# DISCIPLINARY COMPLAINT
# _____ ASSOCIATION OF REALTORS®

| For Association Use Only |
| --- |
| Case No. _____ |

**1.** I (we), the undersigned complainant(s), hereby allege that the following persons have engaged in conduct subject to disciplinary action by the Association:

**RESPONDENT(S):**

(1)_____
Name (Type or Print)_____

Firm _____

DRE Number _____

_____
Street Address

_____
City, State, Zip

(2)_____
Name (Type or Print)_____

Firm _____

DRE Number _____

_____
Street Address

_____
City, State, Zip

**RESPONDENT(S):**

(3)_____
Name of Manager (Type or Print)_____

Firm _____

DRE Number _____

_____
Street Address

_____
City, State, Zip

(4)_____
Name (Type or Print)_____

Firm _____

DRE Number _____

_____
Street Address

_____
City, State, Zip

2. The above named respondent (s) have violated the following: **(Note: You may also choose not to select any of the options below and instead allow the Grievance Committee to decide the proper allegations.)**
Code of Ethics violations:

- ☐ Article 1: REALTORS® owe a fiduciary duty to their clients.
- ☐ Article 2: REALTORS® must avoid concealment of pertinent facts.
- ☐ Article 3: REALTORS® must cooperate with other brokers.
- ☐ Article 4: REALTORS® must disclose any interest they have in a property they are buying or selling.
- ☐ Article 5: REALTORS® must disclose any contemplated interest they have in property for which they are providing professional services.
- ☐ Article 6: REALTORS® cannot accept profit on expenditures made for their client or recommendations to their client without disclosure.
- ☐ Article 7: REALTORS® must disclose and obtain consent to accept compensation from more than one party.
- ☐ Article 8: REALTORS® must keep a trust account for clients' funds.

☐ Article 9: REALTORS® must ensure that all agreements are in writing and clear.

☐ Article 10: REALTORS® must not discriminate in their business on the basis of race, color, religion, sex, disability, familial status, national origin, sexual orientation, or gender identity.

☐ Article 11: REALTORS® must provide competent service.

☐ Article 12: REALTORS® must be honest in their real estate communications and present a true picture in advertising.

☐ Article 13: REALTORS® must not engage in the unauthorized practice of law.

☐ Article 14: REALTORS® must cooperate in professional standards proceedings.

☐ Article 15: REALTORS® must not knowingly or recklessly make false or misleading statements about competitors.

☐ Article 16: REALTORS® must not interfere with the exclusive representation agreements of other REALTORS®.

☐ Article 17; REALTORS® must arbitrate contractual disputes and certain non-contractual disputes arising out of the real estate business.

☐ Section(s) _____ of the MLS Rules and Regulations

☐ Other membership duty as set forth in the bylaws of the Association (specify):

3. The facts and circumstances supporting the above allegation(s) are detailed in the attached statement marked "Exhibit 1," which is hereby incorporated by reference and made part of this complaint.

4. I am informed that the named respondent(s) are current REALTOR® members of the Association and/or participants/subscribers in the MLS or that the property at issue is located within the jurisdiction of this Association.

5. Date of knowledge of alleged misconduct is _____. Date of the closing or conclusion of the transaction, if applicable is _____. This complaint, meeting all filing requirements, must be filed within 180 calendar days after the alleged offense and facts relating to it could have been known by the complainant in the exercise of reasonable diligence or one hundred eighty (180) days after the conclusion of the transaction, or event, whichever is later.

6. Are the circumstances giving rise to this complaint, or the respondents in this case, involved in a civil or criminal proceeding or in any proceeding before a governmental agency?
YES_____ NO_____ If you answered yes, please attach a written statement of explanation.

7. Have you filed, or do you plan to file a similar or related complaint with another Association of REALTORS®?
YES_____ NO_____ If you answered yes, please attach a written statement of explanation.

8. I understand there will be a recording of any full disciplinary hearing. I understand that the recording is subject to the rules of confidentiality and is made solely for the purpose of a Review by the Association Board of Directors, if one is requested.

9. I will be represented by an attorney, whose name, address, telephone number, and email address are:

_____

_____

_____

10. I agree to abide by the rules and procedures used by this Association to conduct disciplinary hearings. I understand that the proceedings regarding this matter will be kept confidential and that I have an obligation to maintain and protect this confidentiality.

**Under the penalties of perjury, I declare that to the best of my knowledge and belief my allegations in this complaint are true and correct.**

**Dated: _____ at _____, California**

**COMPLAINANT(S):**

(1)_____
Signature

_____
Name (Type or Print)

_____
DRE Number (if applicable)

_____
Firm (if applicable)

_____
Street Address

_____
City, State, Zip

_____ _____
Phone email

**COMPLAINANT(S):**

(3)_____
Signature

_____
Name (Type or Print)

_____
DRE Number (if applicable)

_____
Firm (if applicable)

_____
Street Address

_____
City, State, Zip

_____ _____
Phone email

(2)_____
Signature

_____
Name (Type or Print)

_____
DRE Number (if applicable)

_____
Firm (if applicable)

_____
Street Address

_____
City, State, Zip

_____ _____
Phone email

(4)_____
Signature

_____
Name (Type or Print)

_____
DRE Number (if applicable)

_____
Firm (if applicable)

_____
Street Address

_____
City, State, Zip

_____ _____
Phone email

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