



POLICY AND PROCEDURE MANUAL

RULES AND REGULATIONS

Adopted February 19, 2015

Revised February 27, 2020

TABLE OF CONTENTS

Disclaimer/Introduction/Indemnification	3
Responsibilities of Officers/Directors	4-9
State & National Directors and Officers.....	7
The Association Executive	8
Responsibilities of Committee Chairs	8-9
Committee Functions.....	10-11
Federal Political Coordinator.....	11
Ad Hoc Committees and Task Forces	11
WVAR Meetings & Reimbursement Policy	12-13
Records Retention Policy	14-15
Finance Policies.....	16-17
Confidentiality	18
Awards Policy	19-22
Communications Policy	23
Professional Standards Policy	24
Miscellaneous Policies	25-32
Benevolence	25
Association Attorney	25
Certified Public Accountant	25
New Member Orientation & Ethics Training.....	25
Educational Courses: Reservations/Cancellations	25-26
Substance Free Policy	26
Inclement Weather.....	26
Association Safe	26
Sponsorships	26
Requests for Company Recommendations.....	27
Standard Commission Rates Inquiries	27
WVAR Building Rental Policy	27
MFRMLS	27-28
Correspondence/Stationary.....	28
Charitable Contributions.....	28
Harassment	28-30
Nepotism.....	30-31
Conflict of Interest.....	31
Whistleblower Policy	31-32
Supra Lockbox System	33-35

WEST VOLUSIA ASSOCIATION OF REALTORS® , INC.
POLICY AND PROCEDURE/RULES AND REGULATIONS

DISCLAIMER

Nothing in this manual is intended to conflict with the Charter and Bylaws of the West Volusia Association of REALTORS®, the Florida REALTORS®, the National Association of REALTORS®, or with any local, state or federal law or regulation. In the event any policy does conflict, the higher authority shall prevail.

INTRODUCTION

This Policy and Procedure/Rules and Regulations may be changed from time to time as directed by the Board of Directors. Passed motions of the Board of Directors shall make said changes. The Policy and Procedures Manual is available to WVAR members at all times at WVAR.

At the end of each year, the Association Executive of designated staff will review minutes of all board of directors meetings to ensure all additions, changes or deletions of policy as directed by the Board of Directors is accurately reflected within this policy manual. Staff will be responsible for corrections to grammar, spelling or similar items as approved by the board upon the adoption of this manual. Each and every policy decision on the operation of the Association, its committees are added to this manual.

This is a living document and will change frequently. This document may be made available to members on a password protected site so that it will not be accessed by the public. This document can and will contain trade secrets specific to the West Volusia Association of REALTORS, and may not be shared with anyone other than members of the West Volusia Association of REALTORS for use in the Associations governance. Use or duplication of this document by other associations or trade groups is strictly prohibited unless authorized by the Board of Directors of the West Volusia Association of REALTORS.

As changes to the Policy and Procedures Manual are approved, the members will be notified via e-mail that changes have been approved and that the new edition of the Manual is available on the web site. A master copy of the Manual will be maintained by the Association Executive indicating the most recent revision date. Master copies of the Policy and Procedures Manual will be retained for seven years providing for a record of changes.

INDEMNIFICATION

The West Volusia Association of REALTORS®, Inc. shall indemnify each and all its Directors, Officers, Staff and former Directors, Officers and Staff, against any expenses incurred by them, including legal fees or judgments and penalties rendered or levied against such a person in a legal action brought against any such person for action or omissions alleged to have been made by such person while acting in the scope and duties as a Director, Officer or Staff member of the Corporation, provided that such person did not act, fail to act, or refuse to act willfully with gross negligence or with fraudulent or criminal intent in regard to the matter involved in the action.

RESPONSIBILITIES AND DUTIES OF THE OFFICERS, DIRECTORS AND COMMITTEE CHAIRMEN

PRESIDENT (Refer to Bylaws)

1. The President shall enforce the observance of the Charter, Bylaws, and Policy and Procedures/Rules and Regulations of the Association, and advise, recommend, and propose those things to the Board of Directors that he/she considers necessary or beneficial to the members.
2. The President shall guide the overall long and short-term organizational goals, objectives, and priorities in conjunction with the Board of Directors and Association Executive as stated in the strategic plan.
3. As the elected leader of the Association, the President shall stand ready to make decisions affecting the members on problems or issues from day to day as needed.
4. The President shall carry out the instructions of the Board of Directors.
5. The President shall provide leadership to the Board of Directors, who sets policy and to whom the Association Executive is accountable.
6. The President shall become familiar with the operations and policies of the Florida Association of REALTORS® and the National Association of REALTORS®.
7. The President shall cooperate with Florida REALTORS® and the National Association of REALTORS® in joint programs and attend their conventions and appropriate meetings and shall accept the responsibilities as designated by each. The President will serve as the first voting director to Florida REALTORS® and the delegate to the National Association of REALTORS® if the President attends that part of the NAR Convention; should that not be possible the Association Executive will find a suitable substitute in an attendee to ensure the delegates from West Volusia are represented.
8. The President shall attend all meetings of the Association as allowed in the bylaws.
9. The President shall chair the meetings of the Board of Directors and General Membership and approve the final agendas as prepared by staff.
10. In matters of business voted upon, other than by ballot, the President or presiding officer may only cast a vote to break a tie. In case of vote by ballot the President, or presiding officer, has the same voting rights as any other member. The president may also not give opinions on items before the voting directors in an attempt to sway decisions or votes.
11. The President shall encourage maximum membership participation.
12. The President shall keep the Association free of policies and programs that are not the prerogative of a trade association.
13. The President shall be responsible for selecting a qualified Parliamentarian as needed.
14. The President will have an automatic reservation for all General Membership Meetings.

15. In the event that any duly ratified Director(s) of Florida REALTORS® is unable to fulfill the responsibilities of the position, the President shall have the authority to replace said Director(s) with approved alternates on file with Florida REALTORS®.
16. The President shall serve as the chair of the Executive Committee.
17. The President may authorize electronic voting on matters that require Board of Director approval prior to the next regularly scheduled meeting. These actions are to be ratified by the Board of Directors at the next regularly scheduled meeting.
18. The President appoints (with Board approval) REALTOR® members to serve as Directors of My Florida Regional MLS.

PRESIDENT ELECT (Refer to Bylaws)

1. The President Elect shall perform all the duties assigned by the President in the President's absence.
2. The President Elect, with the advice of appropriate officers and past chair, shall appoint committee chairs for his/her presidential year. All appointments should be made and the names furnished to the Association Executive by December 15.
3. The President Elect shall serve as the second voting Director of the Florida Association of REALTORS®. Presently, the Association is allowed one (1) voting Director per three hundred (300) primary members, plus any Officers or Directors of the National Association of REALTORS® whose membership is automatic.
4. The President Elect shall serve as chair of the Strategic Planning Committee.
5. The President Elect shall serve as a member of Finance Committee.
6. The President Elect shall serve as Vice Chair of the Executive Committee.
7. The President Elect shall attend all meetings of the Association.
8. The President Elect shall serve a one-year term of office beginning January 1 and ending December 31.
9. The President Elect will have an automatic reservation for all General Membership Meetings.
10. If the President is unable to serve as the NAR Voting Delegate, the President Elect will serve as the voting delegate.

TREASURER (Refer to Bylaws)

1. The Treasurer shall be Chair of the Finance Committee.
2. The Treasurer shall be responsible for all the funds and securities of the Association; receive and give receipts or cause the same to be done for monies due; and cause to be deposited all such monies in the name of the West Volusia Association of REALTORS®, Inc., in such banks, trust companies or other depositories as shall be selected by the Board of Directors; and in general, perform all the duties from time to time that may be assigned to him/her by the President or by the Board of Directors.

3. The Treasurer directs the preparation and timely filing of all tax returns, reports and deposits.
4. The Treasurer shall make a financial report at each meeting of the Board of Directors.
5. The Treasurer shall implement such financial controls as approved by the Board of Directors.
6. The Treasurer shall attend meetings of the Association and as many meetings of the State and National Association as possible.
7. The Treasurer shall serve a one-year term of office beginning January 1 and ending December 31
8. The Treasurer will have an automatic reservation for all General Membership Meetings.

IMMEDIATE PAST PRESIDENT (Refer to Bylaws)

1. The Immediate Past President shall be Vice Chair of the Strategic Planning Committee. (See Strategic Planning Committee Duties)
2. The Immediate Past President shall serve on the Board of Directors for one year.
3. The Immediate Past President shall attend all meetings of the Association and as many meetings of the State and National Association as possible at their own expense.
4. In the event that the Immediate Past President is unable to serve in some capacities, the proceeding Past President will be asked to serve, with the exception of service on the Board of Directors and Executive Committee. See Bylaws for clarification on vacancies.
5. The Immediate Past President will have an automatic reservation for all General Membership Meetings.
6. If it becomes necessary to have a third Florida REALTORS® Director, the Immediate Past President shall serve in that capacity.

BOARD OF DIRECTORS (Refer to Bylaws)

1. The Board of Directors shall be the governing body of the Association and shall have the general supervision over its policies, activities and business affairs, subject to the Articles of Corporation, the Bylaws and this Policy and Procedure/Rules and Regulations.
2. The Association Bylaws provide that the government of the Association shall be vested in the Board of Directors. Therefore, it is mandatory that all Directors attend the Directors meeting or be subject to removal from office as provided for in the Association's Bylaws.
3. Directors shall serve two-year staggered terms of office beginning January 1 and ending December 31.
4. A primary purpose of a Director is to create a liaison between members and the Board of Directors to insure that the members are aware of Board actions, and the Board is aware of member concerns and interests. It is imperative, therefore, that each Director have a working knowledge of the Association's Bylaws, MLS Rules and Regulations, the Code of Ethics, and this Policy and Procedure/Rules and Regulations.

5. At his/her discretion, the President will ask each Director to serve as Committee liaisons. If asked, the duties of a committee liaison are as follows:
 - a. To serve as an ex-officio member of committee without voting privileges.
 - b. To report committee activity and requests to the Board of Directors at their regularly scheduled meetings.
 - c. To oversee committee expenditures to make certain they stay within their budget and/or make requests on behalf of the committee for additional funding when necessary, after review by finance.
 - d. To ensure goals established for the year are being met.
6. For the purpose of maintaining and increasing Association membership, it is important for each Director to keep abreast of the Association's accomplishments, particularly in the areas of Legislation, Education, and Professional Standards.
7. Each member of the Board of Directors, in addition to the duties as prescribed in this Policy and Procedure Rules and Regulations and under the Bylaws, will be especially concerned with membership development and member services.
8. Each Director, in accepting election to the office, assumes the responsibility to attend any scheduled leadership training and an education session on the Bylaws and the Policy and Procedure Rules and Regulations prior to taking office. It is optional that they complete the Florida REALTORS® Workshop on Professional Standards. Officers and Directors may not serve on Grievance or Professional Standards Committees.
9. The Board of Directors will approve the annual budget.
10. The Board of Directors shall administer the finances of the Association by adopting an annual operating budget for the Association no later than its November or December meeting, which will be applicable for the ensuing year. The Directors, prior to the change(s) becoming effective, will approve changes in the expense of any major category items of the adopted budget. The Board of Directors shall establish an effective date anytime changes are made in fees, fines, assessments and dues.
11. Directors will, in so far as possible, attend all meetings of the local and State Associations.
12. The Board of Directors will review annually and approve the Association Policy and Procedure Rules and Regulations.
13. The Board of Directors will approve necessary contracts.
14. Each Director will have an automatic reservation for all General Membership Meetings.

STATE & NATIONAL DIRECTORS AND OFFICERS OR COMMITTEE MEMBERS

1. In the event this Association reimburses the State and/or National Director/Committee Members, he/she shall provide a report of his/her State/National activities to the Board of Directors.

ASSOCIATION EXECUTIVE

The Association Executive shall report to the Board of Directors. The purpose of the position is to administer policies of the association as established and approved by the Board of Directors. Performance shall be appraised by the standard target set forth below:

1. Direct, in line capacity, the activities of the exempt and non-exempt staff by establishing administrative policies and procedures for office function. Establish the organizational structure for the Association office and related staffing structure. Recruit, hire, train, promote and terminate staff, administer an effective personnel program which includes job and policy descriptions, performance standards, performance appraisals and a compensation system within budgetary limitations.
2. Act as the official interface with the National Association of REALTORS® and Florida Realtors®. Establish and maintain the necessary communications with appropriate personnel to remain conversant with the National and State organization's requirements and objectives. Convey to the appropriate officers, directors, committee chairs and general membership all pertinent information. Each report to the Board of Directors and other appropriate entities shall clearly delineate that which is mandatory to maintain National and State membership and that which is optional.
3. Remain conversant with the National and State Associations' policy requirements and objectives and convey to the appropriate officers, directors, committee chairs and general membership all appropriate information.
4. Assist in the implementation of strategies and objectives as established by the Board of Directors.
5. Procure bids for needed services, evaluate and submit recommendations for vendor contracts to Board of Directors, administer contracts under approved terms.
6. Be responsible for managing the Association's facilities including but not limited to repairs, security, communications system, furniture and fixtures. Expenses outside of budgeted items shall be presented to and authorized by the Board of Directors, prior to actual expenditure. Further, in case of emergency need for preservation of facilities, the Association Executive shall proceed without Board of Directors action.
7. Authorize emergency spending up to \$1,000.00 per event.
8. Perform any other functions relating to the Association which may be assigned by the Board of Directors.

COMMITTEE CHAIRS

1. The duties listed below (items 2-6) are applicable to any organized work groups such as standing committees, ad hoc committees, task force, etc.
2. Schedule and hold meetings. Ensure that adequate committee meeting notice is provided to all committee members; a minimum of seven (7) calendar days should be provided. Scheduling must be authorized by the Association Executive to ensure space availability. Committee meetings may only be held at the West Volusia Association of REALTORS® building unless authorized by the Association Executive so he/she may be present at all meetings.
3. Direct staff to prepare agendas and ensure only work as prescribed by the Board of Directors, in line with the strategic business plan is the only work being considered. All “other” business is subject to review by the Board of Directors, prior to being placed on an agenda or before work is completed.
4. See that reports of all meetings are kept by staff, and copies turned into the Association Executive.
5. Conduct meetings with proper observance of parliamentary procedures and decorum.
6. Do business by proper motions. Make all motions in the form of recommendation to the Directors or Executive Committee along with the reasons for the motion.
7. Appoint members to their committee through the year with the approval of the President and Board of Directors.
8. Operate within their respective budget. Expenditures over budget shall not be made except with the prior approval of the Board of Directors.
9. Attend General Membership Meetings.

COMMITTEE FUNCTIONS AND RESPONSIBILITIES

Any unexcused absence from a committee meeting for two regular meetings within any calendar year shall be construed as a resignation from the committee.

All committee/task forces/networks/PAGs shall have a minimum of three members.

The following Committee functions refer to the responsibilities of standing committees as well as any special committee that may be appointed by the President with approval from the Board of Directors.

AFFILIATE COMMITTEE – The purpose of this committee is to unite the Affiliates of the real estate profession for the purpose of creating mutually beneficial interaction with the members of the West Volusia Association of REALTORS®. The Committee works to assist all Association Committees by becoming a resource for sponsor funds and speakers. Its goal is to identify the needs of Affiliate members, enlist new members, provide the latest updates on information relating to their particular industries, promote the identity of the Affiliate members to the REALTOR® members and encourage loyalty toward their service. The Affiliate Committee seeks to increase Affiliate membership and participate, promote and maintain high standards of conduct as set forth in the REALTORS® Code of Ethics. All active affiliate members are considered to be members of the Affiliate Committee.

FINANCE COMMITTEE – Is responsible for overseeing the financials of the Association, approving an annual budget on a timeline as determined by the Board of Directors, and will follow the financial policies as outlined in this policy manual. The committee shall meet as needed and may do so electronically. The Treasurer of the Association shall serve as the Chairman of the committee. There will be no vice-chair.

MEMBER SERVICES COMMITTEE – Completes tasks on behalf of the Board of Directors in regard to events, surveys, assistance in planning membership meetings when business is to be conducted, and will assist the Board of Directors in promoting the value of membership through marketing materials and communications.

EDUCATION COMMITTEE – The committee will plan all educational opportunities for the Association and assist in the planning of all Lunch & Learn opportunities. Members of this committee shall review potential instructors, examine cost per student expenses for completed classes, review course surveys (if available) and look into higher education opportunities (NAR Designation and Certification courses) on a regular basis.

EXECUTIVE COMMITTEE – There shall be an Executive Committee consisting of the current officers, Immediate Past President and the Association Executive. The Executive Committee shall conduct the affairs of this Association in accordance with the policies and instructions of the Board of Directors. The President shall serve as Chair of the Executive Committee and the President Elect as Vice Chair. The Executive Committee shall also serve as the Awards Committee allowing the previous year award winners to assist them in deciding winners for the new years specific award.

GRIEVANCE COMMITTEE – This committee is not to be confused with the Professional Standards Committee of the Association. Its function is similar to that of the “Grand Jury” of the judicial system; i.e., to prevent abuse and harassment through frivolous or unwarranted complaints. The Grievance Committee has initial review function. The Grievance Committee must review potentially unethical conduct if directed by the Board of Directors. To be eligible to serve on the Grievance Committee, members must complete a Professional Standards Workshop which covers the functions of the Grievance Committee, the Code of Ethics and the professional standards process. There shall be a Chairman, and 4 members at large and at least 1 alternate. There can be no overlapping members who are with the same company. Each seat on the committee shall be for two (2) years and will be alternating to ensure the full committee cannot be replaced in one single year. Only members who have experience on Professional Standards panels will be considered for the Grievance Committee.

NOMINATING COMMITTEE – See Association Bylaws.

PROFESSIONAL STANDARDS COMMITTEE – Is charged with the responsibility for enforcement of the Code of Ethics. Depending upon the complaint or request received, a Hearing Panel is appointed for each case and this Panel hears the matter and makes findings of fact and renders a decision, recommending appropriate penalty if violation of the Code is determined. The penalty or sanction recommended becomes effective only upon final acceptance and confirmation by The Board of Directors, which orders the implementation of the sanctions. This Committee is also responsible for arbitration and follows the National Association of REALTORS® guidelines of arbitration. The committee will only meet in the form of panels for the hearing of cases or arbitration. There shall be no vice-chair.

RPAC FUNDRAISING COMMITTEE – The purpose of the RPAC Committee shall be assisting in the fundraising efforts and to promote and educate members on the importance of RPAC involvement and fundraising. The committee shall also have the ability to organize events to promote and raise money for RPAC funds within the

guidelines of the National Association of REALTORS®, applicable laws and with approval of the Board of Directors.

LEGISLATIVE COMMITTEE – The Legislative Committee is charged with interviewing candidates on an as needed basis for possible endorsement and RPAC contributions, all subject to the approval of the Board of Directors. There shall be at least two members per municipality within the West Volusia jurisdiction represented on the committee for outreach efforts, candidate interviews and to ensure the committee has individuals available to lobby local government if possible. Each individual on the committee must be a registered voter in the respective municipality they are associated with.

MLS ADVISORY COMMITTEE – The MLS Advisory Committee shall be chaired by the current MAC MFRMLS representative and the vice-chair shall be the current MFRMLS Director serving on the Board of Directors. Their purpose is to ensure MLS Participants and Subscribers are able to make suggestions and provide feedback on the MLS systems and rules.

YOUNG PROFESSIONALS NETWORK – The Young Professionals Network shall be a network of REALTORS who are the future leaders of the organization. They shall engage in advocacy efforts, leadership development, encourage education within the association, and promote a strong community presence. There is no age limit for the Young Professionals Network, but the group will actively solicit members under the age of 45.

GLOBAL BUSINESS & DIVERSITY COMMITTEE – The Global Business Committee explores educational and networking opportunities to advance members abilities in working with foreign nationals. The committee will also work towards achieving the Diversity, Equity and Inclusion goals of the Association.

AD HOC COMMITTEES AND TASK FORCES

Additional temporary committees may be appointed by the President with the approval of the Board of Directors.

WVAR MEETINGS

MEETINGS

Any meeting that involves a vote of the membership on important issues, such as the Bylaws, shall be held at a time and place convenient for the membership.

INSTALLATION

The Installation of Officers and Directors will be held and coincides with the Annual Awards Ceremony on the first Friday of December. The following will be guests of the Association at the annual Installation of Officers and Directors:

- Outgoing President and Guest
- Incoming President and Guest
- Staff Members and Guest
- Installation Official and Guest
- Incoming District 2 Vice President
- Outgoing District 2 Vice President
- Each Member of the Outgoing and Incoming Board of Directors, including Past President and Treasurer and one guest.
- Each Association Executive and President or President Elect of Associations within District 2, including Orlando Regional.

- Elected Officials as allowable by law
- Special guests from NAR and Florida REALTORS
- All Past Presidents of the Association

GENERAL MEMBERSHIP MEETINGS

General membership meetings shall only be held when items that require a vote of the membership is required on official business of the association.

The following will not be charged for attending any General Membership Meeting of the Association (if a charge exists) in compliance with policies governing reservations for membership meetings (see section on Officers/Directors):

- President or Presiding Officer
- Association Executive
- Speaker or Speakers if any
- Staff Members, as assigned by the Association Executive

GUIDELINES FOR REIMBURSEMENT OF MEETING EXPENSES

All the following reimbursements pertain to those individuals actually attending the stated function and who are not otherwise reimbursed by the State or National Association or any other Association affiliate. Anyone who is eligible for reimbursement from any other source such as the National Association of REALTORS®, Florida Realtors®, etc., should seek reimbursement from that source first. In any case, reimbursement should never exceed actual costs incurred. No reimbursement should be for any duration beyond the time the individual is scheduled to be at the meeting.

All Florida Realtors® and National Association of REALTORS® travelers should serve on one or more Committees if possible and shall attend those specific committee meetings and must at least attend the regional caucus and Board of Directors meeting for reimbursement. Reimbursement shall require the individual to attest that he/she attended the caucus as well as the Board of Directors meeting prior to reimbursement. Members are free to explore other open committees and their interest otherwise, and may also explore the cities and locations (sight-seeing) that meetings may be held, as long as all WVAR obligations are met first.

All reimbursement of expenses is subject to the availability or approval of budgeted funds. Travel reimbursement shall be based on the current IRA mileage allowance or plane (coach) fare, whichever is less. It is recommended that car-pooling be utilized whenever possible with only the driver being reimbursed for mileage. Lodging is to be standard accommodations. Reimbursements for internet access on business trips are included to ensure members traveling for the association are able to conduct work properly.

All original receipts must be provided for reimbursement of expenses, including actual itemized meal receipts for reimbursement up to \$125.00 per day. Reimbursements must be received within 30 days of the completion of the travel assignment, to better account for reimbursement liabilities and budgeting. Should the IRS approved and acceptable per diem rate be in excess of \$125.00 for the city of travel, the IRS rate shall prevail.

NATIONAL ASSOCIATION OF REALTORS®

PresidentRegular Travel, Lodging, \$125.00 per diem for meals
President Elect.....Regular Travel, Lodging, \$125.00 per diem for meals
Association Executive/Staff.....Regular Travel, Lodging, \$125.00 per diem for meals

**The Current President does not attend the NAR Leadership Summit.*

FLORIDA REALTORS® METINGS

PresidentRegular Travel, Lodging, \$125.00 per diem for meals
President Elect.....Regular Travel, Lodging, \$125.00 per diem for meals
Association Executive/Staff.....Regular Travel, Lodging, \$125.00 per diem for meals

CEO SYMPOSIUM- FLORIDA REALTORS®

President ElectRegular Travel, Lodging, \$125.00 per diem for meals
Association Executive/Staff.....Regular Travel, Lodging, \$125.00 per diem for meals

GREAT AMERICAN REALTOR DAYS (GARD) – *In lieu of regular per diem reimbursement, the Association may provide transportation, and certain meals for guests. The Government Affairs Director will plan all travel for Great American REALTOR Days in bulk. Mileage will be paid only to carpooling Key Contacts. Transportation will be provided by the Association as well as lodging for up to 2 nights. Members of the Legislative Committee will be given first priority for travel to GARD.*

LEGISLATIVE CHAIR TRAVEL

In accordance with the approved annual budget, the cost of travel, lodging, and food, may be provided for the Legislative Chair and the Key Contacts. The Association will also approve funding and travel for members of the Board of Directors as needed.

SPOUSAL/GUEST TRAVEL

Members representing WVAR while traveling are welcome to bring their spouses or special guests, but WVAR does not provide reimbursement for these individuals. WVAR will book airline tickets for spouses to ensure both individuals will have seats on a plane together, but the member will be invoiced for that cost immediately.

OTHER/INTERNATIONAL

Costs associated with leadership training or development in which members have been accepted through the State or National Association of REALTORS shall be reimbursed upon approval of the Board of Directors or if funds have been budgeted. Individuals who receive reimbursement are subject to reporting requirements as prescribed by the Board of Directors.

International travel is determined on a case-by-case basis by the Board of Directors.

RECORDS RETENTION POLICY

The records of the Association will be kept as dictated by the Association's Record Retention Policy listed below:

Corporate

Certificate of Incorporation	Permanent
Charter	Permanent
Minutes of Meeting	Permanent
Annual Reports	Permanent
IRS Letter of Determination of Exempt Status	Permanent

Correspondence

General	4 years
Legal	Permanent

General Ledger and Books of Original Entry

General Ledger	7 years
Journal Entries	7 years
Cash Disbursement Check Register	7 years

Accounting

Bank Statements and Cancelled Checks	7 years
Client Billings and Estimates	7 years
Print Contracts	7 years
Petty Cash Payments	7 years
Employee Travel and Expense Reports	7 years
Expense Bills	7 years
Year End Accruals (Income and Non-Billable items)	7 years

Financial Reports

Financial Statements Certified by CPA's	7 years
Monthly Financial Statements	7 years

Insurance

Policies and declarations	5 years following expirations
Group Insurance Reports	5 years following expirations

Membership

Applications/Files (may be kept electronically)	2 years (After Termination)
---	-----------------------------

Property (Tangibles and Intangibles)

Fixed Assets Additions, Depreciation, etc.	Permanent until disposed
--	--------------------------

Contracts

Client Contracts and Agreements (after conclusion)	10 years
Leases (after conclusion)	7 years

Tax Returns other than Payroll

Federal Income Tax Return and Work Papers	Permanent
Sales and Miscellaneous Tax Returns	7 years

Payroll Reports and Records

Employment History	7 years
Individual Employees Records (after terminations)	7 years
Payroll Register	7 years
Time Cards and Sheets	2 years
Cancelled Payroll Checks	7 years
Payroll Tax Returns	7 years
Withholding Tax Statements (W-2's)	7 years

Pension and Profit Sharing

Pension and Other Funded Plans Deferring	Permanent
Pension Reports to Government (after filing return)	7 years

Professional Standards

Case Files	Retain until decision is finalized
Decisions	Permanent

Purchasing

Bids	7 years
------	---------

RPAC Records

7 years

Sales

Sales Orders	7 years
Shipping Records	7 years

FINANCE POLICIES

Many items concerning financial policies may be found throughout the Policy Manual including sections on Officers/Directors/Committee Chairs, Meetings, Reimbursement Policy and Record Retention. To fully understand the Financial Policy of the Association, please refer to those sections.

ANNUAL DUES COLLECTION (Also See By-Laws)

Unless otherwise directed, the staff of the association shall execute, annually, and have authority to complete the annual billing for Local, State and National dues, assessments, and other items added to the annual billing as determined by the Board of Directors; abiding by all dates, deadlines and policies as outlined within the Associations by-laws. Staff shall ensure all billing amounts are correct, will ensure all late fees are assessed and any unpaid balances for dues are transferred to the Designated REALTOR of a firm beginning on the 15th day of December to ensure an accurate count of members on January 1st, with WVAR forced membership terminations by WVAR occurring on the 30th of December each year.

The Board of Directors shall receive monthly updates from the Association Executive during the dues billing to resolve any requests from members regarding the dues billing.

The late payment fee of \$100.00 shall be split as \$65.00 on the date of suspension, and an additional \$35.00 on the 1st of December for all unpaid dues invoices. Terminations will occur when licenses are made inactive with the Designated REALTORS firm, or automatically on December 30th if the Designated REALTOR is non-responsive to the transfer of balances due to the Designated REALTORS account. Designated REALTORS who refuse the transfer of debts to their accounts have the option of making licenses inactive from the member firm or paying the balance due on the specified due dates.

Only the Board of Directors can make exceptions or grant refunds for members regarding late fees or otherwise. All requests must be made in-writing to the Board of Directors for consideration. Local dues are non-refundable.

THE BUDGET

1. The Finance Committee is responsible for recommending a budget to the Board of Directors.
2. The Board of Directors is responsible for approving and making any changes to the annual budget.
3. A detailed item budget shall be available at the Association office by appointment only. Only REALTOR® members in good standing may make an appointment to review the budget with the Treasurer.

SIGNATORIES

1. The Association Executive is authorized to sign and approve any check.
2. All checks require two signatures. The officers of WVAR will be authorized signers/approvers for checks and/or withdrawal of funds from accounts.

ACCOUNTING FOR CASH AT MEETINGS/EVENTS

At no time will members be permitted to handle the cash box at an event. Members may be permitted to assist the Association Staff at a registration desk, but Association Staff will ultimately be responsible for all cash box

accountability. Rational for this policy is that members are not bonded nor insured by the Association's insurance policy to physically handle funds.

In the event where members are selling items within a crowd or over an extended period of time, such as raffle or event tickets or similar items, cash shall be counted down against tickets or items sold once the member has completed their work. Association Staff shall record the transactions of tickets or items sold, and shall then be responsible for the cash. All tickets and cash shall be provided to the Association immediately. Any member who fails to provide or account for all cash, tickets, or similar items, shall be held responsible for the amount of cash, tickets or items personally.

NSF CHECKS

Members who pay with a personal or business check with non-sufficient funds will be charged a fee of \$30.00 per check. If the same member provides non-sufficient funds again, they will not be permitted to use checks when paying for Association services or products in the future.

FINANCIAL REVIEW/AUDIT

The Association shall have an annual financial review, or audit, to comply with the Core Standards requirements as determined by the National Association of REALTORS®.

ACCOUNTS

The Association shall maintain a checking account for the payment of all debts or accounts on a regular basis. The Association shall also maintain the necessary investment accounts to ensure liquidity and proper handling of the assets of the Association.

INVESTMENT POLICY

The objective of the investment program is to obtain the maximum possible return on organization funds while assuring adequate protection of invested assets. Because the organization is a Not-For-Profit, investments should not be designed for speculation. It must be recognized, however, that all investments carry with them some degree of risk, not only as to the safety of the principal of itself, but also with regard to the inflationary erosion which occurs from failure to achieve an adequate return on invested assets.

RESERVES

The reserve fund investments are to improve the return on funds held for expenditure of the next one to five years, while managing investment risk. It shall preserve capital, liquidity; optimize return within a one to five year time frame. Allowable investments shall include FDIC insured Money Market Accounts, Money Market Funds that invest in government backed securities; Federally-Insured Certificates of Deposit; Direct Obligations of the US Government and diversified Securities and Mutual Funds as deemed appropriate and lower risk.

CREDIT CARDS

The Association shall have a credit card for use by the Association Executive, Association President, President-Elect, Treasurer and Staff as needed for association business and travel.

CHECKS

The Association shall have checks available for the payment of debts owed by the Association. Checks shall be kept in a safe unless in use. Checks will be cut on a weekly basis. No check shall be cut unless proper supporting documentation has been provided. No checks can be cut unless they have been approved for expense by the Association Executive. All checks payable to the Association Executive will be approved by the Treasurer. Check signers shall include the President, President Elect, Treasurer and Past President. The association may employ a bookkeeping service to ensure payment of checks is completed and the use of electronic means is encouraged over paper checks.

ACCESS TO RECORDS AND INFORMATION

Only a limited number of employees will have access to the Association financial records. Files will be kept in secured cabinets or cloud environments. The Association Treasurer shall have access to financial records after a disclosure has been made to the Board of Directors regarding the need for access. Files and information will be provided to the outside CPA as needed for the financial review, audit or filing of the 990 tax return. IRS 990 documents are available online as they are available for public inspection on many non-profit database websites such as Foundation Center and 990 Finder.

INSURANCE

The Association shall keep all insurance policies active and in good standing to ensure its assets are insured. A local, reputable firm who maintains membership with WVAR shall be used. Any changes to the carrier shall not change this policy.

CONFIDENTIALITY POLICY

The protection of the West Volusia Association of REALTORS®, its members and the public is the collective responsibility of the leadership of the Association and its appropriate committees and staff. The Association serves as a champion and guardian of the rights of property owners; therefore, all presiding officers of the governing body and of all committees should be especially sensitive as to what constitutes confidentially.

1. A breach of confidentiality in sensitive matters shall be considered an offense against the Association. Such an offense will be handled as outlined in the section regarding “Disciplinary Procedures” in *Robert’s Rule of Order—Newly Revised edition*; and may result in fines, censure, suspension or revocation of membership. Additionally, Association volunteers may be personally and individually legally liable for injury or damages that result from their unauthorized disclosure of confidential Association information.
2. It shall be the responsibility of the presiding officer of the governing body of the Association or any committee to identify the sensitivity of a particular matter and to excuse temporarily any person present who has no “need to know” the context of the matter for the duration of the discussion. (Extreme caution should be exercised)
3. It shall be the responsibility of the presiding officer of the governing body of the Association or any committees to halt immediately any unnecessary spontaneous discussion, or digression in discussion, of any matter of a sensitive nature.
4. It shall be the responsibility of all members of a committee to be alert to the confidentiality of any subject and to call the matter to the attention of the presiding officer.

5. Salaries and personal employment information of Association Staff shall remain confidential.

CONFIDENTIALY OF MEMBERSHIP FILES & INFORMATION

Information in the membership files maintained by the Association shall be deemed confidential and shall not be made available to members or others except to the extent required for proper administration of the Association, and then only upon authorization by the Association Executive. Any member may review his or her own file. Membership information including email address, or mailing lists shall not be available for purchase by internal or external parties without the written consent of the member.

AWARDS POLICY

AWARDS COMMITTEE COMPOSITION

(See Executive Committee Description)

AFFILIATE OF THE YEAR

1. All members, including Affiliate members, shall be invited to submit names to the Awards Committee for consideration. The Awards Committee shall determine the winner. The Awards Committee may also make nominations for AOTY, but no nominations will be considered that are not received by the published deadline.
2. The award shall be limited to one-time only for any recipient.
3. Recognizing that Affiliate members provide significant contributions and outstanding service to the West Volusia Association of REALTORS®, the Committee may award the Affiliate of the Year honor to one such Affiliate member or team. However, it is not mandatory that the award be made each year; and in the event that the Committee is of the opinion that no member adequately qualifies for the Award in any one year, the Award will not be made.
4. The Awards shall be made to an Affiliate member(s) in good standing on the following basis:
 - a) Individual support of and involvement in the West Volusia Association of REALTORS® to include, but not limited to, participation in Affiliate Committee meetings and events, attendance at Association meetings, sponsorship of Association events and classes, etc.
 - b) Individual community involvement outside of Association activities
 - c) Other relevant information
5. The Award shall be in the form of a trophy with the recipient's name and the year received engraved on the award. The recipient shall keep the cup in his/her office for one year from the date received. S/he shall also receive a plaque designating him/her as Affiliate of the Year, which s/he shall keep permanently. The presentation of the Award shall be made at the annual December Installation. The name of the winner shall not be disclosed to the general membership prior to the presentation.

REALTOR® OF THE YEAR

1. The name of this Award shall be the V.W.Gould Memorial REALTOR® of the Year Award. The recipient of the Award must be a REALTOR® member in good standing of the West Volusia Association of REALTORS®.
2. To enhance the true value and meaning of the REALTOR® of The Year (ROTY) award, it is clearly stipulated that there is no absolute requirement that a ROTY be selected each year. To the contrary, the award is only to be made when a West Volusia REALTOR® clearly demonstrates worthiness for the honor in any given year. The REALTOR® of The Year award is limited to one time within a 7-year period for any recipient. Only individuals nominated by the membership may be considered. The individual with the highest points shall be the ROTY. In the event of a tie, members of the awards committee shall vote to decide the winner. Members of the Board of Directors are ineligible for ROTY and all other awards.

3. Every REALTOR® Member of the Association is eligible for consideration as the ROTY with the exception of members of the Board of Directors. Members who have received the award any year prior are ineligible. This should be clearly emphasized in any solicitations for nominations.
4. All members shall be invited to submit names to the Awards Committee for consideration. The Awards Committee shall determine the recipient of the REALTOR® of the Year by a points system as approved by the Board of Directors in 2018.
5. The Awards Committee may not make nominations for ROTY, only nominations by the membership will be considered and only those received by the published deadline.
6. The final meeting to review nominations shall be held no later than November 15 or the scheduled November Executive Committee Meeting.
 - a. To meet this schedule, initial promotion of nominations from the membership shall begin in mid-October.
7. The Award shall be in the form of a loving cup, topped by a figurine symbolizing achievement, to be given by the West Volusia Association of REALTORS®. The Award shall have the recipient's name engraved and the year received.
8. The recipient shall keep the cup in his/her office for one year from the date s/he receives it. S/he shall also receive a plaque designating him/her as REALTOR® of the Year to be kept permanently.
9. Formal presentation of the Award shall be made at the annual December Installation if possible.
 - a. Until formal presentation to the membership, the identity of the new ROTY shall be held in the utmost confidence within the Selection Committee.
 - b. However, the individual who nominated the recipient should be advised to ensure that the recipient attends the presentation meeting.

ROOKIE OF THE YEAR AWARD

1. Eligibility:
 - a. Members shall be eligible for consideration for Rookie of the Year if their WVAR membership began after October 1 of the two years prior to the award year and no later than September 30 of the one year prior to the award year. (For example: For the 2009 Rookie Award those dates would be after 10/1/2007 and no later than 9/30/2008.) Membership start date is the date their Association dues were paid and submitted with all completed new member forms, as verified by the Association membership database.
 - b. Members with previous real estate experience are not eligible.
 - c. Teams or team members are not eligible for consideration.
2. All Selection Guidelines must be met within the twelve (12) month Rookie Qualification period which is the first twelve (12) months after the first full month of membership. Guidelines for Selection for Rookie of the year shall be as follows:
 - a. **Production**—Includes volume of business or profits earned. (40%)
 - b. **Education**— Quality and volume of educational classes completed by the individual. (25%)

- c. **Local Association Activities**—Local Association offices and committee work, special assignments, meeting attendance record, professional education and REALTOR® promotion work, membership and offices held in local chapters of NAR Institutes, etc. **(25%)**
- d. **Community Service**—Activities connected with work in the local Chamber of Commerce, youth groups, religious organizations, civic clubs, cultural or recreational groups, interest and activity in programs designed to aid the public welfare, active participation in community bond or tax matters concerning real estate, public offices held (such as mayor, city council, public commissions, school board, planning or zoning boards, or tax groups). (5%)
- e. **Other** – (5%)

3. The Rookie of the Year Award selection shall be done by the Awards Committee.

CONTINUING SERVICE AWARD

The name of this Award shall be the Warren A. Todd Continuing Service Award. To be considered for the Award, a member must:

- 1. Be a REALTOR® member in good standing; and
- 2. Have served the Association on a committee and/or Board of Directors for 10 consecutive years.
- 3. The Continuous Service Award selection shall be done by the Awards Committee.
- 4. The recipients for the last three (3) years are not eligible to receive this award.
- 5. Formal presentation of the Award shall be made at the Annual December Meeting.

REALTOR® HUMANITARIAN AWARD

This award is to be chosen at the discretion of the Awards Committee and presented at the Annual December Installation. The Awards committee shall solicit recommendations electronically from the membership. A nomination for this award shall be in the form of a formal written letter outlining the reasons why the individual deserves the award. If no nominations are received by the general membership, no award shall be given. The Awards Committee may not nominate individuals for the award to avoid conflicts of interest.

BROKER OF THE YEAR

Established in 2018 by the Board of Directors on the recommendation of a Presidential Advisory Group, the Broker of the Year shall be selected by the Awards Committee based on criteria approved by the Board of Directors. Criteria must include the member be a Designated REALTOR in good standing who embodies a true professional and inspiration to their agents and others through outstanding service and leading by example. No sales criteria may be factored into the consideration.

WEST VOLUSIA ASSOCIATION OF REALTORS® HONOR SOCIETY

The West Volusia Association of REALTORS® Honor Society Recognitions will be given at the annual Installation & Awards Event if possible. Qualifying period for meeting the criteria will be November 1st of the prior year through October 31st of the award year. Members must fill out the form to be eligible. Affiliates may participate in the affiliate version of this recognition.

WEST VOLUSIA ASSOCIATION OF REALTORS® HONOR SOCIETY LIFETIME ACHIEVEMENT

This award was created for those members who have received the annual West Volusia Association of REALTORS® Honor Society Award for 20 non-consecutive years.

Recipients will receive a plaque, one time, when they qualify for their 20th year.

CIRCLE OF EXCELLENCE

The Circle of Excellence is not an award.

It shall be noted that the Circle of Excellence is a sales society or sales advertising club where membership will be required. Only members of the West Volusia Association of REALTORS in good standing may apply for membership in the Circle of Excellence. Application may only be accepted with payment by a deadline set by the Board of Directors. Qualifying sales totaling at least 3 Million Dollars shall include all residential, commercial, vacant land, or property management transactions. Out of area sales within the State of Florida will be eligible towards totals. Teams may apply for inclusion, and qualifying totals will be multiplied by the number of team members. All team members will be required to join the Circle of Excellence. Individuals who violate rules of the Circle of Excellence outlined within the application form shall be subject to a hearing by their peers with sanctions including but not limited to removal from the sales society. Please refer to Circle of Excellence forms for full and detailed/approved criteria.

The Board of Directors or Staff shall not use any monies from the general fund to pay for expenses for the Circle of Excellence.

COMMUNICATIONS POLICY

COMMUNICATIONS/EMAIL POLICY/ADVERTISING

The WVAR Weekly Broadcast messages shall be available only to active members of the West Volusia Association of REALTORS®. The West Volusia Association of REALTORS® shall only advertise products and services of the West Volusia Association of REALTORS® or partnership programs with other associations in its weekly broadcast emails or special broadcast emails as needed. No services or products of its Affiliates or REALTOR® Member Companies may be advertised via email, with the exception of those affiliates participating in the advertising program.

ADVERTISING

The West Volusia Association of REALTORS® may offer advertising to Affiliates in many formats for a fee. Conforming to the established publications standards of many association, WVAR reserves the right to reject any advertising not in keeping with the Association's business practices and policies. Advertisers assume liability for all content (including text, representation and illustration) of advertisements printed, and also assume responsibility for any claims made against the Association rising from those ads. In addition, the Association reserves the right to reject advertising that is deemed inappropriate to the business related product or service (for example, personal novelty) ads that portray REALTORS® and/or the practice of real estate in an unfavorable light, and ads that are otherwise deemed distasteful in the sole discretion of the Association Executive after consultation with the Board of Directors.

ASSOCIATION SPOKESPERSON

The current President shall be the only person to speak on behalf of the Board of Directors and the members on any policy, political stance, or determination for the West Volusia Association of REALTORS®. Such political or policy stances must be those as approved by the Board of Directors and not the personal political or policy stances of the Officer. The President may designate the Association Executive, Association Staff or any other individuals to communicate to the public on a specific matter with board approval. Should the President not be available to make comment on behalf of the Board, the following individuals shall do so on their behalf in the following order:

1. Association Executive
2. President-Elect
3. Treasurer

In instances where comment is requested of a specific individual listed above that is out of order as listed, the individual shall still be required to only speak on matters as approved by the Board of Directors. Any opinions offered are those of an individual and must be disclosed as such.

PROFESSIONAL STANDARDS POLICY

PROFESSIONAL STANDARDS MANUAL

The West Volusia Association of REALTORS® shall adopt the policies within the National Association of REALTOR®S Ethics and Arbitration Manual verbatim.

The following local option policies will remain in effect until such time as changes are recommended by the Grievance and Professional Standards Committee and approved by the Board of Directors:

- The number of days for the response to the Grievance committee is ten (10) days.
The response is to be sent to the complainant.
- The deposit for arbitration is three hundred dollars (\$250.00) for both parties.
- We will continue to permit expedited ethics procedures. Respondent waives right to hearing and acknowledges violation.
- We will only provide the Grievance Committee with complaints and not responses per NAR policy.
- Administrative processing fees for someone found in violation of the Code of Ethics is \$250.00.
- The award panel can determine if the parties may receive a portion of their deposits back as determined by the arbitrators. The amount of the deposit is \$250.00.
- If parties settle arbitration prior to hearing, the deposit will be returned.
- Mediation is offered after review by the Grievance Committee.
- The Association offers an Ombudsman Service. For more information, contact the Association Executive.
- The Association participates in the NAR Citation Program as approved in 2018.
- WVAR has elected to publish the photos and names of individuals who violate the code of ethics through the regular hearing process, as well as through the citation program. Notification will be after

the second similar violation within an 18-month period. Specifics are outlined within the NAR Ethics and Arbitration Manual.

- Members of the Board of Directors are not able to serve on Grievance or Professional Standards Committees.
- Staff shall not disclose specifics regarding cases to anyone, including members of the Board of Directors, but may disclose if there are active cases pending or resolved and required to do so under NAR policy or judicial order. No exceptions.

MISCELLANEOUS POLICIES

BENEVOLENCE

The Board of Directors will determine benevolence on a case by case basis. Further, if the deceased is a Past President, current Officer, Director or Committee Chair, WVAR will send flowers or make a donation to their requested charity.

If notices are to be noted in the regular correspondence of the Association, the Association Executive must be notified of the deceased member; and such information will be noted within the next scheduled correspondence; or if service arrangements have been provided, notice may be sent immediately to ensure members may attend such services.

Giving notice through correspondence of members who are ill or sick is determined on a case-by-case basis by the Association Executive to reduce potential liabilities. Proper information must be submitted and confirmed by the Association to ensure accurate information regarding ill members or their immediate family members.

WVAR does not give notice for past members unless they are past presidents of the association.

WVAR will not give notice to the membership of deaths or arrangements without the consent of the family of the deceased.

ASSOCIATION ATTORNEY

The Association shall retain an attorney. The selection of the attorney is by majority vote of the Board of Directors. The attorney selected shall serve until resignation or replacement. The credentials, service and cost shall be reviewed annually by the Board of Directors at the time of budget approval. The Association President or their appointed representative and the Association Executive are authorized to consult with the Association Attorney on Association business.

CERTIFIED PUBLIC ACCOUNTANT

The Association shall retain a Certified Public Accountant (CPA) for purpose of audit, internal control and filing Federal Income Tax Statements. The selection of the CPA is by majority vote of the Board of Directors. The CPA selected shall serve until resignation or replacement. The credentials, service and cost shall be reviewed annually by the Board of Directors at the time of budget approval.

NEW MEMBER ORIENTATION PROGRAM & NEW MEMBER CODE OF ETHICS TRAINING

In addition to the requirements as listed in the Association Bylaws, first time or returning REALTOR® members shall complete the Online WVAR New Member Orientation as prescribed by the Board of Directors within 60 days from date of application.

New members are required to complete the Code of Ethics training online through the National Association of REALTORS® Website. Should limitations prohibit any new member from completing the course online, they shall be permitted to take the course at the next regularly schedule ethics course at the West Volusia Association of REALTORS® within the 60-day period as required in the Association Bylaws. Courses taken online or through other Associations will be accepted only if a paper certificate is emailed, faxed or hand-delivered to WVAR

showing successful completion. Not every ethics course is the same, and not every course can be accepted as a course that meets the requirements of the REALTOR® Code of Ethics. WVAR reserves the right to reject third-party courses that do not meet these requirements.

EDUCATION COURSES & EVENT RESERVATIONS/CANCELLATIONS

Members who wish to register for educational courses where payment is required must complete their registration with payment in full. The West Volusia Association of REALTORS® does not accept partial payments or registrations with intention to pay at the door unless approved by the Board of Directors. The West Volusia Association of REALTORS® also requires payment at the time of registration for specific events and meetings to ensure space and food availability. The Association Executive shall have the ability to designate this policy to specific events or meetings on a case-by-case basis. Refunds for paid reservations/registrations will not be given unless 48 hours of notice has been given to the Association staff. Designation courses require a 72-hour cancellation period for full refund.

The West Volusia Association of REALTORS® may also have a need to cancel reservations for courses or events because of low enrollment. If at all possible, cancellations shall be noticed no less than 48 hours to those registered.

SUBSTANCE FREE POLICY

The West Volusia Association of REALTORS® building and grounds shall be free of substances such as illegal drugs and other dangerous or illegal substances at all times to maintain a healthy and safe environment for its staff, leadership and members.

INCLEMENT WEATHER

The West Volusia Association of REALTORS® is aware that there will be occasions where employees will experience difficulty getting to work due to inclement weather, and recognizes that for its members as well. With this in mind, employees and members are encouraged to tune into a radio or television station that announces closings. In the event that local public school systems and government offices are closed due to weather, employees and members shall understand that the WVAR offices will be closed as well. The West Volusia Association of REALTORS® staff will do everything in its power to notify the membership of cancellations of courses, events and meetings should weather influence those events, courses or meetings.

In the case of a hurricane, the Association Executive along with the Association President shall arrange a plan of action to secure the Association office and give notice of the Association's closing, as well as the staff's time away from the association office. Please see Emergency Management Plan.

ASSOCIATION SAFE

The West Volusia Association of REALTORS® shall have a fire-proof safe within the building in which all cash and checks will be held, including but not limited to the WVAR cash drawer, petty cash, members' checks, blank checks and important documents. The Association staff shall be the only individuals to have a key or the combination to this safe. The Treasurer shall have access to the safe for inspection at any reasonable time. The safe shall remain locked at all times unless in use.

SPONSORSHIPS

The West Volusia Association of REALTORS® may only accept sponsorships from its affiliate members unless the sponsorship is related to an event to raise money for a charitable cause. If sponsorships are offered by third parties and those individuals are not affiliate members, they will be encouraged to join the affiliate membership. From time-to-time, the West Volusia Association of REALTORS® may hold events in which additional sponsorships or in-kind services are offered by non-members. Provided the event is for a charitable cause, those sponsorships, gifts and in-kind services will be accepted after active Affiliate Members have been given a 10-day notice. Any other acceptance of those sponsorships, gifts and in-kind services will be at the discretion of the Board of Directors.

REQUEST FOR COMPANY RECOMMENDATIONS

When an inquiry is received asking for a recommendation for a company, staff will follow these procedures:

1. Advise the person that we are unable to recommend one member over another since that would be unfair to the majority of members.
2. If the person has a company in mind, staff can advise whether or not the company is a REALTOR® member and/or a participant of the MLS.
3. The Association will not give statistics on who sells the most property, specific kinds of property or who is the largest company.
4. Refer the caller to the telephone book or internet if they are interested in companies who specialize in certain facets of the industry.
5. Inform the individual that rosters of members are available on the Associations website, including the Affiliate Guide website for those seeking Affiliate related services.

This policy shall also be in effect for members who are volunteering time for the Association. (Example: A member is volunteering at a booth for a community fair representing the Association). Members may be permitted to promote their services once their volunteer shift has been completed.

Furthermore, any member of the Association is prohibited from distributing materials with the intention of promoting their individual companies or businesses while they are volunteering as an instructor, committee chair, or any leadership position for the West Volusia Association of REALTORS® at its educational courses, meetings or events unless they have been approved to do so through Association sponsorships.

PHONE CALLS REGARDING COMMISSION RATES

When a phone call is received at the Association office requesting information on the standard commission rate in the area or any other similar question, the staff will advise the caller that there is no fixed commission rate and the compensation for services rendered in respect to any listing is solely a matter of negotiation between the broker and client, and is not fixed, controlled, recommended or maintained by anyone who is not a party to the listing agreement.

RENTAL OF WVAR BUILDING SUITES & REAL ESTATE NEEDS

From time to time the Association may have commercial space for rent on an annual basis. The Board of Directors shall set the rental rate. A lease will be executed with a tenant with approval from the Association Attorney. The West Volusia Association of REALTORS® will not lease commercial space in its building to any active members to avoid a possible conflict of interest.

Should the Association need the consultation of a REALTOR® for its own use to lease suites or acquire commercial property, they shall only use the services of its members who hold the CCIM designation. Only the WVAR Board of Directors can authorize a brokerage sign to be placed on WVAR grounds.

The Executive Committee will screen all interested individuals holding an active and current CCIM, should they wish to assist the Association, and make a recommendation to the Board of Directors.

ASSOCIATION BUILDING

The Association building is primarily for the purpose of a headquarters where administrative functions of the Association may be performed and at which Association functions such as committee meetings, ethics and arbitration hearings, and education classes may be held. Members may reserve the Association facilities, however, Association functions always take precedence and the classroom may only be reserved if no Association meeting, function or event is already scheduled.

Member Use – Depending upon availability, the Association’s facilities may be reserved by Association members under the following terms and conditions:

- No solicitation of agents at ANY meetings or any encounter is allowed.
- Members may reserve the classroom at no charge during regular business hours.
- The member reserving the room will be responsible for seeing that the room is left in good condition, including, but not limited to, setting up the tables and chairs as required by the Association; equipment and lights turned off; disposing of beverage containers and all other trash.
- The member reserving the room will be charged \$100 if the room is not cleaned or is damaged.
- CE courses may not be offered in the WVAR classroom unless they are offered through the Education department of WVAR to avoid member confusion and risk of losing the WVAR classroom site-license from DBPR.

Non-Member Use – Non-members of the Association who represent local governmental entities, local charities or civic groups may reserve the facilities, if available, with the approval of the Association Executive.

Release of Liability – Members and non-members who wish to use the Association’s classroom facilities must agree to carry liability insurance and that the Association is released from any and all liability.

MY FLORIDA REGIONAL MULTIPLE LISTING SERVICE (DBA STELLAR MLS)

The West Volusia Association of REALTORS® is a shareholder member of the My Florida Regional Multiple Listing Service INC. (MFRMLS) doing business as Stellar MLS. Please refer to the MFRMLS Policy and Procedure Manual. All policies of MFRMLS relating to MLS participation and subscription, as well as MLS Rules and Regulations, shall apply to the work completed at the West Volusia Association of REALTORS® MFRMLS Service Center. Voting of MFRMLS Shares shall be directed by the Board of Directors. No shareholder representative may vote on items not approved by the Board of Directors. Shareholder representatives are considered a proxy voter of the board of directors and may not speak on behalf of the Board of Directors in any capacity unless through approved statements.

WEST VOLUSIA ASSOCIATION OF REALTORS® CORRESPONDENCE/STATIONARY

At no time may any member, officer or director be permitted to have blank letterhead or stationary of the Association for correspondence purposes. All letters and correspondence for committee meetings, Board of Directors Meetings, press releases or related correspondence shall be prepared and noticed by the Association staff as directed by such committees or the Board of Directors. WVAR staff will prepare all marketing materials for all Association events, classes, functions and Association sanctioned or sponsored situations.

CHARITABLE CONTRIBUTIONS

No committee or individual member of the West Volusia Association of REALTORS® may bind the Board of Directors of the West Volusia Association of REALTORS® to any charitable contribution or fundraising program. It is suggested that if a committee wishes to raise money or donate any of its profits or proceeds from its events or work to a charity, information of such profits or proceeds must be provided to the Executive Committee for review and recommendations to the Board of Directors. Housing-based charities will take first priority over all others to help WVAR conform to the Core Standards requirements of the National Association of REALTORS®.

BOARD APPROVED CHARITABLE GROUPS

- West Volusia REALTORS Foundation
- West Volusia Habitat for Humanity
- Childhood Cancer Foundation
- West Volusia NAACP
- Collins Dream Park
- The Boys and Girls Club of Volusia/Flagler
- Marine Corp Toys for Tots of Volusia
- The Neighborhood Center of West Volusia

HARASSMENT & EQUITABLE TREATMENT & BULLYING

Harassment is illegal conduct and is contrary to the policy of the Association.

As used in Association policy, 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.

Members of the Association will also be required to refrain from activities that could be seen as hostile or intimidating towards members of the staff in situations where the member is seeking an advantage over another member in business, preferential treatment over other members or acting out in retaliation for not giving them special treatment for services that other members would not receive as a condition of membership. Staff are expected to treat members equitable in the services provided as required by the Associations Bylaws.

Harassment of the Association staff and members in any form will not be tolerated. Foul language, bullying and intimidation for the purposes of making individuals feel uncomfortable will be treated the same as an allegation of Article 10 of the REALTOR Code of Ethics. This shall apply to REALTORS and Affiliate members.

COMPLAINT PROCEDURES

Any employee who believes that he/she has suffered harassment by any other member of the Association must bring the problem to the attention of the President or Association Executive. The complaint does not have to be in writing; however, it is helpful if details of dates, times, places and witnesses, if any, to the harassment alleged can be provided.

All complaints will be investigated promptly and with the strictest confidentiality by an investigatory team comprised of the President, President-Elect, and one (1) member of the Board of Directors selected by the highest ranking officer not named in the complaint after consultation with legal counsel for the Association. If the complaint involves the President or President-Elect they shall be replaced on the investigatory team 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.

Both the complainant and the accused will be provided a full opportunity to present their cases. Witnesses interviewed will be provided only such information as is necessary to elicit from them their observations and other relevant information.

Disciplinary action against any member found to have harassed an Association or MLS employee may include verbal or written warning, probation, suspension or expulsion depending on the gravity of the incident. Prior incidents of similar behavior shall be taken into consideration when determining the appropriate disciplinary action. Such decision shall be made by the investigatory team.

Clear, strong and convincing shall be the standard of proof by which alleged allegations of harassment are determined. Clear, strong and convincing shall be defined as that measure or degree of proof which will produce a firm belief as to the validity of the allegations sought to be established.

It is contrary to the policy of the Association for a member 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 employee who brought the complaint. While this is in no way intended to discourage employees who believe they have been the victim of harassment from bringing a complaint, the Association recognizes that a charge of harassment can cause serious damage to the personal reputation and professional career of the accused.

COMPLAINT INVESTIGATION AND CONFIDENTIALITY

All complaints will be investigated promptly by the Executive Committee and Association Attorney. The identity of the employee or member 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, or a member of the investigatory team. Witnesses interviewed will be provided only such information as is necessary to elicit from 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 Board of Directors. Authority for the final Resolution of all charges and the determination of appropriate sanctions rests with the Board of Directors.

DISCIPLINE

Harassment is a serious offense. It is contrary to Association policy for a member to retaliate against any individual 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 individual who brought the complaint. While this is in no way intended to discourage an individual, who believes they have been the victim of harassment from bringing a complaint, the Association recognizes that a charge of harassment can cause serious damage to the accused personal reputation and professional career.

FOLLOW UP

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

NEPOTISM

The hiring and/or showing of favoritism toward relatives is contrary to the policy of the West Volusia Association of REALTORS®. Therefore, no Association member, executive officer, staff member, or employee shall hire, advocate the hiring of, or cause to be hired or employed in any capacity any blood or marital relative of a director, executive officer, staff member or employee.

“Employed position” shall be defined as any financially compensated post or work of any type.

“Relatives” shall be defined as any person who is related within the fourth degree, either by consanguinity or by affinity. Specifically, this shall mean an individual who is related as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in law, mother-in law, son-in law, daughter-in law, brother-in law, sister-in law, step-father, step-mother, step-son, step-daughter, step-brother, step-sister, half-brother, or half-sister and include persons related by adoption or birth.

Any director, executive officer, staff member, or employee who believes that this nepotism policy has been violated in any manner shall notify the Association Executive, and the Board of Directors. Upon notification of the Association Executive, he or she shall, at the next meeting of the Board of Directors, offer as new business the consideration of whether the nepotism policy has been violated. If this policy has been violated, then the person hired in violation of the policy shall be terminated. If the hired person or the proposed hiring of a person would violate this policy, then the Board of Directors, upon two-thirds votes, may employ or retain such person.

The construction, interpretation, and application of this policy statement shall be guided by the same interpretations, construction, and application as Section 116.111 Florida Statutes, 1987 (as amended) which proscribes the employment of relatives for public officials.

This policy shall not apply retroactively, and shall take effect upon approval of the Board of Directors.

CONFLICT OF INTEREST

A potential conflict of interest occurs when any related party (e.g. a company, a partnership, affiliates, management or members of immediate family) is in a position to profit directly or indirectly because of a position with the West Volusia Association of REALTORS®.

A conflict can exist even if actions do not adversely affect the Association. Instances in which there might be a conflict of interest include but are not limited to: (1) purchasing equipment, supplies, or services for the Association (2) purchasing, selling, or leasing property for the Association (3) loans or preferential investment opportunities using confidential information (4) gifts and entertainment exceeding a de minimis (insignificant) value. A given situation may or may not present a conflict of interest, depending upon the facts and circumstances.

Each member shall disclose in writing any situation that may present a possible conflict of interest while doing business on behalf of the Association to the Board of Directors. The Board of Directors shall advise the member in writing as to whether or not a conflict exists; and if not, authorize the member to proceed in the matter.

One may not give an unfair advantage to members of his/her immediate or extended family or to other related parties. If a related party offers the best products or service with the best value for the Association, he/she may be used as a vendor. He/she should not receive any preferential treatment.

Association members, members of the Board of Directors and the Association Executive are responsible for reporting all actual and potential conflicts to the President of the Association. The President is responsible for reporting all actual and potential conflicts to the Board of Directors unless the President is the conflict, then the Treasurer shall serve as the compliance officer as outlined in this manual. The Board of Directors shall automatically refer possible violations of the conflict of interest policy to the Professional Standards Committee for a hearing.

WHISTLEBLOWER POLICY

The West Volusia Association of REALTORS® requires directors, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the West Volusia Association of REALTORS®, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

REPORTING RESPONSIBILITY

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

NO RETALIATION

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 West Volusia Association of REALTORS® prior to seeking resolution outside the West Volusia Association of REALTORS®.

REPORTING VIOLATION

The West Volusia Association of REALTORS® has an open door policy and suggests that employees share their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, the Executive Officer is in the best position to address an area of concern. However, if you are not comfortable speaking with the Executive Officer, or if you are not satisfied with the Executive Officer's response, you are encouraged to speak with the President or anyone on the Board of Directors whom you are comfortable in approaching. The Executive Officer is required to report suspected ethics violations to the President.

COMPLIANCE OFFICER

The West Volusia Association of REALTORS® Treasurer is responsible for investigating and resolving all reported complaints and allegations concerning violations of the whistleblower policy and, at his/her discretion, shall advise the Association Executive and/or the Executive Committee. The Compliance Officer has direct access to the Executive Committee of the Board of Directors and is required to report to the Executive Committee at least annually on any compliance activity. If there is no activity, no disclosure is required. The

ACCOUNTING AND AUDITING MATTERS

The Finance Committee of the Board of Directors shall address all reported concerns or complaints regarding corporate accounting practices, internal controls or auditing. The Compliance Officer shall immediately notify the Audit Committee of any such complaint and work with the committee until the matter is resolved.

ACTING IN GOOD FAITH FOR ALL COMPLAINTS

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 made maliciously or knowingly to be false will be viewed as a serious disciplinary offense. Malicious or known-false statements regarding the Association, its staff, Officers or Directors or volunteers will be referred to the Executive Committee for consultation with Association Counsel, for possible legal action. Laws protecting corporations including WVAR against slander in the State of Florida will be perused in all cases.

CONFIDENTIALITY

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. Violations can be reported to the Compliance Officer or Association Executive.

HANDLING OF REPORTED VIOLATIONS

The Compliance Officer or Association Executive will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

SUPRA LOCKBOX SYSTEM

(Policy Verbatim from National Association of REALTORS)

A lockbox is a container affixed to a property containing a device to gain access to the property being marketed by a REALTOR®. Other REALTORS® are authorized under certain conditions to open these lockboxes under terms specified by the listing broker. Cooperating brokers and sales licensees, functioning in any type of legal brokerage relationship with potential purchasers, must contact the listing broker to disclose their brokerage relationship status and to arrange appointments to show the listed property even if the property has a lockbox affixed to it, unless the listing broker has given specific permission (through information published in a multiple listing service or otherwise) to show the property without first contacting the listing broker. Lockboxes are not security devices but are a convenience by which to expedite the showing of property. Nothing shall prevent the owner's right to refuse to have a lockbox on his property.

The key system provided by the West Volusia Association of REALTORS® is a member service offered to REALTORS® who are members of the West Volusia Association of REALTORS® and who are actively engaged in a recognized field of real estate practice. West Volusia Association of REALTORS® members must agree to comply with all the provisions of key holder and lockbox contractual vendor agreements and leases and with the rules, policies and security requirements for lockbox use. Violation of these rules, policies or security requirements shall result in fines or in loss of the privilege of using a lockbox key or the lockbox system.

West Volusia Association of REALTORS® has an exclusive contract with SUPRA, a National Association of REALTORS® approved vendor, as the lockbox vendor. The system includes:

1. SUPRA Electronic Keys: eKEYs; i.e., various Smart Phones and Personal Data Assistant Apps
2. Any iBox, BT and BTLE (SUPRA lockboxes)
3. This system meets the minimum security measures adopted by NAR and by West Volusia Association of REALTORS®
4. The lockbox key records entry into properties and transmits the entry information to the system.

Statement of Administrative Procedures and Operating Standards

Each Key holder acknowledges that the use of the service is also subject to the terms and conditions of the SUPRA Administrative Agreement, and that failure of SUPRA or West Volusia Association of REALTORS® to perform any of their respective obligations under the administration agreement may detrimentally affect such party's use of the service. Each Key holder expressly waives any right to exercise any right or remedy arising under, relating to or by virtue of any default by any person under the administration agreement and/or under any other agreement executive and delivered in connection with the use or leasing of the service. Each Key holder further acknowledges and agrees that West Volusia Association of REALTORS® may exercise any remedies they may have under the administrative agreement.

Acknowledgement

Each party using a Key, Lockbox or the Service hereby acknowledges that neither the Service, nor the Lockbox nor the Keys, nor any SUPRA product used in connection with the Service is a security system. The Service is a marketing convenience key control system, and as such, any loss of keys or disclosure of Personal Identification

Numbers compromises the integrity of the Service and each party agrees that it will use its best efforts to insure the confidentiality and integrity of all components of the Service.

Lockbox Key Policy

Issuance of Supra Equipment

1. Lockbox keys are issued by West Volusia Association of REALTORS® to an individual under a lease with SUPRA. Under no circumstances shall anyone other than the key holder have use of the key. Keys shall not be shared, loaned, or given to any other person to use to enter a property.
2. To be issued a key, members must be in good standing with the Association, read and execute a lease agreement, pay the required fees, and attend training on the use of the key.
3. West Volusia Association of REALTORS® will refuse to lease lockbox keys, may terminate existing key lease agreements, and will refuse to activate or reactivate any key held by an individual convicted of a felony or misdemeanor if the crime, in the determination of the Association, relates to the real estate business or puts clients, customers, or other real estate professionals at risk.
4. No member shall be required to lease a lockbox key from the Association. Leasing a lockbox key is on a voluntary basis.
5. Members who have a current eKey user agreement will have the opportunity to lease iBoxes based on their availability for \$30.00 per year, payable at the time of leasing and within 30 days of the date of the leasing anniversary. Late fees of 10% will be added to invoices of lockbox leases over 30 days.
6. Leased lockboxes may be returned to the association before the anniversary date of the lease to avoid an automatic renewal of the lease. If a member returns a box after an anniversary date and has not paid the full \$30.00 lease, the member will owe lease fees prorated by month, even if it surpasses the lease date by one day. Leases are non-transferrable. Members will be terminated for non-payment of leased lockboxes if lease fees are not paid within 60 days of the anniversary date of the original lease. Brokers will not be responsible for debts of leased lockboxes.
7. Keys shall be deactivated by the Association for non-payment of Key fees or membership dues. Keys may be deactivated for noncompliance with Code of Ethics sanctions or sanctions for violations of membership duties. Lost, stolen or missing keys will be deactivated when reported to the Association.

Return of Supra Equipment

Supra equipment including conversion swapped boxes (owned by Supra) must be returned to the Association when a member no longer desires to use the system or has failed to maintain membership, or is not in compliance with a Code of Ethics sanction or a sanction for violation of a membership duty. The lease can only be cancelled upon the return of the leased equipment. If the leased equipment is not returned, the member or former member shall owe \$150 equipment charge per swapped or leased iBox.

Lockbox Procedures to Enter a Property

Procedures for using the lockbox system for access to property – All members who use a lockbox key must:

1. Contact the listing broker unless given other specific instructions, whether in a multiple listing service or otherwise.
2. Disclose their brokerage relationship or other status to the listing broker.
3. Arrange an appointment to show or enter the property.
4. Note: The fact that a property has a lockbox available for use does not authorize any key holder to enter or show the property without first contacting the listing broker.

5. All property keys or other entry devices must be returned to the lockbox container. Under no circumstances are property keys or entry devices to be given to anyone at any time. They are available to enter the property as specified in these rules only.

Lockbox Breach of Security

The lockbox security requirements of the National Association of REALTORS®, as from time to time amended, are hereby adopted and made a part of these Rules and Regulations. A fine of up to \$15,000 and termination of lockbox key privileges until the fine is paid will be assessed for the following violations:

1. Giving the property keys or access devices obtained from the lockbox container to any individual whatsoever.
2. Placing the PIN on the key or device used as a key.
3. Leaving the PIN in a place where it can be seen by others (or heard by others in conversation)
4. Writing the PIN on instruction cards.
5. Writing the PIN where it is accessible if lost or stolen.
6. Allowing anyone (spouse, significant other, team member, inspector, personal assistant, etc.), other than key holder to use the PIN or key.

WVAR has included Lockbox rules in the Citation System for immediate action and fines against members who violate Lockbox Rules and compromise Lockbox System security.

A \$100 fine will be assessed for:

1. Failure to replace the property key or other access device back in the lockbox. (See Citation System)

Suspensions & Fines

A member who receives a suspension or fine may request a hearing before the Professional Standards Committee of the West Volusia Association of REALTORS® by filing a written request for such a hearing. (See Citation System for exact process)

Lost or Stolen Keys

1. Key holders must report any theft or suspicious activity of keys or lockboxes that could compromise the security of the lockbox system immediately.

Lockbox Condition

Lockboxes must be cleaned before returning them to the Association office. Reasonable effort shall be made to remove dirt, grime, mold, etc., wear and tear excepted. Staff shall refuse all dirty lockboxes. The Assignee shall be given three (3) business days to clean the lockboxes and return them to the Association office. When a lockbox is not returned within three (3) business days, staff shall bill the Assignee for each lockbox at the current SUPRA replacement price plus a non-refundable fine of \$10 per lockbox. (6/10)