

HOW THE CITATION PROGRAM WORKS:

- A REALTOR® or member of the public files a Ethics Complaint through our website.
- The complaint goes to the Grievance Committee for review.
- If the Grievance Committee decides the Articles cited in the complaint make the case eligible for the Citation Program, the case goes to the Citation Panel.
- If the Respondent agrees to the Citation, he/she pays the standard, pre-set fine set for by the Board of Directors and attends the educational class required.

Included in this brochure is a list of violations eligible for the citation process.

For a full description of ALL Code of Ethics violations, visit <http://pinellasrealtor.org/>

TO FILE A COMPLAINT

To obtain a copy of the appropriate complaint forms:

<http://pinellasrealtor.org/filing-an-ethics-complaint/>

OR

Contact Professional Standards
(727) 216-3016 or
esatriano@tampabayrealtor.com



Pinellas REALTOR® Organization

CITATION PROGRAM


For Code of Ethics Violations




Part of PRO's ongoing effort to ensure fairness and integrity in real estate transactions according to the Realtor® Code of Ethics.

The Citation Program is intended to:

- increase professionalism in the marketplace for our membership,
- streamline the ethics hearing process,
- and protect the interests of the general public.

 **For Complainants**, If your complaint is forwarded to the Citation Panel, less time may be involved. However, if the Respondent elects to have a hearing, the Complainant must be prepared to attend.

 **For Respondents**, the Citation Program avoids a burdensome and time consuming hearing process. Respondents may elect NOT to use the Citation Program and proceed with a full hearing.



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www.pinellasrealtor.org

"I belong to something...

PROFESSIONAL"

PINELLAS REALTOR®
ORGANIZATION



CODE OF ETHICS VIOLATIONS

with applicable Article, Standard of Practice, and Fine

Article 1:

- SOP 1-6:** Failure to submit offers and counter-offers objectively and as quickly as possible \$1500
- SOP 1-12:** Failure to advise sellers/landlords of information specified in Standard of Practice 1-12 prior to entering into a listing contract \$250 plus *
- SOP 1-13:** Failure to advise buyers/tenants of information specified in Standard of Practice 1-13 prior to entering into a buyer/tenant agreement \$250 plus *
- SOP 1-16:** Accessing or using, or allowing others to access or use, a property managed or listed on terms other than those authorized by the owner or seller \$1500

Article 3:

- SOP 3-2:** Failure to communicate a change in compensation for cooperative services prior to the time that REALTOR® submits an offer to purchase/lease the property \$250 plus *

- SOP 3-2:** As a listing broker, attempting to unilaterally modify the offered compensation with respect to a cooperative transaction after a REALTOR® has submitted an offer to purchase or lease that property \$250 plus *

- SOP 3-4:** Failing to disclose existence of dual or variable rate commission arrangements \$250 plus *

- SOP 3-4:** Failure to disclose to cooperating brokers differential that would result in dual or variable rate commission arrangement if sale/lease results through efforts of seller/landlord \$250 plus *

- SOP 3-6:** Failing to disclose existence of accepted offers, including offers with unresolved contingencies, to cooperating brokers \$250 plus *

- SOP 3-8:** Misrepresenting the availability of access to show or inspect a listed property \$250 plus *

Article 4:

- Failing to disclose REALTOR®'s ownership or other interest in writing to the purchaser or their representative (**second sentence**) \$250 plus *

Article 5:

- Providing professional services without disclosing REALTOR®'s present interest in property (**limited to present interest, not contemplated**) \$250 plus *

Article 6:

- Accepting any commission, rebate, or profit on expenditures without client's knowledge or consent (**first paragraph**) \$250 plus *

- Failure to disclose to a client or customer REALTOR®'s financial benefits or fees received as a direct result of recommending real estate products or services (**second paragraph**) \$250 plus *

- SOP 6-1:** Failure to disclose REALTOR®'s direct interest in an organization or business entity when recommending to a client or customer that they use the services of that organization or business entity \$250 plus *

Article 12:

- Failing to present a true picture in real estate communications and advertising \$250 plus *

- Failing to disclose status as real estate professional in advertising and other representations \$250 plus *

- SOP 12-1:** Failure to provide all terms governing availability of a "free" product or service in an advertisement or other representation \$250 plus *

- SOP 12-2:** Failure to disclose potential to obtain a benefit from third party when REALTOR® represents their services as "free" or without cost \$250 plus *

- SOP 12-3:** Failure to exercise care and candor when communicating the terms and conditions of premiums, prizes, merchandise discounts or other inducements to list, sell, purchase, or lease \$250 plus *

- SOP 12-4:** Advertising property for sale/lease without authority of owner or listing broker \$1500

- SOP 12-5:** Failing to disclose name of firm in advertisement for listed property \$250 plus *

- SOP 12-6:** Failing to disclose status as both owner/landlord and REALTOR® or licensee when advertising property in which REALTOR® has ownership interest \$250 plus *

- SOP 12-7:** Falsely claiming to have "sold" property \$250 plus *

- SOP 12-8:** Failure to take corrective action when it becomes apparent that information on a REALTOR®'s website is no longer current or accurate \$250 plus *

- SOP 12-9:** Failure to disclose firm name and state of licensure on REALTOR® firm website \$250 plus *

- SOP 12-12:** Registering or using of deceptive URL or domain name \$250 plus *

- SOP 12-13:** Representing that the REALTOR® has a designation, certification, or other credential they are not entitled to use \$250 plus *

Article 14:

- Failing to cooperate in a professional standards proceeding or investigation in circumstances when cooperation has been demanded by the association and association has advised REALTOR® failure to cooperate could result in an allegation of a violation of Article 14 \$250 plus *

Article 16:

- SOP 16-16:** Conditioning submission of a buyer's offer on additional compensation from a listing broker \$250 plus *

- SOP 16-19:** Placing for sale/lease sign on property without permission of seller/landlord \$250 plus *

BACKGROUND

The professional standard that sets Realtors® apart from other real estate practitioners is their acceptance and adherence to the Code of Ethics. Even with the best of intentions, planning and preparation, occasional disagreements arise between Realtors® and/or between Realtors® and their clients or customers. As civil litigation becomes increasingly costly, time consuming, and burdensome, there has been a trend among private parties to settle disputes and conflicting claims through alternative means.

The Pinellas Realtor® Organization's Professional Standards Committee is charged with upholding the highest principles of the National Association of Realtors®. PRO offers its members and their clients a vehicle to economically expedite ethics complaints, and is introducing the Citation Program as part of our Professional Standards.

Questions?

Call **727.216.3016** or see our website:
<http://pinellasrealtor.org/professional-standards/>

*In-house Ethics Training / Video Class required in addition to fine. Escalating fine schedule for repeat citations. Aggregated fines may not exceed \$5,000 in 3-year period.