part of a real estate settlement service involving a federally related mortgage loan shall be referred to any person. However, Section 8 permits normal promotional and educational activities that are not conditioned on the referral of business and do not involve the defraying of expenses that otherwise would be incurred by persons in a position to refer settlement services or business incident thereto.

Some of the education classes included in the Board's program are being sponsored and underwritten by affiliate members who may also be settlement service providers. NAR has advised the Board that where the education program is available from the association to all of its members on identical terms and availability, regardless of whether there is any past or prospective relationship between the member and the sponsoring organization, the requirements for a violation of RESPA do not appear to exist. The sponsoring organization activities under these circumstances appear to be no more than the normal marketing and promotional efforts referred to above. However, under certain circumstances where the sponsoring organization is able to direct benefits related to the class to specific members, then it is possible that the organization's sponsorship of a class could be interpreted as a thing of value received by a member for RESPA purposes.

## **Section 11. Whistleblower**

Directors, officers and employees should observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the Association, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

It is the responsibility of all directors, officers and employees to report violations or suspected violations in accordance with this Whistleblower Policy.

No director, officer or employee who in good faith reports a violation shall suffer harassment, retaliation or adverse employment consequences. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the Association prior to seeking resolutions outside the Association.

The Association's open door policy suggests that employees share their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, an employee should report violations to the President, President-elect or Association Executive. The President, President-elect and Association Executive, have specific and exclusive responsibility to investigate all reported violations. For suspected fraud, or when you are not satisfied or uncomfortable with following the Association's open door policy, individuals should contact the Immediate Past President, or, alternatively, any other member of the Fayette County Board of Directors not named in the complaint.

All reported complaints and allegations concerning violations will be investigated promptly by a team comprised of the President, President-elect or a Vice President and one member of the Board of Directors selected by the highest ranking officer not named in the complaint, upon consultation with legal counsel for the Board. If the complaint names the President, President-Elect or a Vice President, they may not participate in the investigation 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.

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

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

The investigating team will notify the sender and acknowledge receipt of the reported violation or suspected violation within five (5) business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

## **Section 12. Election Procedures**

### **FAYETTE COUNTY BOARD OF REALTORS® ELECTION PROCEEDURES**

Upon a quorum being declared, the President will call for the report of the Nominating Committee at the September General Membership meeting.

The President will ask for a motion to elect the unopposed slate of nominees.

The President will announce the names of the remaining nominees, if any.

Each of the nominees, appearing in alphabetical order by last name, will be given up to three minutes to address the Membership. No other members or guests will be permitted to address the Membership on behalf of any of the candidates.

Election of officers shall be by viva voce or roll call vote, or written or electronic ballot if there are two or more nominees for an office. A majority shall elect. When there are more than two nominees for any office and there is no majority on the first ballot, the top two candidates will run off against each other and all other candidates are eliminated.

Only REALTOR® Members who are present may vote. Voting will be by secret ballot on ballots which will be distributed to each Member at the time of Member check-in or by electronic means.

Following voting, ballots shall be collected face down (or folded once) by FCBR staff and taken to the counting room.

The President will not vote on any of the ballots unless there is a tie vote. Ballots will be counted by the Election Committee. The Election Committee will consist of:

- The Chairman of the Nominating Committee
- Three other members of the Nominating Committee
- One person to represent each Candidate
- FCBR Staff member who will assist as needed

The President will again announce the names of the nominees for each position that is being opposed.

Once the ballots have been counted, the President shall announce the results to the Membership.

Robert's Rules of Order defines majority as "more than half of the votes cast in person legally entitled to vote, excluding blanks or abstentions, at a properly called meeting at which a quorum is present."

### **Section 13. Campaign Policies**

#### FAYETTE COUNTY BOARD OF REALTORS® Campaign Policies

1. The candidate for office may officially announce his/her candidacy and begin activities no earlier than the first business day after the June Nominating Committee meeting as long as written notification to run has been sent to the FCBR office;
2. Candidates and their supporters shall make sure that all materials contain only accurate and positive information about the candidate themselves and not knowingly or recklessly make false or misleading statements about other real estate professionals, their businesses, or their business practice. (Article 15 of the Code of Ethics) This is a reminder that anyone may file an Ethics complaint against a member.
3. Electronic media communications (email, text messages, etc.) to members shall be allowed and must include an “opt-out” provision;
4. No campaigning is allowed in any committee meetings, education sessions or business meetings of the Fayette County Board of REALTORS®. No campaign literature may be placed in any meeting rooms or at the Board offices. It shall be the policy of the Association that such campaign materials are to be passed to members on a personal basis and candidates nor supporters shall block the entrance to any meeting rooms.
5. During the September General Membership Meeting, each candidate will be provided with equal space near the check-in desk for purposes of displaying campaign materials.
6. Campaign materials may not be placed on walls at the Membership Meeting;
7. Candidates made aware of campaign violations committed by others on their behalf shall make best efforts to immediately remediate the violation.
8. In the interest of absolute neutrality and avoidance of misunderstanding, FCBR staff and FCBR Nominating Committee members shall not be permitted to display campaign materials of support for any REALTOR® candidate for Association elective office on themselves, including meeting registration desks and meeting rooms. Any member of the Nominating Committee must verbally support the Nominating Committee slate.
9. All displayed campaign materials must be removed from all public spaces by no later than 10pm the night before the Board of Directors meeting. If materials are left after 10pm, the Georgia REALTORS® Staff has authority to discard the materials.

## **Section 14. Nomination of Officers**

### **Nomination of Officers**

- A. The Fayette County Board of REALTORS® desires to elect to its various offices the most qualified people in the membership and, in the election process, desires to pursue those election procedures which create harmony and goodwill and conscientiously avoid divisiveness and ill feelings.
- B. Only the office of President-Elect is tantamount to election to the office of President the following year. The election to any other executive position is not a necessary prerequisite to ultimate election to the office of President-Elect, and is not necessarily an endorsement for any other executive position in subsequent years.
- C. At least thirty days prior to the June meeting of the Nominating Committee, the Fayette County Board of REALTORS® shall publish the deadline for submission of nominations for officers, and shall request recommendations for nominations. All applications for officers, except as otherwise provided in the Association Bylaws, shall be received in the Board office no later than the date shown in the publication.
- D. The Nominating Committee shall meet during the month of June and select a slate of officers for the Association. Said slate shall consist of one candidate each for President-Elect, four candidates for Vice President, and one candidate to replace each Local Director and State Director when the current Director term will expire at the end of the year. The Chair of the Nominating Committee will ensure that all members whose names were considered as possible candidates for officers are notified of the recommendations of the Nominating Committee in a timely manner.
- E. Any nominee for the position of Vice President must have served as a Committee Chair or as a Local or State Director.
- F. Any nominee for the position of President-Elect must have served as a Vice President.
- G. Any candidate who accepts a nomination shall be prohibited from running from the floor for any other position except when a vacancy occurs after the nomination and prior to the election.
- H. Any Local Director or State Director currently serving on the Board of Directors must submit his or her resignation immediately after accepting the nomination for another position. The effective date of the resignation will be the first day following the December General Membership Meeting.
- I. The slate of officers for the Fayette County Board of REALTORS® recommended by the Nominating Committee will be reported to the Board of Directors prior to being disseminated to the Membership.
- J. Names of qualified\* candidates in addition to those recommended by the Nominating Committee may be placed in nomination by giving written notice of intent to be a candidate for a particular office. Said notice must be received in the FCBR office no later than 30 days following the June meeting of the Nominating Committee. (\*Qualified Candidates shall be applicants who submitted an application by the deadline and completed the Nominating process).
- K. The slate of officers recommended by the Nominating Committee, as well as the names of individuals placed in nomination by written notice of intent, shall be emailed to the Membership at least 7 days in advance of the September membership meeting.

## **Article 4. ADMINISTRATION**

### **Section 1. Board of Directors**

As prescribed in the Bylaws of the Board, the Board of Directors serves as the governing body of the Board and consists of the elected officers and 10 (ten) REALTOR members of the Board. Additionally, 5 (five) non-voting Directors of the Georgia Association of REALTORS (State Directors) sit on the Board. The Officers and



the Immediate Past President of the Board serve on the Executive Committee and as voting members of the Board of Directors.

**Officers:**

- **President** serves a one-year term having been President-Elect.
- **President-Elect** serves a one-year term and shall succeed to the office of President.
- **Vice President of Administration and Finance** serves a one-year term.
- **Vice President of Governmental Affairs** serves a one-year term.
- **Vice President of Member Services** serves a one-year term.
- **Vice President of Professional Development** serves a one-year term.

Article XV - Fiscal and Elective Year of the BYLAWS of the Board, Section 1 provides “The elective year for Officers shall be November 15 to November 14”. At the November Executive Committee Meeting, the current President or other duly authorized person shall administer the Oath of Office and install the incoming officers. There will be a formal Installation Ceremony for Officers and Directors at the December General Membership Meeting.

**Local Directors**

Ten Local Directors. Eight shall serve a rotational three-year term. Two shall serve a one-year term based on their position as the Immediate Past President of the Board and as the current President of the Fayette Women’s Council of REALTORS.

**State Directors**

Five state Directors authorized by the Georgia Association of REALTORS shall serve a rotational two-year term. In addition, the current President of the Board serves a one-year term as a State Director.

**Restrictions:** A member may not concurrently serve as both a Local Director and a State Director. No member shall serve more than four consecutive years as a Vice President. No member shall serve more than 2 years in the same Vice President role” (i.e. VP of Admin)

**Section 2. Responsibilities and Duties**

**President**

The President is responsible for and accountable to the Board to:

1. act as Chief Executive Officer and serve as Chair of the Board of Directors;
2. serve as official spokesperson for the Board in all forums;
3. see that the basic policies, general activities and programs are planned, formulated and presented to the Board;

4. see that the membership is kept informed on the condition and operations of the Board;
5. preside at and attend all general membership meetings and meetings of the Executive Committee and the Board of Directors;
6. conduct monthly or as needed (Triad) with Association Executive and President-Elect to discuss all matters and decisions pertinent to sustaining Board operations; (i.e. upcoming Board meetings and events, membership updates, outside correspondence, possible publications for newspaper, calendar items, staffing issues, etc.
7. promote interest and active participation in the Board;
8. serve as an ex-officio member of all committees except the Executive, Nominating, and Strategic Planning committees;
9. appoint a Chair and Vice-Chair for each committee, except Executive, Nominating and Professional Standards. The President also, may appoint such other sub-committees, task forces and presidential advisory groups (PAG) as needed. The sub-committee, task force or PAG created by a President shall only serve during that Presidents term in office and shall automatically dissolve upon a new President's installation;
10. promote good will, create a favorable public image, articulate the real estate position of the Board and develop credibility in matters relating to the real estate industry;
11. perform such other duties as directed by the Board of Directors or the Executive Committee.

### **President-Elect**

The President-Elect shall, in the absence of the President, inability of the President to act, or at any time when requested to do so by the President discharge the duties of the President. The President-Elect shall succeed to the office of the President.

The President-Elect is responsible for and accountable to the Board to:

1. serve as Chair of the Strategic Planning Committee and the Leadership Development Program,
2. serve as liaison between the Board of Directors and State Directors;
3. serve as a member of the Budget & Finance Committee
4. prepare annual Leadership Orientation
5. serve as an ex-officio member of all committees except the Executive, Grievance, Nominating, Professional Standards and Strategic Planning committees;
6. assist the President by recommending the Vice-Chairs of the committees;
7. attend all general membership meetings and meetings of the Board of Directors
8. Participate in Triad meetings (monthly or as needed) with Association Executive and President-Elect to discuss all matters and decisions pertinent to sustaining Board operations; (i.e. upcoming Board meetings and events, membership updates, outside correspondence, possible publications for newspaper, calendar items, staffing issues, etc.)
9. perform such other duties as directed by the Board of Directors or the Executive Committee.

### **Immediate Past President**

The Immediate Past President is responsible for and accountable to the Board to:

1. discharge the duties of the President in the absence of the President and President-Elect;
2. serve as Chair of the Nominating Committee;
3. serve for one-year as a Local Director on the Board of Directors immediately following their term as President;
4. attend all general membership meetings and meetings of the Board of Directors;
5. serve a one-year term on the Board of Directors of Realtors Caring for Fayette (501c3) and be the liaison between Realtors Caring for Fayette (501c 3) and the Board of Directors.
6. perform such other duties as directed by the Board of Directors or the Executive Committee.

### **Vice President of Administration and Finance**

The Vice President of Administration and Finance shall be the Chief Financial Officer of the Board, the Secretary/Treasurer of the Fayette County Board of REALTORS, and shall serve as liaison between the Budget & Finance, Bylaws and Policy and the Executive Committee.

The Vice President of Administration and Finance is responsible for and accountable to the Board to:

1. cause the minutes of all proceedings of the Board of Directors to be recorded;
2. cause proper notice of all meetings of the Board of Directors to be issued;
3. be responsible for authenticating the records of the Board;
4. attend all general membership meetings and meetings of the Board of Directors
5. cause full and accurate accounts of the receipts, disbursements and investment of the funds of the Board to be kept;
6. deposit, or cause to be deposited, all monies and other valuable effects in the name of and to the credit of the Board in such depository as may be designated by the Board of Directors, or by the President, and take proper vouchers for such disbursements to be deposited;
7. cause a detailed record of income and expenses and render a statement of the Board accounts to the Board of Directors, to be included in their meeting packets, at their scheduled meetings to be kept;
8. shall cause the Budget & Finance Committee to prepare an annual budget for the Board to be approved by the Board of Directors;
9. serve as the primary contact between the Executive Committee, the Investment Managers, the Custodian of the Board's Fund Assets (Investments), Board's Accounting Firm and Board's Audit/Review Firm.
10. render to the Executive Committee or Board of Directors, whenever they may require, an accounting of all transactions and the financial condition of the Board;

11. review the Investment Policy, the Investment Accounts and the Investment Advisor's Performance Policy at least annually and make such recommendations as are necessary to the Board;
12. actively support the work of their committees and (when practical) attend committee meetings and report the activities of said committees to the Executive Committee;
13. perform such other duties as directed by the Board of Directors, Executive Committee or the President.

### **Vice President of Governmental Affairs**

The Vice President of Governmental Affairs shall serve as liaison between the Political Action and Public Relations committees and the Executive committee.

The Vice President of Governmental Affairs is responsible for and accountable to the Board to:

1. actively support the work of their committees and (when practical) attend committee meetings and
2. report the activities of said committees to the Executive Committee;
3. attend all general membership meetings/events and meetings of the Board of Directors
4. perform such other duties as directed by the Board of Directors, Executive Committee or the President.

### **Vice President of Member Services**

The Vice President of Member Services shall serve as liaison between the, Awards, Communications, Expo and Programs committee's; and Spring Ball sub-committee's; and the Executive Committee.

The Vice President of Member Services is responsible for and accountable to the Board to:

1. actively support the work of their committees and (when practical) attend committee meetings and
2. report the activities of said committees to the Executive Committee;
3. attend all general membership meetings and meetings of the Board of Directors
4. perform such other duties as directed by the Board of Directors, Executive Committee or the President.

### **Vice-President of Professional Development**

The Vice President of Professional Development shall serve as liaison between the, Education and, Membership Development Committees and the Executive Committee.

The Vice President of Professional Development is responsible for and accountable to the Board to:

1. actively support the work of their committees and (when practical) attend committee meetings and report the activities of said committees to the Executive Committee;
2. attend all general membership meetings/events and meetings of the Board of Directors
3. perform such other duties as directed by the Board of Directors, Executive Committee or the President.

## **Local Directors**

The Local Director shall serve as liaison between the membership of the Fayette County Board of REALTORS® and the Board of Directors and is responsible for and accountable to the membership to:

1. be familiar with the Board's Bylaws, Policies and Procedures, Committee Structures, Strategic Plan, Budget, Programs and Services;
2. attend all general membership meetings;
3. attend all meetings of the Board of Directors, participate in discussions and report on real estate-related situations in evidence within their constituency;
4. be familiar with proper parliamentary procedure;
5. be available to meet with Board on their programs and educational conferences;
6. encourage REALTOR® Members to develop their professional skills and enroll as candidates for the various professional designation of the Institutes, Societies, and Councils of the National Association;
7. be available to serve as a Board's representative at meetings of allied organizations; and
8. visit Realtor offices at least annually as directed by the President in coordination with the Membership Development Committee.

## **State Directors**

The State Director shall serve as liaison between the membership of the Fayette County Board of REALTORS® and the membership of the Georgia Association of REALTORS, and is responsible for and accountable to the membership of both organizations to:

1. be familiar with GAR's Constitution and Bylaws, Policies and Procedures, Strategic Plan, Budget, Programs and Services;
2. attend all general membership meetings and meetings of the Board of Directors
3. attend all meetings of the local and state Board of Directors' meetings, participate in discussions and report on real estate-related situations in evidence within his or her Member Board or Region;
4. be familiar with proper parliamentary procedure;
5. be available to meet with GAR on their programs and educational conferences;
6. encourage members to participate in all GAR meetings and conventions, as well as any National
7. Association or GAR educational seminars being conducted within the proximity of the Fayette County Board of REALTORS®;
8. encourage REALTOR® Members to develop their professional skills and enroll as candidates for the various professional designation of the Institutes, Societies, and Councils of the National Association;
5. be available to serve as Georgia Association representative at meetings of allied organizations.

### **Section 3. Attendance at State Conventions**

Officers and Local Directors are encouraged to attend the Georgia Association of REALTORS® Inaugural and Annual meetings. State Directors are required to attend these meetings. Expenses incurred by Officers and State Directors are reimbursable provided such expenditures are accounted for in the Board's currently approved annual budget and related discretionary and travel expense guidelines.

The Board will reimburse each Vice President and State Director within the confines of the currently approved annual budget. Expenses eligible for reimbursement include: 1) the early bird registration, 2) expenses incurred at each meeting, and 3) the cost of attending the Awards Luncheon and the President's Dinner. To be eligible for reimbursement the following criteria must be met:

#### **Vice Presidents must:**

1. attend committee meeting(s) and or forum(s) as assigned by the President-elect.
2. attend either or both the Awards Luncheon and President's Dinner to receive additional reimbursement for attending the event(s).
3. provide a (written or oral) report to the Board of Directors at the next month's Board meeting.
4. submit a request for reimbursement to the Association Executive on a Board Expense Report certifying that amounts reported a) are correct and incurred to attend the meeting, b) were paid by the person seeking reimbursement, and c) are supported by original receipts attached to the expense report.

#### **State Directors must:**

1. attend the GAR Board of Directors Meeting.
2. attend committee meeting(s) and or forum(s) as assigned by the President-elect.
3. attend either or both the Awards Luncheon and President's Dinner to receive additional reimbursement for attending the event(s).
4. provide a (written or oral) report to the Board of Directors at the next month's Board meeting.
5. submit a request for reimbursement to the Association Executive on a Board Expense Report certifying that amounts reported a) are correct and incurred to attend the meeting b) were paid by the person seeking reimbursement, and c) are supported by original receipts attached to the expense report.

### **Section 4. Association Executive**

The Association Executive shall be an employee hired by majority consent of the Executive Committee, subject to final approval by the Board of Directors and shall conduct the day to day business of the Board as directed by the Executive Committee and the President.

The Association Executive shall maintain the records of the Board and attend to all necessary correspondence, including NAR and GAR. In accordance with the job description currently on file, the Association Executive is responsible for and accountable to the Board to:

1. present all communications received to the President first and then to the Board.
2. prepare schedule of meetings and events for the year and notify all Board members of forthcoming regular and special meetings;
3. prepare agenda and minutes for the Board of Directors and the Executive and Strategic Planning committees;
4. see that proceedings of meetings of members and directors, all correspondence received, books, reports, and documents are properly kept and filed under suitable headings.
5. have charge of books, records, papers and seal of the corporation, and affixes the seal where necessary, under the direction of the Vice President of Administration and Finance or as delegated by the Board,
6. maintain revisions to the governing documents, including but not limited to, the Bylaws, Policies and Procedures, Strategic Plan and Committee Structure; and publish and distribute revisions;
7. receive all monies due to the Board, from all sources, providing a full account to the Vice President of Administration and Finance at the earliest practicable moment.
8. ensure that member companies holding non-member licensees are compliant with membership requirements.
9. see that the Articles of Incorporation and Bylaws of the Board shall be recorded or filed, as notice to the public, when State law permits or requires such recording or filing;
10. other duties as may be required. and,
11. ensure that the provisions of the Bylaws are followed and inform the Board of Directors of any inappropriate operation contrary to the Bylaws.

## **Section 5. Committees**

Standing committees\* are prescribed in the Board's Bylaws. The President has the authority to appoint special committees, as deemed necessary, subject to confirmation by the Board of Directors. Board committees are:

Awards  
Budget & Finance\*  
Bylaws and Policy\*  
Communications\*  
Education\*  
Executive Committee\*  
Programs  
Nominating\*  
Political Action\*  
Public Relations\*  
Strategic Planning\*

With the exception of the Executive and Nominating committees, the President shall appoint all committee Chairs and Vice Chairs from among REALTOR® Members in accordance with the By-Laws and Committee Structure guidelines as approved by the Board of Directors; the President-elect recommends the Vice Chairs.

With the exception of the Executive, Nominating and Strategic Planning committees, the President shall be an ex-officio member of all committees.

The President, and the Vice President accountable for the work of the committee, shall be notified of committee meetings.

All committees and subcommittees of the Board shall be of such size and shall have duties, functions, and powers as prescribed in the Committee Structure manual.

Proposed committee activities not covered in the Committee Structure manual must be approved by the Board of Directors prior to implementation.

Each committee chairperson is encouraged to attend the monthly Board of Directors meetings and be prepared to report to the Board of Directors on the activities of the respective committee. If unable to attend the Board of Directors meetings, the Committee Chair shall communicate committee's activities to the respective Vice President in a timely manner to allow the Vice President sufficient time to prepare the Committee report.

## **Section 6. Professional Standards**

Since FCBR has opted to participate with GAR in the Professional Standards Cooperative Enforcement Agreement, members wanting to file either an Ethics Complaint or an Arbitration Request must contact the state association.

## **Section 7. Personnel**

Personnel practices governing employees of the Board are contained in the Personnel Manual of the Fayette County Board of REALTORS.



## **Article 5. MEMBERSHIP INFORMATION**

### **Section 1. Dues**

Designated REALTORS (DR's) are responsible for ensuring that the dues of both the firm and its licensees, including licensees within the firm's Limited Function Referral Office, are paid and remitted to the Board in a timely fashion. Such licensees exclude those within the firm's Limited Function Referral Office and others excluded by Article X, Section 3 (b) of the Board's bylaws.

The DR is responsible for operating within these guidelines:

1. In July of each year, DR's must certify to the Board the names of **all** licensees of their firm, including those licensees within the DR's Limited Function Referral Office.
2. In August of each year, Dues Statements are prepared for each DR covering all of its licensees for use in collecting dues from the licensees. Total dues payable are calculated in accordance with Article X, Section 3, Dues of the Board's bylaws.
3. Membership dues must be received in the Board Office by October 1<sup>st</sup> each year. The DR must remit the total dues payable for all licensees or ensure that licensees pay dues directly to the Board.
4. If all dues of the firm are not received by December 31, the DR will be notified that the firm is not a member in good standing and will be presented to the Board of Directors at the January meeting for action.
5. The Vice President of Administration and Finance will coordinate any collection efforts and assistance will be provided by the Board of Directors as needed.
6. Dues are pro-rated for new members only on a monthly basis. Dues for transferring members from other Boards also will be pro-rated monthly; the date of change with the Georgia Real Estate Commission (GREC) is the basis for pro-rating the amount due. The \$25 new member fee will be waived for agents transferring from other boards in Georgia.
7. Dues Payment Plan: Any dues payment plan available is provided at the time of the annual dues invoicing.

### **Section 2. Changes in Status**

Designated REALTORS® are required to notify the Board Office within 30 days of any new affiliations, transfers, licenses put on inactive status, returned to GREC, etc.

### **Section 3. Fees**

1. **Application:** \$25.00 for new individual Realtor® and Affiliate membership applications.
2. **Processing:** \$100.00 non-refundable fee for new REALTOR® company membership applications.
3. **Returned Check:** \$25.00 for check returned by member's financial institution for non-sufficient funds.
4. **Late Dues:** \$50.00 for dues paid after October 1 and on or before December 31.
5. **Terminated member for non-payment of dues:** \$100 reinstatement fee added to any dues paid after December 31.
6. **Payment Plan:** \$25 if offered.

### **Section 4. Membership Lists**

Membership rosters are available to members only upon request at no charge.

## **Article 6. EDUCATION**

The Board and the Fayette County Board of REALTORS Real Estate School provide continuing education (CE), post license (PL) and professional development opportunities to meet the varied needs of real estate licensees. Courses are open to all students regardless of race, color, sex, religion, national origin, familial status or handicap. Students need not be affiliated with any broker.

The Georgia Real Estate Commission has approved the Fayette County Board of REALTORS to teach continuing education classes.

The following rules and practices are to be adhered to by all class attendees:

1. Online registration is required for all classes.
2. Students must be on time and present for the entire class to receive CE credit.
3. No recruiting for employment opportunities for any real estate brokerage firm is permitted in class or on the school premises.
4. All cell phones must be turned off during class.
5. Cancellation of registrations must be received at least 48 hours before the scheduled class. Class fees are non-refundable if not cancelled at least 48 hours prior to start of class.
6. Students cannot audit a class, even if they have paid for it before.

## **Article 7. FINANCIAL MANAGEMENT**

The Directors of the Fayette County Board of REALTORS® are vested with the full power and authority to administer the finances of the Board. This authority includes but is not limited to entering into agreements of a contractual nature; investing funds; borrowing money and issuing notes, bonds or certificates of indebtedness; and disbursing funds, as may be deemed necessary, to carry out the objectives, purposes, and day-to-day operations of the Board.

The Board of Directors is responsible for and accountable to the membership for the financial management of the organization and may employ others in the administration of its duties.

The Executive Committee is authorized to administer the day-to-day finances of the Board. Expenditures for unbudgeted items not exceeding \$3,000 may be made without prior approval of the Board of Directors, upon recommendation by the Association Executive and Vice President of Administration and Finance, with the approval of the Executive Committee.

### **Section 1. Disbursements**

1. The authorized signatories on checks drawn on FCBR bank accounts are the President, President-Elect and Vice President of Administration and Finance.
2. All checks require two authorized signatures.
3. All check requests, with the exception of salary checks, must be accompanied by supporting source documents and reviewed by and initialed by the Association Executive. Such requests include requests for the payment of vendor invoices and requests for reimbursement.
4. All requests for reimbursement must be signed by the member seeking reimbursement certifying that amounts (1) are correct, (2) were incurred for authorized expenses for FCBR business, and (3) were paid by the person seeking reimbursement. The request is to be presented on a Expense Reimbursement Form provided by the Board and supported by original receipts
5. The President and President-elect's discretionary funds shall be administered and used in accordance with their annual written agreement.

## **Section 2. Collections on Behalf of GARPAC**

Amounts received on behalf of the Georgia Association of REALTORS® Political Action Committee (GARPAC) as cash or by check made payable to the Fayette County Board of REALTORS® are deposited in the Board's Operating Account; subsequently, a check is written to GARPAC and forwarded to GAR.

Checks received that are payable to GARPAC are sent to GAR. Such remittances will be in accordance with established GARPAC reporting guidelines.

## **Section 3. Operating and Investment Accounts**

Monies collected by the Board are deposited in its Operating Account; subsequently, amounts designated as investment funds are transferred to the Board's Investment Account per the Board's Investment Policy.

The Board of Directors delegated authority to administer these investments to the Executive Committee. Consistent with the Board's Investment Policy statement and in consultation with the Board's Financial Advisors, the following guidelines are adhered to:

1. No more than four months operating cash flow shall remain in the Operating Account. Everything else should be in the Board's Investment Account. Should balances exceed this policy guideline, the condition will be corrected within 30 days.
2. The Board will use its best efforts to maintain bank account balances below the maximum insurable amount at any one financial institution.
3. The Board of Directors shall review Investment Policy annually.

## **Section 4. Accounting**

The Books of Account of the Board are maintained with the assistance of a Bookkeeper and Certified Public Accountant (CPA).

1. The Association Executive assigns the accounting classification codes for disbursements and receipts and reviews transactions with the Vice President of Administration and Finance prior to presentation to the Executive Committee and Board of Directors. Bookkeeper makes entries into the Board's computerized accounting system.
2. The Vice President of Administration, Bookkeeper and Association Executive meet monthly to review the financials and ensure that all income and expenses are allocated according to budget.
3. Subsidiary (paper) files for all accounts receivable and accounts payable are maintained.
4. Subsidiary (paper) files for all disbursements are maintained.

5. The Board's CPA has been instructed to report any discrepancies, irregularities and/or any suggestions to the current Chair of the Executive Committee, the current President of the Board, or the Vice President of Administration and Finance.
6. The Board CPA reviews financial statements monthly and annually reports to the Executive Committee and Board of Directors on the financial condition of the organization.
7. Petty cash in the amount of \$200 shall be kept in the safe at the Board office for small miscellaneous expenditures. Receipts will be kept on file for said expenditures.