

**POLICIES AND PROCEDURES
OF THE
TAHOE SIERRA BOARD OF REALTORS®**

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This manual is compiled for our benefit and use. Additions and revisions are made to this information, as necessary. A current copy is always available on the Governing Documents page of www.tahoemls.com.

This document is supplemental to TSBOR Bylaws and both documents should be viewed together to represent the governing documents of TSBOR operation. If there is a statement in the Policies and Procedures that is in conflict with the Bylaws, the Bylaws shall prevail.

MISSION STATEMENT AND OBJECTIVES

Tahoe Sierra Board of REALTORS® has been formed and operates to enhance the ability of its members to serve the real estate selling and buying public and to conduct their business with competence and integrity, all in support of the concepts of free enterprise and private ownership of property.

The Board exists to increase public awareness of the value of the real estate industry professionals as designated by the term REALTOR®, and locally to establish and maintain a supportive, professional group for the real estate industry.

BENEFITS OF BOARD MEMBERSHIP

Have you ever asked yourself why you belong to Tahoe Sierra Board of REALTORS®? If not, you should. The substantial benefits are well worth the minimal investment and will help you and your business move forward in our industry at the Local, State, and National levels.

NOTICE TO ALL MEMBERS REGARDING ANTI-TRUST LAWS

It is the long established policy of Tahoe Sierra Board of REALTOR®, the CALIFORNIA ASSOCIATION OF REALTORS® and the NATIONAL ASSOCIATION OF REALTORS® to adhere to both the letter and spirit of the federal and state antitrust laws. Members should be aware of the antitrust laws as they affect their business activities. Any illegal activity under state and federal antitrust laws is not in compliance with TSBOR policy nor is it in the interest of TSBOR or its members.

Participation in the Board activities must only occur in harmony with these very important laws. To assure TSBOR will not be used for any improper purpose that would endanger TSBOR or its members, please take note of the following:

- Discussion of price, commission rates, commission splits, market allocation, etc., is inappropriate at membership meetings. These discussions should not occur either in a formal or informal meeting.
- Discussion of fellow competitors at any membership meeting is inappropriate and will be ruled out of order.
- Discussion of refusing to deal with any member is inappropriate and will be ruled out of order.

RESPONSIBILITIES

Membership in the Tahoe Sierra Board of REALTORS® entails basic responsibilities as well as privileges.

The Board is an effective organization based on the support and involvement of its members. It utilizes the collective thinking of all concerned to formulate plans and needs the active participation of its members to put those plans into operation.

We welcome you to the Board and invite you to participate in helping us accomplish common goals that are good for all. Our Board owes its position and stability to a long line of doers. What you do today, determines how useful it will be for you tomorrow.

BOARD SERVICE

Members elect officers and directors who are charged with managing the business and affairs of the Board and directing the exercise of corporate powers, subject to the provisions of the California Nonprofit Corporation law, the Articles of Incorporation and/or TSBOR Bylaws. The governing body of the Board consists of the President, President-Elect, Treasurer, Immediate Past President, TSMLS President, 8 REALTOR members, and may include the Director For Life.

BOARD OF DIRECTORS FUNCTIONS & RESPONSIBILITY

The activities and affairs of the Board shall be conducted by, and all management powers exercised by, (or under) the direction of the Board of Directors. The Board of Directors may delegate management of the activities to any committee so long as the Board of Directors provides the ultimate direction. All elected officers serve voluntarily.

Elected Officers and Directors must be thoroughly acquainted with

- a. Current Board Bylaws
- b. Board Policies and Procedures
- c. Committee Structure
- d. Professional Standards Rules and Regulations
- e. Current National Association of REALTORS®, Code of Ethics

Directors may be appointed annually to act as CALIFORNIA ASSOCIATION OF REALTORS® Directors representing Region 3. As C.A.R. Directors are required to attend business meetings throughout the state at times and places designated by C.A.R.

COMMITTEES

Working closely with the President and Directors are the Chairpersons of various committees who are appointed annually by the President, subject to the approval of the Board of Directors. Committees perform many functions and our progress is largely dependent on their work.

Policies or policy change is normally implemented through committee recommendation, subject to the Board of Directors approval, prior to implementation. The Board of Directors functions as the ultimate authority in the Tahoe Sierra Board of REALTORS® over and above all committees.

Each Committee Chairperson is responsible for the records of the committee and for passing them on to the successor Chairperson. Whenever possible, the Committees of the Board are patterned on those of the California Association of REALTORS® and the National Association of REALTORS®.

The President and Executive Officer shall be notified of any scheduled meetings. The President or their designee must be present when the Committee meeting is convened and adjourned.

CONFLICT OF INTEREST POLICY

Some REALTORS® attending Tahoe Sierra Board of REALTOR® Directors Meetings, Tahoe Sierra Multiple Listing Service Directors Meetings, or committee meetings may have competing interest. Committee decisions should be made to best serve TSBOR members; not to gain individual profit in competing ventures. It is inappropriate for persons attending directors or committee meetings to participate in discussion and/or gain information for their personal financial benefit to the detriment of TSBOR members. All persons attending any committee or directors meeting should not disclose strategic or confidential information regarding the policies of TSBOR in a manner that is contrary to the best interest of TSBOR members.

DUTIES OF BOARD OFFICERS

MEETINGS:

- a. The Board of Directors shall designate a regular time and place of meeting.
- b. Special meetings of the Board of Directors may be called by the President, the President-Elect or any two (2) Directors.
- c. Three unexcused absences of a Director, within a calendar year, shall be construed as a resignation and the office declared vacant.
- d. Fifty-one (51%) of the Members of the Board of Directors shall constitute a quorum.
- e. The incoming Board of Directors will be invited to attend a Joint Board Meeting in November or December of each calendar year.

METHODS OF HANDLING BUSINESS:

- a. The Board of Directors shall take into consideration primarily those matters which have had prior study by the appropriate committee(s), except in cases of emergency. Committee Chairpersons may present their reports in person at the Board of Directors meeting, provided such reports require action.
- b. The President shall be authorized to refer any matter directly to the proper committee(s) for recommendation(s) before presenting the matter to the Board of Directors. The Board of Directors shall primarily consider the semi or finished solution to any problem or issue.
- c. All actions by the Tahoe Sierra Board of REALTORS® must be in the form of a motion. Motions, if any, will be recorded permanently within the minutes. Directors are responsible for reviewing minutes and making the necessary correction(s) at the next meeting.
- d. The Board of Directors will authorize IMPAC funding requests. IMPAC funds are to be used for issues and member outreach. Unless a petition, in writing, requesting financial support of an issue is submitted to the Board, no funds shall be allocated.

ELECTED OFFICERS

PRESIDENT

The President is the designated Chief Officer of the Board and is charged with the responsibility for the general direction of its affairs and presides at all meetings. The President is expected to perform such duties as may be assigned by the Board of Directors.

Duties of the President shall include, but are not limited to:

Appoint committee chairpersons, subject to the Board approval
Represent the Board in national, state, and community activities
Analyze the challenges that are to be met by the Board
Eliminate outmoded Board practices and initiate the adoption of positive programs
Encourage membership participation
Strengthen the Board's internal structure
Ensure the Board's finances are sound
Cooperate with the National Association of REALTORS®, California Association of REALTORS®, and outside groups in joint programs.
Assist and advise on all projects with the Board Executive Officer

PRESIDENT-ELECT

The President-Elect shall perform the duties of the President in the event of his/her absence or disability and shall perform such other duties as may be delegated to him/her by the President or Board of Directors. The President-Elect is involved at all levels of the decision-making process, which provides training for the following year when he/she assumes the Presidency.

SECRETARY/TREASURER

The Treasurer shall automatically serve as Chairperson of the Board's Budget and Finance Committee. The Treasurer is charged with the responsibility of overseeing the preparation of statements showing the income and expenses for Board activities. In addition, the Treasurer, Executive Officer, and the Budget and Finance Committee shall prepare and recommend an annual budget for approval by the Board of Directors at the Board's December meeting. The Treasurer is available to work with Committee Chairpersons to determine their financial needs prior to finalizing the annual budget.

The Treasurer is responsible to determine, as far in advance as possible, the Board's financial needs. This requires a periodic review of items sold by the Board, cost to provide the programs of the Board, and income derived through dues and other sources.

The Treasurer works closely with the Executive Officer to ensure proper accounting procedures are used by the Board and complete control of income and expenses are maintained at all times. The Treasurer will ensure that the TSBOR Reserve Balance does not drop below the minimum requirement of 6 months anticipated expenses.

STANDING COMMITTEES OF THE BOARD **Operational Rules and Procedure:**

FINANCE AND BUDGET COMMITTEE

Shall consist of seven (7) members, including the Chairperson and TSMLS Treasurer, the majority of which shall be REALTOR® Broker members. Committee members shall serve a two (2) year staggered term. The Chairperson shall be obligated to select a minimum of two (2) new members per year.

The Finance and Budget Committee shall meet quarterly or as deemed necessary by the Chairperson. A majority of committee members present shall constitute a quorum.

Committee Responsibilities shall include:

- a. Prepare an annual operating budget, including recommended budgets submitted by committees, for consideration by the Board of Directors. Recommended budgets that will reduce the TSBOR Reserve balance below the established target must be approved by both the Directors and the General Membership.
- b. Check the accounting and financial matters of the Board and keep the Board of Directors informed of trends and changes that may be important to the Board's financial status.
- d. Advise the Board regarding systems, taxes, new legislation relative to taxable and non-taxable corporations, and other facts concerning the financial welfare of the corporation in consultation with the Executive Officer and designated accounting firm or legal counsel.

GRIEVANCE COMMITTEE

Shall be bound to strict confidentiality in all matters before, during and after a review. The Grievance Committee reviews and conducts preliminary investigations and evaluations of complaints, in accordance with the California Association of REALTORS® Code of Ethics and Arbitration Manual.

Meetings are generally scheduled on a quarterly basis but may be convened at the discretion of the Chairperson when deemed appropriate.

Members, of which a majority shall be REALTOR® Brokers, shall be assigned to two (2) year staggered terms. Members must attend Mandatory Professional Standards training as defined in the California Association of REALTORS® Code of Ethics and Arbitration Manual.

NOTE: It is strongly recommended by C.A.R. Legal Department that members of the Grievance Committee are not seated on the Professional Standards Committee or Board of Directors in the same calendar year. Under no circumstances may a member be seated as a Director, Grievance Committee member and Professional Standards Committee Member, in the same calendar year.

LOCAL GOVERNMENT RELATIONS COMMITTEE

The LGR Committee shall be governed by the Board of Directors and the adopted Political Direction Policy. (Refer to Appendix 1)

Membership shall consist of a minimum of eight (8) members, including the Chairperson. Member composition must be equally divided into members representing Truckee and Tahoe City. The Chairperson shall be obligated to select a minimum of two (2) new members each year. Meetings shall be held monthly or on the call of the Chairperson. A majority of members present at a scheduled meeting shall constitute a quorum.

The primary purpose of the LGR Committee shall be:

- a. Legislative outreach efforts and member involvement should continue to expand as deeply into the membership as possible. This committee shall foster more REALTOR® commitment at every level to enhance membership participation, education, and the REALTOR® image in the community.
- b. Monitor the interest of property owners, but do not represent them, as we are not elected, contracted, designated, named or nominated by them. We do champion their cause because in many instances the property owners' cause is parallel to or embodies our cause.

The LGR Committee shall:

1. Educate and encourage TSBOR members to seek and elect candidates to public office, regardless of political affiliation, whose philosophy is in accord with Board policies and the principles of individual freedom, and will protect individual rights of real estate ownership.
2. Urge members to participate in local, state and federal government. Encourage the appointment and/or election of REALTORS® to governmental boards and public office.
3. Review and study local political/governmental measures affecting the real estate industry, and property owners, and make recommendations to the Board of Directors as necessary.
4. Work closely with the C.A.R. in fighting poor legislation and supporting good legislation, as it affects the ownership of real property and other related matters. Recommend action locally on matters referred by the California Association of REALTORS®.

5. Inform the membership and generate grass roots support in favor of or opposition to specific legislation. Develop one (1) program aimed at encouraging members to inform their associates or the general public on key legislative issues.

7. Participate in inter-association efforts on certain legislative matters as directed by the Tahoe Sierra Board of REALTORS®.

8. Act a clearing house of information to Board members in dealing with pertinent issues Provide current information on legislative matters to the General Membership, provide the California Association of REALTORS® information on matters affecting the North Lake Tahoe/Truckee Area; act as liaison between N.A.R. and the local Board during legislative session.

9. Advocate legislation, through recommendations to the Board, which provides for just reimbursement for confiscation of private property by government, including unreasonable zoning, down zoning and moratorium.

10. Encourage members to contribute to Political Survival Campaign

Membership Committee

Shall consist of a minimum of four (4) members including the Chairperson. The Chairperson shall be obligated to select a minimum of two new members each year. A quorum shall consist of a majority of committee members present.

- a. Initiate, coordinate and carry out a program for membership recruitment and retention
- b. Make recommendations to the Board of Directors as to membership Rules & Procedures
- c. Interview membership applicants when a complaint has been lodged and forward a recommendation for acceptance or denial to the Directors.
- d. Encourage REALTOR® and Affiliate membership
- e. Review nominations and recommend a REALTOR® Broker, REALTOR® Salesperson, and Affiliate of the year to the Board of Directors for recognition of REALTOR® of the Year Awards. Panel of judges should number five (5) including prior year awardees.

Professional Standards Committee

Shall be bound to strict confidentiality in all matters before, during and after a hearing. To serve on Hearing Panels as required on matters of alleged ethical misconduct by Board members or to provide panel members for arbitration as requested. Hearing Panels and Member's responsibilities shall comply with the C.A.R. and N.A.R. guidelines as defined in the California Code of Ethics and Arbitration Manual.

There shall be at least nine (9) voting members of whom a majority shall be REALTOR® brokers appointed annually by the President, subject to confirmation of the Board of Directors. Members shall be assigned to two (2) year staggered terms. Members must attend Mandatory Professional Standards training as designated within the California Association of REALTORS® Code of Ethics and Arbitration Manual and/or established by the National Association of REALTORS®.

In addition, this committee shall plan programs to promote further adherence to high ethical standards by our membership.

NOTE: It is strongly recommended by C.A.R. Legal Department that members of the Professional Standards Committee are not seated on the Grievance Committee or Board of Directors in the same calendar year. Under no circumstances may a member be seated as a Director, Grievance Committee member and Professional Standards Committee Member in the same calendar year.

LOCAL CANDIDATES RECOMMENDATION COMMITTEE (LCRC)

Governed by the LCRC Bylaws, to review applications and authorize funds for political candidates.

Membership shall consist of four (4) members whose names shall be filed annually with the California Association of REALTORS®. Any two (2) of the four (4) may authorize a request of funds from LCRC.

Meetings shall be held on the call of the Chairperson as deemed necessary with three (3) committee members constituting a quorum.

Specific rules for qualifying requests: Unless a petition, in writing, requesting financial support of a candidate is submitted to the Board for consideration, no funds shall be allocated.

Special Committees and/or Task Forces

Under the direction of the President a Special Committee or Task Force may be assigned for issues of limited scope and duration. The majority of REALTOR® members present at a Special Committee Meeting or Task Force work group shall constitute a quorum. Meetings shall be called at the direction of the Chairperson or Task Force leader. The President or his designee shall be present at all meetings.

Special Committees and/or Task Forces may include but are not limited to:

Bylaws – Tahoe Sierra Board of REALTORS® Bylaws shall remain in compliance with the California Association of REALTORS Model Bylaws. Amendments to the California Association of REALTORS® Model Bylaws shall be automatically incorporated in the governing documents. Recommended Bylaw changes that are not initiated and mandated by the California Association of REALTORS and National Association of REALTORS® shall be recommended to the Board of Directors and put forth to the General Membership for approval in accordance with current Tahoe Sierra Board of REALTORS® adopted Bylaws.

Public Relations - to improve the REALTOR® image through involvement in community projects and develop an institutional advertising program for the Tahoe Sierra Board of REALTORS®.

Property Management may be established to help property managers, who are REALTOR® members of the Board, to get further professional training and continuing education in property management; encourage cooperation, sharing of information and expertise among REALTOR® property manager members of the Board, and encourage expanded service to the public in the rental market, promoting tourism and meeting the long and short term rental housing needs of visitor to the region.

Strategic or Long Range Planning provides continuing direction, sets objectives, and identifies opportunities, challenges, and attempts to allocate resources effectively providing continuity through leadership changes.

The guidelines are based upon an analysis and projection of future issues and trends that impact our service area and marketplace. It is important to focus on developing and promoting programs

and services that will enhance the members' ability to conduct their individual businesses successfully with integrity and competency,

Long-range plan sets forth a course of action for the next one to five years, with periodic reevaluations and adjustment being made.

- a. Adjust to changing membership numbers and needs
- b. Break down committee guidelines and evaluate for better services, so there is not duplication of programs, while maintaining a consistency of programs from year to year, and encouraging committee chairpersons to be receptive to membership surveys.
- c. Strive to create a climate of favorable public opinion to improve public perception of REALTORS®.
- d. Provide a forum for the discussion, determination and communication of Board policy,
- e. Develop and improve services, materials and techniques that assist members in the successful conduct of their business
- g. Study how to improve members' ethics and good business practices