

ETHICS COMPLAINT



Date:

To the Grievance Committee of the Akron Cleveland Association of REALTORS®, I/we (complainant) wish to file a complaint against:

Name of Respondent:

Company name and address:

Complainant(s) charge(s) alleged violation of Article(s) _____ of the Code of Ethics.

The complainant alleges that the above charge(s) is/are supported by the ATTACHED STATEMENT, which is signed and dated by the complaint(s). Please be advised that copies of your complaint must be sent to the Grievance Committee, therefore, please make sure your statement is typed.

The complaint is true and correct to the best knowledge and belief of the undersigned. Under penalties of perjury, I/we declare that to the best of my/our knowledge and belief, my/our allegations in this complaint are true.

Are the circumstances giving rise to this ethics complaint the subject of any civil or criminal litigation or in any proceeding before the state real estate licensing authority or other state or federal regulatory or administrative agency? Yes No

Complainant(s):

Printed name:

Address:

Phone number:

Signature:

Mail to: Grievance Committee, 9100 South Hills Blvd., #150, Broadview Heights, OH 44147

Complaint Procedures

If you believe a REALTOR® involved in your real estate transaction has acted unethically, you may file a formal complaint with the Akron Cleveland Association of REALTORS®. The following are the procedures that should be followed:

1. The Association has enclosed a complaint form that must be returned with your description of events that occurred.
2. The Grievance Committee considers complaints solely on the Code of Ethics of the National Association of REALTORS® (enclosed). The Association cannot hear or decide issues of law; therefore, if your problem is legal or of a contractual nature, we suggest you contact an attorney.
3. The Association of REALTORS® does not control licenses and membership in the Association is voluntary on the part of real estate licensees. The Association has no jurisdiction to hold hearings involving licensees that are not members of our Association. Should your complaint be against a licensee who is not a member, we suggest you contact the Ohio Division of Real Estate 614.466.4100.
4. The Grievance Committee will make preliminary review of the complaint. Once your complaint is filed, the Association will keep you apprised of the status through written communication only. The Committee will determine if there is sufficient evidence to hold a hearing.
5. If the Grievance Committee determines a hearing is warranted, you will be notified of the date, time and place of the hearing. This does not mean that the Grievance Committee has determined that a violation has occurred. Rather, it means that the Grievance Committee believes that if what you allege in your complaint is found to have occurred by the Hearing Panel, that panel may have reason to find that a violation occurred. Your presence at that hearing *will be required*. You should be prepared to bring your witnesses and evidence, if any, and be prepared to present your case. If the REALTOR® is found in violation of the Articles of the Code, the Board may impose varying degrees of sanctions and disciplinary action. IN NO EVENT CAN THE ASSOCIATION ASSESS DAMAGES OF MONEYS TO THE COMPLAINANT.
6. If the Grievance Committee determines that a hearing is unwarranted, you have the right to appeal their decision to the Board of Directors of the Akron Cleveland Association of REALTORS® within 20 days.
7. If the REALTOR®(S) is/are found to be in violation of one or more of the Articles of the Code of Ethics, the Akron Cleveland Association of REALTORS® may impose the following disciplinary actions:
 - A. Letter of warning with copy to be placed in member's file;
 - B. Letter of reprimand with copy to be placed in member's file;
 - C. Require attendance at an Ethics course or other appropriate training;
 - D. Fine payable to the Board not to exceed \$15,000;
 - E. Member placed on probation not to exceed one (1) year;
 - F. Member suspended from the association not to exceed one (1) year;
 - G. Expulsion from Board membership for a period not less than one (1) year, but not more than three (3) years.
8. Finally, these matters are considered confidential, and we ask that you, as a party to a complaint respect the confidentiality of these proceedings.

Filing an Ethics Complaint

Enclosed are the forms for you to use should you choose to file a complaint with the Grievance Committee of the Akron Cleveland Association of REALTORS® alleging misconduct by one of our REALTOR® members.

What We Can Do

The Grievance Committee reviews complaints based solely on the Code of Ethics of the National Association of REALTORS®. Please read the enclosed copy of the Code of Ethics carefully. Should you believe any of the articles have been violated, that will then form the basis of your complaint. Please be specific in your complaint explaining why you believe a particular article has been violated. We cannot file your complaints for you. However, if you have questions on the procedure or have difficulty completing the complaint form, please contact the Association office.

The Association can arbitrate a money dispute between members of the public and REALTOR® firms. Both parties must voluntarily agree in advance to submit to arbitration by the Association and be bound by the arbitrators.

What We Cannot Do

The Association cannot hear or decide issues of law. If your problem is of a legal or contractual nature, we respectfully recommend that you seek the advice of an attorney.

The Association cannot consider awarding compensatory or punitive damages. Should any fines be levied against any member, those funds go to the Akron Cleveland Association of REALTORS® and are not disbursed to the complaining party. If you would like the Association to arbitrate a dispute involving a REALTOR®, please send a summary of the events in a letter clearly stating your desire for information on the Association's dispute resolution system.

The Association of REALTORS® does not control the real estate licenses issued by the Ohio Division of Real Estate and membership in a Association of REALTORS® is voluntary. The Association, therefore, has no jurisdiction to hold hearings or process complaints involving non-members. Should your complaint involve a licensee who does not belong to an Association of REALTORS, we suggest that you contact the Ohio Division of Real Estate at 614.466.4100.