



Role of the Grievance Committee in Ethics Proceedings

There are two different association committees that are assigned specific roles in the REALTOR® professional standards program in enforcement of the Code of Ethics. These are the Professional Standards and Grievance Committees.

Similar to a court which adjudicates matters that come before it, the Professional Standards Committee makes decisions on matters involving ethics or arbitration. To do this, it appoints 5-person panels from among its members, all of whom are seasoned, experienced professionals to hear the cases.

So, if Professional Standards is similar to a court, the role of the Grievance Committee can best be understood as similar to that of the grand jury.

A grand jury evaluates potentially criminal conduct to determine whether the evidence and testimony presented warrants indictment and trial.

Similarly, the Grievance Committee is trained to review ethics complaints to determine whether, if the complaint were taken as true on its face, a hearing by a panel of the Professional Standards Committee is warranted. The Grievance Committee makes only such preliminary evaluation as is necessary to make this determination. In this regard they may request additional information from the parties.

While the Committee does meet, it does not hold hearings nor decide whether members have violated the Code of Ethics. Committee meetings are called frequently enough to ensure timely review of ethics complaints.

In evaluating ethics complaints, the Committee may require a written response from the Respondent(s). In such instances the Respondent(s) is provided a copy of the complaint and advised that failure to respond may be the basis for a charge of violating Article 14 of the Code as well. (See Form E-4, "Grievance Committee Request for Information [Ethics]" and Form #E-5, "Response to Grievance Committee Request for Information." In cases involving sales associates, their Principal Broker also receives a copy of all correspondence.

If no response is filed within the time allotted, the Grievance Committee makes its determination as to whether an ethics hearing is warranted based solely on the information set forth in the complaint.

Should the Committee determine the complaint is not an appropriate matter for a hearing, the decision may be eligible for an appeal to be filed with the association's Board of Directors.