

REALTOR® ASSOCIATION OF PIONEER VALLEY  
POLICY MANUAL

SECTION 1: INTRODUCTION

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The REALTOR® Association of Pioneer Valley's (RAPV) Policy Manual is a supplement to the Bylaws of the Association. These documents comprise the operational framework in which the Association functions and shall guide the Board of Directors, committees, and Administrative Team, in implementing the objectives and Strategic Plan of the Association.

Where this document is silent, the Board of Directors and Administrative Team shall have authority to initiate actions, processes, and procedures in the interest of serving Association members within the confines of the Bylaws, Policy Manual, Strategic Plan, other guidelines, and the laws of the Commonwealth of Massachusetts.

*1.1 Antitrust Policy Statement*

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The policy of the REALTOR® Association of Pioneer Valley is to adhere to all laws and to encourage and insist that members faithfully adhere to these laws at meetings and avoid even the appearance of unlawful action.

The following topics shall not be discussed in formal or informal meetings:

- Price (discussing of price or price levels)
- Commission rates
- Commission splits
- Market allocation
- Discounting
- Competitors' business practices
- Boycotting any member
- Denying services to any member
- Denying participation by any member

Antitrust violations occur when: Two or more persons from the same industry or profession discuss suppliers, processes, prices, or operations. Remove yourself from any conversation that would change how business is conducted because of a joint agreement among competitors.

- Two or more persons or entities refuse to maintain a relationship with a third party for the purpose of inducing the third party to conform its behavior to the desires of the boycotters.
- Attempting to reduce or eliminate competition. Coercion or elimination by collectively refusing to deal with a broker until he/she conforms conduct or goes out of business.
- Exerting pressure on another party by collectively withholding or inducing others to withhold goods, services or patronage essential to the competitor's economic survival.

SECTION 2: BOARD OF DIRECTORS

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The Officers and Directors of the REALTOR® Association of Pioneer Valley shall comprise the governing body of the Association. The specific responsibilities of the Board of Directors are as follows:

*2.1 Directors' Responsibilities and Expectations*

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1. Directors are a vital link between the membership and the Association. Directors should bring from the membership specific problems or concerns and should take back information concerning the Association's activities and programs. Member access to meetings or materials is defined under *8.3 Members' Access to Meetings and Materials*.
2. Be an active member and attend all Board meetings and as many Association functions as able. Any Officer or Director of the Board that is absent from three (3) regular monthly Board meetings in one (1) calendar year shall be automatically removed from their position. In extraordinary circumstances, an appeal for reinstatement may be submitted for consideration by the Board of Directors. Any absence from a Board of Directors meeting should be reported to the President and CEO in advance, when possible.

3. Make certain that the member-staff interactions are properly maintained by adherence to the policies that define their respective roles.
4. Ensure continuity of the leadership by planning for a smooth transition from one administration to the next. To that end, the last meeting of the year will include incoming Directors when possible.
5. Support Association programs to benefit the membership.
6. Protect and maintain the organization's long-term financial stability and integrity.
7. Be familiar with Association financial statements and reports.
8. Support the Association's Mission Statement and Strategic Plan.
9. Be an advocate for the Association.
10. Fulfill the duties of care, obedience, loyalty, accounting, and confidentiality to the Association.
11. Serve as a committee Director Liaison, and/or serve on at least one committee, task force or Presidential Advisory Group each year of your term.
12. Complete professional standards training every two years
13. Identify and encourage new leadership.
14. Adhere to the RAPV Conflict of Interest Policy. (Appendix 1)
15. Participate in the organization's membership meetings and networking events.
16. Support Board decisions – once a decision is rendered by the Board, it is owned by the Board and supported by the Board members regardless of personal feelings.
17. Approve and amend such rules, regulations, and policies necessary to the operation of the Association.
18. Approve the annual budget.
19. Approve Presidential appointments to various committees and task forces.
20. Approve Charitable and Education Fund requests for fund disbursement.
21. Knowledge of the Association's Mission and goals.
22. Knowledge of the communities the Association serves.
23. Have a commitment to maintaining a strong organization that is responsive to the membership.
24. Knowledge of the Association Bylaws and Policies.
25. Handle organization business with tact, enthusiasm and commitment.
26. Communicate effectively.
27. Motivate and encourage committee Chairs and committee Members.
28. Take responsibility and timely follow-through of assignments.
29. Work well with people individually and in a group.
30. Know current Bylaws, Constitution and Policies in the National Association of REALTORS®<sup>®</sup>, the Massachusetts Association of REALTORS® and the current bylaws, policies, procedures and, issue positions of the REALTOR® Association of Pioneer Valley.
31. Knowledge of local, state and national level legislative activity.
32. Knowledge of Robert's Rules of Order, latest edition.
33. Directors should review all meeting materials six (6) days prior to the meeting.
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### *2.3 Nominating and Certifying of Directors*

#### *Nominations*

Any REALTOR® member may nominate themselves for certification as a director candidate. All nominations shall comply with the Candidate Information requirements and require certification by the Leadership Team. Candidate nominations are due on or before September 1<sup>st</sup>; elections will be held the first week of November. All candidates wishing to run for a director position must submit the required completed questionnaire and personal statement by September 1<sup>st</sup>. (Appendix 2). Staff will notify candidates of their approval to the election ballot by September 15<sup>th</sup>.

#### *Candidate Information*

The personal statement shall be no more than five hundred (500) words and shall not include false allegations or libelous comments regarding other candidates, the REALTOR® Associations, the Board of Directors, or other individuals. The RAPV general counsel shall provide disclaimer language when the personal statements are placed online, however, the Leadership Team may, /their discretion, withhold, remove or require the candidate to revise any statement they deem

inappropriate or unsuitable for publication such as information that is not factually correct or that unfairly impugns the character of someone.

An online page will be created that shall hold all candidate questionnaires, photos and personal statements. No less than thirty (30) days prior to the commencement of voting, the candidate information shall be posted on the website. All candidate information received by the deadline shall be posted at the same time.

#### *Campaign Communications*

Candidates are permitted to campaign for themselves in-person at the Association headquarters building starting October 1. Candidates may circulate literature or campaign brochures, so long as they do not interfere with the normally scheduled activities of RAPV or its rental clients. Candidates may not request an audience at scheduled meetings. Candidates must conduct themselves in a professional manner, and may not utilize signs, balloons, or other distractions, or post any campaign materials. Candidates are not permitted to distribute flyers or brochures onto vehicles in the parking lot.

The Association shall send out a mass electronic communication to the membership announcing the election dates and times, and list hyperlinks to the individual candidate information that is posted online. All names of candidates will be listed in alphabetical order. This email shall be sent not less than thirty (30) days prior to the first week of November. A second email announcement containing the same information shall be sent prior to the commencement of voting.

#### *Voting Procedures*

The following guidelines apply to all votes taken for the Board of Directors:

1. Online voting will commence on the first Monday in November and will be available until 5:00 pm on the Friday of the same week of November. This will be known as the voting period.
2. To vote, members will provide their name and any other secure identifier.
3. Records will be secured in such a manner as to ensure only one (1) vote per member.
4. Ballots will be secured by an authorized staff person and the Chair of the Certifying Task Force.
5. If an elected Director is unable to serve for the elected position, the next eligible highest vote receiver will assume the position if willing to serve.
6. Total results of the e-balloting will be tallied and reported to the President of the Association and emailed to the entire membership as soon as possible.

#### *Term / Firm Limits*

No more than three (3) active members associated with the same firm may be Directors or Officers at the same time. Following Board elections, if the maximum number of members per firm is exceeded due to a merger of firms, or to a Director moving from one firm to another, no change in composition of the Board of Directors will be required until the next regularly scheduled election.

Note: Following the Annual Election, those elected to serve as an Officer or Director the following calendar year will be invited to attend the remaining Board meetings as a guest and would be required to sign the "Agreement to Serve" prior to attending in which they agree to conform to the policies of the Association related to Conflict of Interest, Anti-trust, Social Media and Confidentiality, in a form designated by the REALTOR® Association of Pioneer Valley.

## SECTION 3: OFFICERS

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### *3.1 Nominating of Officers*

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#### *Nominations*

Any current Director may nominate themselves for certification as an Officer candidate. All nominations shall comply with the Candidate Information requirements. Candidate nominations are due on or before August 1<sup>st</sup>; elections will be held the first week of September by the Board of Directors.

All candidates wishing to run for an Officer position must submit the required completed questionnaire and personal statement by August 1<sup>st</sup>. (Appendix 2). Candidates not elected for an Officer position will be eligible to run for an open Director position if qualified.

### *Candidate Information*

The personal statement shall be no more than five hundred (500) words and shall not include false allegations or libelous comments regarding other candidates, the REALTOR® Associations, the Board of Directors, or other individuals

### *Voting Procedures*

The following guidelines apply to all votes taken for the Board of Directors:

1. Officers will be elected at the September Board meeting by simple majority vote of the Board of Directors.
2. Candidates will have the opportunity to speak on their candidacy for up to three (3) minutes at the Board meeting prior to the vote.
3. In the event that a tie vote cannot be broken at the Board meeting, an electronic vote of the full Board of Directors will be held 7 days following the meeting.
4. In the event there is no candidate for a position following the election the President may appoint the position with approval by the Board of Directors.

### *3.2 Leadership Team*

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

### *3.3 President / Duties, Responsibility and Authority*

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The President, as chief elected officer, represents the entire membership and the best interests of the Association; exercises personal leadership in the motivation of other officers, board members, committee members and staff; acts as spokesperson and inspirational leader and takes an important part in monitoring and evaluating organizational performance and effectiveness. The office of President is one of leadership and personal commitment to the members of the Association.

Within the limits of the bylaws and policies, the President's authority is to accomplish the duties set forth below and to perform such other duties as approved by the Board of Directors:

1. It is essential that the President be informed and knowledgeable in all areas of Association involvement and in the real estate industry in general.
2. May sign with the President-Elect or Chief Executive Officer, in name and on behalf of the Association, any contracts or agreements authorized by the Board of Directors and when so authorized or ordered by the Board of Directors.
3. Represent the Association and acts in its name, subject to its declared policies.
4. Serve as ex-officio member of all committees of the Association.
5. Appoints RAPV-MAR Director Alternates as needed.
6. Guides the business affairs and strategic vision of the Association with the assistance of the Directors, and staff.
7. Supports and defends policies and programs adopted by the Board of Directors.
8. Presides at and attends all meetings of the Board of Directors, as well as membership meetings.
9. Serves as the Association spokesperson and represents the interest and objectives of the Association in dealings with the news media, allied organizations, and industries, local, state and, federal legislators and the public.
10. Ensures that the Board of Directors and Officers are kept fully informed on the conditions and operations of the Association.
11. Represents the Association in attendance at the NAR Legislative Meetings, and NAR Convention, in addition to the MAR Inaugural, Legislative Meetings, and Convention.

### *3.4 President-Elect / Duties, Responsibility and Authority*

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It is the responsibility of the President-Elect to perform the duties of the President in the event of the President's absence or disability. The office of the President-Elect is one of leadership and personal commitment to the members of the Association.

Within the limits of the bylaws and policies, the President-Elect's authority is to accomplish the duties set forth below and to perform such other duties as approved by the Board of Directors:

1. It is essential that the President-Elect be informed and knowledgeable in all areas of Association involvement and in the real estate industry in general.
2. May sign with the President or Chief Executive Officer, in name and on behalf of the Association, any contracts or agreements authorized by the Board of Directors and when so authorized or ordered by the Board of Directors.
3. Attends as a voting member, all meetings of the Board of Directors, and membership meetings, and presides in the absence of the President.
4. Serves as Chairperson of the Strategic Planning Committee.
5. Attends the NAR Legislative Meetings, and NAR Convention, in addition to the MAR Inaugural, Legislative Meetings, Convention and Leadership Summit.

### *3.5 Treasurer / Duties, Responsibility and Authority*

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The Treasurer shall oversee the funds and assets of the Association. In the absence of the Treasurer, or at the discretion of the Board of Directors, the duties of the office will be assigned to the Chief Executive Officer as required from time to time. The office of the Treasurer is one of leadership and personal commitment to the members of the Association.

Within the limits of the Bylaws and policies, the Treasurer is responsible and has commensurate authority to accomplish the duties set forth below and to perform such other duties as approved by the Board of Directors:

1. It is essential the Treasurer be informed and knowledgeable in all areas of the Association involvement and in the real estate industry in general. It is particularly important that the Treasurer be knowledgeable of Association financial activities.
2. Serves as Chairperson of the Finance Committee.
3. Shall have charge of such books, documents and papers as the Board of Directors may determine.
4. May sign with the President, President-Elect or Chief Executive Officer, in name and on behalf of the Association, any contracts or agreements authorized by the Board of Directors and when so authorized or ordered by the Board of Directors.
5. In partnership with the Chief Executive Officer, monitors the status of all funds, property and securities of the Association and all subsidiary corporations, subject to such regulations as may be imposed by the Board of Directors. When necessary or proper, the Treasurer may endorse on behalf of the Association, checks, notes and other obligations and shall deposit same credit to the Association at such bank or banks or depository as the Board of Directors may designate.
6. On behalf of the Association and in conjunction with the Executive Officer; may sign all receipts and vouchers, signs checks and bills of exchange, signs promissory notes issued by the Association, except in cases where the execution of documents shall be expressly designated by the Board of Directors or the Bylaws to some other officer or agent of the Association.
7. Makes such payments as may be necessary or proper on behalf of the Association. The Treasurer shall review the books of the Association full and accurate account of all monies and obligations received, paid or incurred for, or on account of the Association, and shall exhibit such books at all reasonable times to any Director upon request at the offices of the Association.
8. Prepares with the Finance Committee and staff, an annual budget to be approved by the Board of Directors and makes recommendations for amendments to the budget when necessary.
9. Presents financial reports at the regularly scheduled meetings of the Board of Directors.

### *3.6 Immediate Past President / Duties, Responsibility and Authority*

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The Immediate Past President will serve on the Leadership Team of the Association.

### *3.7 Chief Executive Officer Succession*

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In the event the Chief Executive Officer of REALTOR® Association of Pioneer Valley voluntarily resigns the position or whose employment is terminated, the Leadership Team shall perform the following:

This policy establishes a recruitment and selection process for a suitable candidate to replace the Chief Executive Officer (CEO) and to maintain the orderly function of the REALTOR® Association of Pioneer Valley (RAPV) in the event of a vacancy in the position.

In the event the CEO gives notice of intent to voluntarily terminate employment with the Association, is permanently incapacitated or is terminated, the President will immediately initiate the process of searching for a permanent replacement.

In the case of voluntary termination, the CEO is required to give at least as much notice as required by his/her employment contract. Upon notice of such voluntary termination, the Leadership Team should seek legal advice from the Association's outside counsel and determine whether or not the CEO's employment should end when requested or on another date. To the extent there is any change in termination date, the parties should enter into a separation agreement which contains the terms of mutual understanding with regard to the termination of the employment contract.

Should the Leadership Team make the decision not to renew or renegotiate the terms of the CEO employment contract, the President is required to give the CEO at least as much notice as required by the contract and initiate the process of searching for his/her successor.

The President will establish a CEO Search Taskforce (the "Taskforce"). The Taskforce will consist of the President, President-Elect, Treasurer, Immediate Past President, three (3) members appointed by the President, with the chairperson appointed by the President. The taskforce shall then make its recommendation to the Board of Directors for approval. This Taskforce shall continue in its initially formed composition until the work is completed.

The Leadership Team will charge the Taskforce with the recruitment and selection of a suitable candidate(s) to replace the CEO and will instruct the Taskforce with regard to the number of final candidates to be recommended and other considerations. The Controller and Director of Operations will provide administrative support to the Taskforce throughout the process, including establishing a budget and timetable, reviewing and updating the job description and salary range, advertising the position in industry publications, organizing meetings and interviews, etc. The Taskforce may consult with hiring consultants as well as the Association's outside legal counsel. If possible and appropriate, the incumbent CEO/EVP may be asked to assist the Taskforce with the recruitment and selection process. At the conclusion of the process, the Taskforce will recommend a suitable candidate(s) to the Board for consideration. Upon approval, the Executive Committee will instruct the President of RAPV to present an offer of employment to the candidate.

If the CEO leaves without sufficient notice to locate a replacement or is permanently incapacitated, the President will immediately establish a Transition Team consisting of no less than two members of the Leadership Team. The Transition Team will work with Senior Staff to ensure the orderly function of the Association until such time as the new CEO is in place. During the period of time in which the Transition Team is in place (the "Transition Period"), Senior Staff will provide the Transition Team with regular reports of department activity, deadlines and potential issues, as well as respond to questions and concerns expressed by the team concerning Association matters. Other than these reporting duties, no member of the current staff will be charged with additional responsibility during the Transition Period.

Under no circumstances shall a member of the current staff or any individual wishing to be considered for the position of CEO be appointed to the Taskforce or the Transition Team.

During the Transition Period, neither the Transition Team nor any member of staff may institute any change in the RAPV office pertaining to policy or procedure, unless required by law. Association finances will be closely monitored and only expenditures indicated in the approved budget for the current year will be permitted, except in the case of overwhelming need and only with the approval of the Leadership Team. Neither the Transition Team nor any member of staff may hire new employees except in the case of a clear need or to replace a departing employee, nor terminate existing employees except with prior approval of the Interim Personnel Team, which shall be comprised of the Leadership Team and two members of the Board of Directors selected by the President and approved by the Leadership Team and chaired by the President. The Transition Team will not make changes to the job description, title, department, responsibilities, or status

of an existing employee. The Transition Team will not have access to personnel records including, but not limited to, performance reviews, disciplinary action and salary information. Personnel records will continue to reside in a locked drawer in the CEO's office. The Transition Team may wish to engage an HR Specialist to assist with staffing issues during the transition period. If this is done, the HR Specialist will hold the key to the personnel records. Otherwise, the Controller will hold the key to those records.

Existing salaries, benefits and other forms of compensation may not be changed during the Transition Period, nor will new benefits or forms of compensation be implemented except with approval of the Leadership Team. However, if the Transition Period takes place during the month of December, and to the extent that it is possible and appropriate, the outgoing CEO will perform the year-end employee evaluations and process the appropriate merit-based wage adjustments. In the event this is not possible or appropriate and if the new CEO is not in place by March 1 of the calendar year, the Transition Team may seek approval from the Board of Directors to instruct the Controller to process a cost-of-living adjustment (using the formula specified by the Social Security Act) retroactive to January 1 for all existing employees. The Transition Team may also recommend end of year staff bonuses to the Board of Directors. Additional merit-based wage adjustments will be at the prerogative of the new CEO.

The Transition Period will conclude on the first day the newly hired CEO reports for work.

This policy does not apply to a situation in which the CEO is incapacitated for a lengthy period of time but can reasonably be expected to resume his/her duties in the future. In that event, the President and the CEO will determine the best course of action to maintain the orderly function of the Association, which may involve a work-from-home assignment for the CEO or other accommodations.

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#### SECTION 4: COMMITTEES & TASK FORCES

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A staff liaison must be present at every meeting for every committee and task force meeting of the Association.

Committee chairs may make recommendations for future committee membership to the President.

Three (3) meeting absences shall be construed as resignation. There may be committee Chair leadership meetings held each year to educate committee chairs, review goals and update others on progress.

##### *Section 4.1 Committee Appointment Procedure*

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The incoming President is authorized, after approval by the Board of Directors of the initial committee composition, to appoint all committee members and Chairs. All committee appointments shall be approved by the Board of Directors. The incoming President-Elect will appoint all Vice-Chair positions with approval by the BOD. All Committee Chairs must be REALTOR® members of the Association.

The current President will appoint any required committee member or Chair vacancy that occurs within the year with approval of the Board of Directors. The current President-Elect may appoint any vice-chair vacancies that occur within the year with BOD approval. New committee members can be approved during the year at the discretion of the President and the approval of the Board of Directors. To be eligible for awards, a member must serve one full calendar year on the committee.

##### *4.2 Committees and Other Working Groups*

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The following committees of the association are listed below as they continue to operate though are subject to dissolution as deemed appropriate by the Board of Directors. The following committees will be defined as the Standing Committees per RAPV Bylaws ARTICLE XIII, Section 1: Finance, Government Affairs, Professional Development.

All Task Forces shall be appointed by the President

##### *4.2a Awards and Recognition Task Force*

**Charge.** Annually selects the local REALTOR® of the Year Affiliate of the Year and the Excellence Award and Rising Star recipients. Additionally, the committee will select the RAPV candidate for the Massachusetts's REALTOR of the Year Award. Local REALTOR® of the Year, Rising Star and Affiliate of the Year will be selected by November 15 each

year. The Excellence and Rising Star Production Award winners will be determined in January after all sales for the previous year have been entered in the system.

**Composition.** The committee will be comprised of no more than seven (7) REALTOR members, at least one of whom is a Designated REALTOR®.

#### *4.2b Candidate Screening Task Force*

**Charge.** To identify *Realtor® Champion* candidates for the consideration of endorsement. Endorsements may be but are not limited to public promotion and/or monetary aid via RPAC funding.

**Composition.** All RAPV members are eligible to participate in the task force. The task force Chair shall be selected from the members of the Government Affairs Committee. Only a Realtor® may serve as Chair. The final task force roster shall be approved by the Board of Directors.

\*Note. All decisions of the Candidate Screening Task Force/Interview Panel are final with no approval needed from the Board of Directors. The Task Force reserves the right to retract any endorsement should it be determined that the candidate no longer merits it.

#### *4.2c Strategic Planning Task Force*

**Duties.** Reviews and oversees the implementation of the Strategic Plan through Association leadership, programs, committees, and staff.

**Composition.** The committee will comprise of both REALTOR® and Affiliate members appointed by the President; there shall be no more than fifteen (15) members of the committee. The President Elect will serve as Chair.

#### *4.2c(2) Candidate Interview Panel*

**Composition.** Shall be derived from members of the Candidate Screening Committee. The composition of the panel(s) will be determined by the Candidate Screening Committee Chair. The number of panel members for each interview shall not exceed five (5) members.

#### *4.2d Community Service Committee*

**Charge.** Serves as the Association's community liaison as representatives of RAPV. Encourages community service activity of all members. Assists community organizations within defined policy (Appendix 3). Conduct fund-raising and volunteer activities for the REALTOR® Association of Pioneer Valley Charitable & Educational Foundation Inc.

**Composition.** The committee will comprise of both REALTOR® and Affiliate Members.

\*Note. The Community Service Committee and all related monies are governed by the organizational documents of the Charitable and Education Fund Inc.

#### *4.2e Finance Committee*

**Charge.** Works with the Chief Executive Officer to assist in developing the annual budget and reviewing the financial performance of the Association. The committee is responsible for creating, monitoring, and recommending revisions to the Association's fiscal policies. The committee will make recommendations to the Board of Directors on the financial position of the Association. The committee will evaluate needs, consider bids and make recommendations regarding financial matters.

**Composition.** The Finance Committee shall be comprised of the Treasurer who will serve as Chair, three (3) additional members of the Board of Directors, four (4) additional REALTOR® Members Financial experience is preferred for this committee.

#### *4.2f Government Affairs Committee*

**Charge.** Execution of the Association's Advocacy Policy (Section 10.1)

**Composition.** The committee will comprise of both REALTOR® and Affiliate Members.

#### *4.2.g Professional Development Committee*

**Charge.** To develop and generate timely education events relevant to REALTOR® personal and professional growth as well as leadership development programming. The committee coordinates CE and designation course offerings with the Director of Operations. Additionally, the Committee plans and delivers an annual educational event.

**Composition.** The committee will comprise of no more than eleven (11) REALTOR® members and up to three (3) Affiliate members.

#### *4.2h Scholarship Committee*

**Charge.** Reviews applications of and interviews RAPV scholarship applicants, and awards educational scholarships to children of REALTOR® Association of Pioneer Valley members (REALTOR® and Affiliate), and staff who are entering their freshman year of college. Additionally, the committee engages in fundraising events throughout the year for the RAPV Charitable & Educational Foundation Inc.

**Composition.** The committee will comprise of both REALTOR® and Affiliate members.

NOTE: No interview panel member shall have a child that is under consideration for a scholarship.

#### *4.2i Affiliate Advisory Group*

**Charge.** Responsible for facilitating communications between Affiliates and REALTORS® to address issues of mutual concern as representatives of RAPV. Promote mutually beneficial relationship between Affiliate and REALTOR® members and disseminate pertinent information through communications, networking and, educational opportunities.

**Composition.** The Advisory Group will be comprised of Affiliate Members with no chairperson.

### *4.3 Chairperson's Responsibilities*

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As Chair, the responsibilities are to:

1. Work with staff liaison to review committee priorities/expectations, Strategic Plan, agenda writing, parliamentary procedures, and attendance policy
2. Conduct meetings using parliamentary procedure (Robert's Rules)
3. Encourage participation by all committee members
4. Review Strategic Plan and attendance policy at the first meeting of the year, and quarterly thereafter to maintain direction
5. Keep committee members on task – focus on expectations and priorities
6. Report on committee actions to the Board of Directors when requested
7. Attend and be an active participant in committee events
8. Attend Committee Chair Training

### *4.4 Board of Director Liaison*

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1. Meet with staff liaison to review committee schedule, meeting minutes and upcoming events
2. Report on committee actions to the Board of Directors when requested

### *4.5 Staff Liaisons to Committees*

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As Staff Liaison the responsibilities are to:

1. Create a preliminary agenda
2. Confer with committee chair prior to every meeting to review the preliminary agenda and discuss how issues will be handled
3. Distribute the agenda and minutes in advance of a committee meeting (at least one week prior); meeting minutes will be distributed as soon as possible
4. Advise the committee
5. Provide research and organizational support

6. Provide parliamentary procedure advice
7. Draft motions and writes minutes
8. Maintain a file on committee activities

## SECTION 5: LEGAL

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### *5.1 Errors and Omission Insurance Coverage*

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

### *5.2 Contracts and Forms*

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The REALTOR® Association of Pioneer Valley transactional forms library is copyrighted, and any unauthorized use of these forms is prohibited and may result in prosecution.

### *5.3 Crisis Policy*

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A crisis is any unplanned event that can cause death or significant injury to employees, members or the public; (a) can shut down or disrupt REALTOR® Association of Pioneer Valley operations; (b) cause physical or environmental damage; or, (c) threaten the facility's financial standing or public image. In the event of a crisis the Leadership Team shall enact the Crisis Policy.

In the event of a crisis the REALTOR® Association of Pioneer Valley's President shall contact the members of the Leadership Team and the Chief Executive Officer shall contact staff. The Leadership Team shall meet as soon as possible to determine a communication strategy based on the following questions:

1. Who needs to know this information?
2. Who is responsible for communicating to those specific audiences?
3. Does each team member who is responsible for communicating to a particular audience have all of the facts and fully understand the situation?
4. What exactly do we want to communicate to each particular audience?
5. What are the best avenues for communicating the message to the audiences?
6. What is the timeline for communicating to each audience?

In the event of an external or national crisis affecting normal business operations, REALTOR® Association of Pioneer Valley staff, board of directors, and members may show their united support as an organization and reach out to help those affected by the crisis. Possible motions of support may include:

1. Make a financial contribution to recovery operation
2. Donate blood, food, clothes, supplies
3. Write a letter of condolence/sympathy to the affected organization
4. Partner with other industry related organizations in a show of support (letters, contributions, communication, etc.)
5. Allow place of business to be used in recovery effort

In the event of an internal crisis, affecting normal business operations, REALTOR® Association of Pioneer Valley staff and the Leadership Team will assess the situation to take appropriate action. If external audiences have an interest in the situation, a full disclosure should be made once the Leadership Team has met and formed a statement and a plan of action. The following steps should be taken, if appropriate, to reach out and inform the REALTOR® Association of Pioneer Valley community:

1. Disseminate a special communication to inform REALTOR® Association of Pioneer Valley members
2. Post statement and necessary information on website and social media channels
3. Release a joint statement from the President and Chief Executive Officer, or next in command, to the media and post on the REALTOR® Association of Pioneer Valley website
4. Alert industry publications with news release or media advisory

5. Assess status of events taking place or in planning
6. Monitor media outlets for industry updates and news

#### *5.4 Data Security Policy*

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To combat external risks to the security, confidentiality, and/or integrity of any electronic, paper or other records containing personal information, and evaluating and improving, where necessary, the effectiveness of the current safeguards for limiting such risks, the following measures shall be implemented:

- REALTOR® Association of Pioneer Valley shall, always, maintain an up-to-date WISP (Written Information Security Policy).
- Employee Records: All records containing personal information and performance reviews of employees of REALTOR® Association of Pioneer Valley shall be maintained by the Chief Executive Officer or his or her designee; payroll information shall be maintained by the Controller and the Chief Executive Officer. All electronic records of said personal information shall be deleted upon printing. All hard copies of records shall be maintained in locked filing cabinets with limited access for a period of three years or until termination. After this period, any hardcopy records shall be destroyed by shredding considered restricted and maintained in a locked shredding cabinet at all times.
- Member Records: All electronic records containing personal information of members of REALTOR® Association of Pioneer Valley shall be maintained by staff and stored in the member records database. Printed records, upon completion of their use, shall be destroyed by shredding considered restricted and maintained in a locked shredding cabinet at all times. These printed records include: credit card information from members for dues, fees or registration payments and members' home addresses, phone numbers, and other personal information.
- Any and all records pertaining to the evaluation of the Chief Executive Officer shall only be held by the Association's outside legal counsel any correspondence relating to salaries may be held by the Controller in addition to the Association's outside legal counsel.

#### *5.5 Legal Counsel & CPA*

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The Association shall engage the services of Legal Counsel to advise and counsel the Association relative to matters of interest to the Association, which have legal implications. Legal Counsel shall initiate action only after approval of the President or the Chief Executive Officer.

The Association shall engage the services of a CPA to perform annual audit and other matters of financial interest.

The only persons authorized to contact the attorney and/or the CPA are the elected Officers and the Chief Executive Officer or authorized staff.

Legal Counsel and the CPA are employed on a fee basis and are to be reviewed annually by the Board of Directors.

#### *5.6 Record Retention Policy*

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Type of Record	Retention Period
Accident Reports and Claims	7 years
Accounts Receivable and Credit Receipts	2 years
Audits	Permanently
Basic Corporate Documents (Including bylaws, minutes, articles of incorporation, charter, annual financial operation and sales report)	Permanently
Billing and Cash Receipts Record	3 years
Canceled Payroll Checks	3 - 6 years
Cancelled General Checks	6 - 10 years

Chart of Accounts	Permanently
Continuing Education Documents	3 years
Contracts and Leases (expired)	6 years after expiration
Deeds	Permanently
Depreciation Schedule	Permanently
Financial Documents	10 years
Financial Statements	2 years
General Correspondence	2 years
Grievance and Professional Standards (Minimally all professional standards records should be retained until the appeal or procedural review period has expired. Ethics proceedings will be retained permanently in the respondent's membership file)	21 days
Insurance Policies (expired)	3 years following expiration
Inventories	3 years
Lawsuits (settled)	6 - 10 years after settlement
Legal Correspondence	Permanently
Legal Documents and Copyrights	Permanently
Membership Applications	3 years
Other Records (claims, etc.)	Permanently
Paychecks (canceled)	2 years
Payroll and Earnings Records	4 years
Payroll Register	4 - 6 years
Pension Information	Permanently
Personnel Files	3 years from termination

### 5.7 Leadership Conflict of Interest Policy

Service as a leader for the REALTOR® Association of Pioneer Valley (RAPV) gives rise to certain legal obligations to the Association. One obligation is the fiduciary duty owed to RAPV by the leader. It requires the exercise of reasonable care in performing duties to RAPV exhibiting honesty and good faith and encompasses the responsibilities of both care and loyalty. The duty of loyalty requires RAPV leaders to avoid conflicts of interest and look out for RAPV's best interests, not their own.

A conflict of interest may exist when one participates in the decision-making process on an issue for RAPV while concurrently having other business, professional or personal interests that could tend one toward bias or predisposition on the issue. The fiduciary duty of a leader also requires a leader to avoid the appropriation of programs and activities, particularly business prospects that properly belong to RAPV. RAPV's leaders must also maintain the confidentiality of RAPV information.

Even where the RAPV leader might be appointed or elected regionally or by virtue of the RAPV leader's professional position within a particular organization or practice area, the obligations of the RAPV leader are to RAPV as an organization, not to the RAPV leader's outside constituency or group. The following policies apply to all RAPV leaders, including but not limited to Officers, Directors, and members of all RAPV decision-making bodies, such as the Board of Directors or Leadership Team.

Conflict of Interest Policy

According to Black’s Law Dictionary, a conflict of interest is defined as, “A term used in connection with public officials and fiduciaries and their relationship to matters of private interest or gain to them.” Any RAPV leader will be considered to have a conflict of interest whenever that leader:

- Is a principal, partner, officer, director, member, manager or greater than one percent (1%) owner of a business providing products or services to or competing with RAPV;
- Is a principal, partner, officer, director, member, manager or greater than one percent (1%) owner of a business being considered as a provider of products or services to or competing with RAPV; or
- Holds any unique and substantial interest in a business, financial or otherwise, such as a familial, personal, employer-employee, contractor-contracted, shareholder or governance relationship with the business.
- Any RAPV leader with a potential conflict of interest must immediately disclose their interest at the outset of any discussions by a decision-making body pertaining to the potential conflict.

Such RAPV leaders shall be excused from such discussion unless otherwise requested by the board of directors and shall respond to any questions asked of them. Furthermore, no RAPV leader with a conflict of interest may vote on any matter in which the RAPV leader has a conflict of interest, including votes to block or alter the actions of the decision-making body in order to benefit the business in which they have an interest. Minutes of appropriate meetings shall reflect that such disclosure was made, and that the leader excused himself or herself from the discussion of the pros and cons and vote on the matter.

See Appendix One for the Conflict of Interest document.

#### *5.8 Financial Ownership Disclosure Policy*

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If the RAPV leader has personal knowledge that RAPV is considering doing business with an entity in which the RAPV leader has any financial or ownership interest, then such leader must disclose the existence of his or her financial or ownership interest.

If the RAPV leader has a financial or ownership interest in an entity that the RAPV leader knows is offering competing products and services as those offered by RAPV, then such RAPV leader must disclose the existence of his or her financial or ownership interest.

RAPV leaders with a financial or ownership interest must disclose their interest at the outset of any discussions by a decision-making body pertaining to the business or any of its products or services. The RAPV leader shall be excused from such discussion unless otherwise requested by the board of directors and shall respond to any questions asked of him or her. Furthermore, no RAPV leader with a financial or ownership interest, including votes to block or alter the actions of the decision-making body in order to benefit the Business in which he or she has an interest. Minutes of appropriate meetings shall reflect that such disclosure was made, and that the leader excused himself or herself from the discussion of the pros and cons and vote on the matter.

#### *Corporate Opportunities Policy*

Any RAPV leader who learns of a business opening, investment, project, or program through his or her service to RAPV may not pursue that opportunity outside of RAPV without first offering it to RAPV. Only if RAPV decides not to proceed (i.e., abandons the corporate opportunity) may he or she proceed independently of RAPV. NOTE: No RAPV leader is prohibited from engaging in conduct in the same general line of commerce as RAPV, but he or she must conduct his or her own activities in good faith and without injury to RAPV. For example, assume that part of your service on a committee entails development of an educational course to be delivered to RAPV members. It would be a violation of this policy to take the work of the committee and use it to create an educational course for your personal financial gain.

#### *Confidential Information Policy*

Any RAPV leader must (a) maintain in confidence and not disclose or cause to be disclosed to anyone, other than RAPV, any information designated as confidential at RAPV’s sole discretion; prior to or during deliberation by RAPV; (b) keep any materials containing confidential information in a safe and secure place to protect against inadvertent disclosure; and (c) preserve confidential information indefinitely, even after expiration of the leader’s service. Upon expiration of the leader’s service, the leader must promptly return to RAPV staff, upon request, any materials containing confidential

information sent to or acquired by the leader relating to the leader's work for RAPV. For example, assume that the executive committee, during its search for a CEO, designates the deliberations as "confidential" to preserve the integrity of the search. It would be a violation of this policy for members of the committee to disclose such deliberations to anyone outside the committee except as may be required to conduct the committee's business or as required by law. See Appendix One for Conflict of Interest document.

### *5.9 Whistleblower Policy*

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This Whistleblower Policy of the REALTOR® Association of Pioneer Valley encourages staff and volunteers to come forward with credible information on illegal practices or serious violations of adopted policies of the Association, specifies that the Association will protect the person from retaliation; and identifies where such information can be reported.

#### *Encouragement of reporting*

The Association encourages complaints, reports or inquiries about illegal practices or serious violations of the Association's policies, including illegal or improper conduct by the Association itself, by its leadership, or by others on its behalf. Appropriate subjects to raise under this policy would include financial improprieties, accounting or audit matters, ethical violations, or other similar illegal or improper practices or policies. Other subjects on which the Association has existing complaint mechanisms should be addressed under those mechanisms, such as raising matters of alleged discrimination or harassment via the Association's human resources channels, unless those channels are themselves implicated in the wrongdoing. This policy is not intended to provide a means of appeal from outcomes in those other mechanisms.

#### *Protection from retaliation*

The Association prohibits retaliation by or on behalf of the Association against staff or volunteers for making good faith complaints, reports or inquiries under this policy or for participating in a review or investigation under this policy. This protection extends to those whose allegations are made in good faith but prove to be mistaken. The Association reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints, reports or inquiries or who otherwise abuse this policy.

#### *Where to report*

Complaints, reports or inquiries may be made under this policy on a confidential or anonymous basis. They should describe in detail the specific facts demonstrating the basis for the complaints, reports or inquiries. They should be directed to the Association Chief Executive Officer or President; if those persons are implicated in the complaint, report or inquiry, it should be directed to the Treasurer. The Association will conduct a prompt, discreet, and objective review or investigation. Staff or volunteers must recognize that the Association may be unable to fully evaluate a vague or general complaint, report or inquiry that is made anonymously.

### *5.10 Comprehensive Written Information Security Program*

RAPV has a comprehensive Written Information Security Program (WISP) that covers all aspects of written information security. Please see RAPV's WISP for more information. SECTION 6: RISK REDUCTION

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### *6.1 Antitrust Compliance*

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REALTOR® Association of Pioneer Valley does not fix, control, recommend, suggest or maintain commission rates or fees for services to be rendered by members or any percentage of division of commissions or fees between cooperating members or non-members.

Therefore, there shall be no discussion at any time by the board of directors, committees or staff of the REALTOR® Association of Pioneer Valley concerning certain competitive business practices such as the amount of fees, commissions, splits or broker compensation. The chair or staff liaison will stop the meeting or discussion if the conversation is moving into these areas. It is recommended to Association members that no discussion of these matters take place in any group meetings of Association members even when such a meeting is not connected, in any manner, with the REALTOR® Association of Pioneer Valley. Antitrust information shall be shared at the first meeting of the board of directors, each committee and the councils of the REALTOR® Association of Pioneer Valley annually.

## *6.2 Code of Conduct and Sexual Harassment Policy*

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This REALTOR® Association of Pioneer Valley Code of Conduct and Anti-Harassment Policy (Policy) applies to all association-related meetings or events, whether held in public or private facilities, including meetings or events sponsored by organizations other than REALTOR® Association of Pioneer Valley and held in conjunction with REALTOR® Association of Pioneer Valley meetings or events, and any REALTOR® Association of Pioneer Valley member communications related to REALTOR® Association of Pioneer Valley business or with REALTOR® Association of Pioneer Valley staff.

### **RAPV Commitment:**

REALTOR® Association of Pioneer Valley is committed to providing a productive and welcoming environment that is free from discrimination and harassment. Members are expected to act with courtesy and mutual respect toward each other, REALTOR® Association of Pioneer Valley staff, service providers, speakers and event participants.

### **Harassment:**

Harassment in any form is strictly prohibited. Harassment includes inappropriate conduct, comment, display, action, or gesture based on another person's sex, color, race, religion, national origin, age, disability, sexual orientation, gender identity, and any other protected characteristic.

Examples of harassment include, but are not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and the display or circulation of written or graphic material that denigrates or shows hostility toward an individual or group based on a protected characteristic.

### **Sexual Harassment:**

Sexual harassment may involve individuals of the same or different gender. Like all harassment, sexual harassment is strictly prohibited.

Sexual harassment can be:

- Verbal: Sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, or threats.
- Non-Verbal: Sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, or obscene gestures.
- Physical: Unwanted physical contact, including touching, pinching, coerced sexual intercourse, or assault.

### **How to Report Incidents of Harassment or Inappropriate Behavior:**

Any member who believes they experienced or witnessed harassment or other inappropriate behavior in violation of this Policy should promptly report the incident to one of the following individuals: the REALTOR® Association of Pioneer Valley CEO or the REALTOR® Association of Pioneer Valley President.

### **Investigation and Discipline:**

Upon receipt of a member's report of possible harassment or inappropriate behavior in violation of this Policy, the REALTOR® Association of Pioneer Valley will promptly conduct an investigation at the direction of the REALTOR® Association of Pioneer Valley General Counsel. During the investigation, the REALTOR® Association of Pioneer Valley will involve only those deemed necessary to the investigation, and disclosures will only be made on an as-needed basis. If it is determined that the investigation substantiates that a violation of this Policy has occurred, the REALTOR® Association of Pioneer Valley Leadership Team, in consultation with the REALTOR® Association of Pioneer Valley General Counsel, will determine any disciplinary action. If one or more of the foregoing officers are named in the complaint of harassment or inappropriate behavior, the REALTOR® Association of Pioneer Valley General Counsel will identify a substitute to be selected from the Board of Directors.

The REALTOR® Association of Pioneer Valley reserves the right to take any necessary and appropriate action against a member who engages in any form of harassment or inappropriate behavior in violation of this Policy. Such actions may include, but are not limited to, prohibition from attendance at future REALTOR® Association of Pioneer Valley meetings or events, removal from a committee appointment, expulsion from membership or any other action deemed appropriate by the REALTOR® Association of Pioneer Valley.

## *6.3 Social Media Policy and Associated Risks*

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The board of directors of the REALTOR® Association of Pioneer Valley is most efficient and effective when it speaks through one voice: either the President, or the Chief Executive Officer or, from time to time, another designated spokesperson as appropriate for the situation and/or topic. It is critical that the REALTOR® Association of Pioneer Valley officers, directors, committee members, and committee chairs promote consistent communication to the public and media regarding the REALTOR® Association of Pioneer Valley business. To further this goal, below are guidelines for communications regarding and/or relating to the REALTOR® Association of Pioneer Valley affairs:

#### Internet Postings

Internet postings include, but are not limited to the following:

- Multi-media and social networking websites include, but are not limited to, sites such as Facebook, Yahoo! Groups, Google Groups, Gowalla, Foursquare, Instagram, Snapchat, X, Tik Tok, YouTube, and LinkedIn.
- Blogs (both REALTOR® Association of Pioneer Valley blogs and blogs external to REALTOR® Association of Pioneer Valley)
- Wikis such as Wikipedia
- Any other site where text or graphics can be posted

All of these activities are referred to as “Internet Postings” in this policy.

#### Board of Director Members and Committee Chairpersons

- For the REALTOR® Association of Pioneer Valley to speak with one voice, the President acts as the official spokesperson for the Association. Individual board members are discouraged from making comments to the media. Instead, you are urged not to comment on the REALTOR® Association of Pioneer Valley matters unless you have first consulted with the Chief Executive Officer or President.
- Affiliation with the REALTOR® Association of Pioneer Valley Directors are personally responsible for the content they publish on blogs, wikis, or any other form of user-generated media. Be mindful that what you publish will be public for a long time – protect your privacy. Be aware of your association with the REALTOR® Association of Pioneer Valley in online social networks. If you identify yourself as a REALTOR® Association of Pioneer Valley director, ensure your profile and related content is consistent with how you and the Association wish to present to the public.

#### Compliance with Internet Postings.

Members are encouraged to observe the following guidelines relative to internet postings:

- Common sense is the best guide if you decide to post information in any way relating to the REALTOR® Association of Pioneer Valley. If you are unsure about any particular posting, please contact the Chief Executive Officer or President for guidance prior to posting. Moreover, the matters discussed at meetings of the Association are confidential and should not be disclosed publicly except in communications authorized by the Chief Executive Officer or President.
- Your internet postings should not disclose any information that is confidential or proprietary to the company or to any third party that has disclosed information to the REALTOR® Association of Pioneer Valley
- If you comment on any aspect of the REALTOR® Association of Pioneer Valley business or any policy issue in which the REALTOR® Association of Pioneer Valley is involved and in which you have responsibility, you must clearly identify yourself as a REALTOR® Association of Pioneer Valley Director in your postings or blog site(s) and include a disclaimer that the views are your own and not those of the REALTOR® Association of Pioneer Valley.
- Your internet posting should reflect your personal point of view, not necessarily the point of view of the REALTOR® Association of Pioneer Valley. Because you are legally responsible for your postings, you may be subject to liability if your posts are found defamatory, harassing, or in violation of any other applicable law. You may also be liable if you post material which includes confidential or copyrighted information (music, videos, text, etc.) belonging to third parties. All of the above-mentioned postings are prohibited under this policy.
- When posting your point of view, you should neither claim nor imply you are speaking on the REALTOR® Association of Pioneer Valley behalf, unless you are authorized in writing by the President or Chief Executive Officer to do so.

Please remember that as board members, committee chairs and committee members that you are the public face of the REALTOR® Association of Pioneer Valley. Board of directors’ votes/decisions should be fully supported by the entire

board of directors. Committee chairs and committee members should seek to promote the positive impact the REALTOR® Association of Pioneer Valley has on the real estate community and refrain from portraying the REALTOR® Association of Pioneer Valley in a negative manner.

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## SECTION 7: FINANCE

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### *7.1 Authorized Signatures*

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The Chief Executive Officer is authorized to sign for checks up to \$5,000 and not made out to the Chief Executive Officer. Two signatures are required for checks of \$5,000 or more. Checks made out to the Chief Executive Officer should be signed by one of the authorized signatories; President, President-Elect or Treasurer. This policy applies to checks written from the operating account. To allow dual signature process, the signatories for the operating account shall consist of the President, President-Elect, Treasurer and the Chief Executive Officer. If the Chief Executive Officer is not able to sign the Director of Operations is authorized to do so.

The Board of Directors must approve corporate resolutions annually (if signatories change) authorizing the signatories for each bank account maintained for any fund or related entity. Signature cards will be signed by the authorized signatories with the financial institution's required personal information provided.

### *7.2 Annual Operating Budget*

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The Annual Operating Budget shall be a "zero-based budget" and shall be based on implementing the current Strategic Plan of the Association and in the context of existing economic conditions. The CEO shall prepare the draft Annual Operating Budget for review and approval by the Treasurer and Finance Committee. Once approved by the Finance Committee the Treasurer and CEO shall then present the draft Annual Operating Budget to the BOD for final approval. Approval of the Annual Operating Budget shall occur no later than the September BOD meeting of the prior year.

The REALTOR® Association of Pioneer Valley Charitable and Education Fund shall adhere to the same policies outlined in this section.

Unbudgeted Expenditures of a non-emergency nature must be reviewed by the Finance Committee and approved by the BOD.

### *7.3 Charitable and Education Fund Monies*

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All fund disbursements shall be approved by the Board of Directors.

### *7.4 Financial Reserve Policy*

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The Association shall maintain Total Reserves equal to at least (6) months of the Association's annual budgeted operating expenses.

The goal of the Association is for Total Reserves to be comprised of at least twelve (12) months of the Association's annual Budgeted Operating Expenses at all times.

- The General Operating Reserves of the Association shall be of an amount of no less than five (5) months (March 31<sup>st</sup>) or two (2) months (September 30<sup>th</sup>) of the Association's annual Budgeted Operating Expenses. Funds in excess of the established General Operating Reserves and other dedicated reserves will be expended or invested at the recommendation of the Finance Committee and by approval of the Board of Directors.
- In addition to the General Operating Reserves, the following reserve funds may be funded as recommended by the Finance Committee and approved by the Board of Directors:
  - Capital Assets Fund of the Association shall be an amount of no less than two (2) months of the Association's annual Budgeted Operating Expenses – these reserves will be expended for the acquisition of capital assets or asset improvements and will be expended at the recommendation of the Finance Committee and by approval of the Board of Directors.
  - Investments of the Association will be invested in accordance with the Association's Investment Policy.

Definitions:

Total Reserves: RAPV Cash and Investments

General Operating Reserves: RAPV Unrestricted Cash (Checking)

Capital Assets Fund: Capital Assets Cash and CD

Low Risk Investments: Low Risk Capital Preservation Investments (CDs, Fixed Income)

Investments: Excess Reserves invested in accordance with the Association Investment Policy

*7.5 Investment Policy*

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The REALTOR® Association of Pioneer Valley will engage in a contractual relationship with an investment advisor upon recommendation by the Finance Committee and approval by the Board of the Directors. The investment advisor shall review the performance of the investment portfolio with the Finance Committee. Additionally, the Board of Directors, shall meet annually with the investment advisor to review the investment portfolio and ensure that the investments are being managed in accordance with the guidelines stated below. The investment portfolio's objective is moderate growth and income. A change in this objective may only be changed following consultation with the investment advisor and approval by the Board of Directors.

Equities

The equity portion will be invested in a diversified portfolio of relatively large companies with above-average balance sheet strength and profitability. The portfolio will have a minimum of twenty-five securities representing a minimum of six industries. No more than 5% of the portfolio value will be invested in any one company and no more than 20% invested in any one industry.

Equities: Target = 60%; Minimum = 50%; Maximum = 70%

Fixed Income

The fixed income portion of the portfolio will be concentrated in essentially equal weighted positions of staggered maturity including U. S. Treasuries, agency obligations and high quality corporate bonds, or preferred securities. Maturities shall not exceed 20 years. From time to time, cash or certificates of deposit may be used as a short term alternative.

Fixed Income: Target = 40%; Minimum = 30%; Maximum = 50%

Investment Policy for Charitable and Education Fund

The Charitable and Education Fund shall be held to the same restrictions stated previously in the REALTOR® Association of Pioneer Valley Investment Policy. Any changes must be approved by the Board of Directors.

*7.6 Capitalization*

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An annual capital expenditure budget will be prepared and submitted at the same time as the annual income and expense budget. Three bids should be requested for items more than \$10,000. Expenditures for property, plant and, equipment in excess of \$2,000 will be treated as capital items.

*7.7 Unpaid Bills*

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If dues, fees, fines, or other assessments including amounts owed to the Association are not paid within one (1) month after the due date, the nonpaying firm/Member is subject to suspension at the discretion of the Board of Directors, or, a penalty will be imposed, as set forth by the Board of Directors.

A late fee of 18% will be charged for non-dues receivables over thirty (30) days past due.

*7.8 Petty Cash*

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The Association shall maintain a petty cash fund in an amount of \$600, for the purpose of paying for minor miscellaneous expenses of the Association. The Chief Executive Officer or Treasurer shall authorize disbursements from petty cash.

#### *7.9 Dues Refund*

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No refund of the dues paid to the REALTOR® Association of Pioneer Valley shall be made except for overpayment. In the case of a hardship, special consideration may be given to refund the local dues only at the discretion of the Board of Directors.

#### *7.10 Annual Audit & Review*

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An annual audit of the Association's bookkeeping, accounts and financial records shall be conducted by a Certified Public Accountant (CPA) after the close of the fiscal year every third year, or upon approval of the Board of Directors at such other times as may be required. In the other years, an annual review will be performed by a Certified Public Accountant (CPA). The results of the Audit or review shall be presented to the Board of Directors and the membership as required by the bylaws. The Association reserves the right to contract with an additional CPA to perform the annual audit with approval by the Board of Directors.

#### *7.11 Contributions*

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Unbudgeted contributions by the REALTOR® Association of Pioneer Valley to various causes, organizations or individuals shall be reviewed by the Finance Committee and approved at the Board of Directors discretion.

There shall be a limit to the total amount of Board contributions each year, not to exceed two and a half percent (2.5%) of the Board's budgeted revenues. The general purpose for all contributions shall be related to the real estate industry in some manner.

#### *7.12 Association Credit Card(s)*

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The Chief Executive Officer is authorized to establish a revolving charge account with a limit not to exceed \$15,000. Additionally, staff members may be allowed to establish a revolving charge account with the approval of the CEO with a maximum limit of \$15,000.

#### *7.13 Reimbursement of Expenses*

The Association shall not outlay funds ahead of association expenses being charged, to then be reimbursed by the member at a later date. The Association shall only reimburse members for expenses. To receive reimbursement for any expense, receipt(s) must be submitted within thirty (30) days from the time the expense is incurred or the conclusion of the event, whichever occurs first.

#### *7.14 Officer/Director Travel Reimbursement*

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The purpose of this policy is to provide expense payment or reimbursement to eligible volunteers, officers and staff for legitimate expenses with a business purpose that are incurred for the benefit of the Association. The number of attendees designated for any meeting and expenses to be reimbursed may vary from time to time with economic conditions and with changing personnel and directors.

Those seeking reimbursement under this policy are expected to exercise good business judgment and discretion with respect to expenses, to be cost conscious and spend the Association's money carefully and judiciously, and to report expenses, supported by required documentation, completely and accurately. Expenses must be actually incurred and documented by receipts in order to warrant reimbursement under the REALTOR® Association of Pioneer Valley limits. The information contained below is to be used as an overall guideline for reimbursement. All travel reimbursement requests shall be submitted within thirty (30) days after the end of the event.

#### *Transportation*

Air: Commercial air travel is reimbursed at the coach-class rate. Advance purchase (at least 30 days) should be made whenever possible to take advantage of lowest fares. Business use of frequent flyer miles (or any other type of airline

rewards program) or vouchers is not reimbursable. If the individual chooses to drive instead of fly to a meeting, reimbursement will be based on reasonable costs. But in no case will reimbursement exceed the applicable coach fare.

Curbside baggage-handling fees are reimbursed at the actual cost, plus \$1 per bag/box for a tip. The cost for bags/boxes exceeding weight limit or number of bag limit will not be reimbursed.

Taxi/bus/ride hailing: Actual cost is reimbursed, and receipts must be provided.

Personal auto: The owner of the vehicle that is used will be reimbursed at the IRS allowable rate per mile. The number of miles driven must be stated. The allowable rate per mile changes periodically and is indicated on the expense-reimbursement form. Personal auto mileage is reimbursable when other modes of transportation are unobtainable, or when personal auto use is less expensive than other modes. Commuter miles are never reimbursable unless to a temporary place of work in which additional miles, over and above the normal commute are travelled. In these instances only the additional mileage will be reimbursed.

Parking/tolls: Actual cost is reimbursed. Receipts should be provided when possible, and are required for any amount over \$30. Reimbursement for parking is limited to self-parking options, unless no self-parking is available. If valet parking is utilized where self-parking is otherwise available, reimbursement will be based on the lowest available self-parking option.

Rental car: Rental cars are reimbursable only when other modes of transportation are unobtainable or more expensive.

#### *Lodging*

REALTOR® Association of Pioneer Valley limit: The actual cost of overnight lodging shall be reimbursed at the single room rate for standard rooms (lodging) during the required stay for the assigned meetings.

Note: Overnight lodging is not paid when the first meeting starts at or after 10 a.m. and the last meeting adjourns by 4 p.m., unless travel time exceeds three hours one way or commercial travel modes will not accommodate the meeting's start or end time. Exceptions to this policy are subject to approval prior to incurring the expense.

#### *Spouse/Significant Other Travel*

The REALTOR® Association of Pioneer Valley will NOT pay for or reimburse travel expenses for a spouse or significant other.

#### *Meals*

Meals are to be reimbursed at the rate as defined by the annual budget. The name of each person and the purpose of the business meal must be written on the receipt in order for reimbursement.

#### *Tipping:*

Customary and reasonable tips are reimburseable.

#### *Communication*

Telephone REALTOR® Association of Pioneer related calls or fax transmissions are reimbursed based on actual charges. Internet: Internet-access charges are reimbursed based on actual cost.

General Note. All expenses are strictly based on the number of days the individual must be in attendance. If a person chooses to arrive early or remain after the conclusion of a meeting, all additional expenses (lodging, meals, etc.) will be paid by the individual.

#### *Covered Expenses*

Reasonable RAPV business expenses incurred during travel are reimburseable.

#### *Expenses Not Covered*

The following expenses are generally NOT covered, except in exceptional circumstances, if at all:

- Phone charges
- Sight-seeing tours
- Books or magazines
- Barber or beautician services
- Golf fees
- Spa services
- Fitness-center fees
- Travel insurance
- First class tickets or upgrades
- Movies
- Sporting equipment
- Spa or exercise charges
- Clothing
- Unapproved business conferences and entertainment
- Car washes
- Toiletry articles
- Unapproved overnight retreats
- Expenses for spouses, friends or relatives

Good records of expenses must be maintained. Documentation of expenditures should include: description; amount; date; place; business reason or nature; names, titles, organization affiliation of those involved; and, receipt.

#### *7.14 MAR Director Travel Reimbursement*

MAR Directors are expected to attend all MAR Board of Director Meetings and Region Meetings. Travel shall be reimbursed based on the approved budget. Directors may be excused from attending the Region Meetings, however their absence should be made known the Chief Executive Officer.

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## SECTION 8: MEMBERSHIP

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### *8.1 Advocacy Investment Dues Inclusion Policy*

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The annual dues billing invoice provides a check-off box for each member to make voluntary contributions in addition to the required dues amount.

The voluntary contributions will be determined each year by the Board of Directors.

### *8.2 Dues/Assessments/Fees/Ticket Compensations*

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- Charge interest on non-dues receivables - Assess a late fee of 18% annually (1.5% per month) for non-dues receivables over (30) days past due.
- Designated REALTOR® (DR) with non-member licensees - A \$1,000 fine is imposed on those DRs who do not remedy the non-members in their office within the time frame as outlined in a written notice sent to the DR; and further, authority is given to the administrative team to change the content of the letter to notice the members in good standing in the DR's office before terminating the DR. See the RAPV Bylaws Article X Section 4 for more details on the dues formula.
- Dues Payment Plan - The final dues payment date for those members in the payment plan is December 1. The three dates for payment will be adjusted in an equitable manner spread out from the inception of the dues release which is the first week of October.
- Dues Payment Late/Reinstatement Fee - A late fee shall be assessed on December 2<sup>nd</sup> for non-payment of dues. A reinstatement fee shall be assessed on January 1<sup>st</sup> of the new year for non-payment of dues. The amount each fee will be determined annually by the Board of Directors.
- Office Transfer Fee- The Board of Directors may adopt an Office Transfer Fee at an amount determined annually by the Board of Directors

- Dues Payment – Postmark Date Payments mailed and postmarked with the due date, even though received at the Association office after the due date, will be accepted.
- Late fee waiver requests - Authority is given to the Chief Executive Officer to enforce the policy in response to the requests for waivers of the late fee applied on annual dues. The Board does not necessarily need to review all requests.
- Administrative fee on dues payment plan - A one-time \$10.00 service fee will be applied to members taking the payment plan.
- Military dues waiver policy- The NAR, MAR and RAPV dues for REALTORS® and their spouses serving in the capacity of active military duty deployed outside of the United States for a period of six (6) months or longer in a calendar year shall be waived for the term of deployment.
- Waiver of Secondary Affiliate Reinstatement Fee - Secondary Affiliates shall not be charged a reinstatement fee but rather a late fee of \$25.00
- Waiver of Application Fee - In the occurrence that all current members of an office or company that is not currently an RAPV member office join the Association at the same time, the application fee for each applicant shall be waived.
- Primary Affiliate Late fee and Reinstatement Fee - Primary Affiliates shall be charged a late fee of \$50.00 and a reinstatement fee of \$100.00
- President, President-Elect and REALTOR® of the Year (Membership Meetings) – The current President, President Elect and REALTOR® of the Year shall receive one (1) complimentary ticket to all membership meetings.
- Pre-License School Fee Reduction – The new member application fee is reduced by \$50.00 for graduates of the RAPV Pre-license School who join the Association within six (6) months of completing the course.

### 8.3 Members Access to Meeting Materials

It is the policy of the REALTOR® Association of Pioneer Valley to welcome the attendance of members to the Association’s Board of Director's meetings. The Association reserves the right, to protect the interests of its members and employees in maintaining confidentiality. All guests will be excused when the Board is called into Executive Session.

Minutes of the Board of Directors Meetings shall be available to Members of the Association for review at the Association Office upon prior request. Minutes of the Board of Directors are available to all members except those actions pertaining to Association staff. For that exception, review shall be authorized with the permission and at a time scheduled by the President at the Association headquarters.

All committee meetings are open to the general membership to attend as guest observers. If a committee should need to go into executive session, guests will be asked to step out of the meeting until the executive session has ended and the regular meeting has resumed.

At the request of a member, and under the supervision of the CEO, the Association will make available for inspection all books and records of the corporation's accounts and all minutes of the proceedings of its members, Board of Directors and committees. If requested, a copy of the most recent 990 filing will be provided. This statement of policy shall not constitute a waiver of the Board's right, at its discretion, to maintain as privileged, any other documents in its files which it is not required by law to disclose. For any member examining the Board's books and records, the Chief Executive Officer may request that the member submit any questions they have in writing to the Board.

### 8.4 Life Members

Life Members shall be subject to all obligations, except as set forth in Article X of the Association Bylaws and have all the rights and privileges of REALTOR® Members, as applicable.

### 8.5 Reapplication for Membership

If a Member resigns from the Association or otherwise causes membership to terminate with an ethics complaint or arbitration request pending, the complaint shall be processed until the decision of the association with respect to the disposition of complaint is final by this Association (if respondent does not hold membership in any other association) or by any other Association in which the respondent continues to hold membership. If an ethics respondent resigns or otherwise causes membership in all Boards to terminate before an ethics complaint is filed alleging unethical conduct

occurred while the respondent was a REALTOR®, the complaint, once filed, shall be processed until the decision of the association with respect to disposition of the complaint is final. In any instance where an ethics hearing is held subsequent to an ethic respondent's resignation or membership termination, any discipline ratified by the Board of Directors shall be held in abeyance until such time as the respondent rejoins an association of REALTORS®.

### *8.6 Hardship Considerations*

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Upon request by a member or firm, members who experience extreme hardships which can be documented, may request a waiver of the local portion of their dues and fees to be considered by the Board of Directors.

## SECTION 9: COMMUNICATIONS, PUBLICATIONS & WEBSITE

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### *9.1 Advertising/Sponsorship*

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Sponsorship is any form of advertising in connection with an Association event, program, publication, or function by which an individual, firm, or other legal entity is paying money or providing goods or services beyond a nominal value in exchange for name recognition. Sponsorship does not include either monetary or in-kind gifts to the Association, which are not provided with an expectation of name recognition for the purpose of advertising. Sponsorship opportunities shall be offered to any business, firm, or organization in good standing with the Association.

Any REALTOR® Association of Pioneer Valley publication that contains paid advertising shall adhere to the Association's policy on advertising. The Director of Communications and Marketing shall have the responsibility for proofreading and editing all ads or articles before publication. The Chief Executive Officer shall have the authority to accept or reject articles submitted for publication.

No individual may use the REALTOR® Association of Pioneer Valley name or logo in any terminology that implies Association sponsorship or endorsement without prior approval of the board of directors or Chief Executive Officer.

### *9.2 Logo Usage Policy*

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Notwithstanding any exceptions made herein for consistent branding of the REALTOR® Association of Pioneer Valley, committees of the Association may not adopt their own committee logos. The REALTOR® Association of Pioneer Valley logo may not be used on material produced by anyone other than Association staff without expressed consent of the Chief Executive Officer.

### *9.3 Mailing List Policy*

REALTOR® Association of Pioneer Valley does not share member contact information.

### *9.4 Marketing Policy*

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It is the policy of the REALTOR® Association of Pioneer Valley that any non-member offerings of free real estate-related products or services may not be marketed via the REALTOR® Association of Pioneer Valley's marketing channels. If any entity wishes to promote their offerings via REALTOR® Association of Pioneer Valley paid marketing channels, they must first apply for Affiliate membership and membership must be paid in full. Only current Affiliate members in good standing may utilize the REALTOR® Association of Pioneer Valley marketing programs.

### *9.5 Content of Communications*

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The REALTOR® Association of Pioneer Valley does not promote the events of other organizations on its website or social media channels unless the REALTOR® Association of Pioneer Valley is an event partner or sponsor.

### *9.6 REALTOR® Association of Pioneer Valley Spokespersons*

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The official spokesperson for the Association is the President or their designee. When media outlets call for comment the Chief Executive Officer will direct them to the President or their designee.

## SECTION 10: GOVERNMENT AFFAIRS

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### *10.1 Advocacy Policy*

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The REALTORS® Association of Pioneer Valley (RAPV) supports local government reform through the streamlining of service and the development of more consistent business regulations. We support a local government structure which delivers services in an equitable fashion and that will support business and commerce by removing artificial barriers and constraints.

## **Section 1: Community Needs & Infrastructure**

### *1.1 Fair Housing*

The Association supports Fair Housing as defined in the Federal Fair Housing Act, the Massachusetts Fair Housing Law, as well as Article 10 of the National Association of REALTORS® Code of Ethics.

### *1.2 Ownership Opportunities*

RAPV is committed to supporting initiatives that will keep home ownership opportunities available to all

### *1.3 Economic Development*

Recognizing that a healthy economy is the foundation for a vibrant real estate market, the Association will work with stakeholders and encourage those with similar interests to improve the regional economic climate. The goal of our economic development is to attract, retain, and grow businesses through policy, such as improving infrastructure, land use, workforce development and business minded tax structures.

### *1.4 Rental Housing*

RAPV supports legislative and regulatory proposals to remove disincentives that inhibit the development of new rental housing or the preservation of existing safe and affordable rental housing.

## **Section 2: Private Property Rights & Planning Issues**

### *2.1 Accessory Dwelling Units (ADUs)*

RAPV supports policies and regulations enabling and supporting the construction of Accessory Dwelling Units (ADUs) as a function of responsible infill development. RAPV supports the use of ADUs for both rental and non-rental purposes.

### *2.2 Signs*

RAPV shall work with local government for common sense sign regulations with regard to real estate signs, including open signs and directional arrows, while maintaining our members' ability to practice their profession effectively and maintaining an owner's right to sell or lease their property.

### *2.3 Short-term rentals*

RAPV supports legislation to protect the rights of property owners to offer short-term rentals without undue regulation or interference by local government.

## *2.4 Municipal Ordinance Enforcement*

RAPV supports reasonable efforts to ensure that local jurisdictions focus efforts on property code enforcement by education and cooperation rather than a system that relies on fines and other punishments.

## *2.5 Public Private Partnerships*

RAPV supports public-private partnerships that allow the private sector or non-government organizations to design, construct, and/or manage facility assets for public use.

## *2.6 Landlord/Tenant Issues*

RAPV supports the ability of a property owner to receive a fair return on the owner's investment and to be assured of recovering the owner's property after the term of a rental agreement or lease, or in the event a tenant defaults on their obligation. These are key elements in a strong real estate investment market. Accordingly, the Association supports legislation that assists owners in their efforts to recover access to their property and opposes legislation that forces additional duties on property owners without additional protection for their investment, while also ensuring that tenants' rights are observed.

## *2.7 Registration of Vacant Property and/or Rental Property*

RAPV shall work with local government to address issues involving vacant properties and rental properties in a constructive manner and opposes policies that require registration and/or imposition of fees. This shall include fees assessed to the REALTOR®.

## *2.8 Eminent Domain*

RAPV supports eminent domain authority only for public use (e.g., ownership by a public entity), as well as a broad interpretation of "just" compensation to include all reasonable and necessary costs which result from exercise of such authority, not just the value of the property condemned. As a matter of fairness, government entities should be required to justify condemnation actions to ensure that they are both necessary and likely to achieve real and substantial community benefits.

## *2.9 Equity Theft*

RAPV supports the safeguarding of a property owner's equity when municipalities seize homes and/or property for unpaid debts.

## *2.10 Energy Efficiency*

RAPV supports incentive-based approaches to assist homeowners in making energy efficiency improvements to their homes. The Association is opposed to labeling homes for energy efficiency and is opposed to point-of-sale requirements for energy audits or energy retrofitting.

## *10.2 Candidate Screening and Endorsement Process*

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The REALTOR® Association of Pioneer Valley supports the democratic process and periodically endorses candidates who strongly identify with issues important to the real estate industry, the property buyer and seller, the preservation of private property rights, and equal access to housing.

### *Candidates/Races to be Considered*

RAPV may consider all candidates in selected races that substantially affect the real estate business or are otherwise meaningful to RAPV's membership within the RAPV geographic jurisdiction of Franklin, Hampden, and Hampshire counties.

### *Offices Eligible for RAPV Candidate Endorsement*

Any elected official in municipal government including, but not limited to a member of a municipal board or commission.

### *Interview Panel Participation Rules*

The Interview Panel shall consist of three (3) to five (5) members. When practical, at least one member present and participating in the candidate interview should be an eligible voter from that electoral district. Panel members must participate in all interviews for a given race to participate in the decision-making process for an endorsement in that race.

### *Topics for Evaluation by the Committee*

1. Voting record (if incumbent)
2. Knowledge of issues
3. Philosophy on issues affecting the real estate industry and private property rights
4. Campaign organization and financial strength
5. Experience and education levels
6. Campaign strategy
7. REALTOR® involvement in the campaign

### *Decision-making process for Endorsements*

Following the conclusion of the candidate interview(s) the panel will discuss the candidate(s) and vote on whether to endorse, and if that endorsement will include RPAC funding.

At the conclusion of all interviews the final decisions of the panel(s) will be consolidated into a report to be sent to the Board of Directors prior to any public dissemination. Notification of endorsed candidates will be released through a press release. The membership will be notified of endorsed candidates through electronic communication.

### *10.3 Independent Expenditure (IE) Process*

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The REALTOR® Association of Pioneer Valley is committed to promoting public policy by establishing a partnership between the Association, the Massachusetts Association of REALTORS® and the National Association of REALTORS® to provide financial and technical support for conducting Independent Expenditures to elect “REALTOR® Champions” to local public offices.

The IE Task Force will choose candidate(s) running for local office. In choosing a candidate for an IE, the individual should be someone that is supportive of REALTOR® interests and someone that the Association feels will take into consideration their concerns.

The Candidate Screening Task Force of the Candidate Interview Program may make recommendations to the IE Task Force of those candidates that might be a good fit for a REALTOR® IE. For reasons of confidentiality and partiality, members of the Candidate Screening Committee do not sit on the IE Committee. Note: Confidentiality Statement (Appendix #)

- The IE Task Force selects a candidate.
- The IE Task Force contacts NAR to inform them of the selection.
- The IE Committee completes the application found on the NAR REALTOR® Action Center.
- Once the application is determined to be complete by NAR staff, it will be submitted to the REALTOR® Party Trustees for State and Local Campaign Services for consideration.
- Once the application is approved, MAR will be informed.

### *10.4 Member as Candidate for Public Office*

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Candidates may circulate literature or campaign brochures, so long as they do not interfere with the normally scheduled activities of RAPV or its rental clients. Candidates may not request an audience at scheduled meetings. Candidates must

conduct themselves in a non-obtrusive manner, and may not utilize signs, balloons or other distractions, or post any campaign materials. Candidates are not permitted to distribute flyers or brochures onto vehicles in the parking lot.

### *10.5 Town Monitor Program*

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The Legislative Town Monitor Program is comprised of individual members who serve as watchdogs to keep abreast of local issues impacting real estate and private property rights within the community in which they live and/or work. They are the key players that connect the REALTOR® Association of Pioneer Valley to the municipalities and communities they serve. The program is overseen by the Government Affairs Committee.

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## SECTION 11: COUNCILS OF RAPV

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Councils may be formed with the approval of the Board of Directors to serve the needs of the Association.

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## SECTION 12: BUILDING & RENTAL OPERATIONS

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### *12.1 Classroom Space(s) Rentals*

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REALTOR® Association of Pioneer Valley classroom space(s) is available for rental by REALTOR® members, Affiliate members and the general public for business and professional use. Members shall receive a discount from the published fees. Non-profit organizations shall also be entitled to the member discount. The REALTOR® Association of Pioneer Valley may give special consideration to local chapters of those diversity groups which participate in the NATIONAL ASSOCIATION OF REALTORS® Multicultural Real Estate Leadership Advisory Group. The REALTOR® Association of Pioneer Valley may give special consideration to any local chapter of any organization affiliated with the NATIONAL ASSOCIATION OF REALTORS®. All use of the facilities shall be in compliance with the facilities rental contract. A current copy of the facilities rental contract and fee structure shall be maintained by the Association. No subleasing of the facility is allowed.

Any member or firm's use of the facility for programs or services in competition with the Association are not permitted (e.g., continuing education courses). This includes but is not limited to classes and designations currently being offered by the Association. Classes or meetings being offered across brokerages are not allowed to be held at RAPV unless they are specifically sanctioned and sponsored by the Association.

REALTOR® Association of Pioneer Valley does not permit seminars, presentations, programs, etc., that are of "recruitment" nature (programs that attempt to recruit agents, managers, and/or franchisees). REALTOR® Association of Pioneer Valley insist upon maintaining neutrality in such programs. Members or companies violating this policy may lose rental privileges at the discretion of the Leadership Team. Notwithstanding this policy, the Executive Committee or Chief Executive Officer reserve the right to refuse any rental request if, in his or her judgement, the rental of the facility would not be in the best interest of the organization.

### *12.2 Building Security*

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After-hours access authorization to the REALTOR® Association of Pioneer Valley premises shall be issued to office personnel at the discretion of the Chief Executive Officer or Director of Operations. Keys to the Association offices are not to be loaned or duplicated in any manner. If a key is lost, it should be reported to the Chief Executive Officer or Director of Operations immediately. It is the responsibility of the last person leaving the office at the end of the day to ensure the building is secure. Any suspicious circumstances or the presence of loiterers shall be reported to the Chief Executive Officer or Director of Operations. The Association Headquarters may be recorded and access to the recordings is at the discretion of the Chief Executive Officer.

### *12.3 Leasing of Office Space*

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Office space for lease at 221 Industry Avenue will be made available to the public and charge a minimum of market rate month per space to include, heat, hot water, electric, access to common areas and parking. Leasing of any available office space will be at the discretion of Chief Executive Officer.

## SECTION 13: ASSOCIATION EVENTS

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### *13.1 Alcoholic Beverages*

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There will be no open bars at a local function of the Association, only cash bars and not more than two free drink tickets per person attending any function of the Association shall be approved by the Board of Directors. Special exemption of this policy can be approved by the Board of Directors.

## SECTION 144: NAR & MAR

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### *14.1 MAR Directors*

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The Association is entitled to one (1) MAR Director and additional MAR Directors based on the MAR allotment policy. MAR Directors will be elected following the policies set forth in *2.3 Nomination and Certification of Directors*. These Directors will be appointed to terms in accordance with MAR policy. MAR Director Alternates shall be appointed by the President.

### *14.2 NAR or MAR Office Candidate Endorsement Policy*

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If a candidate for NAR or MAR office seeks an audience with the RAPV Board of Directors, then any other candidate(s) in that same race shall be provided the same opportunity.

Consideration of endorsement will be considered by the Board of Directors in executive session. Any candidate endorsement(s) approved by the RAPV Board of Directors will be communicated to the Board membership.

RAPV members running for NAR or MAR offices may be given an opportunity to speak to the Board of Directors for consideration of candidacy promotion.

## SECTION 15: MEMBER DISCIPLINE

If a member is suspected of violating the rules and regulations of the Association, a written notice of the alleged violation must be submitted to the Association's CEO, who will review the complaint and alert the President that said complaint was received. If the President is the accused member, then the next highest-ranking officer will receive notification of the complaint.

The President (or next highest-ranking officer) will appoint a panel of four (4) other Board members to hear the complaint. The President (or next highest-ranking officer) will be the chairperson of the hearing panel. Staff will contact the accused member within seven (7) days of receiving the complaint. After all notices have been sent, staff will work with the accused member and the hearing panel to set a date for the hearing, which shall be held within thirty (30) days of notification to the accused member.

The hearing panel shall follow Part 1, Section 6: Conduct of Hearing of the Code of Ethics and Arbitration Manual when conducting the hearing. Following the hearing, the hearing panel decision shall be by a simple majority vote and shall put that decision in writing. The decision shall include a clear, concise and objective recitation of the specific facts upon which the hearing panel based its conclusion. Staff will transmit a copy of the decision to the accused member within five (5) days of the hearing. Any discipline recommended by the hearing panel will follow the Disciplinary Guidelines in the Code of Ethics and Arbitration Manual.

The accused member has the right to appeal the decision of the panel to the full Board of Directors of the Association. Notice to appeal must be received by the CEO or President within twenty (20) days of transmittal of the decision to the accused member. If the accused member chooses not to appeal, the Board of Directors will validate the decision of the Hearing Panel at its next scheduled meeting after the conclusion of the twenty (20) day appeal window. If the accused member chooses to appeal, a special meeting of the Board of Directors

will be called within thirty (30) days of the notice to appeal, and the Board will meet with the accused member to hear the appeal and make a final determination. The Board of Directors' decision is final.

## Appendix 1

### Conflict of Interest Document

A member of any of REALTOR® Association of Pioneer Valley's decision-making bodies will be considered to have a conflict of interest whenever that member:

1. Is a principal, partner or corporate officer of a business providing products or services to RAPV, or the RAPV Charitable and Education Fund. Referred to as "Business."
2. Is a principal, partner or corporate officer of a business being considered as a provider of products or services to RAPV, or the RAPV Charitable and Education Fund.
3. Holds a seat on the board of directors of the Business; or
4. Holds an ownership interest of more than 1 percent of the Business.

Members with a conflict of interest must immediately disclose their interest at the outset of any discussions by a decision-making body pertaining to the "Business" or any of its products or services. Such members may not participate in the discussion relating to that "Business" other than to respond to questions asked of them by other members of the body. Furthermore, no member with a conflict of interest may vote on any matter in which the member has a conflict of interest, including votes to block or alter the actions of the body to benefit the Business in which they have an interest.

Ownership interest is defined as the cumulative holdings of the member, the member's spouse, children, siblings and to any trust, corporation, or partnership in which any of the foregoing individuals is an officer or director, or owns, in the aggregate, at least 50% of the

- (a) Beneficial interest (if a trust),
- (b) Stock (if a corporation), or
- (c) Partnership interests (if a partnership)

Financial interest means any interest involving money, investments, credit or contractual rights.

### Personal Commitment

I recognize and agree to adhere by the Guidelines as defined in the Commitment Letter and the Conflict of Interest Policy,

In addition, I understand the fiduciary duties as a member of a decision-making body and am willing to make every effort to fulfill the REALTOR® Association of Pioneer Valley Board of Directors decisions and responsibilities as outlined above.

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Print name /Signature/ Date

## Appendix 2

### RAPV Board of Director Candidate Questionnaire

1. Name
2. Preferred Pronoun
3. Company
4. Years of RAPV Membership
5. Years served on RAPV Board of Directors
6. Years served on MAR Board of Directors
7. Committee(s) and year(s) of service at RAPV
8. Committee(s) and year(s) of service at MAR
9. Association and professional designation(s)/certification(s)
10. Association and professional award(s)
11. Community work/recognition outside of the association

### Appendix 3

#### Community Service Committee:

#### Community Organization Criteria

##### Tier 1

Local, state and nationally based non-profit agencies and organizations that provide homeless and housing relief assistance in such services as:

- affordable and transitional housing
- home buyer counseling and closing cost assistance
- housing relocation services
- homeless prevention programs
- housing rehabilitation/urban renewal
- landlord-tenant counseling, rental assistance, etc. *and further*;

##### Tier 2

Grandfather organizations not traditionally related to homeless and housing relief assistance but where the REALTOR® Association of Pioneer Valley has provided a historic long-term commitment including:

- Big Brothers and Big Sisters of Hampden County
- Big Brothers and Big Sisters of Hampshire County
- Big Brothers and Big Sisters of Franklin County
- Hospice of Western Massachusetts
- Western Massachusetts Food Bank
- The Shriners Children's Hospital
- Make-A-Wish Foundation
- Royal Family Kids Camp
- Local food pantries
- RAPV Scholarship Fund *and further*;
- to consider aiding organizations that provide assistance to victims of disaster such as fires, floods, tornadoes, hurricanes, earthquakes, terrorist attacks, *and further* ,
- to retain the committee's special event fundraiser to benefit a national organization of the committee's choosing, and as approved by the Board of Directors..

**Appendix 4**  
**Advocacy Policy**