

National Association of REALTORS® Professional Standards Basic Training

Approved for 8 Education Credits by the NMREC

Purpose of the Course

To fulfill requirements of the National Association of REALTORS® as stated in NAR's Code of Ethics and Arbitration Manual: "Each State Association and each local Member Board should institute an Annual Training Program for Grievance Committee and Professional Standards Committee members."

Learning Objectives

As a result of attending this course, attendees will have

- Satisfied their quadrennial ethics training requirement because this course meets and exceeds the minimum requirements established by NAR
- Be able to explain the professional standards enforcement process
- Differential between the roles of a Grievance Committee member and a Professional Standards Committee member
- Explain NAR's disciplinary theory
- List at least five disciplines authorized for ethics violations
- Give a basic definition of procuring cause
- (Boards/Associations of REALTORS®) will have complied with NAR's committee training requirement for enforcement of the Code of Ethics
- Be able to use the Code of Ethics and Arbitration Manual to find needed information as related to their role in Code enforcement

Required Course Materials

- The Code of Ethics and Standards of Practice of the National Association of REALTORS®
 - Current year Summary of NAR's Key Professional Standards Changes
 - The most current edition of the National Association of REALTORS® Code of Ethics and Arbitration Manual
 - A course handout based on the outline approved by the New Mexico Real Estate Commission
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(LUNCH BREAK 1.0 hour)

SECTION THREE

Professional Standards Committee - Arbitration Hearing Procedures .75 hour

- I. Article 17 and arbitration
 - a. Contractual v. Specific Non-Contractual Disputes
- II. Burden of Proof/Standard of Proof
- III. Arbitrators Decision - Executive Session
- IV. Form of Award

CASE STUDY: ARBITRATION

SECTION FOUR: Informal Dispute Resolution .25 hour

- I. Professional Standards Policy Statement #52
- II. Mediation and Ombudsman

BREAK25 hour

SECTION FIVE:

Professional Standards Committee - Ethics Hearing Procedures .75

- I. Amendment of Complaint
- II. Attendance at Hearing
- III. Conduct of an Ethics Hearing
 - a. Executive Session - The Decision
 - b. Authorized discipline
 - c. Sanctioning Guidelines
 - d. Appeal process

MOCK HEARING (Ethics or Arbitration) 1.25 hours

- a. Chairpersons Procedural Guide
- b. Role of the Panel and the Chair
- c. Role of the Audience in the mock hearing
- d. Observations and summary

BREAK25 hour

SECTION FIVE: Post-Hearing Actions/Role of the Directors .5 hour

Review Questions & Answers .5 hour

8.0 hours

THE CODE OF ETHICS

1.0 hour

- I. Ice Breaker Quiz: How well do you know the Code of Ethics?
 - II. Annual Summary of Key Professional Standards Changes
 - III. Background and history of the Code
 - IV. Key Concepts of select Articles of the Code
- CASE STUDIES: Selected Articles

INTRODUCTION: The Professional Standards Process

.75 hour

- I. Due Process and Confidentiality
- II. Code of Ethics and Arbitration Manual
 - a. Purpose and perspective
 - b. Preface
 - c. Introduction to the Manual and relevant sections for committee use
 - d. NAR Statements of Professional Standards Policy
- III. Professional Standards Procedures of the Board
 - a. Use of legal counsel
 - b. Significance of action of the Professional Standards Committee
 - c. Interpretation of the Code by NAR

BREAK25 hour

SECTION ONE: The Grievance Committee

.75 hour

- I. Purpose, Composition, Selection and Training
 - II. Issues Considered in Ethics Complaints
 - III. Issues Considered in Arbitration Requests
- CASE STUDIES: The Grievance Committee in Action
- a. Ethics complaints
 - b. Arbitration requests

SECTION TWO: Procuring Cause Concepts in Arbitration

.75 hour

- I. Introduction to Procuring Cause
- II. Procuring Cause basics
 - a. Definition and discussion
 - b. The bases for arbitration in the REALTOR® process
- III. Suggested Factors For Consideration by an Arbitration Hearing Panel

Course Title: NAR's Professional Standards Basic Training

Course Description: To acquaint the broker with the guidelines and to fulfill the requirements of the National Association of Realtors that each State association and each local Member Board institute an annual training program for Grievance and Professional Standards Committee.

Learning Objectives (See attachment on Bloom's Taxonomy and Learning Levels)

| Learning Level | Learning Objective |
|---------------------------|--|
| Insert Level (Words or | Insert corresponding learning objective |
| Evaluate | The student will be able to analyze their role and evaluate the evidence as it is presented in each case |
| Understand | Student will understand the importance of due process and that they have a duty to follow the process. |
| Apply | Will be able to apply the standards guidelines imposed by the National Association of Realtors |

The following will be the means used in assessing whether the Learning Objectives have been met (Pre and post test, Q&A etc.)

Insert Specific methods

Timed Outline: Describe in detail the components of the course by breaking it down into subject matter areas of no greater than 15 minutes. What will be the method of instruction or teaching technique used for each area (lecture, slides, group activities, videotape etc.)

| Length in Time(15 min. increments) | Teaching Technique | Subject Matter Segment and Description |
|------------------------------------|---|--|
| 60 minutes | Powerpoint, quiz, and handouts with lecture | The Code of Ethics—Background, recent changes, history, and key concepts |
| 45 minutes | Powerpoint with lecture and Manual | 1. Introduction: The professional Standards Process—due process, confidentiality, purpose of manual, and NAR Policy 2. Local board Professional Standards policy—Use of legal counsel, interpretation of Code |
| 45 minutes | Powerpoint, lecture, case studies | The Grievance Committee—Purpose, selection, training, issues of ethics complaint, and issues of arbitration request |
| 45 Minutes | Powerpoint and examples | Procuring Cause Concepts in Arbitration—Procuring cause basics and suggested factors to be considered by panel |
| 45 Minutes | Powerpoint , lecture, cases | Professional Standards Committee-Arbitration Procedures---Article 17, Burden of proof, contractual issues arbitrators decision in executive session, and form of award. |
| 15 Minutes | Powerpoint, group activity | Informal dispute Resolution—Policy statement, mediation |
| 45 minutes | Powerpoint and mock hearing | Professional Standards Committee—Ethics Hearing Procedures---Amendment of complaint, attendance, conduct, and decision |
| 75 minutes | Mock Hearing | With Executive, attendance, sanctions |
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| 30 minutes | Powerpoint, lecture, and group critique | Post Hearing/Role of Directors |
| 30 minutes | Quiz | Review Questions and answers |