# MISSISSIPPI ASSOCIATION OF REALTORS®, INC.
# POLICIES & PROCEDURES MANUAL

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*Adopted October 19, 1996 except where otherwise noted* (*Amended as of August 11, 2026)*

## PREAMBLE

The Mississippi Association of REALTORS® is dedicated to the protection and the preservation of the free enterprise system and the right of the individual to own real property as guaranteed by the Constitutions of the United States of America and the State of Mississippi. To that end, we offer the benefit of our knowledge of real estate, our experience, and our technical resources to the public in general and the government that serves them. We endorse the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS® and observe the principle of the Golden Rule in the conduct of our business.

## ASSOCIATION PURPOSE

The purposes for which the Association is organized are as follows:

1. To unite REALTORS®, REALTOR-ASSOCIATES®, and property owners of Mississippi for the purpose of effectively exerting a combined influence upon matters affecting real estate interests.

2. To promote and maintain the high standard of conduct in the transaction of real estate business expressed in the Code of Ethics formulated by the NATIONAL ASSOCIATION OF REALTORS® and to enforce that Code among its members in their dealings with the public and with one another.

3. To encourage and protect home ownership and to make the ownership of real estate more desirable.

4. To cooperate with governmental agencies and to encourage strict compliance with all lawful rules and regulations which affect the real estate business.

5. To own and operate an occupational school offering courses in real estate and allied fields and subjects. Admission to said school will not be denied on the basis of race, color, religion, national origin, age, sex, disability, cultural background, learning style, familial status, sexual orientation, gender identity or other differentiating factors.

6. To preserve the American free-enterprise system by participating in activities that encourage the sound growth of our economy.

7. To work with state and local governmental officials, like-minded organizations and interested individuals on activities designed to enhance the quality of life in Mississippi and its communities.

8. To receive contributions and make expenditures for political purposes; to establish, administer and solicit contributions to a political action committee; to perform any other acts of a political nature permitted by the laws of the State of Mississippi or the laws of the United States.

9. To have a perpetual existence unless dissolved by the membership at a regular or special meeting or by the operation of law. Upon dissolution of the Corporation any residue not expended in accordance with these articles shall be distributed to an organization or organizations exempt from taxation under the provisions of Section 501(c)(6) of the Internal Revenue Code, or successor provisions in any future internal revenue law.

**Official Policies & Procedures of the Association.** These Policies & Procedures, as amended from time to time, constitute the official policies and procedures of the Association. They shall control in all cases except where they may conflict with the Association's Bylaws, in which case the Bylaws shall govern. The Association's Executive Committee shall approve any amendments to these Policies & Procedures, following review of proposed changes by the Association's General Counsel. A current copy of the Policies & Procedures shall be maintained at the Association's headquarters and in the office of the Association's General Counsel and be made available to all members of the Association. All Association staff members shall receive a copy of the Policies & Procedures and sign a written acknowledgment that they have received and read same. The same procedure shall be followed upon approval of an amended version of the Policies & Procedures.

## SECTION 1. STATEMENTS OF POLICY

1.1. **NAR Statement of Policy.** We officially adopt and pledge our support to the current statement of policy of the NATIONAL ASSOCIATION OF REALTORS®.

1.2. **MAR Statement of Policy.**

1.2.1. Organizational Policy. The Mississippi Association of REALTORS® is dedicated to the protection and the preservation of the free enterprise system and the right of the individual to own real estate property as guaranteed by the Constitution of the United States of America. To that end, we offer the benefits of our knowledge of real estate, our experience, and our technical resources to the public in general and the government which serves them. Because we are concerned with a number of issues facing our members and our country, the following statement of the principles underlying our policy recommendations is provided so that the public will better understand the specific positions on current issues in the remainder of this section.

We believe in the free enterprise system, and oppose undue intervention by government in the affairs of American business. We oppose counter-productive taxation, governmental guidelines, regulations, rules and procedures which unnecessarily increase consumer costs and unnecessarily burden the business community, and we support a balanced state budget without increased taxes.

We believe that the political stability and economic prosperity of the United States of America is dependent in large measure upon the right of the individual to own and freely transfer real property and to exercise and enjoy the benefits of ownership. Because we strongly support the full and free exercise of this right, we oppose actions by governments, groups, or individuals which diminish or deny it, and we will concern ourselves with legislation, regulations and litigation that impact on real estate and the REALTOR® organization.

We will continue to be responsive to the increasing needs of our members for direct and indirect economic and professional benefits and services by striving to increase the professional image, standards and productivity of our members. The growing specialized and diversified needs of the members of the various disciplines in the real estate industry in domestic and international markets are also of major importance to our organization. Thus, we will work to ensure that our members in both non-residential and residential specialties provide the highest quality services to their clients, services that address the continually changing nature of brokerage and business practices in real estate, including the professional and liability concerns of our members. To this end, we will inform our membership of real estate business trends and practices, monitor the effects of changing demographics, promote the benefits of additional real estate education and develop new ways of assisting real estate specialties. We will also work to build coalitions and work with other trade groups, professional associations and firms in areas such as educational programs, legislation, services, marketing and membership.

We believe that every individual and entity involved in real estate sales, brokerage or appraisal services should be properly licensed and/or certified under the appropriate law.

We believe that home ownership serves as a cornerstone of our democratic system of government, and deserves a preferred place in our system of values as it contributes to community responsibility, civic stability, family security and well being. As real estate professionals, we know that home ownership is a primary goal of American families. We also believe that every individual should have the opportunity to live in safe and decent housing. These objectives can best be served by a healthy housing market in an economic environment that fosters an ample supply of affordable and accessible financing provided by both domestic and international sources.

We believe in balancing the needs for environmental conservation, economic progress, affordable housing, private property rights and enhancement of the quality of life. In this respect, agricultural needs, social and economic factors, and the future growth of our nation must be considered in the development of land use policies.

We believe in and support policies which promote the healthy growth of the American economy. Investment in structures, in equipment, and in the skills of people is necessary to increase the standard of living, jobs and household income. To accomplish these goals, we urge changes in tax policy which will encourage savings, investment and home ownership.

We believe that active involvement in political activity is a privilege and responsibility of every citizen. We urge qualified individuals to make themselves available for public service. We encourage continuing participation in local, state and national political affairs and urge support of those candidates who pledge and by their actions preserve, and indeed strengthen, America's free enterprise system which is based upon the underlying principle of private ownership.

1.3. **Legislative/Regulatory Advocacy Guidelines.**

Official Legislative/Regulatory Policy Guidelines duly adopted by the Legislative & Regulatory Affairs Committee, as approved by the Board of Directors, and as amended from time to time, are set forth on Addendum 1. Legislative/Regulatory Policy Guidelines represent statements of Associational position intended to serve as overall guidelines for determination of the Association's approved legislative priorities and, as such, may be disseminated to the public in the manner authorized by the President, the Executive Committee, the Legislative & Regulatory Affairs Committee, the Government Affairs Director or the Chief Executive Officer.

1.4. **Business Philosophies.**

1.4.1. The Mississippi Association of REALTORS® is a member-driven association and shall be operated and conduct its affairs as a competently-run business.

1.4.2. Board/Staff Roles and Responsibilities. It is the responsibility of the MAR Board of Directors to establish strategic direction and policy sufficient to meet members' requirements in accordance with applicable federal and state laws. It is the responsibility of the MAR Executive Committee to determine internal business and operational policy of the Association and, through the Chief Executive Officer, to ensure that Board policy is properly executed. It is the responsibility of the Chief Executive Officer to manage the day-to-day operations of the Association, including the provision of direct member services and programs, with the assistance of member volunteers who serve on Committees, in accordance with Board policy directives.

It is the responsibility of member volunteers who serve on Committees, Work Groups and task forces to provide input to the Board and staff concerning member needs and expectations; to assist the staff in translating Board strategic policy into operational programs and services for the membership; and to organize and carry out tasks that assist and support staff in their role of providing member programs and services.

Implicit in this philosophy is the assumption that the larger and more complex MAR becomes, the greater the staff role in providing services and programs as directed by the Executive Committee and the Board of Directors. It is the responsibility of member volunteers who serve on committees, work groups and task forces to provide input to the Board of Directors, Executive Committee and staff concerning member needs and expectations, and to direct the staff in translating Associational strategic policy into operational programs and services for the membership.

1.4.3. Leadership Development. MAR's future success rests on its ability to recruit and develop new leaders. It is the Association's policy to conduct an on-going program of substantive training designed to enhance the leadership skills and knowledge of potential future leaders.

1.4.4. Regulatory Appointments. It is the policy of the Mississippi Association of REALTORS® to make recommendations to the Governor or other designated appointing entity for appointments to real estate related regulatory bodies. The process for making recommendations shall be as follows: MAR staff shall solicit member input when appointments or reappointments to regulatory agencies are set to expire. Anytime there is an expiring term or vacancy on the Mississippi Real Estate Commission, the Mississippi Appraisal Board, or another real estate-related regulatory or business Board, MAR may

put forth a name or list of names to the Governor or other designated appointing entity for consideration for appointment to the seat(s). When feasible, MAR members shall be notified and their written input solicited when a seat is available for appointment. The Executive Committee shall determine the final list to be submitted to the Governor or other designated appointing entity, and shall notify the Board of Directors of the names submitted.

## SECTION 2. ORGANIZATION & ADMINISTRATION

2.1. **MAR Headquarters.** The physical plant of the Mississippi Association of REALTORS® shall be located at 4274 Lakeland Drive, Jackson, Mississippi, 39232, also known as Mississippi REALTOR® Center, and at such other locations as may be provided by the Executive Committee. The MAR Headquarters Location includes all appurtenances to the main building, including parking lots, sidewalks and other common areas maintained at such location.

2.2. **Office Hours.** The office hours of the Mississippi Association of REALTORS® shall be 8:00 A.M. until 5:00 P.M. Monday through Friday, except for approved holidays.

2.3. **Smoke Free Property.** The entire MAR Headquarters property, including the MAR physical plant, including the executive offices, meeting rooms, work rooms, rest rooms, hallways, all points of public access into the same and all other parts of the MAR property, is a "smoke free" property. Smoking is prohibited upon all portions thereof.

2.4. **Conflict of Interest Policy.**

2.4.1. Purpose. The purpose of the conflict of interest policy is to protect MAR's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer, director or staff member of MAR or might result in possible excess benefit transaction, or when a familial interest of an officer, member or staff member might result in an impermissible conflict. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

2.4.2. Definitions.

2.4.2.(A). *Interested Person.* Any director, principal officer or member of a committee, or staff person who has a direct or indirect financial interest or a familial interest, as defined below, is an *interested person.*

2.4.2.(B). *Financial Interest.* A person has a *financial interest* if the person has, directly or indirectly, through business, investment, or familial interest *(see* 2.4.2.(C)):

(i) An ownership or investment interest in any entity with which MAR has a transaction or arrangement;
(ii) A compensation arrangement with MAR or with any entity or individual with which MAR has a transaction or arrangement; or

(iii) A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which MAR is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. For purposes of this policy, the procedures set forth in Section 2.4.3 shall determine when a conflict of interest exists.

2.4.2.(C). *Familial Interest.* A person has a *familial interest* if the transaction in question involves a *direct familial relation*, or if the office or position in question involves a *direct familial relation*. For purposes of this policy, a *direct familial relation* exists when the person seeking to determine a conflict ("primary party") is related to the secondary party as spouse, parent, sibling, child, domestic partner or the secondary party resides in the primary party's household or the primary and secondary parties work together within a single office location. To avoid conflicting familial interests, the following policy shall apply:

(i) No member shall serve as an officer of the Association when another member having a direct familial relation is serving as an officer of the Association.
(ii) No First Vice President, President-elect or President of the Association shall appoint a member with whom they have a direct familial relation to serve as a Committee Chair or Committee Vice Chair of the Association.
(iii) No member shall serve on the Association's Operations Committee when another member having a direct familial relation is serving as an officer of the Association.
(iv) No member shall serve on the Association's Nominating Committee when another member having a direct familial relation is serving as an officer of the Association or is being considered for nomination to serve as an officer or director of the Association.
(v) No member shall serve on any committee considering an award, honor or recognition when another member having a direct familial relation is being considered as a candidate for such award, honor or recognition.
(vi) No member shall serve on any committee or group seeking to fill any position of service, paid or unpaid, to the Association when that member has a direct familial relation to any individual being considered by such committee to fill such position.

2.4.3. Procedures.

2.4.3.(A). *Duty to Disclose.* In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest or familial relation and be given the opportunity to disclose all material facts to the Chief Executive Officer and/or members of the Executive Committee considering the proposed situation, transaction or arrangement.

2.4.3.(B). *Determining Whether a Conflict of Interest Exists.* After disclosure of the financial interest or familial relation and all material facts, and after any discussion with the interested person(s), the Chief Executive Officer shall submit the issue to the Executive Committee for determination by vote taken in closed session. The determination of the Executive Committee shall be final.

2.4.3.(C). *Procedures for Addressing the Conflict of Interest.*

(i) When a familial conflict of interest is found to exist, the members having the direct familial relation creating the conflict may voluntarily resolve the conflict by withdrawal or refusal to serve of one (1) of them as to the position creating the conflict. In the event that a prohibited familial relation is not voluntarily resolved and is determined to exist by the Executive Committee, the Chief Executive Officer shall take such steps as may be necessary to eliminate the conflict in accordance with the determination of the Executive Committee. In the event a member of the Executive Committee considering the potential conflict is an interested party, the interested member of the Executive Committee shall not be present for any deliberation or action considered or taken by the Executive Committee relating to such potential or actual conflict.

(ii) Once a financial conflict of interest is determined, the Chief Executive Officer shall, if appropriate, appoint a disinterested person or committee made up of disinterested persons to investigate alternatives to the proposed transaction or arrangement.

(iii) After exercising due diligence with regard to investigation of a financial conflict, the Chief Executive Officer, or the person or committee appointed to investigate the matter, shall determine whether MAR can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.

(iv) If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a financial conflict of interest, the Chief Executive Officer, or the person or committee appointed to investigate the matter, shall determine whether the transaction or arrangement is in MAR's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, the Chief Executive Officer shall make the decision as to whether to enter into the transaction or arrangement. In such event, the Executive Committee, by majority vote of its disinterested voting members, shall ratify the decision of the Chief Executive Officer.

2.4.3.(D). *Violations of the Conflicts of Interest Policy.*

(i) If the Chief Executive Officer or the Executive Committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, the Chief Executive Officer shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

(ii) If, after hearing the member's response and after making further investigation as warranted by the circumstances, the Chief Executive Officer determines the member has failed to disclose an actual or possible conflict if interest, it shall direct the matter to the Executive Committee, whose disinterested members may take appropriate disciplinary and corrective action. The decision of the Executive Committee shall be final.

2.4.4. Records of Proceedings. The minutes of the Executive Committee and/or any investigative committee involved in the handling of a potential or actual conflict of interest shall contain:

2.4.4.(A). The names of the persons who disclosed or otherwise were found to have a financial or familial interest in connection with an actual or possible conflict of interest, the nature of the interest, any action taken to determine whether a conflict if interest was present, and the Chief Executive Officer's or Executive Committee's decision as to whether a conflict of interest in fact existed.

2.4.4.(B). The names of the persons who were present for discussions and votes relating to the conflict, the content of the discussion, including any alternatives to the proposed transaction or arrangement in the event of a financial conflict, and a record of any votes taken in connection with the proceedings.

2.4.5. Compensation.

2.4.5.(A). A voting member of any MAR governing board who receives compensation, directly or indirectly, from MAR for services is precluded from voting on matters pertaining to that member's compensation.

2.4.5.(B). A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from MAR for services is precluded from voting on matters pertaining to that member's compensation.

2.4.5.(C). No voting member of the Executive Committee, the Board of Directors or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from MAR, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

2.4.6. Annual Statements. Each director, principal officer and member of a committee with governing board-delegated powers shall annually sign a statement which affirms such person:

- Has received a copy of the conflicts of interest policy;
- Has read and understands the policy;
- Has agreed to comply with the policy; and
- Understands and acknowledges MAR's tax status and the fact that, in order to maintain its federal tax exemption, MAR must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

2.4.7. Periodic Reviews. To ensure MAR operates in a manner consistent with purposes in accordance with its federal tax exempt status and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted by the Chief Executive Officer, or under its control and direction, with reports to the Executive Committee. The periodic reviews shall, at a minimum, include the following subjects:

- Whether compensation arrangements and benefits are reasonable, based on competent survey information, and the result of arm's length bargaining;
- Whether partnerships, joint ventures, and arrangements with management organizations conform to MAR's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

2.4.8. Use of Outside Experts. When conducting the periodic reviews as provided in Section 2.4.7, MAR may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the Chief Executive Officer and the Executive Committee of their responsibility for ensuring periodic reviews are conducted.

2.4.9. Confidentiality. The suggestion, investigation, report, discussions relating to or finding of a potential or actual conflict shall be conducted and kept in strict confidence, so that only those persons charged with responsibility under the policy shall be aware of such information. No person coming into possession of knowledge or documentation relating to a conflict covered by this policy shall disclose such information to any other person apart from those disclosures necessary to effect the requirement of this policy. Violation of this confidentiality requirement shall result in sanctions or other appropriate actions as may be determined by the Chief Executive Officer, in consultation with the Executive Committee.

## 2.5. **Alcohol and Drug Policy.**

2.5.1. Alcohol Use. Except as may be duly permitted by the State of Mississippi or other applicable authorities, the use of alcohol upon the MAR Headquarters Location is prohibited. To the extent allowable by law, alcohol use may be allowed at MAR functions or during Association activities under specific circumstances, such as hospitality suites, upon prior approval and on such terms as may be specified by the Chief Executive Officer. In the event of an Association-sponsored activity or while on Association business at which alcoholic beverages may be served or allowed, any person acting on behalf of or representing MAR in any capacity shall conduct themselves in such a manner that they do not represent a danger to themselves, to other MAR employees or representatives, to the general public or to the Association's reputation.

2.5.2. Drug Use. Over-the-counter and Prescription Drug Use shall be conducted in strict accordance with published use instructions, and MAR is not responsible for voluntary use of such drugs by those upon MAR's premises or at MAR-sponsored events. The use, possession, distribution or sale of illegal drugs while on Association Property, at an Association business or social event, in an Association Vehicle or during the conduct of Association business of any kind is strictly prohibited.

2.5.3. Testing. Subject to applicable law, the Association reserves the right to require any employee to submit to a drug and/or alcohol test at its discretion. Refusal to take a drug and/or alcohol test will result in appropriate discipline as determined by the Chief Executive Officer.

2.5.4. Published Policy. To implement this Alcohol and Drug Policy, a written policy statement shall be approved by the Chief Executive Officer for distribution to MAR employees.

## 2.6. **Tax Status.**

2.6.1. MAR as 501(c)(6). The Mississippi Association of REALTORS® shall be organized as a 501(c)(6) organization under the Internal Revenue Service Code.

2.6.2. Profit/Non-Profit Subsidiaries. The Executive Committee is authorized to take action and advise the Board of Directors if at any time it becomes advantageous to organize for-profit or not-forprofit subsidiaries for tax purposes, mailing costs or other similar reasons.

2.7. **Confidentiality.** Employees and others transacting Association business may possess or have access to confidential information. This may include personal data, financial data or other data or information of a personal and confidential nature. It is the responsibility of each member, employee or other person(s) gaining access to confidential information to keep this information confidential even when no longer a member or employed by or acting on behalf of MAR. An employee, former employee, member, former member or other person acting on behalf of MAR who discloses or makes unauthorized use of confidential information will, as to present employees and members, be disciplined up to and including termination, and any person breaching this confidentiality policy may expose themselves to legal action or liability. If an inquiry involving confidential information is made from outside MAR, the party receiving the request shall direct the question to the Chief Executive Officer for a response.

2.8. **Membership Roster.**

2.8.1. For Official MAR Business. The membership roster is the property of the Association for official and approved use of the Association and its members. The membership roster shall not be released to any party without approval by the Chief Executive Officer or the Executive Committee. The Chief Executive Officer or the Executive Committee may furnish mailing lists for official business at no cost (or at cost if requested on more than an infrequent basis) to members, Member Boards or other persons as the Chief Executive Officer or Executive Committee deems appropriate, on such terms of use as the Chief Executive Officer or Executive Committee may designate.

2.8.2. For Affiliated Institutes. Societies or Councils. For official MAR business, the membership mailing list may be provided by the Chief Executive Officer to an affiliated Institute, Society or Council at no charge or on such other terms as the Chief Executive Officer deems appropriate.

2.9. **Dues Policies.**

2.9.1. Collection Procedure. The following shall be the schedule and procedure for collecting membership dues:

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| On or before October 1 | Send "Dues Billing Information Form" to Member Boards requesting information on local dues amounts and Professional Standards Enforcement Fund assessment amount. The form also includes a place for the local board to formally request that MAR prepare their dues bills. The form should also be accompanied by a roster of current primary members for the Member Board to review for accuracy. |
| On or before October 28 | Deadline for Member Boards to return completed "Dues Billing Information Form" and corrected membership roster to MAR. |
| November 1-5 | Send Dues Bills to Member Boards that have requested that service for MAR. Send "Membership & Dues Collection Process" document to all Member Boards. The document is accompanied by a ledger of current members and instructions on how to complete the ledger and remit dues payments to MAR. Inform Member Boards of approaching December 31st, January 1st and February 28th deadlines (see below). |
| November 1-5 | Send reminder to Member Boards of December 31st deadline for changes to membership status in NRDS. |

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| December 31 | Deadline for all membership status changes in NRDS. Member Boards will be responsible for dues payments for all members Listed as Active after this date. |
| January 1 | Annual membership dues deadline; all dues are payable to MAR. |
| February 1-5 | Send reminder to Member Boards of February 28th deadline for remittance of dues to MAR and 10% penalty for dues received after that date. |
| February 28 | Deadline for Member Boards to submit annual membership dues to MAR before the 10% penalty is incurred and the board is termed "not in good standing." |
| March 10-15 | Mail certified letter to Association Executive and/or Treasurers of Member Boards that are delinquent reminding them of consequences of non-payment of dues. |
| April 1 | Send certified letter to Presidents of delinquent Member Boards advising that the Board is "not in good standing." The Board should make a report to MAR immediately, and all annual dues owed should be cleared within ten (10) days after receipt of the certified letter. NAR will assess delinquent Boards late charges and administrative fees monthly of 1.5% on outstanding balances for dues remittance not postmarked by April 1. |
| April 10-15 | Member Boards not reporting within ten (10) days after receipt of the certified letter may be suspended from membership for nonpayment of annual dues, and shall be reported to the Board of Directors at their next meeting for termination and recommendation that their charter be revoked by the NATIONAL ASSOCIATION OF REALTORS® for non-payment of annual dues in full unless the annual dues owed is cleared. |
| April 15-May 1 | Send letter to all Member Boards members who are currently members of Member Boards delinquent with current year dues informing them that their Board is "not in good standing" and procedures have begun to revoke the Board's charter. |

2.9.2. Computerized Dues Billing. The Association annually shall offer computerized dues billing services at no charge to Member Boards that request it. Any Member Board dues bills prepared by MAR shall include billing for voluntary RPAC contributions at the current "Fair Share" levels, within the limits of the law. Only the Executive Committee may make exceptions to this policy.

2.9.3. Drops/Reinstatements. It is MAR's policy to allow a member who has dropped his or her membership in MAR to be reinstated at no additional charge if the reinstatement is made within 60 days of dropping membership. Dropped members who wish to be reinstated after 60 days must remit the dues amount appropriate to his or her member type plus any new member fee authorized by the Bylaws.

2.10. **Provisional Members.** MAR will begin providing service to new/provisional members within seven (7) days of the entrance of the new member record into the National REALTOR® Database System (NRDS). Member Boards are strongly encouraged to enter the new member information into NRDS immediately upon receipt of the member application for REALTOR® and REALTORASSOCIATES® or upon receipt of a non-member data form. Dues should be remitted in accordance with the NAR policy for new/provisional members.

2.11. **Oath and Installation of Officers.**

2.11.1. State Association Officers. Officers of the Association shall be installed and assume their duties as provided by the Bylaws. They shall enter upon their duties after subscribing to the following oath of affirmation:

Many of the basic principles governing human relationships are paradoxes, and so it is with the principles that define the ability to be a leader. For example:

> If you would receive, you must give.
> If you would lead, you must know how to follow.
> If you would be a master, you must become a servant.

I happen to know personally that each of these, whom you have chosen to be leaders of the _____ (year) administration of the Mississippi Association of REALTORS®, is by these principles completely qualified for the office to which he or she has been elected. Each of these, for many years, in their local Boards and in their State Association, has given, has followed and has unselfishly served.
As I call them now by name, I ask them to come forward and stand, facing the audience. Now, would the following please come to the platform: *[Call officer-candidate names]*

*[To the officer-candidates assembled]:* It is assumed that in accepting the office to which each of you has been elected, you subscribe fully to the objects of the Mississippi Association of REALTORS®, as described in Article II of the Constitution:

- To unite those engaged in the recognized branches of the real estate profession;
- To enable its members to transact their business to the better advantage of themselves, their clients, and the general public.
- To promote and maintain the high standards of conduct in the transaction of the real estate profession as expressed in the Code of Ethics formulated by the NATIONAL ASSOCIATION OF REALTORS®, and to enforce the Code of Ethics among its members;
- To promote the use of the term REALTOR®, and the emblem seal, as is defined by the NATIONAL ASSOCIATION OF REALTORS®, and as designating a person engaged in the real estate profession who is a Board Member, or an Individual Member of the MISSISSIPPI ASSOCIATION OF REALTORS®;
- To assist the NATIONAL ASSOCIATION OF REALTORS® in providing a facility within the State of Mississippi for education, research, and the exchange of information for those engaged in the real estate profession and its recognized branches for the purpose of raising the standards of real estate practice, preserving the right of property ownership in the interest of public welfare.
- To advance the civic development and the economic growth of the State of Mississippi;
- To conceive, advocate, and support legislation designed to improve the State of Mississippi, and the real estate profession.

If you so subscribe, please signify by saying "I do".

Now, please raise your right hand to take the oath of office:

Do each of you solemnly promise and swear and/or affirm:

- That you will administer the office to which you have been elected to the best of your ability and judgment, in conformity with the Constitution and Bylaws of the MISSISSIPPI ASSOCIATION OF REALTORS®;
- That you will observe and enforce the Code of Ethics adopted by the NATIONAL ASSOCIATION OF REALTORS®;
- That you will uphold and support Mississippi real estate License Law;
- That you will faithfully execute your duties in accordance with all applicable laws and the governing documents of this Association, and honor the confidentiality of information according to the policies and procedures of this Association; and
- That you will in all your acts be governed by the principles of honesty, justice and fair play, and in every manner possible, endeavor to promote and safeguard the best interest of our Communities, State, the high purposes of our Association, and the welfare of its membership?

If you do so subscribe, please say "I do". You may lower your hand.

Now, by virtue of the authority conferred upon me, I do proclaim each of you officially installed to the office to which you have been elected. Congratulations to each of you.

2.11.2. Local Boards/Associations. Local Board/Association Officers may enter upon their duties after subscribing to the following oath of affirmation:

It is assumed by your acceptance of your respective offices in the _____ Board/Association of REALTORS® that you are in full accord with the objectives of this Board, the Mississippi Association of REALTORS®, and the NATIONAL ASSOCIATION OF REALTORS®. These objectives are:

- To encourage and foster high ethical standards in our profession.
- To take an active interest in the welfare of your city, county, and state.
- To develop service as the basis of worthy enterprise.
- To interchange ideas, business methods, and transactions with other REALTORS®.
- To oppose harmful legislation and to strive for legislation beneficial to real estate.

The benefits are:

- The legal right to call yourself an officer or director of the _____ Board/Association REALTORS®.
- A higher standing in your community.
- Better relations with your fellow REALTORS®.
- A broader knowledge of the activities of the _____ Board/Association of REALTORS®, the Mississippi Association of REALTORS® and the NATIONAL ASSOCIATION OF REALTORS®.
- A broader acquaintance and deeper friendship with those you know and should know.

The obligations are:

- To attend meetings regularly, and to fill your respective offices in a manner which will reflect credit to the _____ Board/Association of REALTORS®, to the State and National Associations, and to yourself.
- To act in an executive capacity in making the decisions your office requires.
- To see that the various committees perform their duties as delegated.
- To sign instruments required by the Association in the transaction of its business.

If you so subscribe, please signify by saying "I do".

Now, please raise your right hand to take the oath of office:

Do each of you solemnly promise and swear and/or affirm that you will administer the office to which you have been elected to the best of your ability and judgment, in conformity with the Bylaws of your Association;

- That you will observe and enforce the REALTOR® Code of Ethics;
- That you will uphold and support your Local, State and National Associations;
- That you will uphold and support the Mississippi Real Estate Commission and its enforcement of the License Law;
- That you will, in all your acts, be governed by the principles of honesty, justice, and fair play, and in every manner possible, endeavor to promote and safeguard the best interests of our State, the high purpose of your Association, and the welfare of its members?

If you so subscribe, answer by saying "I do." (You may now lower your hand.)

By virtue of the authority conferred upon me, I do now proclaim you officially installed to the office to which you have been elected.

The passing of this gavel carries with it the duties and responsibilities of the office to which you have been elected. I congratulate you.

Ladies and Gentlemen, may I present your _____ (year) officers and directors for the _____ Board/Association of REALTORS®.

2.12. **Committee Membership**: **Selection; Responsibilities.** Members in good standing are eligible to serve upon any of the Association's Standing Committees, and may, except as provided otherwise in the Bylaws or herein, be reappointed to serve more than one (1) successive term. To ensure consistency and continuity in the manner of selection of members to serve upon the Association's standing committees, the following procedure shall be followed:

2.12.1. Each fall, all Association members shall be notified that the Association is accepting nominations for seats on the Association's Standing Committees which will be or become open in the upcoming year.

2.12.2. MAR staff will provide a committee nomination form for this purpose.

2.12.3. Members shall be afforded a reasonable time period to submit nomination forms, and may submit as many forms as they wish. Members may nominate other members or themselves for such seats.

2.12.4. All nomination forms shall be assembled by MAR staff and submitted to the President-Elect and First Vice President for consideration.

2.12.5. The President-Elect shall select from the general membership Committee members to fill seats to become open during the upcoming year, and shall notify those selected of such fact in a writing which sets forth the duties, responsibilities and charge of the particular committee as set forth in the Association's Bylaws.

2.12.6. The First Vice President shall select Committee Vice Chairmen from the general membership for the upcoming year and present a list of such names to the Board of Directors for approval. Upon approval by the Board, the First Vice President shall notify those selected of such fact in a writing which sets forth the duties, responsibilities and charge of the particular committee as set forth in the Association's Bylaws.

2.12.7. Service on MAR Committees is a privilege and brings with it certain responsibilities. Preparing in advance for the meeting by reading the provided agenda and materials, attendance at the in-person or virtual meetings, and thoughtful and respectful participation in discussions are important responsibilities of Committee members and will enhance the final work product of the Committee.

2.13. **All-REALTOR® Boards/Associations.** In order to ensure greater representation and participation, MAR encourages Member Boards/Associations to be All-REALTOR® Boards/Associations.

2.14. **Association Records.**

2.14.1. Access to Records - Members. It is MAR's policy to allow members to inspect the following records of the organization:

- Articles of Incorporation
- IRS Form 990
- Tax-Exempt Letter
- Audited or Reviewed financial statements
- Financial statements for the most recent month ended
- Minutes of any and all Executive Committee, Board of Directors and Committee meetings

2.14.2. Access to Records - Public. In accordance with federal law, MAR provides copies of its last three (3) annual information returns (IRS Form 990), application for tax-exempt status (IRS Form 1023) and their Letter of determination to anyone who asks for copies by mail or in person. The following policy shall apply with regard to such records, and shall be amended as necessary from time to time to ensure complete compliance with federal law, as amended:

2.14.2.(A). The following documents are covered by this policy:

- Form 1023 and any supporting documents filed by or on behalf of MAR in connection with its application
- Any letter or document issued by the IRS in connection with the application
- Annual information returns (such as Form 990, 990-EZ, 990-BL and Form 1065) that have been filed for the previous three (3) years

2.14.2.(B). MAR's obligation in the event it receives a request for disclosure of covered documents is as follows:

- **In-person request to review covered documents:** MAR shall, through staff designated by the Chief Executive Officer, make the documents listed above available free of charge at the MAR's principal place of business.
- **In-person requests for copies:** MAR, through staff designated by the Chief Executive Officer, shall comply with in-person requests on the same business day unless there are "unusual circumstances" such as when key staff are attending an off-site meeting. In no event may the delay exceed five (5) business days. MAR may charge up to $ 1.00 for the first page and $.15 for each additional page. It may require payment by cash or money order.
- **In-writing requests for copies:** MAR, through staff designated by the Chief Executive Officer, shall respond to requests made in writing, whether by mail, electronic mail, fax or private delivery service. Copies of the requested documents shall be mailed within thirty (30) days from the date MAR receives the request. If MAR requires payment in advance, copies shall be sent within thirty (30) days of the date it receives payment. However, within seven (7) days of receiving the request, MAR shall notify the requester that it has a prepayment policy and the amount due. MAR shall accept payment by certified check, money order, personal check or credit card for requests received in writing. If MAR does not require payment in advance, it shall notify the requester and receive consent before providing copies for which the fee will exceed $20.

2.14.2.(C). *Availability on the Internet*. MAR may, as an alternative to the protocol set forth in 2.14.2.(B), may make covered documents "widely available," as that term is defined by the IRS. MAR may post the documents on the Internet and allow general public access to them at no charge. Any forms so posted shall be posted in a format, such as PDF, that when downloaded, viewed and printed exactly reproduces the image of the document as it was originally filed. Posted copies of Form 990 or Form 990-EZ may be altered so as to mask the names and addresses of donors.

2.14.2.(D). Within seven (7) days of receipt by MAR of a written request for copies of documents so posted, MAR, through staff designated by the Chief Executive Officer, shall either provide the requested copy or provide specific instructions to the requestor as to how requested documents posted on the Internet may be accessed. Persons requesting posted documents on site shall be told the Internet address at the time they make their request.

2.14.3. Approved access to Association Records will take place at the Association's headquarters at a mutually agreed upon time. Staff designated by the Chief Executive Officer will remain in the

presence of the individual(s) requesting access to this information. Individuals will be allowed a reasonable amount of time to review the form, but access to copying machines and the like may be denied.

2.14.4. Records Retention and Destruction. It is the policy of the organization to retain records as required by law and to destroy them when appropriate. The destruction of records must be approved by the Chief Executive Officer via a Records Destruction Request Form and carried out or overseen by those staff designated by the Chief Executive Officer. Once the records have been destroyed, a copy of the Records Destruction Request Form will be included in the organization's Records Destruction Log. The formal records retention policy of the organization is as follows:

| Type of Record | Recommended Retention Period |
|---|---|
| Accident reports and claims | 3 years |
| Accident reports (OSHA) relating to occupational Injury | 5 years |
| Accident reports (OSHA) relating to exposure to Toxic or hazardous materials | 30 years |
| Basic corporate documents (includes bylaws, minutes, charter, annual financial operation and sales reports) | Permanently |
| Correspondence | |
| General | 2 years |
| Legal | Permanently |
| Education (MRI) | |
| Student records/transcripts | Permanently |
| Registration Forms | 3 years |
| Financial documents | |
| Accounting journals and ledgers | 10 years |
| Accounts receivable and credit (not cash receipts) | 2 years |
| Audits/Reviews | Permanently |
| Billing and cash receipts record | Until federal and state tax clearance |
| Canceled general checks | 10 years |
| Canceled payroll checks | 6 years |
| Chart of accounts | Permanently |
| Depreciation schedules | Permanently |
| Financial statements (monthly and quarterly) | 2 years |

| | |
|---|---|
| Paychecks (cancelled) | 2 years |
| Insurance | |
| Policies (expired) | 3 years following expiration |
| Other records (claims, and so on) | Permanently |
| Legal documents | |
| Copyrights | Permanently |
| Contracts and leases (expired) | 3 years following expiration |
| Deeds | Permanently |
| Lawsuits (settled) | 10 years following settlement |
| Membership applications | 3 years |
| Payroll | |
| Earnings records | 4 years |
| Payroll register | 6 years |
| Pension information | Permanently |
| Personnel | |
| Applications | 3 years |
| Files (after termination) | 1 year following termination |
| Summary or history card or index | 6 years |
| Purchasing | |
| Bids | 3 years |
| Capital equipment | 6 years |
| Routine items | 3 years |
| RPAC records | 3 years |
| Securities | |
| Stocks and bonds (cancelled) | Permanently |
| Tax Returns | |
| Excise | 4 years |
| Purchase-and-use | 3 years |
| State and federal | Permanently |

2.15. **Diversity Policy.** Diversity strengthens MAR's organizational performance by allowing it to access a wider range of skills, knowledge, abilities, insights and experience, providing heightened service while growing relationships and brand image in diverse communities. Diversity also allows MAR to compete as an "employer of choice".

It is a core value at MAR that employees have the right to a respectful work environment. MAR values diversity and the personal, cultural, social, and economic benefits it brings to the organization and community.

MAR is committed to a policy of fairness; full equity in employment; equitable hiring, training and development, promotion and other career development practices; managing the diversity of its employees; building an inclusive workforce; fostering a respectful environment; and fully utilizing the talents of any qualified person regardless of race, color, religion, national origin, age, sex, disability, cultural background, learning style, familial status, sexual orientation, gender identity or other differentiating factors.

All MAR policies and procedures involving employees, volunteers or others associated with MAR to effect MAR's business should reflect these values and commitments. At the same time, the principle of merit applies to all employment, development and advancement opportunities.

2.15.1. **Statements of Intent**

MAR will, at all times:

- Aim to achieve and maintain a fair and representative workforce
- Compensate fairly according to the value of the work performed and in a manner consistent with pay equity requirements
- Create a climate of understanding and mutual respect for the dignity of each individual
- Hire and promote on the basis of merit and potential
- Hold accountable all employees for making diversity a part of their everyday responsibility
- Where possible, implement special programs and provide reasonable accommodation, as required, to assist specific groups of workers to overcome discrimination and the barriers of systemic discrimination
- Practice supplier diversity, which is a commitment to purchase goods and services at competitive prices while enhancing the opportunities for success for business owners of diverse backgrounds
- Promote the development of proactive strategies by establishing program results and outcomes specific to diversity principles
- Strive to identify and eliminate any and all forms of discrimination and harassment in employment. As set forth elsewhere herein, discrimination of any form shall be prohibited, except where identified as a bona fide occupational qualification
- Undertake to educate and inform its employees on diversity principles
- Value the culture of all employees equally

2.15.2. **Equal Opportunity Employer.** MAR is an equal opportunity employer, and through its policies and procedures, including employment policies as embodied in the MAR Employment Policy Manual, MAR shall not discriminate based upon race, color, religion, national origin, age, sex, disability, cultural background, learning style, familial status, sexual orientation, gender identity or other differentiating factors, in accordance with applicable state and federal law.

2.16. **Anti-Trust Policy.** A goal of the Mississippi Association of REALTORS® is to improve the level of products and services offered by its members to the public and to assist customers in comparison shopping for products and services. Consistent with this policy, it is the policy of the MAR to comply strictly with the antitrust laws. MAR will not knowingly permit discussions of

individual company prices or the related types of sensitive information listed below. MAR membership is open to any individual or entity meeting the membership qualifications set forth in the Bylaws. Statistical reporting by MAR will be voluntary and will relate to comparisons of past transactions of general interest. Data collection will not be limited to the membership, and the results will be available to nonmembers for a reasonable fee. The development of any guidelines of standards in which MAR participates will be open to wide participation by affected parties, and adherence to the guidelines or standards will be strictly voluntary. In conducting any collective research, MAR will take care to avoid anticompetitive effects.

MAR's counsel is well versed in antitrust matters and the association relies heavily on counsel's judgment to see that topics that may give an appearance of an agreement that would violate the antitrust laws are not discussed at MAR meetings. In addition, it is MAR's policy that its staff be well versed in antitrust matters. The fact that MAR staff or counsel is present at a meeting, however, should not invite probing to determine how far a discussion can proceed before it becomes apparent that it is improper and is cut off. It is the responsibility of each member in the first instance to avoid raising improper subjects for discussion. This policy statement has been prepared to assure that participants in MAR meetings are aware of this obligation.

The *Do's* and *Don'ts* presented below highlight basic antitrust principles. Members should consult counsel in all cases involving specific situations, interpretations, or advice.

*DO NOT:*

Do not, in fact or appearance, discuss or exchange information regarding:

- Commission or compensation levels, fees, business expenses or other business information or policies which would allow or encourage price fixing or maintenance;
- Bids on contracts for particular properties or any information which would allow or encourage bid rigging;
- Actions relating to actual or potential competitors that might have the effect of excluding them from your market or of influencing the business conduct of customers towards such competitors;
- Plans of individual companies concerning proposed or existing territories or customers;
- A firm's competitive business decisions;
- The duration or types of listing agreements or the form of compensation accepted;
- The compensation offered or paid to a firm's agents or employees; or
- Any other actions that might be construed as concerted attempts to restrain competition, including joint attempts to control or affect prices, market conditions, marketing practices, customer choice, etc.

Do not discuss or exchange information regarding the above matters during social gatherings incidental to MAR-sponsored meetings, even in jest.

In addition, any general historical statistical data collected by MAR is for use and analysis by individual businesses and should not be discussed among competitors at organized functions or otherwise.

*DO:*

- Adhere to prepared agendas for all MAR meetings and object any time meeting minutes do not accurately reflect the matters which transpired; or
- Consult with MAR staff on all antitrust questions relating to MAR meetings

2.17. **Policy on Cell Phone Usage.**

2.17.1. It is the duty of every employee and member volunteer conducting Association business on a cellular telephone to use the equipment prudently to ensure the safety of themselves, their co-workers and the general public.

2.17.2. No Association employee or member volunteer shall use a cellular phone to conduct Association business except pursuant to this policy. This policy and the phrase "cellular telephone" applies to any device that makes or receives phone calls, leaves messages, sends text messages, accesses the Internet, or downloads and allows for the reading of and responding to email whether the device is company-supplied or personally owned.

2.17.3. Use of Cellular Phone While Driving. Under no circumstances are employees allowed to place themselves or others at risk to fulfill business needs. Use of a cellular telephone to conduct Association business while driving is not within the scope of any employees' work or member volunteers' duty or responsibility and no employee or member volunteer is required to use a cell phone while operating a motor vehicle. Employees and member volunteers are encouraged to refrain from cellular telephone use at any time while driving a vehicle.

2.17.3.1. Employees and member volunteers who choose to use a cellular telephone while driving shall not use a cellular phone to conduct Association business while operating a motor vehicle unless, subject to applicable law, using a hands-free headset in traffic conditions that allow for the safe operation of the vehicle. If traffic conditions do not allow for the safe operation of the vehicle while using a hands-free headset, the employee or member volunteer shall discontinue the call or leave the highway and safely park the vehicle for the duration of the call.

2.17.3.2. No employee or member volunteer shall operate a cellular telephone while operating a motor vehicle except by means of one-touch dialing, voice recognition or other automated means that allows full concentration on operating the vehicle. If a call must be dialed by ordinary dialing means, the employee or member volunteer shall leave the highway and safely park the vehicle while dialing.

2.17.3.3. Participation in calls lasting more than a very short time, include a telephonic conference, meeting or other extended conversation while driving, is strictly prohibited unless the employee or member volunteer leaves the highway and safely parks the vehicle for the duration of the call.

2.17.4. Employees and member volunteers using a cellular telephone to conduct Association business should do so with the understanding that cell phone calls are not secure, using discretion while making sensitive or confidential calls. Cellular telephones should not be used for written communications involving Association business, including texting or sending of emails, unless a written record of the communication is stored in the Association's permanent files.

2.17.5. In the event an employee elects to use his or her personal cellular telephone for Association business, such employee shall be deemed to consent and acknowledge that all proprietary data/information contained thereon, regardless of the form in which it appears or is stored (including, but not limited to, text messages and photographs), shall remain the property of the Association at all times and shall be retained by the Association in accessible form approved by the Executive Committee. As to all proprietary data/information belonging to Association, employees shall provide regular, complete backups of such information on a schedule and in a manner prescribed by the CEO and approved by the Executive Committee, but in no case shall the employee fail to perform and maintain in the Association's office a complete backup of all such proprietary information maintained on each and every device in his or her custody and control, or used by him or her for the conduct of Association business, less than every seven (7) calendar days.

2.18. **Logo.** It is the policy of the organization to include the organization's logo on all forms issued by the organization. Use of the logo shall be prohibited except upon advance written permission of the Association.

2.19. **Whistleblower Policy.**

2.19.1. General. The REALTOR®'S Code of Ethics, as amended from time to time and as adopted by the Association, together with the laws of the United State and the State of Mississippi (collectively the "Code") requires directors, officers and employees to observe the highest standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of MAR, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

2.19.2. Reporting Responsibility. It is the responsibility of all Directors, officers and employees to comply with the Code and to report violations or suspected violations in accordance with this Whistleblower Policy.

2.19.3. No Retaliation. No Director, officer or employee who in good faith reports a violation of the Code shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within MAR prior to seeking resolution outside MAR.

2.19.4. Reporting Violations. This policy reflects MAR's open door policy and encourages employees to share their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, an employee's immediate supervisor is in the best position to address an area of concern. However, if an employee is not comfortable speaking with their supervisor or they are not satisfied with their supervisor's response, they are encouraged to speak with the Chief Executive Officer or anyone in management who they are comfortable in approaching. Supervisors and managers are required to report suspected violations of the Code of Conduct to MAR's Compliance Officer, who has specific and exclusive responsibility to investigate all reported violations. In the event that any person wishing to make a report prefers to speak to an outside party, such person may contact MAR's General Counsel: Ronald D. Farris, Esq.; Farris Law Group, PLLC, Post Office Box 1458, Madison, MS 39130-1458, (601) 354-1458.

2.19.5. Compliance Officer. MAR's Compliance Officer shall be designated by the Chief Executive Officer and is responsible for investigating and resolving all reported complaints and allegations concerning violations of the Code and, at his discretion, shall advise the Chief Executive Officer.

The Compliance Officer has direct access to the Executive Committee and is required to report to the Executive Committee annually on compliance activity at its first scheduled meeting each calendar year.

2.19.6. Accounting and Auditing Matters. The Executive Committee shall address all reported concerns or complaints regarding corporate accounting practices, internal controls or auditing. The Compliance Officer shall immediately notify the Chief Executive Officer and the Executive Committee of any such complaint and work with the Chief Executive Officer and the Executive Committee until the matter is resolved.

2.19.7. Acting in Good Faith. Anyone filing a complaint concerning a violation or suspected violation of the Code must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the Code. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

2.19.8. Confidentiality. Violations or suspected violations may be submitted on a confidential basis by the complainant or maybe submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

2.19.9. Handling of Reported Violations. The Compliance Officer will notify the sender and acknowledge receipt of the reported violation or suspected violation within five (5) business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

2.20. **Harassment.**

2.20.1. Harassment. MAR does not condone or excuse harassment of any kind. MAR prohibits employees, members or anyone present upon MAR Property or participating in any MAR-related event or the conduct of MAR business from discriminating against or harassing any person based on race, color, religion, sex, handicap, familial status, sexual orientation, gender identity, or national origin. MAR will take immediate steps to address complaints of racists or ethnic slurs, or harassment based on age, disability, sexual preference, or any characteristic protected by law. MAR will take immediate steps to address complaints of racists or ethnic slurs, or harassment based on age, disability, sexual preference, or any characteristic protected by law.

Any person who believes he or she has been the victim of any kind of harassment should report the incident immediately to the Chief Executive Officer, who will investigate all such complaints.

2.20.2. Sexual Harassment. In conducting its affairs, MAR is committed to maintaining an environment that is free of harassment of any kind, including sexual harassment. Sexual harassment is defined as unwelcome or unwanted sexual conduct, requests for sexual favors, and verbal, nonverbal, or physical conduct of a sexual nature that creates an intimidating, hostile or offensive

work environment or, in the case of MAR employees, adversely affects the employee's employment terms or conditions. Such conduct is strictly prohibited and will not be tolerated.

MAR encourages the reporting of all perceived incidents of sexual harassment either through an informal or a formal procedural mechanism. Anyone who retaliates against a person who reports harassment will be subject to disciplinary action.

To resolve a complaint of sexual harassment arising within the scope of MAR's activities informally, the aggrieved party should either notify the offender that his or her behavior is unwelcome or, if they are uncomfortable discussing it with the offender, notify the Chief Executive Officer. If the Chief Executive Officer is alleged to be the offender, the aggrieved party should notify a member of the Executive Committee, in which case the Executive Committee will investigate the complaint.

A formal procedure shall be established for MAR employees in a form approved by the Chief Executive Officer and set forth in the MAR Employee Manual.

2.21. **Company-Issued Credit Cards**

2.21.1. The CEO, on behalf of the Association, and with Executive Committee pre-approval, will issue company credit cards to certain employees for use in their jobs and may withdraw them at any time with or without cause; this policy sets out the acceptable and unacceptable uses of such credit cards. Use of Association credit cards is a privilege, which the Association may withdraw at any time with or without cause.

2.21.2. Any credit card issued by the Association to an employee must be used for business purposes only, in conjunction with the employee’s job duties. Employees with such credit cards shall not use them for any non-business, non-essential purpose, i.e., for any personal purchase or other such transaction that is not authorized or needed to carry out their duties. Employees must use their personal funds or personal credit cards to pay for personal purchases.

2.21.3. Unauthorized use of any Association credit card shall be grounds for immediate termination, or for such other action as the Association may determine to be appropriate under the circumstances. The Association reserves the right to immediate repayment of any unauthorized charges by an employee on an Association credit card, including the right to withhold wages or other amounts payable to an employee who has incurred unauthorized charges on an Association credit card. The Association reserves the right to pursue all civil and criminal remedies in the event of an unauthorized use of an Association credit card, and any action by the Association with regard to any instance of unauthorized use shall not constitute a waiver or election of remedies or excuse of such offense.

2.21.4. Any employee in possession of an Association credit card shall have the duty to maintain the security and safety of such card(s), and shall promptly report to the Association the loss, destruction or theft of any card and take reasonable steps to prevent the loss, destruction or theft of any card in their possession. At the request of the Association, any card in the possession of any employee shall be promptly returned to the Association.

2.21.5. Any employee in possession of an Association credit card shall comply with the

Association's internal rules for use of that card, including the timely reporting and documentation of all charges made using such card.

2.22. **Search and Hiring Protocols.**

2.22.1. Search and Search Criteria When an opening exists in the position of CFO, Governmental Affairs Director, or MRI Director, the search for and selection of a qualified person to fill such position shall be the responsibility of the CEO. To assist in evaluating the top candidates, the CEO may utilize an Advisory Search Committee. This Advisory Search Committee may consist of the President, President-Elect, Past President, 1st Vice President, and/or other designees, as determined by the CEO. The CEO shall determine relevant selection criteria and qualifications based upon the job description corresponding to the position to be filled. Salary and benefits for the position shall be determined by the CEO.

2.22.2. Selection and Hiring. The CEO shall select a final candidate, verify the candidate's willingness to accept, and determine the appropriate means of hiring candidate in the best interests of the Association.

2.23. **Derogatory or Disparaging Comments.** Association staff shall refrain from making derogatory or disparaging remarks concerning the Association or Association members to staff, members or the public.

2.24. **Employee Policy Manual.** The Association's Employee Policy Manual shall be maintained in a form approved by the Executive Committee, acting with the advice of General Counsel. The CEO may submit recommendations for additions, deletions or amendments to the Employee Policy Manual to the Executive Committee for consideration following review by General Counsel. The CEO shall maintain a current copy of the Employee Policy Manual for reference in the Association office and make the same available to all employees of the Association. All employees shall sign a statement at the beginning of each Association fiscal year acknowledging that they have received and read the manual and have consented to adhere to it. The provisions of the Employee Policy Manual shall be consistent with the Bylaws, the Policies & Procedures and other governing documents of the Association; in the event of any conflict, the Bylaws and Policies & Procedures, in such order of precedence, shall govern.

2.25. **Technology Support.** The Association shall provide and pay for technology essential to the operation of the Association, including computers, communications devices and other hardware and software including, as the Association deems appropriate, laptop computers. Employees shall refrain from use of personal laptops or computers to conduct Association business or store Association documents. Any Association laptop and all proprietary data/information contained thereon, regardless of the form in which it appears or is stored, shall remain the property of the Association at all times and shall be returned by the employee at the time of termination. As to all proprietary data/information belonging to the Association, employees shall provide regular, complete backups of such information on a schedule and in a manner prescribed by the Executive Committee, but in no case shall employees fail to perform and maintain in the Association's office a complete backup of all such proprietary information maintained on each and every Association device in their custody and control, or used by them for Association business, less than every seven (7) calendar days. The Association's designated technology staff member shall include among his

or her responsibilities a timely completion and maintenance of backups by all employees of the Association's proprietary information on all devices containing such information.

2.26. **MAR Representative to NAR Credentials and Campaign Rules Committee.** The sitting Regional Vice President from Mississippi shall be appointed by MAR to serve as the Regional representative to the NAR Credentials and Campaign Rules Committee. In the event the Regional Vice President is unwilling or unable to serve, an alternate shall be appointed by the President in consultation with the NAR Strategy Team.

2.27. **NAR Committee Appointment Review.** Each year, upon receipt from NAR of a list of committee appointments pending for the upcoming year, said list shall be reviewed and approved by a committee consisting of the President, the President-elect and the CEO.

2.28. **NAR Directors.** MAR members in good standing eligible to serve on the National Association of REALTORS® Board of Directors pursuant to Article 4, Section 1(N), (P) and (Q) of the NAR Bylaws may serve for up to two (2) three (3) year terms, which terms may run consecutively.

## SECTION 3: FINANCIAL POLICIES AND RELATED MATTERS

3.1. **Accounting Method.** It is MAR's policy to utilize an accrual basis of accounting. Revenues will be recognized when earned; expenses will be recognized when an invoice is received.

3.2. **Bank Reconciliation.** It is MAR's policy to address bank statements to the Chief Executive Officer, who will conduct an initial review of checks that cleared during the prior month. The CEO then will forward the bank statement to the CFO or accounting personnel responsible for the bank reconciliation. This individual will not be a check signer. The CFO will answer any questions posed by the CEO or the Executive Committee. All accounts shall be reconciled by no later than the tenth business day of the month. Copies of monthly bank reconciliations and bank statements shall be delivered to the Association Treasurer each month following reconciliation and shall be made available to the Executive Committee upon request. Any grants awarded to the Association shall be accounted for separately on the books of the Association so as to track income and expense and shall be included in monthly reconciliations, with copies to be provided to Association Treasurer, and available to the Executive Committee upon request.

3.3. **Bid Requirements.** Bids or proposals for expenditures may be required as specified by the Bylaws or by the Board of Directors. In the event bids or proposals are received, the decision to approve a particular bid or vendor will be made by the Chief Executive Officer, except as otherwise provided by the governing documents of the Association.

3.4. **Bonding of Employees.** It is the policy of the organization to bond all employees involved in the financial functions of the organization, at a minimum of $100,000.

3.5. **Capitalization.** It is the policy of the organization to expense assets in the period purchased if these assets cost $250 or less individually. Assets costing in excess of $250 individually will be capitalized and depreciated in accordance with FASB rules and the organization's policies. Repairs

and improvements to real property and improvements will be capitalized if they cost in excess of $1,000 individually.

3.6. **Chart of Accounts.** It is the policy of the organization to maintain a chart of accounts. All employees involved with accounting coding responsibilities or budgetary responsibilities will be issued a chart of accounts, and the chart of accounts must be updated on a routine basis.

3.7. **Check Disbursements.** It is MAR's policy to keep unused checks supplies safeguarded under lock and key by the staff bookkeeper. All check disbursements will require approved invoices or expense vouchers. Signed checks that have not been mailed or distributed will be put under lock and key at the end of each day.

3.8. **Check Signers.** Policy as to signature of official checks shall be as prescribed in the Bylaws.

3.9. **Collection Procedures.** It is the policy of the organization to complete customer orders and forward an invoice with the merchandise. Invoices for services will be sent immediately following completion of the service. Thirty (30) days after the date of the original invoice, statements will be mailed to customers accompanied by copies of outstanding invoices. Forty-five (45) days after the date of the original invoice, an employee will contact the customer via telephone and attempt to collect the amount due. A record will be kept of telephone contacts. If sixty (60) days have elapsed without payment, the account will be turned over to the organization's collection agency if the amount is $200 or less. If the debt exceeds this figure, the account will be handled by the organization's attorney. A Bad Debt Collection Activity Record will be maintained to track telephone calls, collection agency action, and attorney usage concerning the customer.

3.10. **Continuity.** To provide continuity in the office of Association Treasurer and increase efficiency in transfer of office, the incoming Treasurer shall be included in the annual budget meeting. In addition, following adoption of the annual budget, the incoming Treasurer shall meet with the CFO and the outgoing Treasurer at the annual leadership retreat for purposes of orienting and familiarizing the incoming Treasurer with the budget.

3.11. **Contract Signing Authority.** MAR's Bylaws grant authority to sign contracts to the President and the CEO, and in certain instances as set forth in the Bylaws the CFO, so long as the financial implications of the contracts are included in the MAR budget. If the financial implication of signing a contract is not included in the MAR budget, Executive Committee approval is required before authority to sign the contract is granted, to be followed by consideration of necessary budget amendments by the Association Operations Committee, the Executive Committee and the Board of Directors, except as otherwise set forth in this section 3.11. Anything herein to the contrary notwithstanding, the Executive Committee shall have the authority to approve any expenditure not included in the MAR budget so long as such expenditure does not exceed $2,500.00, with notice of the approval of any such expenditure being given to the Board of Directors at its next regular meeting. Anything herein to the contrary notwithstanding, the Executive Committee shall have authority to approve any expenditure not included in the MAR budget between $2,500.00 and $10,000.00 with subsequent approval by the Association Operations Committee; any such approval shall be given to the Board of Directors at its next regular meeting. Anything herein to the contrary notwithstanding, the Association Operations Committee shall have authority to recommend approval of any expenditure not included in the MAR budget not exceeding $10,000.00 to the Executive Committee; notice of any

such recommendation subsequently approved by the Executive Committee shall be given to the Board of Directors at its next regular meeting. Copies of all contracts signed by the CEO or CFO shall be provided to the President upon execution and, upon request, to the Executive Committee. Copies of contracts signed by the President shall be provided to the CEO upon execution and, upon request, to the Executive Committee. Copies of contracts containing confidential information or matters protected from disclosure shall be properly redacted prior to disclosure as to protected or confidential matters.

3.12. **Control Over Checks and Cash.** Except where otherwise limited by the governing documents of the Association, it is MAR's policy that all incoming mail will be imprinted with the date-received stamp. Checks received will be noted on the Daily Check Log form, which will include the date, name of the payer, date of the check, the amount of the check. The Check Log will be totaled before it is initialed by the bookkeeper. Once the checks have been recorded in the Check Log and initialed, the checks and a copy of the log will be personally delivered to the staff bookkeeper, who will sign for the checks received. The original Daily Check Log form will be given to the CEO and retained until annual audit. The log copy included with the checks will also be retained by the staff bookkeeper until the annual audit. All checks received will be deposited within three (3) business days. Regular business procedures and staff responsibilities shall be arranged so that no person having access to MAR's accounting program and/or associated software or systems shall open or process incoming mail.

3.13. **CPA Firms: Audited or Reviewed Financial Statements.** It is the policy of the organization to direct the Chief Executive Officer to distribute the audited or reviewed financial statements to the Executive Committee, and if requested, to directors and organizations entitled to receive a copy because of contractual agreement. The decision to publish the statements or otherwise make them available to the membership will be made by the Executive Committee at its meeting following the issuance of the statements. The authority to distribute the statements to other individuals or firms requesting them will be left to the discretion of the Chief Executive Officer.

3.14. **CPA Firms: The Engagement Letter.** It is the policy of the organization to review the draft of the CPA engagement letter before it is signed to ensure it covers matters important to management. The engagement letter will be reviewed and approved by the Executive Committee immediately before the audit or review commences.

3.15. **CPA Firms: The Management Letter.** It is the policy of the organization for the Executive Committee to review and discuss the CPA management letter with representatives of the auditing/review firm and to direct staff to the appropriate action required to correct deficiencies addressed. Distribution of the management letter to individuals or firms other than the Executive Committee (upon request) or those entitled to a copy by contractual obligation is left to the discretion of the Chief Executive Officer.

3.16. **CPA Firms: Audits and Selection of Firm.** It is MAR's policy to contract with the CPA firm selected to review or audit the organization for a period not to exceed three (3) years. At the end of this period the organization's Treasurer, with the assistance of staff, may solicit proposals from a minimum of three (3) CPA firms specializing in reviews or audits for not-for-profit organizations and make a recommendation to the Association's Operations Committee for consideration. The Association Operations Committee shall make its recommendation for the CPA firm to the Executive

Committee. The Executive Committee shall make its recommendation for the CPA firm to the Board of Directors, with the Board of Directors making the final selection. Awarding the contract for review or auditing services to the existing review or auditing firm is acceptable as long as the interview and selection criteria clearly indicate the firm is the most qualified and cost-effective. Additionally, the contract awarding the review or audit to the CPA firm for a three (3) year period will have a clause allowing the organization to contract with another firm before the end of the contract period if the current firm provides unsatisfactory service or if the financial condition of the organization prohibits the expense of a full audit or review.

3.17. **Credit Cards.** It is MAR's policy to issue credit cards to the Chief Executive Officer. At the discretion of the Chief Executive Officer, credit cards may also be issued to appropriate program staff. It is not the Association's policy to issue credit cards to elected/volunteer leadership. Individuals incurring expenses via credit cards will remit a completed Record of Credit Card Transactions. Complete records of credit card use with sufficient detail for analysis shall be provided to the Association Treasurer each month.

3.18. **Date-Received Stamp.** It is MAR's policy to stamp the back of all incoming mail with a date-received stamp.

3.19. **Deferred Revenues.** It is the policy of the organization that revenues that have not been earned will be included with deferred revenues on the financial statements and recorded as revenue when earned.

3.20. **Depreciation.** It is the policy of the organization to depreciate fixed assets other than real property and electronic equipment on the straight-line method over the estimated useful life of the asset, not to exceed ten (10) years. Real property will be depreciated utilizing the straight line method over a 39-year period. Electronic equipment will be depreciated using the straight line method over a five (5) year period. Capitalized repairs and improvements will be depreciated using the straight line method based on an analysis of the time the repair or improvement is expected to improve the property. Fully depreciated fixed assets will remain on the organization's statement of financial position until they are disposed of or otherwise deemed worthless. Assets will be capitalized in accordance with the organization's capitalization cutoff point policy.

3.21. **Federal Identification Number.** It is the policy of the organization to have the organization's Federal Identification Number printed on its invoices, statements, purchase orders and any other document that may trigger a customer's request for this information.

3.22. **Financial Statement Preparation and Distribution.** It is the policy of the organization to prepare and distribute monthly or quarterly financial statements that will include the Statement of Financial Position and the Consolidated Statement of Unrestricted Activities. These statements will be prepared and distributed within fifteen (15) working days after the close of the month. The statements will be distributed to the Executive Committee, the Chief Executive Officer and program staff. Copies of monthly financial statements provided to the Association Treasurer shall be accompanied by a breakdown of payroll payments and expense reimbursements made during that month, with copies of associated vouchers or payment requests as approved. The following reports will be forwarded to the Association Treasurer upon completion or issuance by the Association in accordance with these Policies & Procedures:

- Monthly transaction/financial report compiled from bank accounts
- First (front) page of each bank account monthly statement
- Summary reconciliation page for each bank account

The following shall be made available to the Association Treasurer at any time, upon request:

- Monthly bank reconciliations and bank statements
- Income and expense accounting for grants awarded to the Association
- Monthly records of credit card use
- Monthly financial statements, with breakdown of payroll payments and expense reimbursements and copies of associated vouchers or payment requests as approved
- Copies of 1096, 1099, W-2 and W-3 forms issued by the Association
- Draft of Association's Form 990 or 990-T (for review prior to filing)

All reports distributed to the Executive Committee, the Chief Executive Officer, the Treasurer and program staff shall be delivered in a manner safeguarding their content, being hard copy or properly encrypted so as to preserve and protect their confidentiality if sent by electronic means; and all such reports shall be returned to the Association CFO within a reasonable time, and in no case later than thirty (30) days following their distribution. All reports and any proposed budget distributed to persons other than the Executive Committee, CEO, Treasurer, MRI Advisory Committee, Association Operations Committee and/or program staff covering the MRI shall consist of consolidated financial information consisting of gross income and consolidated expenses. Any member of the Board of Directors or other person seeking to review detailed financial information concerning the MRI may review such information upon written request to the Executive Committee and verification by the Executive Committee that no conflict of interest exists. Any person aggrieved by the denial of a request to review detailed financial statements relating to the MRI may appeal such denial to the full Board of Directors, whose decision shall be final.

3.23. **Independent Contractors.** It is the policy of the organization to evaluate criteria established by the IRS when assigning individual employee or independent contractor status. Individuals qualifying as independent contractors will sign an Independent Contractor Agreement and will be issued IRS Form 1099 if compensation is $600.00 or more. Copies of all IRS filings issued by the Association relating to independent contractors shall be provided each year to the Association Treasurer no later than the following February 1 and, upon request, to the Executive Committee.

3.24. **Insurance.** It is the policy of the organization to review the organization's insurance policies on an annual basis to ensure coverage and limitations adequately meet the needs of the organization, members and employees.

3.25. **Investment Policy.**

3.25.1. Purpose: The Association invests its reserve funds to seek long-term growth through capital appreciation and income. It is acknowledged that the funds will be subject to significant declines over short to intermediate periods of time. However, it is believed that by maintaining a reasonable risk level the reserves will grow at a long-term rate that is higher than a capital stability strategy.

3.25.2. Authority/Responsibility: Within the guidelines of this investment policy statement and its asset allocation parameters, oversight and decision-making authority regarding Mississippi Association of Realtors (MAR) reserve investments are charged by the Board of Directors to the Association's Operations Committee. Discussion and debate among members of the Association Operations Committee on issues related to the Association's investments is productive and encouraged.

The Association Operations Committee Chair shall report to the Board of Directors at their regularly scheduled meetings the investment account balances and any other information about the performance of those investments as deemed appropriate by the Committee.

3.25.3. Selection of the Investment Advisor/Investment Firm: The Association Operations Committee shall select the investment advisor/firm, requiring the management of investments in accordance with the investment policies. The firm shall be a state or federally chartered bank, FINRA registered brokerage firm or a registered investment advisor (RIA).

3.25.4. Asset Allocation: This investment policy statement mandates that the investment advisor follows a growth objective. In order to pursue a growth objective, the asset allocation will be heavily weighted towards equities with other asset classes and strategies used for diversification. The maximum equity exposure will be 100% and the minimum equity exposure will be 40%. It is understood that based on historical outcomes there will be periods of time where a portfolio drawdown of 40% or more may be incurred. The asset allocation ranges for MAR's reserve funds are to be:

| Asset Class | Minimum | Maximum |
|---|---|---|
| Equity | 40% | 100% |
| Fixed Income | 0% | 60% |
| Alternative | 0% | 30% |
| Cash/Money Market | 0% | 20% |

3.25.5. Definitions:

**Equity:** Includes domestic common or preferred stock, including large-cap, mid-cap, small-cap and micro-cap companies, common or preferred stock of non-U.S. issuers purchased in foreign markets, on U.S. or foreign registered exchanges, or over the counter markets. Also included in this definition are mutual funds, exchange-traded funds or other collective investments that are categorized as equity by firms such as Morningstar.

**Fixed Income:** Includes domestic and international investment grade bonds as well as high yield bonds. Bonds may be issued by domestic and foreign governments or government agencies and domestic or foreign corporations. In addition, the portfolio may contain bank loans and other structured securities that make interest and principal payments based upon the performance of specified assets or indices. Also included in this definition are mutual funds, exchange-traded funds or other collective investments that are categorized as fixed income by firms such as Morningstar.

**Alternative:** Includes strategies that use investments such as stocks, bonds, commodities and currencies and trade them in a non-traditional manner. These strategies will be held in mutual fund, exchange-traded fund or other collective fund format. Alternative strategies include but are not limited to the following: long/short equity, long/short credit, risk parity, managed futures, market neutral, bear market, global macro, absolute return and merger arbitrage. The purpose of these strategies is to provide added diversification to the portfolio and enhance long-term risk adjusted returns.

**Cash/Money Market:** Includes cash and other money market funds that invest in short-term debt instruments.

3.25.6. Restrictions:

- No letter stock may be purchased.
- No direct short sales are permitted by the investment advisor; short sales by managers of collective investments such as mutual funds and exchange traded funds are permitted.
- Only publically traded securities are permitted.
- Margin accounts against the portfolio are not permitted.
- The investment advisor may only purchase individual bonds that are investment grade; below investment grade bonds must be held in collective investments such as mutual funds or exchange traded funds.

3.26. **IRS Forms: Form 990.** It is the policy of the organization to fully comply with federal and other laws regarding completion and submission of IRS Form 990. In so doing, MAR shall make reasonable effort to obtain necessary information to provide complete and accurate disclosures required by Form 990. Prior to filing, MAR's Form 990 shall be submitted to and reviewed by MAR management and MAR's Treasurer, and a copy of the final Form 990 (including required schedules) as same shall be filed with the IRS shall be provided to each voting member of the Board of Directors, whether in electronic or paper form. It is MAR's policy to provide public access to IRS Form 990, as filed, in accordance with applicable federal law, as set forth more fully in Section 2.13 hereof. A Log of Form 990 Inspections and Distributions will be maintained. See the Public and Member Access to Records sections of this manual. It is MAR's ongoing policy to constantly review and revise procedures to incorporate best practices relating to governance, management, compensation, fulfillment and compliance with exempt status, disclosure and other key activities of the organization including, but not limited to, those matters associated with disclosure within Form 990, as amended from time to time.

3.27. **IRS Forms: Form 990-T.** It is the policy of the organization to deny requests by members of the public to inspect IRS Form 990-T because it is confidential information. See the Unrelated Business Income Tax section of this manual.

3.28. **IRS Forms: Form 1099.** It is the policy of the organization to complete IRS Form 1099 for all independent contractors, vendors and speakers receiving $600.00 or more from the organization, or otherwise as may be required to be in complete compliance with applicable federal and state laws. Copies of all 1099 forms issued by the Association will be provided to the Association Treasurer, and shall be made available to the Executive Committee upon request.

3.29. **Loans Prohibited.** It is the policy of the organization to prohibit loans to employees and members under all circumstances.

3.30. **Lobbying Expenditures.** It is MAR's policy to advise members of the nondeductible portion of their dues payments by indicating the estimated nondeductible percentage on membership dues bills.

3.31. **Long-Term Debt.** It is the policy of the organization to include the current portion of longterm debt (the amount due to be paid within 12 months) with accounts payable on the financial records. Only the non-current portion of long-term debts will be included in the long-term debt section of the financial records.

3.32. **Non-sufficient Funds Checks.** It is the policy of the organization to include checks returned by the bank because of non-sufficient funds in the accounts receivable, non-sufficient funds account in the accounting records. If the checks in question are eligible for redeposit, the subsequent deposit will reduce the receivable account accordingly. If the checks in question are prohibited from redeposit, the organization's Collection Policy will be implemented. A Non-sufficient Funds Check Log will be maintained and made available for the annual audit.

3.33. **Petty Cash Fund Disbursements.** It is the policy of the organization to maintain a petty cash fund of $75.00. It is the responsibility of the Chief Executive Officer and bookkeeper to ensure that the petty cash fund is under lock and key at all times. Disbursements from the petty cash fund may only be made for approved expenditures. A receipt must accompany every disbursement. The receipt must be signed by the person receiving the cash and the person disbursing the cash. The petty cash fund will be replenished as needed and at the end of every month. The petty cash fund replenished check will be made out to the individual primarily responsible for maintaining the fund, with the word "agent" following that person's name. The expenses will be reviewed and the resulting check will be signed by two other responsible parties.

3.34. **Postage Log.** It is the policy of the organization to maintain a Postage Log and to charge the appropriate line item(s) for actual postage used.

3.35. **Repairs and Improvements.** It is the policy of the organization to capitalize repairs and improvements to fixed assets or real property owned by the organization if the repairs or improvements cost more than $1,000.00. Depreciation of capitalized repairs and improvements will be based on an analysis of how long the repair or improvement is expected to improve or extend the useful life of the property. See the *Capitalization Policy* in this Section.

3.36. **Safe Deposit Box.** It is the policy of the organization to rent a safe deposit box from the organization's bank to store securities, valuables, and important documents such as audited financial statements and annual reports. Access to the safe deposit box will be limited to the Chief Executive Officer and no more than two (2) additional employees designated by the CEO. A Log of Safe Deposit Box Contents and a Log of Safe Deposit Box Access will be maintained.

3.37. **Unrelated Business Income Tax (UBIT).** It is the policy of the organization to pay UBIT on the excess of revenues over expenses on taxable activities. These activities will be clearly classified and designated in the financial records to provide adequate documentation in the event of an IRS audit. The organization will file IRS Form 990-T to report unrelated activities. Form 990-T is considered confidential and is not available for public inspection. See *Form 990-T Policy* in this Section.

3.38. **Voided Checks.** It is MAR's policy to maintain a Voided Checks Log and document every check that has been voided, regardless of the reason. If voided checks are physically available, they will be stamped "VOID" and filed in MAR's voided checks file, kept under lock & key.

3.39. **Travel Expenses.**

3.39.1. National Association of REALTORS® meetings. Except as otherwise provided in Section 3.39.5, the following reimbursements shall be made for legitimate business travel (as defined herein):

3.39.1.(A). Subject to any specific provision made or limitation imposed by the duly adopted annual budget, the President shall be reimbursed for actual, legitimate business expenses not to exceed $10,000 annually for official travel to NAR meetings other than the REALTORS® Legislative Meetings and NAR NXT, which are governed by Section 3.39.5. NAR meetings for purposes of this Section 3.39.1.(A) shall include the Region 5 Summit, and other NAR meetings as convened by NAR. Any request for approval of a reimbursement exceeding the budgeted cap shall be submitted to and approved by the Executive Committee prior to payment.

3.39.1.(B). Subject to any specific provision made or limitation imposed by the duly adopted annual budget, members of the MAR Executive Committee shall be reimbursed for legitimate business expenses relating to attendance at the annual state convention including, but not necessarily limited to, travel and room and board.

3.39.1.(C) Association payment for hotel accommodation shall commence no earlier than the night before the officer's first required meeting.

3.39.1.(D) An additional line item may be included in the MAR budget to cover travel expenses not covered by NAR for Region 5 Vice President-elects to attend required NAR meetings.

3.39.1.(E) MAR REALTOR® of the Year. Up to $1,000 may be budgeted annually for reimbursement of travel expenses for the MAR REALTOR® of the Year to attend recognition ceremonies at the National Association of REALTORS® Annual Conference.

3.39.2. Reimbursement for Only One Office. No officer or Director who holds more than one office for which expense reimbursement is allowed shall be doubly reimbursed for expenses to a single meeting.

3.39.3. General Travel Expense Policy. It is the policy of the organization to establish travel expense limitations and guidelines for employees, officers, instructors, Nominating Committee members, task force members, and others approved by the Chief Executive Officer as follows:

3.39.3.(A). Requests for reimbursement must be submitted on the appropriate form and must be submitted along with itemized receipts.

3.39.3.(B). Personal Mileage. Reimbursement for use of personal vehicle for MAR business shall be made at the prevailing IRS rate. Commuting mileage will not be reimbursed.

3.39.3.(C). Public Carrier. Persons traveling by public carrier will make their own transportation arrangements and should do so in a timely manner to take advantage of the best available rates. Itemized receipts are necessary for reimbursement.

3.39.3.(D). Lodging. For in-state travel, reservations should be made at facilities offering a special rate to Mississippi REALTORS® whenever possible. For travel to NAR meetings, reservations should be made at hotels in the NAR room block or a hotel with a comparable room rate. Reimbursement will cover the basic room charge and applicable taxes. MAR will only reimburse for hotel stays beginning one day before the first scheduled meeting the volunteer is obligated to attend. Itemized receipts are necessary for reimbursement.

3.39.3.(E). Meals. Reimbursement will be made for reasonable expenses for meals and tips. Itemized receipts are required. Bar tabs will not be reimbursed. For the REALTORS® Legislative Meetings and NAR NXT, meal and incidental expenses of Eligible Volunteer Leaders are governed by the per diem provisions of Section 3.39.5.(C).

3.39.3.(F). Taxi. Actual taxi fares, including tips, will be reimbursed entirely. Itemized receipts should be submitted. Tips must be noted on taxi receipts.

3.39.3.(G). Telephone. Personal calls must be limited to 15 minutes per day to be reimbursable.

3.39.3.(H). Entertainment. In-room movies will not be reimbursed; all other entertainment expenses must be approved by the Chief Executive Officer to be reimbursable.

3.39.3.(I). Baggage Handling, Valet and Porters. Reasonable tips for baggage handling, necessary valet and porter services relating to authorized travel will be reimbursed. Itemized receipts are not required.

3.39.3.(J). Parking and tolls. Parking fees and toll expenses relating to authorized travel will be reimbursed. Itemized receipts are required.

3.39.3.(K). Car Rentals. Car rentals relating to authorized travel will be reimbursed only if approved by the Chief Executive Officer in advance. Itemized receipts are required.

3.39.4. Travel expense reimbursements will be distributed or mailed within 30 days of the receipt of properly approved requests. Itemized receipts are required.

3.39.5. REALTORS® Legislative Meetings and NAR NXT. The following provisions govern reimbursement of travel expenses of Eligible Volunteer Leaders (as defined below) for attendance at the REALTORS® Legislative Meetings and NAR NXT (each, a "National Meeting"). Reimbursement under this Section 3.39.5 is intended to support official representation of the Association at National Meetings, not simply attendance, and is conditioned upon satisfaction of the attendance and participation requirements set forth herein. In the event of any conflict between this Section 3.39.5 and any other provision of this Section 3.39, this Section 3.39.5 shall control.

3.39.5.(A). Eligible Volunteer Leaders. The following persons ("Eligible Volunteer Leaders") shall be eligible for reimbursement under Sections 3.39.5.(B) through 3.39.5.(F):

- the President, President-Elect and First Vice President;
- all other members of the Executive Committee;

- NAR State-Allocated Directors from Mississippi, provided the Director is a member in good standing of the MAR Board of Directors;
- any MAR member who receives a Presidential appointment from the NAR President to the NAR Board of Directors; and
- any MAR member appointed as Chair and/or Vice Chair of any NAR Full Committee or Forum (as opposed to subcommittees).

Any Past NAR President or NAR Treasurer from Mississippi shall receive the per diem allowance provided in Section 3.39.5.(C), together with reimbursement of any appropriate and reasonable expenses of the types described in Section 3.39.5.(B) that are not covered by NAR.

3.39.5.(B). Reimbursable Travel Expenses. Subject to Sections 3.39.5.(D) and 3.39.5.(E), Eligible Volunteer Leaders shall be reimbursed for one hundred percent (100%) of the actual, reasonable cost of the following, without dollar limitation, upon submission of itemized receipts for audit:

- accommodations at an NAR host hotel, for up to the maximum number of nights set forth in Section 3.39.5.(D);
- registration fees for the National Meeting, when applicable;
- associated parking fees;
- mileage, if applicable, at the rate provided in Section 3.39.3.(B);
- economy class domestic airfare;
- transportation between the airport and the destination hotel; and
- taxi and ride-share (e.g., Uber) fares incurred in transportation to and from MAR and NAR activities at the National Meeting at which attendance is expected, encouraged and/or required.

Eligible Volunteer Leaders are expected to book flights well in advance (more than one (1) month before travel) to take advantage of lower air fares.

3.39.5.(C). Per Diem. In lieu of reimbursement for meals, snacks and other miscellaneous or incidental expenses based on receipts, each Eligible Volunteer Leader shall receive a per diem allowance of $100.00 per day, for up to the maximum number of days set forth in Section 3.39.5.(D), for each day on which the Eligible Volunteer Leader is physically present at meetings of the National Meeting. The per diem allowance is intended to offset such expenses, and any expenses exceeding the per diem amount are the responsibility of the Eligible Volunteer Leader. The per diem amount may be reviewed from time to time for the purpose of indexing for cost of living and inflation.

3.39.5.(D). Maximum Nights and Days. The maximum number of nights for which hotel accommodations will be reimbursed, and the maximum number of days for which the per diem allowance will be paid, for each National Meeting are as follows:

- President, President-Elect, First Vice President, NAR State-Allocated Directors and Presidential appointees to the NAR Board of Directors: up to six (6) nights and seven (7) days. Attendance at the NAR Board of Directors meeting is optional for the President-Elect and First Vice President, who are encouraged to attend as observers for purposes of leadership development; a President-Elect or First Vice President who does not attend the

NAR Board of Directors meeting in person shall be subject to the maximums applicable to other Executive Committee members.

- All other Executive Committee members: up to five (5) nights and six (6) days.
- Chairs and Vice Chairs of an NAR Full Committee or Forum: up to four (4) nights and five (5) days; provided, however, that if the Chair's or Vice Chair's responsibilities require attendance at or presentation to the NAR Board of Directors, one (1) additional night and day shall be allowed, for a total of five (5) nights and six (6) days.

3.39.5.(E). Attendance and Participation Requirements. To qualify for reimbursement and the per diem allowance under this Section 3.39.5, each Eligible Volunteer Leader shall attend (1) the Region 5 Caucus; (2) the Mississippi Dinner and/or Mississippi Caucus (whichever is applicable or offered); and (3) Capitol Hill visits at the REALTORS® Legislative Meetings, unless a valid excuse is approved by the Executive Committee and/or the President and Chief Executive Officer. In addition:

(1) *Schedule of Events.* For each National Meeting, the President, President-Elect, First Vice President and Immediate Past President, with the assistance of the Chief Executive Officer, shall establish and distribute for planning purposes an overall schedule of events at which the attendance of Executive Committee members is expected or required (individually and collectively), including meetings of any committees on which they serve, the Region 5 Caucus, the Mississippi Dinner and/or Caucus, identified state receptions, as applicable, and Capitol Hill visits. NAR State-Allocated Directors shall also attend their associated committee meetings (if applicable), the Region 5 Caucus, the Mississippi Dinner and/or Caucus, and Capitol Hill visits, unless their NAR commitments are in conflict.

(2) *Priority of MAR Responsibilities.* To qualify for reimbursement, Executive Committee members must commit to prioritizing the attendance and participation schedule established under Section 3.39.5.(E)(1). Commitments to any other groups or affiliations, with the exception of NAR commitments, shall be subordinate to the Executive Committee member's commitment to MAR/NAR during Association-funded travel, except when specifically authorized by the Executive Committee because they directly benefit MAR or because unique circumstances exist.

3.39.5.(F). Leadership Meals. In addition to the foregoing:

- The per-member cost of any Mississippi Dinner (if held) at either National Meeting shall be covered for Eligible Volunteer Leaders.
- At each National Meeting, the per-member cost shall be covered of (a) one (1) Executive Committee dinner/meal, sanctioned and designated by the President, at which the attendance of only Executive Committee members is expected or requested; and (b) one (1) additional Executive Committee dinner/meal/activity that includes a limited number of guests invited by the President (not including spouses). Coverage is limited to the cost of the dinner and up to one (1) drink, if desired. Guests invited to an Executive Committee dinner should be limited to those elected to serve in an NAR position (Director, Regional Vice President, etc.) or individuals deemed essential to relationship building or to the priorities or strategic business being discussed. In considering these invitations, the President should take into account the dining/activity options available for the size of the

group and keep in mind the option of covering the cost of additional guests with monies available in the President's Discretionary Fund.

3.39.5.(G). NAR Committee and Forum Members. MAR members who are appointed to an NAR committee or forum, who do not hold any position described in Section 3.39.5.(A), and who attend one or both National Meetings in person, shall be eligible for reimbursement of expenses of the types described in Section 3.39.5.(B), up to $500 per National Meeting, upon submission of documented receipts. To be eligible for reimbursement, such members shall attend (1) the Region 5 Caucus; (2) the Mississippi Caucus and/or Mississippi Dinner (whichever is applicable); and (3) Capitol Hill visits at the REALTORS® Legislative Meetings. Members qualifying under this Section 3.39.5.(G) shall be notified in writing annually, upon their appointment to an NAR committee or forum, of their eligibility and of the requirements for reimbursement. Such members may accept reimbursement from local boards, institutes, societies, councils or other REALTOR® organizations in lieu of, or in addition to, reimbursement provided by MAR under this Section 3.39.5.(G); provided, however, that the attendance requirements of this Section 3.39.5.(G) must be met to receive any reimbursement from MAR.

3.39.5.(H). NAR Travel Stipends. In the event NAR provides any travel stipend to a member related to a National Meeting, that travel stipend shall be exhausted before any expenses shall be eligible for reimbursement by MAR, and MAR will reimburse only the remaining eligible expenses in accordance with this Section 3.39.5.

3.39.5.(I). Other Funding Sources. Unless otherwise provided by future policy, Executive Committee members and Directors may also utilize funding provided by their local boards, institutes, societies, councils or other REALTOR® organizations to offset any additional eligible expenses not covered by NAR or MAR; provided, however, that such funds may be accepted only with the understanding that, in the event of any conflict with the responsibilities of the officer or Director to MAR/NAR, MAR/NAR responsibilities shall take precedence while attending National Meetings, and any obligations to other organizations or boards shall be subordinate.

3.39.5.(J). Annual Notice and Acknowledgment. At the beginning of each service year, the Association shall provide each Eligible Volunteer Leader with a letter outlining this Section 3.39.5 and clearly setting forth the expectations and commitments that must be met to receive reimbursement, for the Eligible Volunteer Leader's review and acknowledgment.

3.40. **President's Discretionary Fund.** Commencing in the 2017 budget year and each year thereafter, the annual budget of the Association, as presented to the Board of Directors for approval, shall contain a line item for a President's Discretionary Fund, said fund to be spent at the discretion of the Association President and being available to the Association President beginning at the President's installation event at the annual convention. Said fund shall be budgeted for $3,000 annually, and shall be discretionary funds for the President's expenses over and above those expenses otherwise provided for in the duly approved annual budget of the Association.

3.41. **Chief Executive Officer Compensation.** The Executive Committee shall negotiate the salary and benefits of the Chief Executive Officer in such a manner that negotiation is concluded and a compensation package is approved by the Executive Committee and agreed to by the CEO prior to the

adoption of the annual Association budget by the Board of Directors and prior to the renewal date of the CEO's current contract.

3.42. **Mississippi REALTORS® First Time Homebuyers Grant Program.** Each year in September the Association Operations Committee and the Investment Advisory Group will meet with the Association's investment advisors to review the Association's investments and make a funding recommendation to the Board of Directors for an amount to contribute to the Mississippi REALTORS® First Time Homebuyers Grant Program (or its equivalent) for the following year. The Board will consider and vote on that recommendation at the fall Board of Directors meeting.

**SECTION 4. LEGAL ACTION FUND.**

4.1. **Authority.** In accordance with Article XVIII of the Bylaws of the Mississippi Association of REALTORS®, authority is established for a Legal Action Fund, to be administered in accordance with this policy as approved by the Board of Directors.

4.2. **Purposes and Goals.** The purposes and goals of the Legal Action Fund are:

- Promote among the Member Boards of the Association, in any appropriate fashion approved by the Executive Committee, an understanding of their rights and duties under state and federal law.
- Support the adequate representation of Member Boards and members threatened by litigation having statewide or industry-wide significance,
- Provide legal assistance or funding to initiate litigation at the request of a Member Board to promote or defend the rights of members, the public, or others concerned with the protection of private property, where such litigation would have statewide or industrywide significance, and only when conducted in accordance with any and all relevant procedures and policies of the NATIONAL ASSOCIATION OF REALTORS® and the Mississippi Association of REALTORS®.
- Defray all or a portion of the costs and legal fees incurred by the Mississippi Association of REALTORS®, or the Mississippi REALTORS® Institute, or any of their affiliated or subordinate entities or foundations, in suits in which they may be named as defendants, or in their defense in relation to litigation under provisions of any state or federal legislation.
- Defray all or a portion of the costs and legal fees incurred by one or more Member Boards or members in suits in which the may be named as defendants, and which are deemed to involve legal issues affecting the entire membership through matters of statewide or industry-wide significance, and to provide assistance by Association Counsel to their counsel, in such suits.
- Defray the administrative costs and fees of the Mississippi Association of REALTORS® in its involvement and pursuit of the purposes and goals of the Legal Action Fund enumerated above.

4.3. **Funding.** The Legal Action Fund shall be financed by funds derived from the membership in a manner in accordance with the Constitution and Bylaws, and as determined by and at the discretion of the Executive Committee, in any or all of the following ways:

- Direct appropriation from the reserves of the Association, or from its annual budget, as authorized by the Board of Directors.
- Annual or special dues assessments or allocations from the dues of the membership, to support or replenish the Legal Action Fund, as authorized by the Constitution and ByLaws of the Association.
- Loans obtained by the Association to initially endow the Legal Action Fund, secured by the general assets of the Association, and repaid through its annual budget.
- Revenues derived from other sources or activities in a manner and at such times as deemed necessary and appropriate by the Executive Committee.

4.4. **Administration.** The Legal Action Fund shall be administered by the Executive Committee. The Treasurer of the Association shall account for, and maintain all fund monies, and shall disburse monies from the fund as approved by the Executive Committee.

4.5. **Procedures.**

4.5.1. Legal matters involving the Association directly, as referenced in Section 4.2 above, may create demands on the Legal Action Fund through legal fees and costs, related administrative costs and judgments, fines, damages or liabilities related to lawsuit. Withdrawals from the fund for any or all of these purposes may be made at the discretion of the Executive Committee. The Executive Committee will, however, make use to the fullest possible extent the protection afforded the Association by Errors and Omissions insurance coverage, and will only use the Legal Action Fund to supplement such coverage if and as necessary, and/or will only use the Legal Action Fund for such costs that will not be covered by Errors and Omissions insurance. The Legal Action Fund may not be used as a substitute for errors and omissions insurance, or other protective programs covering the Association, members or Member Boards.

4.5.2. Legal matters related to actual or potential private or public lawsuits having issues affecting the entire membership through matters of statewide of industry-wide significance; legal state or federal legislation containing provisions directed at real estate brokers or the real estate industry as a whole; and, in either case, directed against or involving a member or Member Board will be handled in the following manner:

4.5.2.(A). All requests for support from the Legal Action Fund must be either initiated by, or supported by, a Member Board, and made in writing directed to the Chief Executive Officer. The CEO will concurrently notify the President and all other members of the Executive Committee and the Association General Counsel, of the request.

4.5.2.(B). The President shall determine if the matter may be considered in a timely way for presentation to the next regularly scheduled meeting of the Executive Committee, or if the matter warrants a Special Called Meeting. If the matter may not be appropriately

considered at the next regularly scheduled meeting, and if it does not warrant a Special Called Meeting, it shall be considered at the following regularly scheduled meeting.

4.5.2.(C). The President shall appoint a special Investigative panel from within the membership of the Executive Committee to investigate each request for support, and to prepare a report and recommendation on the matter for presentation at a designated meeting of the Executive Committee.

4.5.2.(D). The Panel shall conduct its investigation in the following manner:

1. Require of the requesting party an up-to-date status report on all aspects of the case in writing. It shall be incumbent on the requesting party to cooperate by furnishing case request materials, making requests as specific and as detailed as is possible as to facts, issues, anticipated expenses and amounts requested.
2. Require of the requesting party a statement on the issues involved, to specify reasons that the case would be of significant precedential interest to the Association or a substantial part of its membership or of the real estate profession or of the industry as a whole.
3. Determine if support has been sought by the requesting party from either the NATIONAL ASSOCIATION OF REALTORS® Legal Action Fund, or any existing Member Board Legal Action Fund, and the amount, if any, of financial support thereby granted, or the reasons declined.
4. Require of the requesting party an estimate by the party or the party's attorney as to the time, expense and chances of ultimate success on the merits involved in the case.
5. Determine whether or not the issues presented relate to any existing policy of the National or State Association and the compliance of parties involved in the case with such policies.
6. Develop the facts in the case as above in cooperation with the General Counsel of the Association, and secure the opinion of the General Counsel, either in writing or at a personal appearance before the Executive Committee, as to the acceptability of the case for Association and Fund involvement.
7. Upon approval of the President, outside legal counsel or other expert advisers may be employed when their opinion would be desirable in analyzing requests for support.
8. Prepare a report on the above findings for submittal to the Executive Committee.
9. Should the Panel conclude that the request for support is without merit, it may recommend denial of support, but final decision in any case shall rest with the Executive Committee, subject to appeal to the Board of Directors as in Section 4.5.2(K).

4.5.2.(E). In all cases, the granting of support will be contingent upon the Association being given a timely opportunity to investigate the matter, and to present the views of the Association in the role deemed most appropriate by the Executive Committee, either as or through associate counsel, amicus curiae, or otherwise.

4.5.2.(F). All requests for support from the Legal Action Fund must relate to litigation, actual or potential, which is deemed by the Executive Committee to be likely to result in the determination of relevant issues in a manner which will have important precedential

significance to the Association Membership or the real estate profession generally, or the industry as a whole.

4.5.2.(G). Any disbursement from the fund in response to a request for support of a member or members, as individuals, or of a Member Board shall be for legal costs and fees, and may not in any case be used to pay judgments for damages or fines, or to pay any liability resulting from settlement before or after trial of any lawsuit, or to pay any costs or fees of opposing counsel.

4.5.2.(H). Any request for support must indicate whether or not support has been sought from the NATIONAL ASSOCIATION OF REALTORS® Legal Action Fund, or from any Member Board Legal Action Fund, and whether such support has been granted, and on what terms.

4.5.2.(I). The Executive Committee, and/or the Investigative Panel shall direct the requesting party and/or his attorney to appear to personally support the request and answer any questions posed.

4.5.2.(J). Requesting parties shall be notified in writing of the final determination of the request. The Executive Committee may condition its support on retention of counsel deemed most experienced in the issues presented.

4.5.2.(K). If the Executive Committee rejects a request for support, made in accordance with these procedures, the aggrieved requesting party may appeal the denial directly to the Board of Directors at its next regularly scheduled meeting, provided that a written request for such appeal is submitted to the Chief Executive Officer or its designee within ten (10) days after the applicant has been notified in writing of the decision of the Executive Committee. However, if the Executive Committee determines the matter to be of sufficient import to the general welfare of the Association, and time is of the essence, it may call a special meeting of the Board of Directors to hear the appeal. In any event, the decision of the Board of Directors on an appeal shall be final.

4.5.2.(L). Approval for support under this section must receive favorable vote of three-fourths (3/4ths) of the voting members present of the Executive Committee and, likewise on any appeal, three-fourths (3/4ths) of the voting members present of the Board of Directors, with the quorum for the conduct of business in either case to be that specified in the Bylaws of the Association.

4.5.2.(M). Prior to final consideration of any request before either the Executive Committee or the Board of Directors, the total amount of funds to be allocated to a case should be discussed and consideration given to the impact of such allocation upon the future availability of monies in the Association Legal Action Fund.

4.5.2.(N). The Chief Executive Officer of the Association shall direct the preparation of a Case Memorandum for each request presented to the Executive Committee, which shall be maintained on permanent file for reference, and which shall detail the request, the

results of research by any Investigative Panel, the conclusions mandated by the Executive Committee or Board of Directors, and the final outcome of the case, along with a record of disbursements from the Legal Action Fund.

**SECTION 5. AWARDS.**

5.1. **REALTOR® of the Year.** This award recognizes the REALTOR® who has contributed the most to the real estate profession, to fellow REALTORS®, and to the community at large during the career of the nominee.

5.1.1. Eligible Candidates. All REALTORS® selected during the year by their local boards as REALTORS® of the Year, and who are submitted to MAR by the deadline. The incumbent MAR president of the Association is ineligible during year of service. Only one (1) winner can be chosen for this award each year.

5.1.2. Nominations. Nomination forms are distributed to all local boards. Only one (1) nomination per Member Board will be accepted. However, at-large nominations will be accepted if submitted with the signatures of five (5) MAR members in good standing. Nomination forms shall be due to MAR no later than the first Friday of August of each year.

5.1.3. Selection committee to consist of seven (7) votes as follows:

- Member Services chair (1 vote) = 1 total vote
- Two (2) At-large appointees from the President* (1 vote each) = 2 total votes
- Two (2) Executive Committee members appointed by the President (1 vote each) = 2 total votes
- Inductee from 2 years ago (1 vote) = 1 total vote
- Most recent year inductee (1 vote) = 1 total vote

*The At-large appointees for these awards may not be Executive Committee members.

5.1.4. Presented at Annual Convention. This award shall be presented to the recipient by the President of the Association at an appropriate time during the Annual Convention with due recognition of the recipient's meritorious service to MAR.

5.2. **REALTOR® Emeritus.** This award, which is a constitutionally authorized award, is bestowed on individuals who have maintained 50 cumulative years of membership in the NATIONAL ASSOCIATION OF REALTORS®.

5.2.1. Nominations. Member boards should request nomination forms from the Association. All nominations must then be forwarded directly to the NATIONAL ASSOCIATION OF REALTORS®, with a copy sent immediately to the Association.

5.2.2. Selection. REALTOR® Emeritus status is approved by the National Association's Board of Directors.

5.2.3. Deadline. Deadlines for REALTOR® Emeritus status applications are set by the National Association of REALTORS®.

5.2.4. Recognition. The REALTOR® Emeritus plaque and 50-year pin are awarded at the local Board level.

5.2.5. Presented at Annual Convention. This award shall be presented to the recipient by the President of the Association at an appropriate time during the Annual Convention with due recognition of the recipient's meritorious service to MAR.

5.3. **Mississippi REALTOR® Hall of Fame.** Established in 1994, the Mississippi REALTOR® Hall of Fame honors Mississippi REALTORS® who have made extraordinary and distinguished contributions to the real estate profession in Mississippi over a period of at least 20 years. Hall of Fame induction is MAR's highest honor for long-time service.

5.3.1. Nomination. Nomination must be by a Member or Board of the Association on a standard form provided by the Mississippi Association of REALTORS®. Current members of the Selection Committee shall not submit nominations. Lobbying for the nominee by his or her local Board or any individual is improper and may disqualify the nominee, at the discretion of the committee. Nomination forms shall be due to MAR no later than the first Friday of August each year.

5.3.2. Selection committee to consist of seven (7) votes as follows:

- Member Services chair (1 vote) = 1 total vote
- Two (2) at-large appointees from the President* (1 vote each) = 2 total votes
- Two (2) Executive Committee members appointed by the President (1 vote each) = 2 total votes
- One (1) inductee from 2 years ago (1 vote)** = 1 total vote
- One (1) most recent year inductee (1 vote)** = 1 total vote

*The at-large appointees for this award may not be Executive Committee members.

** If more than one (1) person was inducted into the Hall of Fame in one (1) of the previous two (2) years, the people inducted in the same year must get together and decide which person will serve on the selection committee and cast the vote for that year.

5.3.3. Criteria for Selection. Using the criteria below as a guideline, selection into the Hall of Fame will be by majority agreement of those members of the committee present at the selection meeting.

5.3.3.(A). Hall of Fame honorees have made an extraordinary and distinguished contribution to the real estate industry in Mississippi during a period of at least 20 years of continuous service as a member of the Mississippi Association of REALTORS®.

5.3.3.(B). Nominee may be a living or deceased member of the Association.

5.3.3.(C). Nominee should demonstrate:

(1) Significant local board leadership service (i.e., long-term committee and/or board Service, participation in local meetings/events and advocacy efforts).

(2) Significant service on the state level (i.e., long-term committee and/or board service, frequent attendance at meetings and conferences, participation in advocacy efforts). Consideration is also given to service with the National Association of REALTORS® and community service and leadership.

5.3.3.(D). No more than one (1) inductee may be selected each year. The selection committee may choose two (2) inductees if one (1) of these inductees is selected posthumously.

5.3.4. Presented at Annual Convention. Induction of recipients of this honor shall be by the President of the Association at an appropriate time during the Annual Convention with due recognition of the recipient's meritorious service to MAR.

5.4. **MAR President's Award.** The President's Award may be presented annually, at the President's discretion, to the volunteer REALTOR® whom the President feels has made the most significant contribution to MAR and to the attainment of that President's goals for MAR and program of work. The award shall be presented at the Annual Convention in such manner as the President may direct.

5.5. **Legislative Leadership Award.** Originally proposed by the *LeadershipMAR* Class of 1999 and approved by the MAR Board of Directors in September 1999, the Legislative Leadership Award recognizes outstanding leadership by one (1) State Senator and one (1) State Representative in helping MAR achieve its legislative goals. The award is presented annually.

5.5.1. Nominations Not Required. No nominations are necessary.

5.5.2. Selection. Recipients selected by the Chair and Vice Chair of MAR's Legislative & Regulatory Affairs Committee, in consultation with other members of MAR's Legislative Advocacy Team and MAR's governmental affairs director as appropriate, following the close of the regular legislative session each year.

5.5.3. Presented at REALTOR® Day at the Capitol. Recognition of recipients of this honor shall be by the President of the Association at an appropriate time during the MAR REALTOR® Day at the Capitol with due recognition of the respective recipients' meritorious service to MAR.

5.6. **Affiliate of the Year.** The Mississippi REALTOR® Affiliate of the Year Awards honor Mississippi REALTOR® Affiliate members who have demonstrated extraordinary support to Mississippi REALTORS® at the local and state level for the current year. No more than one (1) award may be given each year.

5.6.1. Method of Selection.

5.6.1(A). Nomination must be by a REALTOR® or Member Board on a standard form provided by MAR. Lobbying for the nominee by his or her local Board or any individual is improper and may disqualify the nominee, at the discretion of the committee. Nomination forms shall be due to MAR no later than the first Friday of August each year.

5.6.1.(B). Selection committee to consist of five (5) votes as follows:
- Member Services chair (1 vote) = 1 total vote
- Two (2) at-large appointees from the President* (1 vote each) = 2 total votes
- Two (2) Executive Committee members appointed by the President (1 vote each) = 2 total votes

*The at-large appointees for this award may not be Executive Committee members.

5.6.1.(C). Using the criteria below as a guideline, selection for the REALTOR® Affiliate of the Year will be by majority agreement of those members of the Committee present at the selection meeting.

5.6.2. Criteria for Selection.

5.6.2.(A). Nominee must be a REALTOR® Affiliate member of MAR.

5.6.2.(B). Nominee must have contributed significantly to the real estate profession in the State of Mississippi.

5.6.2.(C). Nominee must have been active at both the state and local levels of the real estate organization and must be recognized as a leader in the real estate industry in his or her community.

5.7. **Instructor of the Year Award.** Each year, a REALTORS® Institute instructor is awarded the prestigious Instructor of the Year Award. At the end of every REALTORS® Institute pre-license, post license and CE course, students will be asked to evaluate the instructors based on various items including, but not limited to, subject matter knowledge, presentation skills, whether or not the students' expectations were met, and any other relevant considerations. Selection committee to consist of five (5) votes as follows:

- Mississippi REALTORS® Institute Advisory Committee Chair (1 vote) = 1 total vote
- Two (2) at-large appointees from the President* (1 vote each) = 2 total votes
- Two (2) Executive Committee members appointed by the President (1 vote each) = 2 total votes

*The at-large appointees for this award may not be Executive Committee members.

The MRI Director is to provide three (3) nominations to the MRI Advisory Chair. The MRI Advisory Chair is also to receive copies of evaluations for the three (3) nominations. In their deliberations, the selection committee shall consider the point score from student evaluations, student comments and the number and type of courses taught.

5.8. **Under 40 Award.** The Mississippi REALTOR® Under 40 Awards honor Mississippi REALTORS® under 40 years of age who have demonstrated extraordinary contributions to Mississippi REALTORS® at the local and state level for the current year. Up to two (2) awards may be presented annually.

5.8.1. Method of Selection.

5.8.1.(A). Nomination must be by a REALTOR® or Member Board on a standard form provided by MAR. Lobbying for the nominee by his or her local Board or any individual is improper and may disqualify the nominee, at the discretion of the committee. Nomination forms shall be due to MAR no later than the first Friday of August each year.

5.8.1.(B). Nomination forms must be accompanied by a minimum of two (2) recommendation letters from MAR Members.

5.8.1.(C). This award is limited to two (2) recipients per year. Selection committee to consist of five (5) votes as follows:

- Member Services chair (1 vote) = 1 total vote
- Two (2) at-large appointees from the President* (1 vote each) = 2 total votes
- Two (2) Executive Committee members appointed by the President (1 vote each) = 2 total votes

*The at-large appointees for this award may not be Executive Committee members.

5.8.1.(D). Selection for the Mississippi REALTOR® Under 40 Awards will be by majority agreement of those members of the Committee present at the selection meeting.

5.8.1.(E). Awards will be presented and honorees recognized during MAR's Annual Convention and EXPO.

5.9. **Community Champion Award.** The MAR Community Champion Award honors a REALTOR® who volunteers his/her time and demonstrates extraordinary efforts to improve the quality of life in his/her community.

5.9.1. Eligibility Requirements.

5.9.1.(A). Nominees must be a REALTOR® member in good standing of the Mississippi REALTORS®.

5.9.1.(B). Nominees should have contributed in a non-employee capacity to a program that improves the livability of a local community.

5.9.1.(C). Nominees should have made a significant contribution of personal time, however contributions of needed materials and/or other resources may be considered.

5.9.1.(D). Nominees will be judged not only on level of personal contribution, but also the impact of that personal contribution, broadness of impact, and the project's suitability as a role model for other REALTORS®.

5.9.1.(E). This award is intended to recognize individual contributions, not association or company-wide efforts. However, if an individual within a company can be singled out as instrumental to the success of a group effort, he or she is eligible. If the achievements of two people (such as a married couple or co-founders of an organization) absolutely cannot be separated, they can enter as a pair and their entry will be considered as one.

5.9.1.(F). Some portion of the nominee's community work must have taken place during the calendar year in which the award is given, but judges will also consider ongoing efforts outside that time frame that demonstrate a depth of commitment.

5.9.1.(G). Nominees must be able to document the results of their individual involvement through published reports and/or written testimonials from the organization they served or the people they helped to be included with the application form.

5.9.1.(H). Nominations must be accompanied by a completed entry form to be considered. Nomination forms shall be due to MAR no later than the first Friday of August each year.

5.9.1.(I). REALTORS® may nominate themselves or may be nominated by another MAR member, a local board or the community organization they serve.

5.9.1.(J). Prior Community Champion Award Winners are not eligible.

5.9.2. Program Rules.

5.9.2.(A). Up to two (2) awards may be given each year, with the announcement to be made at MAR Convention.

5.9.2.(B). A $1,000 donation will be awarded by the selection committee to the non-profit community organization named on the entry form. If more than one non-profit is named, the selection committee will confer with the honoree prior to making a decision on the allocation of the $1,000 award.

5.9.2.(C). Winners must sign an affidavit of eligibility and be willing to be interviewed, photographed, filmed and/or featured on msrealtors.org.

5.9.2.(D). Selection committee to consist of five (5) votes as follows:
- Member Services chair (1 vote) = 1 total vote
- Two (2) at-large appointees from the President* (1 vote each) = 2 total votes
- Two (2) Executive Committee members appointed by the President (1 vote each) = 2 total votes

*The at-large appointees for this award may not be Executive Committee members.

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5.9.2.(E). Award nominees and individuals submitting a nomination form are not eligible to serve on the selection committee.

5.9.2.(F). Judging is based on the amount of personal time the individual has dedicated and the scope of the population who may have benefited through their volunteerism. Other factors, such as the uniqueness of the project, may be considered as well.

5.10. **Appointment of Executive Committee members to Awards Committees.** Each year, the President shall appoint six (6) different Executive Committee members to serve on Association awards selection committees, as follows:
- Two (2) Executive Committee members will serve on the REALTOR® of the Year Selection Committee
- Two (2) Executive Committee members will serve on the Hall of Fame Selection Committee

- Two (2) Executive Committee members will serve concurrently on each of the Selection Committees for the following awards: Affiliate of the Year, Under 40 Award, Community Champion Award, Instructor of the Year.

## SECTION 6. MEMBER SERVICES

6.1. **Group Discounts.** The Chief Executive Officer is to assist the staff with negotiation of programs for new or continuing member services, group discounts, buying programs or similar programs and benefits which help members and may, as an alternative benefit, provide non-dues income to MAR.

6.2. **Association Executive Scholarship.** MAR may offer an annual scholarship program to fund partially or in full the expenses of at least one (1) Member Board/Association of REALTORS® staff executive to attend NAR's Association Executive Institute.

6.2.1. Application Process and Deadlines. The AE liaison will send out applications to all AEs by September 15. All AEs applying for the scholarship must return a completed application by October 15.

6.2.2. Selection Process. The AEI Selection Committee, consisting of the MAR CEO, AE officer liaison, AE Forum Chair, and AE vice chair, will meet to review applications. If the AE Chair or AE vice chair is an applicant, that committee member will be replaced by the AE past chair or the most recent AE past chair not applying for the scholarship. Selection will be based on financial need as documented. The recipients will receive notification from the AE liaison by December 1st.

6.2.3. AEI Registration Process. The recipient(s) should register via www.realtor.org using a company or personal credit card and keep records of all expenses for reimbursement from MAR. If a company or personal credit card is unavailable to complete registration, the recipient may contact the MAR CEO administrative assistant to receive assistance with the registration process.

6.2.4. Reimbursement and Funds Distribution. Reimbursement of eligible expenses shall be governed by Section 3.38 hereinabove.

6.2.5. AEI Scholarships. Funds available for AEI scholarships are determined in the approved MAR budget annually.

6.3. **Services to Institutes, Societies & Councils.** Upon request, the Association staff may render administrative services to affiliated institutes, societies and councils on a basis established by the Chief Executive Officer.

6.4. **Member Assistance.** MAR Staff will provide assistance to members in accordance with and within the scope provided by the Chief Executive Officer and the MAR Employee Manual.

6.4.1. Inquiries as to Ethics or Arbitration Issues. Insofar as the NAR Ethics and Arbitration Manual is available to all Members, and this manual is intended to be self-explanatory, providing both detailed explanations and examples of applicable ethics and arbitration rules and procedures, and whereas

MAR staff are involved in appellate stages of formal ethics hearing and arbitration required by or involving members from time to time, MAR staff shall not provide guidance to or advise members or nonmembers in matters, hypothetical or actual, involving potential or actual ethics disputes or arbitration scenarios except to direct them to the Ethics and Arbitration Manual. In instances where members or non-members present questions that they cannot or will not answer by reference to the Manual, they will be advised by staff of their right to consult competent legal counsel of their own choosing. Questions involving ethics disputes or arbitration scenarios will not be directed to MAR Legal Counsel, as MAR's Legal Counsel acts as counsel to MAR hearings panels on request of local associations.

6.4.2. Legal HotLine. As a service to members, MAR shall provide, through the Headquarters telephone system, a service referred to as the "MAR Legal HotLine." The HotLine shall consist of an automated, user-friendly system whereby members may leave their questions or inquiries via voice-mail recording. Questions will be checked daily, and a response to each call should be made by or under the direction of MAR's Legal Counsel within twenty-four (24) hours. The HotLine shall provide legal information only and not legal advice, and members shall be so informed. The HotLine shall provide general legal information relating to Mississippi license law, contracts law and agency law, and such other legal concepts as MAR's Legal Counsel, in its discretion, deems relevant and proper in the context of questions asked. In instances where members contact the staff on lines other than that dedicated to the HotLine regarding legal questions, staff shall direct such members to the HotLine. In instances where members contact the staff regarding previous calls to the HotLine that have not been returned, staff shall notify MAR Legal Counsel so that a response may be made.

## SECTION 7. ISSUES MOBILIZATION FUND COMMITTEE

7.1. **Organization.**

7.1.1. Due to the nature of the Committee, continuity is imperative and there shall be no limit to the number of consecutive terms a Committee member may serve. The Committee shall make recommendations to the President for Committee appointments to be delivered by the Chair.

7.1.2. Each January the committee shall set a schedule of regular meetings for the year.

7.1.3. A special meeting may be called by the Chair for discussion of a time-sensitive issue.

7.2. **Responsibilities.** The Committee shall be responsible for the following pursuant to the Issues Mobilization Fund.

7.2.1. Consider requests and recommend funding to the Executive Committee to:

7.2.1.(A). Assist Member Boards/Associations with local issues affecting REALTOR® public policy.

7.2.1.(B). Conduct issue campaigns on statewide issues affecting REALTOR® public policy.

7.2.2. Ensure that members and Member Boards/Associations are aware of and informed about the Committee’s purpose and the funding request process and the resources available.

7.3. **Usage of Funds.** Issues Mobilization funds shall be used as follows:

7.3.1. To assist Member Boards/Associations with local political issues affecting real property rights, real property, real estate, real estate licensees, and the real estate industry.

7.3.1.(A). Funds may be made available by the Committee to Member Boards/Associations for use in local issues to assist them in organizing local issues campaigns and to assist them in solicitation of additional funds.

7.3.1.(B). No funds shall be authorized or allocated to any Applicant without submission of a completed and signed Issues Mobilization Funding Application. The Committee may request that individuals representing the Applicant appear before the Committee to address the issue and the Request.

7.3.1.(C). No Request for Issues Mobilization funds for local campaigns shall be considered from REALTOR® Members or others without the written request of a Member Board/Association.

7.3.1.(D). A minimum commitment of 10% of the financial expenditure and/or in-kind commitment of equivalent value is required. This requirement may be amended due to special circumstances upon approval of the Executive Committee.

7.3.2. To conduct issue campaigns on statewide political issues affecting real property rights, real property, real estate, real estate licensees, and the real estate industry.

7.3.2.(A). Funding Requests for issues of statewide significance may be submitted by Member Boards/Associations, the MAR Legislative and Regulatory Affairs Committee or the Governmental Affairs Director. (B) Approved funds may be used for all appropriate expenses incurred in the statewide issues campaign.

7.3.2.(B). To ensure the most effective utilization of funds, the Committee may require that statewide issues campaigns be coordinated by and through the MAR office.

7.3.2.(C). Funds should not be used to reimburse Applicants for contributions made to other issues campaigns or promotions.

7.3.2.(D). All funds allocated by the Committee are subject to the approval of the MAR Executive Committee.

7.3.2.(E). Approval of monetary support by the Committee and the Executive Committee does not constitute MAR's endorsement of the Applicant's position on the issue in question.

7.3.2.(F). Funds shall not be used to support or endorse political candidates or to pay costs of litigation.

7.4. **Appropriate Expenditures.** Appropriate expenditures shall include but not be limited to:

7.4.1. Ballot Measure Campaigns

7.4.2. Grassroots Lobbying Activities

7.4.2.(A). Mailgrams or letter writing campaigns

7.4.2.(B). Advertisements/Mass Media/Public Relations (radio, television, newspaper, promotional material)

7.4.3. Host educational forums – the purpose of which is to raise the level of awareness about an issue (e.g. room charge, coffee, etc.)

7.4.4. Contributions to or with other grassroots lobbying organizations with respect to a common issue

7.4.5. Issue Advocacy

7.4.5.(A). Expenses associated with a contract employing a professional advocate

7.4.5.(B). Participation in key seminars and workshops

7.4.5.1. Data collection to assist with the development of strategies

7.4.6.(A). Public opinion surveys

7.4.6.(B). Polling

7.4.6.(C). Phone Banks

7.5. **Procedure.**

7.5.1. All Funding Requests must be sent to MAR's Governmental Affairs Director who shall promptly screen each Application. Upon determination by the Governmental Affairs Director that the Application is complete, the Application, along with all pertinent papers and information, shall be forwarded to the Committee Chair.

7.5.2. No Request shall be considered by the Committee unless all the pertinent papers and information are received by the Governmental Affairs Director in time for MAR to provide meaningful assistance. The Committee, at its next regular meeting or special meeting, shall consider the Request pursuant to established criteria and prepare a recommendation for action by MAR's Executive Committee.

7.5.3. Requests will be considered on an individual basis. Equally important considerations include, but are not limited to, the following:

7.5.3.(A). Importance of issue to all REALTORS®

7.5.3.(B). Active REALTOR® support and involvement

7.5.3.(C). Efforts to achieve goal without Issues Mobilization Fund support

7.5.3.(D). Funds raised from other sources

7.5.3.(E). Winnability

7.5.3.(F). Broad-based community support

7.5.4. After a review and discussion of each financial Request, the Committee will take one of the following actions:

7.5.4.(A). Approve the Request fully or in part and forward to the MAR Executive Committee

7.5.4.(B). Deny the Request

7.5.4.(C). Approve the Request fully or in part only if certain conditions are met (as required by the Committee)

7.5.4.(D). Postpone a decision until the Committee receives more definitive information

7.5.5. MAR's Governmental Affairs Director will provide appropriate follow-up to the actions taken by the Committee, including instructions for reporting.

7.5.6. The Issues Mobilization Fund Committee shall be responsible for determining if an issue submitted by a local board/association or by the MAR Legislative & Regulatory Affairs Committee will concurrently be submitted to the National Association of REALTORS® State and Local Issues Mobilization Support Committee.

7.5.7. Consideration by Executive Committee

7.5.7.(A). The Committee's recommendation shall be considered at the next regular meeting of MAR's Executive Committee or at a special meeting called for that purpose. The Committee Chair or their designee and the MAR Governmental Affairs Director shall be present when the recommendation is considered by the Executive Committee.

7.5.7.(B). The Executive Committee may adopt, reject or modify the Committee's recommendation.

7.6. **Follow Up.**

7.6.1. A report, must be received by the Issues Mobilization Fund Committee within 30 days following award of the grant and a final report within 30 days following resolution of the issue. Additional reporting may be required at any time at the discretion of the Issues Mobilization Fund Committee.

7.6.2. The reports shall include but not be limited to

7.6.2.(A). an itemized expense report including copies of paid invoices

7.6.2.(B). a critical assessment of the campaign plan including copies of campaign materials

7.6.3. Any unused funds must be returned to the Issues Mobilization Fund. Failure to provide a campaign follow-up report will be taken into consideration on future funding requests.

## SECTION 8. INVESTMENT ADVISORY GROUP

8.1. **Membership.** The Investment Advisory Group shall consist of the President, two (2) members of the Association Operations Committee appointed by the President, the Association's Treasurer and three (3) at-large members appointed by the President.

8.2. **Purpose.** The Investment Advisory Group shall operate as a permanent work group of the Association for the purpose to examining the Association's investment portfolio and making recommendations to the Association Operations Committee regarding the Association's investment portfolio or other matters relevant to the Association's investments.

## SECTION 9. MISSISSIPPI REALTORS® INSTITUTE

9.1. **Continuing Education Course Offerings.** The Mississippi REALTORS® Institute offers continuing education courses in all areas of Mississippi made available to any member and non-member for a fee determined by the MRI Director. The fee for continuing education through MRI is determined by the MRI Director and the Mississippi REALTORS® CFO. Registration for this method of obtaining continuing education is handled on a case-by-case basis individually with the MRI Director of Education or the MRI Course Manager.

9.2. **Submitting Revisions to Course Material and Exams.** Any substantive revision made by an Instructor in approved course content that would create a conflict with MREC course approval should be submitted to the MRI Director for approval prior to use. Materials cannot display any company or franchise branding.

9.3. **Approved Course Outlines and Materials.** The MRI Director shall provide the instructor with current course materials within a timely manner.

9.4. **Confirmation of Courses.** The MRI Director shall provide students with suitable confirmation of enrollment in courses upon payment of full tuition.

9.5. **Cancellation of Courses.** The MRI Director shall have the right to cancel any course on the deadline date if a sufficient number of registrations are not received. An attempt should be made to move registered students to another course; if this cannot be achieved, tuition should be refunded in a timely manner.

9.6. **Course Hours.** Instructional hours required by MREC are based on at least 50 minutes for each hour of instruction, and all education courses begin at the scheduled time.

9.7. **MRI Course & Exam Policy.** The MRI follows the same policy for exam review as does the MREC. A student who fails an examination receives his/her actual grade. If a student fails an examination, the exam is analyzed by staff, and the student is notified by mail with the number of questions he/she missed within each tested category for use in studying to retake the exam. The

student shall not have access to his/her answer sheet or the actual test. A student who fails an examination required for successful completion of an MRI Program may retake the exam at no cost within six (6) months from the date of the original exam at a regularly scheduled corresponding course or at a time to be determined by the MRI staff. A student who fails an MRI exam twice must pay $50 for each retake. The class, including passing the final exam, must be completed within 6 months.

A student who passes an exam receives a Pass letter (with no grade indicated) and his/her certificate of completion.

A student who fails an MRI course may repeat the course at half price for up to one (1) year from the date the class began.

9.8. **Cheating Policy.** The MRI Exam Proctor will include in the introduction to the examination instructions to the student consistent with the following:

- Work independently of any unauthorized source.
- Have on the work table only the scratch paper provided, a pencil and a calculator. A cell phone may not be used as a calculator during the exam.
- Refrain from talking to other students during the exam.
- Refrain from looking in the direction of other students.
- Turn off and store away all electronic devices, including cell phones.

If a proctor finds a student in violation of these rules, the proctor is authorized to immediately advise the student, in a respectful and courteous manner, that the student may not be doing his/her own work, take the student's exam, and report such violations to the MRI Director. A student found in violation of these rules receives a letter from the MRI Director explaining that the student received an unsatisfactory grade, and the student may make an appointment to discuss the matter and/or schedule to re-take the exam at no additional cost for the first time at the next regularly scheduled exam date, with no charge to the student; Re-Take tests taken subsequent to the first scheduled exam date following the original test date shall require payment of a Re-Test Fee by the student prior to re-taking the test.. The grade on the original exam is carried as a failure until such time as the student receives a successful passing score on the re-take exam.

9.9. **Security of Exam.** MRI exams should be kept at each of the testing locations under lock and key by either the MRI Director or the Association Executive of an off-site location.

It is the responsibility of the MRI Director or the proctor to know at all times the exact number of exams on hand and to carefully confirm that each student returns the exam with his/her answer sheet at the end of an exam period.

If a course exam is revised, the MRI Director is responsible for ensuring that exams used in off-site Associations are replaced and old exams are properly disposed of.

9.10. **Registration Policy.**

- Registration is not confirmed without valid payment in full.
- Payment may be made by check, cash, Money-order or credit card.

- Registration may be taken over the phone or on-line.

9.11. **Registration Fees.** Registration fees are established by the MRI Director in consultation with the Mississippi REALTORS® CFO.

9.12. **Refunds.** A full refund is issued to registrants who must cancel prior to the start date if the registrant does not wish to transfer to another course. In order to receive a full refund, cancellations must be made prior to opening day of a course.

9.13. **Failure of Student to Appear (No show).** Failure of a student to show up for a confirmed course without notification or cancellation prior to the class start date results in no tuition refund; however, in an emergency situation (as determined by the MRI Director in his/her sole discretion), tuition may be applied to the same course scheduled within six (6) months.

9.14. **Duplication Fee.** A duplicate copy of a previously issued letter of course completion or an original certificate may be provided to a student upon receipt of a request accompanied by a prepaid $25.00 fee for each requested certificate or letter.

9.15. **Attendance Requirements.** Attendance is taken in all scheduled courses, both morning and afternoon of a day class and once a night during a night class. A student must sign the course sign-in sheet. **The student's own signature is the official record of attendance**. A student is not allowed to sign in for another student under any circumstances.

A student attending less than the required sixty (60) hours of the Salesperson Pre-license Program must make up that time in the same module missed at another regularly scheduled MRI Program prior to receiving a certificate of completion. A student attending less than thirty (30) hours of any post licensing course used for licensure must make up that time in the same module missed prior to receiving a certificate of completion.

Sign-in sheets are taken up ten (10) minutes after the class begins and no CE credit will be given after sign-in sheets are collected.

9.16. **Classroom Policies and Procedures.**

9.16.1. *Confidentiality.* Student confidentiality is maintained by the MRI Director/staff. Grades and/or personal information are not shared with anyone other than the student with the exception that information may be shared with course sponsors and designation conferees for designation or certification purposes. Class evaluation comments are not identified by the student but remain anonymous. The confidentiality of all data shall be maintained and protected in all instances.

9.16.2. *Smoking Policy.* Smoking is not allowed in the MRI building or on the premises.

9.16.3. *Cell Phone Policy.* Cell phones are placed on silent and not used during instruction unless approved by the instructor. Cell phones are prohibited during any exam.

9.16.4. *Tape Recording/Electronic Devices.* A student is not permitted to use tape recorders or other electronic recording devices in the classroom. Unauthorized recording of any course is not allowed. No electronic devices may be used during testing unless authorized by the course instructor prior to use

and are stowed prior to distribution of the exam (except when necessary to provide reasonable accommodation for bona fide disabilities).

9.16.5. *Decorum.* Students shall be courteous toward his/her peers and the instructor. No student is allowed to disrupt the learning experience of other students in the classroom. If such disruptions recur after being noted by the instructor, the offending student should be asked to leave and no refund of tuition will be given.

9.16.6. *Facility Guidelines.* Classrooms provided by hosts

- Should be conducive to learning and be arranged appropriate to class size.
- Allow for breakout groups.
- Provide convenient restroom facilities able to accommodate class size.
- Offer sufficient AV equipment.
- Provide adequate lighting and climate control systems.
- Offer day/night student parking.
- Are disability accessible, when needed.
- Provide access to refreshments within or nearby.

9.16.7. *Instructor Absence and Tardy Policy.* If an emergency arises prior to a scheduled teaching assignment, the instructor is to notify the MRI Director immediately.

If an instructor fails to arrive for a teaching assignment without notifying MRI staff in advance on three (3) occasions, cancels three (3) or more accepted assignments or arrives late three (3) or more times within a calendar year, the instructor shall be automatically removed from the cadre.

9.16.8. *Instructor Personal/Business Promotion.* No instructor's personal or business promotion/advertisement or solicitation is allowed on the premises where an MRI course is being held. The instructor is prohibited from circulating or distributing advertisements or promotional materials unless specifically pre-approved in writing by the MRI Director.

In the classroom and on the class premises, an instructor represents the MRI, not his/her individual company. All instruction is general in nature and should not point to a particular company or franchise.

An instructor wears the MRI instructor name badge rather than his/her company name badge and avoids branding (*i.e.*, real estate firm business card, clothing, automobile, course materials).

9.16.9. *Classroom Recruitment.* Recruiting to an instructor's company or any company is strictly prohibited any time during a course in the classroom or on the premises. The instructor shall be careful not to say or do anything that hints at swaying a student to affiliate with any particular company or franchise. It is important that a broker knows he/she can send an agent to the MRI without fear of an instructor attempting to recruit the agent.

If a student asks the instructor at a course location to discuss any details of a company/franchise or a company's/franchise's policy, the instructor should explain that such discussion is inappropriate during the course term. When teaching policies in class, it is appropriate for the instructor to inform the

student generally that different companies have different practices and refer the student to his/her broker for clarification. Instructors should never teach or discuss the philosophies of any particular company or franchise.

If a student volunteers the name of the broker to whom he/she intends to affiliate or transfer and solicits the instructor's opinion of that broker, the instructor should inform the student that MREC Rules restrict a response.

9.16.10. *Social Media Guidelines.* Mississippi REALTORS® and the MRI value social media, and respect the rights of its associates to use social media. Proper use of social media in all its forms creates awareness of the MRI's purpose and mission. It is also a great communication and marketing tool. What the MRI Director, Course Manager, Staff or Instructor shares on the internet is (or may be perceived to be) representative of the MRI and Mississippi REALTORS® and should be approached with caution, tact and responsibility.

The written word can be easily misunderstood and misinterpreted. Mississippi REALTORS® and the MRI respect the right of the MRI Director, Course Manager, Staff or Instructor to interact and communicate about non-association-related matters using the internet so long as the rights of others are respected and protected. In order to safeguard Mississippi REALTORS® and the MRI from the posting of comments and information that may abridge legal rights of others or have a harmful effect on the ongoing business interests of Mississippi REALTORS® and the MRI, the following policy has been developed.

For the purpose of this policy, "engaging in social media" means posting or uploading content to any type of interactive electronic communication including but not limited to websites, blogs, social networks, discussion boards, and list serves.

- The party posting assumes any and all risks associated with engaging in social media. The Mississippi REALTORS® and the MRI are not responsible for any matter posted to the internet through social media outside specific postings initiated by them or their authorized agents.

- Be certain it is clear that any opinion, belief and view expressed does not reflect the views of Mississippi REALTORS® or the MRI. It is preferable that a standard disclaimer be posted to this effect: "Any and all opinions, facts or matters expressed here are personal to the poster and do not in any way reflect the views or opinions of Mississippi REALTORS® or the Mississippi REALTORS® Institute."

- When engaging in social media, be vigilant not to disclose any information that is confidential or proprietary to Mississippi REALTORS®, the MRI or to any third party that has disclosed information to them. NEVER disclose non-public information of the Mississippi REALTORS® or MRI (including confidential information), and be aware that taking public positions online that are counter to the Mississippi REALTORS® or the MRI might cause conflict.

- Use caution when posting photos. Photos should not be used without the written permission of the owner.

- Should you come across negative or disparaging posts concerning Mississippi REALTORS® or the MRI, please consider bringing them to the attention of the MRI Director. Avoid the

temptation to react yourself unless you have been asked by an authorized MRI representative to do so.

- Since the internet is public space, avoid engaging in social media that may disparage or harm the image or reputation of Mississippi REALTORS®, the MRI or any of its members, staff, instructors or students. You are responsible for your actions. Anything you post that can potentially tarnish Mississippi REALTORS®' or the MRI's reputation will ultimately be your responsibility.

- When engaging in social media, do not expect posted comments to be private. Even comments posted in private groups can easily be shared publicly. Tact, sound judgment and common sense should be used when matters regarding MRI internal operations or business policy are referenced in posts to be viewed by MRI competitors and third-parties.

- When an MRI instructor posts on a social media site (*e.g.*, Facebook, Instagram, Twitter), that he/she taught an MRI course or the promotion of a future MRI course, he/she should acknowledge that the course is being provided by "The Mississippi REALTORS® Institute."

9.16.11. *Instructor is Unsure of Response to Student Inquiry.* The student expects the MRI instructor to know everything about everything. If the instructor does not know or is unsure of the answer to a student's inquiry, refer the inquiry to the MRI Director for research and response. The instructor is NOT to GUESS and is encouraged to become familiar with the NAR Code of Ethics and the Mississippi Real Estate Commission License Law and Rules and Regulations in order to provide the student with information beyond the curriculum. MRI Instructors engaged in the conduct of their duties through MRI shall refrain, and be prohibited, from responding to student inquiries by means of a legal opinion or recommendation; inquiries dealing with specific fact situations or hypothetical fact scenarios may be addressed only with generalized recitation of applicable or relevant laws, rules or regulations, accompanied by encouragement to seek qualified legal advice in the context of situations raising legal issues or concerns. Students seeking or holding licensure from the Mississippi Real Estate Commission should be informed and reminded of provisions of The Real Estate Brokers License Law of 1954, as amended, which prohibit the practice of law or provision of legal advice directly or indirectly without an active Mississippi license to practice law.

9.16.12. *Return of Materials.* Instructors shall return CE Certificates, completed exam scantrons and/or Sign-In Sheets within 2 business days after the teaching engagement is concluded and include a tracking code. The cost is reimbursable. The instructor will not be paid until the paperwork is received by MRI. The proctor collects the exam from the student for destruction.

9.17. **Instructor Performance.**

9.17.1. *Student Evaluation.* The student is requested to complete a confidential Instructor/Course Evaluation covering the course content, materials and the instructor's delivery. Candor and detailed comments are encouraged, and the instructor should point out the value of the evaluation. Ample classroom time should be allotted for completion of the evaluation. Instructors shall provide all students completing a course with a QR code for immediate access to the evaluation and shall confirm completion of evaluations by each student prior to disclosure of the course approval code to the student.

Evaluations are compiled by the MRI Staff/Director and forwarded to the instructor within one (1) month from completion of course.

Evaluations are used by the MRI Director in evaluation of the instructor. All information received from the course/instructor evaluation is confidential to the instructor, the MRI Director/staff and any members of the MRI Advisory Committee reviewing the information. In the event the MRI Director determine(s) that the Instructor/Course Evaluation reflects inferior performance by an instructor, the MRI Director will contact the instructor to discuss the inferior evaluation. The instructor will be given an opportunity to respond in writing and the response will be attached to the evaluation and put in the instructor's file. The MRI Director may require a re-evaluation at any time.

9.17.2. *Annual Review of Instructor Cadre.* Instructor performance is reviewed annually, prior to execution of a new contract or when deemed necessary. Attendance at the annual Instructor Development Workshop, unless excused by the MRI Director. To remain on the cadre, an instructor may not miss two (2) consecutive workshops absent an excusable hardship.

9.17.3. *Instructor Violations.* Disciplinary action may be warranted for instructor violations, including, but not limited to

- Poor student evaluations.
- Inappropriate attire in the classroom.
- No/show tardiness to class.
- Mississippi Real Estate Commission (MREC) complaints, whether verbal or written.
- Inappropriate use of materials
- Copyright infringement.
- Classroom recruiting.
- Poor time management.
- Disparaging remarks or inappropriate language, or inappropriate behavior.
- Providing incorrect information to the student and making remarks which could potentially cause legal action or reflect poorly on the MRI or Mississippi REALTORS®.
- Distribution or promotion of inappropriate material.
- Solicitation or recruitment.
- Inappropriate use of a facility or its resources.
- Harassment

An instructor in violation of the MREC License Law, Rules, Regulations, or an Article of the NAR Code of Ethics must notify the MRI Director in writing within thirty (30) days of the finding of a violation and in every case prior to the instructor's next teaching assignment.

9.17.4. *Suspension / Removal of an Instructor.* The MRI Director shall have the authority to remove temporarily or permanently suspend, or place on probation any instructor from the cadre for any or no reason including, but not limited to, any violation of the Instructor Independent Contractor Agreement or upon the commission or omission of an act, whether or not in a teaching capacity with the MRI, which in the opinion and sole discretion of the MRI Director either renders the instructor unsuitable for further teaching or which act could cause discredit to the image and reputation of the MRI or Mississippi REALTORS®.

If the violation is of a serious nature that endangers facility, a student and/or staff; breaches the NAR Code of Ethics or MREC's License Law or Rules and Regulations; or, in the opinion of the MRI Director, impugns the reputation of the MRI or MAR, then the MRI Director has the authority to immediately take disciplinary action and notify MRI legal counsel of the incident.

All violations shall be fully documented in writing in consultation with MRI legal counsel. When the MRI Director obtains a response from a disciplined instructor, same shall be fully documented in consultation with MRI legal counsel. All documents concerning an instructor removal or suspension shall be provided to the MRI Director and MRI legal counsel, and placed in the instructor's confidential file.

If an instructor is temporarily suspended, the MRI Director shall establish a temporary suspension period of up to four (4) quarters in a calendar year in which the instructor shall abstain from teaching. The suspension letter referenced above should be accompanied by specific directives from the MRI Director regarding specific areas the instructor is to address and correct, whether in material content or instruction delivery, which are to be corrected by the instructor prior to the next occasion the instructor is assigned to teach after the suspension. The MRI Director shall assign a designated auditor for the instructor's next teaching assignment to insure compliance with all directives; the expenses of the auditor in attending such session is borne by the MRI.

Should the MRI Director elect to remove or temporarily suspend an instructor, the instructor's removal or temporary suspension is documented in writing and delivered to the instructor (by certified mail to the instructor's last address on file) by the MRI Director.

9.17.5. *Instructor Reinstatement.* An instructor who is removed from the cadre and wishes to be reinstated must complete the New Instructor Selection Process.

The student is requested to complete a confidential Instructor/Course Evaluation covering the course content, materials and the instructor's delivery. Candor and detailed comments are encouraged, and the instructor should point out the value of the evaluation. Ample classroom time should be allotted for completion of the evaluation.

Evaluations are compiled by the MRI Staff/Director and forwarded to the instructor and MRI Advisory Committee within one (1) month from completion of course.

Evaluations are used by the MRI Director in evaluation of the instructor and reviewed by the MRI Advisory Committee. All information received from the course/instructor evaluation is confidential to the instructor, MRI Advisory Committee, and MRI Director/staff. In the event the MRI Director determine(s) that the Instructor/Course Evaluation reflects inferior performance by an instructor, the MRI Director will contact the instructor to discuss the inferior evaluation. The instructor will be given an opportunity to respond in writing and the response will be attached to the evaluation and put in the instructor's file. The inferior evaluation, instructor's written response and past evaluations will be reviewed by the MRI Advisory Committee. The MRI Director may require a re-evaluation at any time.

When there is an anticipated need for an instructor in a particular subject, the MRI seeks experienced instructors who are committed to MRI, Mississippi REALTORS® and its principles and ethics.

A cadre of instructors is maintained by the MRI Advisory Committee and MRI Director. The cadre provides a minimum of two (2) approved instructors for each frequently taught course in the MRI program. An instructor selected is a member of the cadre for a calendar year and signs an Instructor Independent Contractor Agreement as provided by the MRI Director.

The instructor's performance is reviewed at the end of the year and reappointment to the cadre for the next year should not be presumed by any instructor. An instructor may be removed from the cadre by the MRI Advisory Committee or the MRI Director during the year without cause. (See Removal of Instructors).

9.18. **MRI Instructor Criteria.**

9.18.1. *Criteria for REALTOR® MRI Instructor.*

- Holds an active Mississippi real estate license or, at a minimum, an active Mississippi Certified Residential or General Appraiser's license or is recognized as a Subject Matter Expert in the field of the course(s) to be taught; and
- Real estate practitioner or specialist in the field of instruction prior to making application; and
- Member in good standing* of the Mississippi REALTORS®; and
- Has previous teaching, training and/or presentation experience.

*Good standing is defined for purposes of this Section 9.18.1 as (i) no violations of the Code of Ethics and/or membership duties within the past three (3) years; (ii) no misuse of the term REALTOR® or REALTORS® in the name of applicant's firm; and (iii) no outstanding financial obligations for local, state or national association.

9.18.2. *Criteria for REALTOR® Instructor for specific modules.*

- To teach REALTOR® Code of Ethics, an applicant must complete the Mississippi REALTORS® Professional Standards Training Program within the twenty-four (24) months prior to commencing the role of instructor.
- In addition to the criteria above, to teach broker level courses, an applicant must have experience as a managing broker (unless waived by the MRI Advisory Committee in their discretion) and demonstrated expertise in the subject area to be taught.
- To teach REALTOR® Code of Ethics, an applicant must not: (i) have any violations of the Code of Ethics and/or membership duties within the past three (3) years; (ii) have any unresolved violations or pending complaints alleging violations of the Code of Ethics or alleging violations of other membership duties; or (iii) have any incomplete or pending disciplinary matters against them as a respondent.

9.18.3. *Criteria for Mississippi REALTORS® Staff Instructor Applicant.*

- With the exception of an active license, a staff applicant must meet or exceed the criteria for a REALTOR® MRI Instructor applicant.
- Demonstrates expertise in the course subject.
- A Staff instructor is utilized only at the discretion of the MRI Director and in consultation with the CEO and does not receive hourly instructor compensation for hours of instruction during normal working hours.

9.19. **Criteria for REALTOR® Code of Ethics Training.** The instructor should have extensive knowledge of the REALTOR® Code of Ethics and incorporate it into classroom instruction when appropriate. Also, the instructor should demonstrate to the student a commitment to follow the REALTOR® Code of Ethics and fully understand the enforcement processes.

An instructor who teaches the Code of Ethics is required to attend Mississippi REALTORS®' Annual Code of Ethics Enforcement training in an effort to stay abreast of changes to the Code and its enforcement processes.

An instructor who teaches the Code of Ethics should have a record demonstrating compliance with the Code of Ethics supported by an absence of any violations of the Code of Ethics and/or membership duties within the past three (3) years; absence of any unresolved violations or pending complaints alleging violations of the Code of Ethics or alleging violations of other membership duties; and no incomplete or pending disciplinary matters.

9.20. ***FREE*** **Education for the Instructor and the MRI Advisory Committee.** The MRI instructor cadre and the MRI Advisory Committee are encouraged to attend MRI courses whenever possible to learn new teaching styles and techniques by observing other instructors. To make that expectation attractive, an instructor or Trustee may attend "regularly scheduled" MRI courses **AT NO COST.** ("Regularly scheduled" courses do not include NAR designation courses, other "specialty" courses or Mississippi REALTORS® convention courses).

Regularly scheduled courses include a variety of classroom courses taught at several locations around the state as well as REALTOR® Code of Ethics, License Law, Contract Law and Agency Law. Once an NAR designation course is confirmed (sufficient number of paying students), an instructor/Trustee may then attend, paying only the cost of the royalty that must be paid per student to the particular NAR society or council.

To attend a regularly scheduled course at no fee, the instructor should contact the MRI staff and ask to add his/her name to the list of attendees. An instructor may check the Course Calendar at realtorsinstitute.org to determine scheduled courses.

There are exceptions to every rule, so an instructor may contact the MRI staff to inquire which courses are "free" for an instructor and which are not.

9.21. **Real Estate Educators Association (REEA).** Instructors are encouraged to join the Real Estate Educators Association (REEA), an organization providing education and valuable resources exclusively for real estate educators. Membership includes access to online/print communications, a method of communicating online with real estate educators around the country and the opportunity to attend a valuable annual conference.

REEA confers the Distinguished Real Estate Instructor (DREI) designation to qualified instructors. The requirements for the DREI designation are as follows:

- Complete the DREI designation application;
- Pay the required fee;
- Complete a 6-month coaching and mentoring program
- Pass a written examination; and
- Complete the class presentation video and pass the DREI review.

Visit the Real Estate Educators Association (reea.org) for more information.

Additional professional development opportunities are available via the REALTOR® Association Professional Development Directors Summit, which is offered each year by the REALTORS® of South Central Kansas in Wichita. Visit REALTORS® Association Professional Development Directors (rapdd.com) for more information.

9.22. **Instructor of the Year Award.** See Section 5.7.

9.23. **Annual Report by MRI Director.** The MRI Director shall prepare a written annual report to be distributed to the Executive Committee, the MRI Advisory Committee and the CEO by January 31 of each year, which report shall include the Director's assessment of the past year and goals and a proposed plan for the upcoming year.

## SECTION 10. LEGISLATIVE ADVOCACY TEAM

10.1. **Name and Composition.** The Legislative Advocacy Team ("LAT") shall consist of the following: the President; the Immediate Past-President; the Chair and Vice-Chair of the Legislative and Regulatory Affairs Committee ("LRAC"); one (1) at-large member appointed by the Chair of the LRAC in consultation with the President, the Association's government affairs director, and the CEO; the Chair and Vice-Chair of the MARPAC Trustees, the CEO; and the government affairs director. The President may appoint such other members to the LAT as deemed appropriate to its work. The Chair and Vice-Chair of the LRAC shall, respectively, serve as Chair and Vice-Chair of the LAT.

10.2. **Duties and Responsibilities.** The LAT shall be responsible for addressing "quick action" items that arise during the course of annual and special legislative sessions when circumstances do not allow for deliberation of proposed legislation by LRAC and/or the Board of Directors. For purposes of this section, the term "approved legislative package" means that set of "approved legislative priorities" approved by the Association's Board of Directors, together with legislation proposed for adoption by the Association, or legislation proposed by third parties that is supported by the Association.

10.2.1. At all times, the LAT shall work with the Association's government affairs director and, as time and circumstances allow, the LRAC to ensure that the Association's approved legislative priorities are advanced.

10.2.2. During the planning stage prior to the annual legislative session, and at such other times as may be appropriate, the LAT shall communicate regularly with the government affairs director to make itself aware of the Association's approved legislative priorities, policy or political issues relevant to the Association, enhancement of relationships between the Association and relevant third parties affecting the Association's policy and political activities, and other issues relevant to advancement of the Association's approved political priorities on a short- and long-term basis.

10.2.3. During the legislative session, the LAT, acting in consultation and coordination with the government affairs director, shall take all appropriate actions necessary to advance and support the Association's approved legislative priorities as they relate to pending legislation or legislative initiatives. During the legislative session, the government affairs director shall be ultimately responsible to the Association for advancement of the Association's approved legislative priorities, and shall have final authority with regard to specific legislative proposals, amendments to legislative proposals and all other matters essential to achievement of the Association's approved legislative priorities, in consultation with the LAT, the LRAC and the Executive Committee.

10.2.4. During the legislative session, the LAT, in consultation with the government affairs director, shall have authority to approve adjustments (additions, deletions and changes) to the Association's approved legislative package so long as the Association's approved legislative priorities are not compromised. Such adjustments shall be deemed approved by the Board of Directors.

10.2.5. If at any time during the legislative session and when time is of the essence, the LAT should determine that a decision it is charged to make might arguably compromise any approved legislative priority of the Association, the LAT shall, to the extent reasonably possible, refrain from taking action on that decision and submit the question to the LRAC or the Board of Directors, as may be proper under the circumstances. If, in the President's sole discretion, a reasonable time does not exist to submit the issue to the LRAC or the Board of Directors, the LAT, in consultation with the government affairs director, shall make the decision taking into consideration the overall legislative priorities of the Association, its present pending interests and its overall best interests. As soon as may be reasonably achieved thereafter, the Chairman shall inform the LRAC, the Executive Committee and the Board of Directors of the decision taken and the reasons therefor including, but not limited to, the nature of the exigency that necessitated the action taken. Any such decision of the LAT shall be deemed approved by the Board of Directors.

10.2.6. Any vote of the LAT wherein the President votes in the minority shall be immediately reported by the Chairman to the LRAC and the Board of Directors, either of which may notify the LAT through its Chairman that the issue upon which said vote was taken shall not be acted further upon without specific response of either the LRAC and/or the Board of Directors, as the case may be. In the event the LAT receives such notice, it shall make every effort to refrain from taking further action on the issue absent such response or specific authority to do so as set forth herein.

10.2.7. Following the adjournment *sine die* of the regular legislative session, the government affairs director shall, in consultation with the LAT, provide a written evaluation of the legislative session just ended, with copies to be provided to the Executive Committee, the Board of Directors, the LRAC and the MARPAC Trustees.

10.2.8. In performing its duties, the LAT shall, through the President or his or her designee sitting on the LAT, shall endeavor to keep the Executive Committee informed as to major developments affecting the Association's approved legislative priorities and the best interests of the Association as a whole.

10.3. **Meetings.**

10.3.1. During all times when the Mississippi Legislature is not in session, the LAT shall meet on the call of the Chairman for such purposes as may advance and support the approved legislative priorities of the Association provided, however, that the LAT shall at no time take or perform any duty or take any action conflicting with the authority and purposes of the LRAC and the Board of Directors. Unless good reason exists to not do so as may be determined by the Chairman, it is suggested that the LAT meet at least monthly during the out-of-session period to maintain the preparedness of LAT members and minimize the risk that LAT members will be unaware of the Association's policy and political best interests at all times.

10.3.2. The LAT shall meet with and serve in an advisory capacity to the government affairs director during the period between the Annual Membership Meeting and December 31 of each year when the government affairs director is establishing strategic goals and strategies to achieve the Association's approved legislative priorities in the upcoming legislative session.

10.3.3. The LAT will be presumed to be meeting continually from the opening session of the Mississippi Legislature to its adjournment *sine die*. Due to the nature of its function, notice procedures prescribed for other committees shall not apply. The government affairs director shall communicate regularly with the LAT via email, text or telephone on the progress of the MAR legislative priorities commencing the week of the passage of the first deadline for introduction of general bills and resolutions. The LAT shall meet at such other times as determined to be necessary by the government affairs director or the Chairman. Understanding that legislative schedules and lobbying require flexibility, all meetings (including telephone conferences) of the LAT shall be conducted so as to fit the schedule of the government affairs director, irrespective of normal business hours.

10.3.4. The LAT will be invited to attend the regular meeting of the Board of Directors in February or March, as the case may be, at which time the government affairs director presents and the Board considers amendments to the approved legislative priorities for the ongoing legislative session, and to attend all other meetings of the Board of Directors in which the approved legislative priorities, or amendments thereto, are to be considered.

10.3.5. The LAT may meet at such other times as determined by the Chairman, in consultation with the government affairs director, in order to fulfill its duties.

10.4. **Annual Review of Vice President of Government Affairs.**

10.4.1. In addition to, and as a part of, any annual review process provided for by the Association's Policies & Procedures and Employee Policy Manual for the government affairs director, the LAT shall conduct an annual review and assessment of the government affairs director's involvement in advancing the Association's approved legislative package and approved legislative priorities, said

review to occur within thirty (30) days following the adjournment *sine die* of the legislative session for which the assessment is made or within a reasonable time thereafter.

10.4.2. In assessing the government affairs director's work in the recently ended session the LAT shall assess and evaluate the government affairs director's performance in the following general areas, in addition to any others the LAT deems relevant: (a) the government affairs director's overall effectiveness as the Association's chief lobbyist; (b) the effectiveness of political strategies espoused by the government affairs director during the session; (c) the responsiveness of political participants to the government affairs director's efforts; (d) the government affairs director's role in the overall operation of the LAT; (e) strengths and weaknesses of the government affairs director in performing their role during the session; (f) areas where improvement is possible or preferable, if any; (g) the government affairs director's role relating to any approved legislative priorities of the Association that were not advanced during the session.

10.4.3. The LAT's annual review and assessment of the government affairs director shall be reduced to writing as a report, copies of which shall be distributed to the Executive Committee.

## SECTION 11. PARTICIPATION OF THE LEGISLATIVE AND REGULATORY AFFAIRS COMMITTEE IN ESTABLISHMENT OF ASSOCIATION'S APPROVED LEGISLATIVE PRIORITIES

In addition to such regular meetings and other actions this committee undertakes in fulfilling its duties to the Association, the LRAC shall perform the following duties with regard to the Association's legislative priorities:

11.1. The LRAC shall conduct an annual survey of Association Members, to be sent to all Members before July 15 and concluded, with results tabulated and reduced to writing, prior to August 15 of each year, wherein active Association Member Boards, Board/Association Members, REALTOR® Members, Secondary REALTOR® Members, Institute Affiliate Members, Affiliate Members, Honorary Members and Student Members will have an opportunity to identify issues or proposals of interest or matters of concern that might be relevant to the Association in assessing and determining its approved legislative priorities for the upcoming session or future sessions of the Mississippi Legislature, or which might be appropriate subjects for Associational advocacy relating to relevant regulatory matters. The survey instrument and the report of the survey's result shall be compiled in a summary format to be determined by the government affairs director in consultation with the Chair and Vice Chair of LRAC designed to provide LRAC members a full opportunity to identify member issues or concerns in sufficient detail to allow for their substantive discussion by the LRAC as proposed legislative and regulatory priorities are deliberated. Copies of the survey instrument and the results summary shall be delivered by August 15 of each year to the Executive Committee and shall be distributed to the LRAC as determined by the Chair of the LRAC.

11.2. The LRAC shall meet with the government affairs director prior to the Annual Membership Meeting to discuss and designate proposed legislative priorities to be submitted to the Board of Directors for consideration as approved legislative priorities of the Association during the upcoming

legislative session. The LRAC's recommendations shall be presented in the form of a motion to the Board of Directors during its regular meeting at the Annual Membership Meeting.

11.3. The LRAC shall meet reasonably soon following the deadline for filing of general bills and resolutions, and preferably before the Winter Board of Directors meeting, to receive the government affairs director's assessment of general bills and resolutions under consideration in the ongoing legislative session and consider any recommendations for amendment of approved legislative priorities that should be submitted to the Board of Directors.

11.4. Should the need exist, as determined by the Chairman and Vice Chairman, in consultation with the government affairs director, the LRAC shall meet following the deadline for introduction of revenue and appropriations bills to receive the government affairs director's assessment of revenue and, as relevant to the Association's approved legislative priorities, appropriation bills under consideration in the ongoing legislative session and consider any recommendations for amendment of approved legislative priorities that should be submitted to the Board of Directors.

## SECTION 12. POLITICAL ACTIVITY, FACILITY USE, AND ASSOCIATION BRAND PROTECTION

12.1. **Purpose and Organizational Neutrality.** The Association is a private voluntary membership organization that owns and operates private property and maintains proprietary trademarks and branding.

This Policy is adopted solely to:

- Protect the Association's organizational neutrality except in cases of Association-approved activity;
- Prevent public confusion regarding Association sponsorship or endorsement;
- Preserve the Association's facilities for professional and organizational purposes; and
- Protect the Association's intellectual property and goodwill.

Nothing in this Policy is intended to regulate or restrict the personal political beliefs, speech, affiliations, or lawful activities of any member acting in an individual capacity outside Association property, events, or branding.

12.2. **Private Property and Nonpublic Forum Status.** Association headquarters, facilities, meetings, programs, communications platforms, and sponsored events constitute private property and nonpublic organizational forums maintained for the Association's professional mission.

Access to and use of such property or events may therefore be regulated by the Association on a content-neutral and viewpoint-neutral basis consistent with this Policy.

Adoption or enforcement of this Policy shall not be construed as governmental action or as creating any public forum for expressive activity.

12.3. **Definitions.**

12.3.1. “Political Material” means any sign, display, literature, apparel, messaging, or paraphernalia that references or advocates for or against:

- a candidate for public office,
- a political party,
- ballot initiative or referendum,
- legislation or regulatory proposal, or
- public policy issue primarily associated with electoral or partisan advocacy.

12.3.2. “Association Branding” includes the Association’s name, REALTOR® association identity, logos, trademarks, service marks, facilities imagery, or identifiable Association events.

12.3.3. Personal Attire and Personal Effects Exception. “Political Material” shall specifically exclude, and nothing in this policy shall be construed to prohibit, restrict, or regulate, the display of political messages, slogans, symbols, campaign materials, buttons, pins, stickers, hats, clothing, jewelry, or other political paraphernalia that are worn on, carried by, or otherwise constitute part of an individual’s personal attire or personal effects while on Association property. This exception applies only to personal expression by individuals and does not authorize the placement, display, storage, or installation of political signs, banners, posters, literature, exhibits, decorations, or other political materials on Association-owned, leased, or controlled property, equipment, fixtures, furniture, or common areas.

12.4. **Prohibition on Political Displays at Association Property.** Absent prior written authorization under Section 12.7., Political Materials may not be:

- placed or displayed on Association grounds or buildings;
- distributed within Association facilities;
- exhibited during Association-sponsored meetings, classes, networking events, or programs; or
- incorporated into booths, presentations, or vendor displays at Association events.

This restriction applies uniformly regardless of political affiliation, ideology, issue position, or candidate supported. The prohibition is adopted for purposes of facility management and institutional neutrality, not disagreement with any viewpoint.

Notwithstanding the foregoing, this Section shall not apply to official Association advocacy initiatives, governmental affairs activities, REALTOR® Party programs, RPAC fundraising activities, candidate interviews, candidate forums, issue campaigns, or candidate endorsements formally approved by the Association Executive Committee or conducted pursuant to the Association’s established advocacy, governmental affairs, or RPAC policies and procedures.

12.5. **Association-Sponsored Events.** Association-sponsored events are conducted for professional, educational, and industry purposes.

12.5.1. Political advocacy activity is not permitted within Association-sponsored events unless

(a) expressly authorized as an official Association program approved through established governance procedures; or

(b) conducted as part of an Association-approved advocacy, governmental affairs, REALTOR® Party, RPAC, legislative, candidate engagement, or endorsement activity authorized pursuant to the Association's governing documents, policies, or Board action.

12.5.2. Approval or denial of any request shall not be based upon agreement or disagreement with any political viewpoint but upon organizational considerations including:

- mission relevance,
- operational disruption,
- risk of perceived endorsement,
- member inclusiveness,
- legal compliance, and
- protection of Association goodwill.

12.6. **Use of Association Name, Marks, or Identity.** To prevent public confusion or implied endorsement, no person or entity may, without the Association's prior written consent:

- Use Association Branding in connection with political advocacy or campaign activity;
- Publish advertisements, photographs, videos, or social media content depicting Association property or events in a political context reasonably capable of implying Association endorsement; or
- Represent or suggest that the Association supports or opposes any candidate, party, or political issue.

This restriction applies equally to all political perspectives and constitutes protection of trademark and organizational identity rights.

12.7. **Approval Procedure (Content-Neutral Administration).** Requests for exceptions must be submitted in writing to the Chief Executive Officer or designated Association officer or staff member.

Decisions shall be made using uniform, viewpoint-neutral criteria, including:

- consistency with Association mission;
- scheduling and operational considerations;
- avoidance of member coercion or exclusion;
- preservation of neutrality;
- reputational and legal risk management.

Approval of one request shall not establish precedent or entitlement to approval of future requests.

12.7.1. Nothing in this Policy shall prohibit the Association from supporting, hosting, promoting, or conducting activities relating to candidates, legislation, ballot measures, public policy initiatives, RPAC fundraising, REALTOR® Party programs, governmental affairs efforts, or political endorsements that have been approved through the Association's established governance processes. Such activities constitute official Association actions and are not considered exceptions to this Policy. The Association retains sole discretion to determine whether an activity qualifies as an official Association, REALTOR® Party, governmental affairs, or RPAC activity.

12.7.2. Approval of official Association, REALTOR® Party, governmental affairs, RPAC, legislative, or endorsed-candidate activities shall not create any obligation to provide comparable access, opportunities, facilities, endorsements, or support to any other candidate, campaign, organization, or viewpoint.

12.8. **Personal Political Expression Preserved.**

12.8.1. Nothing in this Policy prohibits members from:

- engaging in political activity in their personal capacity (see 12.8.2);
- expressing political views outside Association property or events; or
- identifying themselves as REALTORS® or real estate professionals, provided no Association endorsement is implied.

12.8.2. Members acting personally may be required to include reasonable disclaimers clarifying that views expressed are individual and not those of the Association.

12.9. **Equal Application and Non-Discrimination.**

12.9.1. This Policy shall be applied:

- uniformly,
- without regard to political ideology or affiliation,
- without favoritism toward any candidate or issue, and
- solely for legitimate organizational and property-management purposes.

12.9.2. Selective or retaliatory enforcement is prohibited.

12.10. **Intellectual Property Protection.** Unauthorized political use of Association Branding may constitute trademark misuse or false endorsement and may require corrective action, including removal requests or other remedies permitted by law.

## SECTION 13. EMERGENCY SUCCESSION PLAN

13.1. **Purpose.** This is a plan for contingencies due to the disability, death or departure of the Chief Executive Officer (CEO) of Mississippi Realtors®. In the unlikely event that the organization is faced with an untimely vacancy in the CEO position, Mississippi Realtors® has in place the following emergency succession plan to facilitate the transition to both interim and longer-term leadership.

The Executive Committee of Mississippi Realtors® has a clear understanding of the CEO's role in organizational leadership, program development, program administration, operations, Executive Committee and Board of Directors relationships, financial operations, resource development and community presence.

13.2. **Succession Plan in Event of a Temporary, Unplanned Short-Term Absence.**

A temporary absence is one of less than three months in which it is expected that the CEO will return to his/her position once the events precipitating the absence are resolved. An unplanned absence is one

that arises unexpectedly, in contrast to a planned leave, such as a vacation or a sabbatical. The Board of Directors authorizes the Executive Committee of Mississippi Realtors® to implement the terms of this emergency plan in the event of the unplanned absence of the CEO.

In the event of an unplanned absence of the CEO, the Chief Financial Officer (CFO) or highest-ranking officer is to immediately inform the President. As soon as it is feasible, the President should convene a meeting of the Executive Committee to affirm the procedures prescribed in this plan and to name the Acting CEO as outlined in this plan or to make modifications to the plan as the Executive Committee deems appropriate.

The position of Acting CEO will be assumed by the individuals in the order listed on the Succession Personnel Register (SPR) included with this plan. In the event that the CFO is selected as the Acting CEO, a designee for invoice approval will be noted on the SPR to assure the required separation of duties is maintained. When changes to the order/names/positions of the Acting CEO candidates are warranted, the SPR will be updated as soon as possible.

If this Acting CEO is new to his/her position and fairly inexperienced with this organization the Executive Committee may decide to appoint one of the back-up appointees to the acting executive position. The Executive Committee may also consider the option of splitting executive duties among the designated appointees.

13.2.1. *Authority and Compensation of the Acting CEO.*

The person appointed as Acting CEO shall have the full authority for decision-making and independent action as the regular CEO. The Executive Committee shall consider and have the authority to authorize any additional compensation and/or bonus for the Acting CEO.

13.2.2. *Oversight.* The President will be responsible for monitoring the work of the Acting CEO and should be sensitive to his/her special support needs in this temporary leadership role.

13.2.3. *Communications Plan.* Immediately upon transferring the responsibilities to the Acting CEO, the President will notify staff members, members of the Board of Directors and general membership as soon as possible after the Acting CEO has been named.

13.2.4. *Completion of Short-Term Emergency Succession Period.* In consultation with the departing CEO, the Executive Committee will decide upon an absence schedule and return start date. A reduced schedule for a set period of time can be allowed, by approval of the Executive Committee, to allow the CEO time to work back up to a full-time commitment. Whenever possible, this agreed upon return to work date should be agreed to in advance of the CEO's departure.

13.3. **Succession Plan in Event of a Temporary, Unplanned Long-Term Absence.**

A long-term absence is one that is expected to last more than three months. The procedures and conditions to be followed should be the same as for a short-term absence with one addition. In recognition of the fact that for a term of more than three months it may not be reasonable to expect the Acting CEO to carry the duties of both positions, the Executive Committee may give immediate consideration, in consultation with the Acting CEO, to **temporarily** filling the management position

left vacant by the Acting CEO. The position description of a temporary manager would focus on covering the priority areas in which the Acting CEO needs assistance.

13.3.1. *Completion of Long-Term Emergency Succession Period.* In consultation with the departing CEO, the Executive Committee will decide upon an absence schedule and return start date. A reduced schedule for a set period of time can be allowed, by approval of the Executive Committee, to allow the CEO time to work back up to a full-time commitment. Whenever possible, this agreed upon return to work date should be agreed to in advance of the CEO's departure.

13.4. **Succession Plan in Event of a Permanent Change in CEO.**

A permanent change is one in which it is determined that the CEO will not be returning to the position. The procedures and conditions should be the same as for a long-term temporary absence.

The Executive Committee will appoint a Transition and Search Committee within 14 days to plan and carry out a transition to a new permanent CEO. The Executive Committee will also consider the need for outside consulting assistance depending on the circumstances of the transition and the Committee's capacity to plan and manage the transition and search.

# Addendum 1

## Legislative/Regulatory Advocacy Guidelines

### A. Taxes and Fiscal Issues

#### 1. Real Estate Finance and Mortgage Availability, Affordability and Accessibility

a. The Mississippi Association of REALTORS® supports the continual availability of the fixed-rate mortgage and recognizes the need to develop new sources of mortgage finance (highly marketable mortgage-backed securities, mortgage revenue bonds, etc.) to attract new investment in housing from non-traditional sources and to provide single-family home financing. The Mississippi Association of REALTORS® strongly supports fair lending practices and new sources of financing for commercial development.
b. The Mississippi Association of REALTORS® strongly supports the concept and purpose of the Mississippi Home Corporation and their efforts to increase the availability of affordable funding for home ownership.
c. The Mississippi Association of REALTORS® strongly supports the concept and purpose of the Veteran's Home Purchase Board of the State of Mississippi which provides qualified applicants an equal and fair opportunity to obtain real estate loans at reasonable rates of interest on a timely, nondiscriminatory basis.

#### 2. Local, State and Federal Taxes and Fees

a. The Mississippi Association of REALTORS® is strongly opposed to a sales tax for any professional services offered by licensed real estate brokers or salespersons.
b. The Mississippi Association of REALTORS® believes that any tax revision enacted by government at any level should encourage savings, investment, and property ownership.
c. The Mississippi Association of REALTORS® supports the current policy of the State of Mississippi to provide for homestead exemption on privately owned homes to owners who occupy such homes.
d. The Mississippi Association of REALTORS® defends the right of Americans to own property free of unreasonable controls, and therefore urges elected officials at all levels of government to refrain from the adoption of rent control legislation or ordinances.

#### 3. Infrastructure, Transportation and Education

a. To promote livable communities, the Mississippi Association of REALTORS® believes governments should encourage quality growth by sufficiently funding transportation and infrastructure (roads, water, sewer, broadband internet access, etc.).
b. The Mississippi Association of REALTORS® believes that a quality education for every Mississippi child is essential to the health of our State's citizens, its economy and its future.

### B. Private Property Rights

#### 1. Disclosure of Sales Price

The Mississippi Association of REALTORS® opposes any legislation which would mandate the disclosure of the sales price of property. The Association believes that such disclosure would work to the detriment of the property owners by placing them in an adverse position upon negotiating the re-sale of their property.

### 2. Land Use and Zoning

a. The Mississippi Association of REALTORS® believes in the fundamental right of all private property owners working through decision-makers in local government to determine the highest and best use of their land. We maintain that planning for the classification and use of land must adequately consider the needs of housing, agriculture, commercial, and industrial growth as well as quality of life and a healthy economy.
b. The Mississippi Association of REALTORS® opposes legislation that would limit the authority of counties and municipalities to zone as they see fit.
c. The Mississippi Association of REALTORS® recognizes the rights of mineral owners, and it supports the exploration and/or severing of those minerals for the purpose of energy production, provided that the mineral owners provide fair and equitable notice to the surface owner of such property.

### 3. Eminent Domain

a. The Mississippi Association of REALTORS® believes that the value of private property should not be diminished or jeopardized by governmental action at any level without fair compensation to the property owner.
b. The Mississippi Association of REALTORS® supports legislation that prohibits taking or damage of private property except for a direct public use which is the predominate purpose of the taking or damage, and specifies that an increase in tax revenue for a governmental entity shall not be considered a direct public use.

### 4. Environmental Concerns

The Mississippi Association of REALTORS® recognizes the great gift that Mississippi's natural resources offer. We know the importance of wetlands, parks (including state parks), open space, and the environment to our quality of life. We support policies that encourage conservation and wise use of natural resources through incentives and fair compensation.

## C. <u>Business Issues</u>

### 1. Mississippi License Law and Administrative Rules and Regulations

a. The Mississippi Association of REALTORS® is actively engaged in the development of the Mississippi Real Estate License Law and the Administrative Rules and Regulations for both the Mississippi Real Estate Commission and the Mississippi Real Estate Appraiser Licensing and Certification Board.

b. Mississippi Real Estate License Law and clear, comprehensive, written Administrative Rules and Regulations promote increased competency of licensees, protecting consumers and the regulated industry.
c. The Mississippi Association of REALTORS® believes there should be a licensing requirement with a strong educational component for all persons engaged in real estate brokerage services and real estate appraisal.
d. The Mississippi Association of REALTORS® believes Mississippi License Law and Administrative Rules and Regulations should be continually reviewed and updated, with the development of new laws, administrative rules and appropriate educational and experience requirements.

**2. Mississippi Real Estate Commission and the Mississippi Real Estate Appraiser Licensing and Certification Board**

a. The Mississippi Association of REALTORS® believes that an important role of the Mississippi Real Estate Commission and the Mississippi Real Estate Appraiser Licensing and Certification Board is to enforce the Mississippi License Law and the Administrative Rules and Regulations. Investigative and disciplinary matters should be handled by the Commission, Board and any other entity provided for in license law with discretion and great care to protect the public while also honoring the due process rights of the responding licensee.
b. It is the desire and intent of the Mississippi Association of REALTORS® to keep a strong and viable line of communication open between the Association and the Mississippi Real Estate Commission and the Mississippi Real Estate Appraiser Licensing and Certification Board.

**3. Health Insurance for Independent Contractors**

The Mississippi Association of REALTORS® supports enacting measures that will address the problems that the self-employed and small businesses face when looking for health plan coverage. MAR supports federal and state regulations which would allow the formation of Association Health Plans.

**4. Banks in Real Estate**

The Mississippi Association of REALTORS® opposes any efforts by financial entities (including their subsidiaries and divisions) to participate in the business of real estate brokerage, fee appraising, leasing, management, and other real estate services not directly related to their primary function or in conflict with the interests of their customers.

**5. Tort Reform**

The Mississippi Association of REALTORS® strongly advocated for and continues to support the reform of tort law in Mississippi because it believes that tort reform is a tremendously important and necessary vehicle toward Mississippi achieving its full potential in the area of economic development.

### 6. Technology

The Mississippi Association of REALTORS® has embraced the growth of technology and digitalization believing it to be the engine of economic opportunity and innovation. REALTORS® will closely monitor any legislation introduced which impacts the use of technology. At a minimum, proposed legislation should be designed to mitigate both REALTOR® and consumer concerns for issues of privacy, data-sharing, anti-trust, financial stability and intellectual property.

## D. Consumer Issues

### 1. Fair Housing

The Mississippi Association of REALTORS® subscribes to the policy of fair housing; we believe that equal opportunity in housing can best be achieved through continued leadership, observance of law, education, and mutual cooperation of the real estate industry and the public through a free and open housing market.

### 2. Home Inspections

The Mississippi Association of REALTORS® believes licensed home inspectors are an important part of the home buying experience. REALTORS® play an important role in educating the consumer and providing information about the advisability of a home inspection. REALTORS® should not be held liable for the actions of the home inspector, or the process in which the consumer wishes to choose the individual or company performing the inspection.

### 3. Property Condition Disclosure

a. The Mississippi Association of REALTORS® believes that owners of real property should disclose known conditions (including defects) of said property at the time it is offered for sale as required by law. Disclosure is a statutory requirement, and must be within the limits of the seller's knowledge.
b. The Mississippi Association of REALTORS® believes real estate licensees should not be held liable for false or misleading information provided by the owners of real property unless the licensee knew, or reasonably should have known, the information was false and misleading. Further, we believe that licensees should not be held accountable for proper completion of a Property Condition Disclosure Form that the licensee is prohibited from altering or marking.

## E. Professionalism and Ethical Conduct

### 1. REALTOR® Code of Ethics

The Mississippi Association of REALTORS® strongly supports the Code of Ethics and the Standards of Practice for professional conduct of the National Association of REALTORS®.

### 2. Anti-Trust Issues

The Mississippi Association of REALTORS® strongly supports competition and an open marketplace in which fees, commissions, and compensation are fully negotiable between the parties to each such agreement. As an Association we consider adherence to the Federal anti-trust laws as one of the most important duties of members and officers.

## F. Advocacy

### 1. Political Advocacy

a. The Mississippi Association of REALTORS® encourages continual participation in local, state and national political affairs and urges support of those candidates who pledge and by their action preserve and strengthen America's free enterprise system, which is based upon the underlying principle of private property ownership.
b. The Mississippi Association of REALTORS® works to closely monitor activities in the legislative arena so as to be better able to inform its membership of any such legislation. We will strongly support and work to influence passage of legislation that promotes the interests of our members, the real estate profession and the free enterprise system. We will vigorously oppose any legislation detrimental to and adversely affecting our members, the real estate profession, and the free enterprise system.
c. The Mississippi Association of REALTORS® supports the participation of voluntary political action committees in elections as a basic political and civic right.

### 2. Community Advocacy and Involvement

The Mississippi Association of REALTORS® maintains a strong demonstrable commitment to enhancing the quality of life in Mississippi. Five areas of this "Quality of Life" philosophy are protecting property owners, ensuring economic vitality, providing housing opportunities, the conservation and wise use of land and natural resources, and building better communities.