Association Bylaws *(excerpt regarding Affiliate members)*

(c) **Affiliate Members.** Affiliate Members shall be individuals or firms who, while not engaged in the real estate profession as defined in Paragraph (1) or (2)\*\* of this section, have interests requiring information concerning real estate,who are in sympathy with the objectives of the Association.

Affiliate membership shall also be granted to individuals authorized by an appropriate state regulatory agency to engage in real estate practice who, if otherwise eligible, do not elect to hold REALTOR® membership in the Association, provided the applicant is engaged exclusively in a specialty of the real estate business other than brokerage of real property.

\*\*(a) **REALTOR® Members**. REALTOR® Members, whether primary or secondary, shall be:

(1) Individuals who, as sole proprietors, partners, corporate officers, qualifying brokers, or branch office managers, are engaged actively in the real estate profession, including buying, selling, exchanging, renting or leasing, managing, appraising for others for compensation, counseling, building, developing or subdividing real estate, and who maintain or are associated with an established real estate or appraisal office located within the state of New Mexico or a state contiguous thereto. All persons who are partners in a partnership, or all officers in a corporation, who are actively engaged in the real estate profession within the state or a state contiguous thereto shall qualify for REALTOR® membership only, and each is required to hold REALTOR® membership (except as provided in the following paragraph) in an association of REALTORS® within the state or a state contiguous thereto, unless qualified for Institute Affiliate membership as described in Section 1(b) of Article IV.

In the case of a real estate firm, partnership, or corporation, whose business activity is substantially all commercial, only those principals or qualifying brokers actively engaged in the real estate business in connection with the same office, or any other offices within the jurisdiction of the Association in which one of the firm’s principals hold REALTOR® membership, shall be required to hold REALTOR® membership unless otherwise qualified for Institute Affiliate membership as described in Section 1(b) of Article IV.

(2) Individuals authorized by an appropriate state regulatory agency who are engaged in the real estate profession other than as sole proprietors, partners, corporate officers, or branch office managers and are associated with a REALTOR® Member and meet the qualifications set out in Article V.

Association Objectives

**Section 1.** To unite those engaged in the recognized branches of the real estate profession for the purpose of exerting a beneficial influence upon the profession and related interests.

**Section 2.** To promote and maintain high standards of conduct in the real estate profession as expressed in the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®.

**Section 3.** To provide a unified medium for real estate owners and those engaged in the real estate profession whereby their interests may be safeguarded and advanced.

**Section 4.** To further the interests of home and other real property ownership.

**Section 5.** To unite those engaged in the real estate profession in this community with the REALTORS® Association of New Mexico and the NATIONAL ASSOCIATION OF REALTORS®, thereby furthering their own objectives throughout the state and nation, and obtaining the benefits and privileges of membership therein.

**Section 6.** To designate, for the benefit of the public, those individuals authorized to use the terms REALTOR® and REALTORS® as licensed, prescribed, and controlled by the NATIONAL ASSOCIATION OF REALTORS®.

Affiliate Member Policies (excerpted from the Policy Statement)

**Section 16.1: Affiliate Members**

Affiliate Members shall be individuals or firms who, while not engaged in the real estate business as defined in the Bylaws of the Greater Albuquerque Association of REALTORS® [Article IV – Membership, Section 1(a)(1)-(2)], have interests that require information concerning real estate; offer services directly to real estate companies; and/or facilitate REALTORS’® abilities to provide services to their client.

Affiliate Members shall be in conformity with the objectives of the Association and shall not be in competition with the Association for services provided or offered by the Association for its members.

Affiliate Members agree that, as Members of the Association, they will abide by the Bylaws, Policy Statements, and Rules and Regulations of the Association, and shall pay all fees and dues as from time-to-time established. Affiliate Members also agree to adhere to all lockbox rules and requirements, as outlined in the Greater Albuquerque Association of REALTORS® Policy Statements [Section X, Lockboxes (KeyBoxes)].

Affiliate Members are encouraged to abide by the principles established in the Code of Ethics of the National Association of REALTORS® and to conduct their business and professional practices accordingly. Examples of ethical conduct may include but not be limited to: (a) Promoting and protecting the client’s best interests; (b) Being honest with all parties; (c) Avoiding misrepresentation or concealment of pertinent facts; (d) Cooperating with REALTORS® and other Affiliate Members to advance the client’s best interests; (e) Providing equal service to all clients and customers; (f) Being knowledgeable and competent in the field(s) of practice in which they ordinarily engage; and (g) Communicating honestly and presenting a true picture in their advertising, marketing, and other public representations.

Affiliate firms must be vetted initially and annually for final Board approval. The Affiliate firm must provide evidence initially and annually of holding at least $500,000 in liability insurance naming GAAR as additional insured and and proof of current business registrations and licensing as applicable for their respective industry(s).

Through the Association’s Board of Directors or otherwise, the Association may invite and receive information and comment about Affiliate Members from any Association member or other person. Any information and comment furnished to the Association by any person in response to the invitation shall be conclusively deemed to be privileged and not form the basis of any action by an Affiliate Member against any person or the Association for slander, libel, defamation of character, or damages.

**Section 16.2: Reports of Misconduct**

Reports of misconduct by an Affiliate Member will be reported to the Professional Standards Office and will be processed according to the procedures set forth by the Greater Albuquerque Association of REALTORS®.

Affiliate Members may be subject to discipline for any conduct that in the opinion of the Board of Directors, applied on a non-discriminatory basis, reflects adversely on the terms REALTOR® or REALTORS®, and the real estate industry, or for conduct that is inconsistent with or adverse to the objectives and purposes of the local Association, the State Association, and the National Association of REALTORS®. A Professional Standards hearing panel will make a determination on whether there has been a violation and make a recommendation to the Board of Directors on discipline, if any.

Any Affiliate Member of the Association may be reprimanded, fined, placed on probation, suspended or expelled by the Board of Directors if found in violation of the Constitution, Bylaws, Policy Statements, and Rules and Regulations of the Association or any other membership duty.

**Section 16.3: Financial Obligations**

Any Affiliate Member who fails to pay fees or fines within the defined time periods are subject to the Association’s Bylaws related to nonpayment of dues, fees, fines, assessments, and other financial obligations. Affiliate Members will be subject to a late fee of $25 or five (5) percent of the fees or fines due (whichever is greater) ten (10) days after the due date of such fees or fines, and will be notified of the delinquency. Failure to pay the fees or fines and any late fees within ten (10) days immediately following such notice shall subject the Affiliate Member to suspension at the discretion of the Board of Directors. All Association services to a suspended Affiliate Member, including MLS service and the lockbox program, shall cease during the time of such suspension.

**Section 16.4: Record Retention on Professional Standards Decisions**

If a violation of a membership duty has been found as a result of a Professional Standards hearing process, the decision and a letter of warning or reprimand, if any, will be retained by the Association in the Affiliate’s Membership file.

Lockbox Policy for Affiliates

Affiliate members who are in the home inspection, warranty, photography/videographer or other types of inspectors or contractors shall be eligible for an electronic keypad (i.e. the Supra Active Key or the Supra eKey on their smartphone). Affiliate Members of GAAR who contract for a keypad will only have the “Call Before Showing” (CBS) access. These Affiliate Members must meet the following conditions:

1. The Owner/Manager is a Managing Affiliate Member of GAAR.
2. Each individual in the Affiliate Company who contracts for an electronic keypad must be listed as an Affiliate Office Member with GAAR.
3. The Affiliate Company must provide evidence initially and annually of holding at least $500,000 in liability insurance naming “Greater Albuquerque Association of REALTORS” as an additional insured. This must be updated annually, 30 days prior to the previous year’s expiration.

GAAR may refuse to sell or lease lockbox keys, may terminate existing key lease agreements, and may refuse to activate or reactivate any key held by an individual convicted of a felony or misdemeanor, if the crime, in determination of GAAR, relates to the real estate business or puts clients, customers, or other real estate professionals at risk.

GAAR may suspend the right of lockbox key holders to use lockbox keys following their arrest and prior to their conviction for any felony or misdemeanor, which, in the determination by GAAR, is relates to the real estate business or which puts clients, customers, or other real estate professionals at risk. Factors that can be considered in making such determination include, but are not limited to:

1. The nature and seriousness of the crime
2. The relationship of the crime to the purposes for limiting lockbox access
3. The extent to which access (or continued access) might afford opportunities to engage in similar criminal activity
4. The extent and nature of past criminal activity
5. Time since criminal activity was engaged in
6. Evidence of rehabilitation while incarcerated or following release
7. Evidence of present fitness

**Lockbox Operation Rules**

The keys assigned to an individual may not be used under any circumstances by anyone other than the key holder. The GAAR Board of Directors may impose a fine up to $1,000 per incident for any violation of these lockbox/keypad policies or otherwise treat is as a membership violation pursuant to Article V, Section 2, Qualifications of the GAAR Bylaws.

If a keypad holder does not have access to the Southwest Multiple Listing Service (SWMLS), he/she must contact the listing agent prior to entering the property.

There shall be a maximum of one keypad per each individual Affiliate Member.

Code of Ethics

*“The Preamble to the Code is the aspirational basis for the ethical concepts that REALTORS® believe in. Included are the core concepts of honesty, integrity, fairness, and moral conduct in business relations. Near the end of the Preamble, the timeless, universal principle of the Golden Rule is cited. Because the Code sets the ideals that we strive to attain, it is subjective in nature. As such, it cannot be used as a basis for disciplinary action against a REALTOR®. Only the Articles of the Code are used as the basis for discipline of REALTOR® membership.”*

The professional standard that sets REALTORS® apart from other real estate practitioners is their acceptance and adherence to the Code of Ethics. The Code was first adopted by the National Association of REALTORS® in 1913 and has been revised many times through the years to reflect current developments in professional real estate practice. But even with the best of intentions, planning and preparation, occasional disagreements arise between REALTORS® and/or between REALTORS® and their clients or customers. As civil litigation becomes increasingly costly, time consuming, and burdensome, there has been a trend among private parties to settle disputes and conflicting claims through alternative means.

The Greater Albuquerque Association of REALTORS®, Professional Standards office offers its members and their clients a vehicle to economically expedite ethics complaints and/or arbitration requests without going to court. Plus our Association offers alternative dispute resolution options as well such as the [Ombuds program](http://www.gaar.com/code-of-ethics/ombuds) and [Mediation](http://www.gaar.com/docs/ps-gaar-mediation-services.pdf).

Ethics complaints brought before a local association give those parties involved an opportunity to be educated about the Code, and REALTORS® are judged by their peers as opposed to others who may be far less familiar with the practices and customs of the real estate industry.

***For information on the Code of Ethics training, please refer to the Code of Ethics handout.***

Arbitration Services

Arbitration of business disputes with other REALTORS® is a valuable service provided by the REALTOR® association, ensuring that the dispute will be dealt with by peers who have a better understanding of the real estate business than most other adjudicators. The Code of Ethics requires that REALTORS® file a request for arbitration, before they litigate.

Mediation Services

Mediation is a voluntary process which people in dispute can use to reach agreement. With the help on an impartial mediator they work toward a mutually acceptable solution. To find out how to file a mediation request, download our Mediation information package for Brokers or for the [Public](http://www.gaar.com/docs/ps-mediation-info-public.pdf).

Ombuds Program

The Ombuds Program in its simplest definition is an informal telephone 'mediation' process.  It is helpful in addressing and solving complaints from the public and has proved to be an effective tool in resolving REALTOR® to REALTOR® conflicts as well. Like a mediator, an Ombuds is neutral facilitator who assists parties in finding options and solutions they can live with.  This free program is available to GAAR members, their clients and customers.

If you have questions regarding any of the above Professional Standards processes, please call 505-724-3466.

Affiliate Committee

 **Purpose:** To provide a forum that enables Affiliate Members to network and exchange ideas and information, develop programs/processes that provide industry information to REALTOR® members, and create opportunities for developing business partnerships.

**Expected outcomes of the Committee:**

**-** Plan and develop 4 Affiliate Forums with Q & A’s on timely topics of interest

to real estate professionals.

**-** Provide current company marketing materials for brochure display in

the member lounge and/or marketing copy on gaar.com.

Additionally, the Affiliate Committee will work with other GAAR members and committees to sponsor and volunteer, and/or recruit sponsors and volunteers to support special member recognition, charitable, community and/or other types of unique projects and events.

**Composition:** Chair and Co-Chair, plus Affiliate Members; all Affiliate Members will be noticed of meeting

**Qualifications:** Active Affiliate Members of GAAR

**Term:** One year term for Chair and Co-Chair

Other Committee Volunteer Opportunities

**Standing Committees** are constituted to perform a continuing function and remain in existence

permanently. Standing committees are created by the Bylaws.

The REALTOR® Fund

**Purpose:** To coordinate fundraising efforts for the REALTOR® endowment fund and to

make recommendations for funding to support the mission and purpose of The

REALTOR® Fund.

**Composition:** 8 members, to include a Chair and Vice Chair.

**Qualifications:** Members may be REALTOR® members, affiliate members or community

leaders. Members are expected to contribute and/or raise funds to support the

endowment fund. Appointments must be confirmed by the Board of Directors.

**Term:** Three-year term.

**Ad Hoc Committees** are formed for a limited period of time to address a specific need. When

the work of the ad hoc committee is completed, the committee is dissolved. An ad hoc

committee may exist for less than a year or for a year or more depending on the extent of the

work assigned to it. Ad hoc committees require confirmation by the Board of Directors. The

President of the Board may appoint task forces and advisory groups as needed without

confirmation by the Board of Directors.

Community Relations Committee

**Purpose:** The Community Relations Committee will be focused on the relationship of

the REALTOR® membership with the Community. Specifically, the Community Relations

Committee will develop an association wide endeavor to engage the membership as

ambassadors for the state and in facilitating a week-long event promoting the

REALTOR® to the community; will be responsible for coordinating with local charities to

provide support i.e. the Title 1 APS Homeless Children Program Holiday Dinner and

coordination of a Habitat project.

**Composition:** 3-8 members which includes a Chair and Vice Chair

**Qualifications:** Member of GAAR

**Term:** One year term

Run for the Zoo Committee

**Purpose:** To coordinate operations and volunteers to the support the Run for the Zoo

event.

**Composition:** 10-15 members which includes a Chair and Vice Chair

**Qualifications:** Member of GAAR

**Term:** One year term

Bowl-a-Thon Committee

**Purpose:** To coordinate operations and sponsorships for the GAAR Annual Bowl-a-Thon

to raise funds for the REALTOR® Fund.

**Composition:** 3-8 members which includes a Chair and Vice Chair

**Qualifications:** Member of GAAR

**Term:** One year term

Golf Tournament Committee

**Purpose:** To coordinate operations and sponsorships for the GAAR Annual Charity Golf

Tournament to raise funds for the REALTOR® Fund.

**Composition:** 10-15 members which includes a Chair and Vice Chair

**Qualifications:** Member of GAAR

**Term:** Two year term

LEAP (Leadership, Education, and Achievement Programs) Committee

**Purpose:** To investigate, recommend and provide resources for programs and processes

that grow leadership in the Association and support the professional development and

recognition of members. Specifically, the committee plans and develops Broker/Member Forums; creates programs for the professional development of the

REALTOR® in conjunction with REALTOR® week; supports the planning and execution of

the Leadership Development Program for emerging Association leaders; secures

sponsors for the GAAR Awards Gala, and oversees the selection and presentation of

GAAR Awards; and helps identify the professional development needs of all members.

**Composition:** 10-15 members which includes Chair and Vice Chair

**Qualifications:** Member of GAAR

**Term:** One year term

Sponsorship Opportunities

As a membership benefit, we offer sponsorship opportunities to our Affiliate Members to expand their company exposure to REALTOR® members. To learn more about sponsorship opportunities, please see our *2017 Sponsorship Opportunities packet* and attend the Affiliate Committee Meeting on every second Thursday to learn about upcoming CE Class Sponsorship opportunities.