

INTRODUCTION

This manual is designed to serve as a guide for the Officers, Directors, Committee and Staff of the Morgan County Association of REALTORS, Inc.

As policies and/or conditions dictate within the Association, these guidelines will be amended. The "description and responsibilities" of all Officers, Directors and Committee Chairman as a whole are contained herein.

The purpose of this manual is to clearly delineate the responsibilities of the governing bodies of the Morgan County Association of REALTORS. The policies and operations of the Association must be consistent with the Bylaws, Rules and Regulations and Policies of the National Association of REALTORS, to ensure continued coverage under NAR's Errors & Omissions coverage. In the event of any conflict between the "Operating Policies" and the Bylaws, the Bylaws will prevail.

You are urged to review these operating policies and to pay particular attention to those portions applicable to your particular office. The delineation of responsibilities should assist you in carrying out the duties of your particular office or position on the "Leadership Team" of Morgan County Association of REALTORS.

NOTICE

UNDER THE LONG ESTABLISHED POLICY OF THIS ASSOCIATION, THE STATE ASSOCIATION OF REALTORS, AND NATIONAL ASSOCIATION OF REALTORS:

1. THE BROKER'S COMPENSATION FOR SERVICES RENDERED IN RESPECT TO ANY LISTING IS SOLELY A MATTER OF NEGOTIATION BETWEEN THE BROKER AND HIS OR HER CLIENT, AND IS NOT FIXED, CONTROLLED, RECOMMENDED OR MAINTAINED BY ANY PERSONS NOT A PARTY TO THE LISTING AGREEMENT.
2. THE COMPENSATION PAID BY A LISTING BROKER TO A COOPERATING BROKER IN RESPECT TO ANY LISTING IS ESTABLISHED BY THE LISTING BROKER IN HIS/HER OFFER OF COOPERATION AND COMPENSATION, AND IS NOT FIXED, CONTROLLED, RECOMMENDED OR MAINTAINED BY ANY PERSONS OTHER THAN THE LISTING BROKER.
3. IT IS THE POLICY OF THIS ASSOCIATION TO OPERATE ITS BUSINESS IN COMPLIANCE WITH THE FEDERAL, STATE AND LOCAL FAIR HOUSING AND EQUAL OPPORTUNITY LAWS.

STANDARDS OF CONDUCT FOR

LEADERSHIP OF MORGAN COUNTY ASSOCIATION OF REALTORS

1. TO MAINTAIN COMPLETE LOYALTY TO THE ASSOCIATION, AGGRESSIVELY PURSUE ITS OBJECTIVES AND SUPPORT ITS POLICIES AND PROGRAMS.
2. HOLD INVIOULATE THE CONFIDENTIAL INFORMATION ENTRUSTED TO THE LEADERSHIP BY THE MEMBERS, DIRECTORS AND ASSOCIATION STAFF.
3. RECOGNIZE AND CONSCIENTIOUSLY DISCHARGE THE RESPONSIBILITIES AS AN OFFICER AND DIRECTOR OF THE ASSOCIATION.
4. ISSUE NO FALSE OR MISLEADING STATEMENTS.
5. REFRAIN FROM DISSEMINATING ANY MALICIOUS INFORMATION CONCERNING THE ASSOCIATION, LEADERSHIP, MEMBERSHIP AND/OR STAFF.
6. ACCEPT RESPONSIBILITY FOR COOPERATING WITH AND RESPECTING THE VIEWPOINTS OF COUNTERPARTS.
7. UTILIZE EVERY OPPORTUNITY TO IMPROVE PUBLIC UNDERSTANDING OF THE REALTOR MOVEMENT AND TO ENHANCE THE REALTOR IMAGE IN THE COMMUNITY.
8. MAINTAIN HIGH STANDARDS OF PERSONAL CONDUCT.

GENERAL OPERATING POLICIES

The following are present policies of Morgan County Association of REALTORS. As new policies are created, or existing policies abolished, they will be presented to the directorate for review an approval or disapproval and this manual will, at that time, be amended accordingly.

BUSINESS BEFORE THE BOARD OF DIRECTORS

Business to come before the Board of Directors shall be placed on the agenda by the Association Executive, after discussion with the President of the Association, or Chairperson of a committee, if it pertains to a committee matter. The President or Chairperson of the respective committee may instruct the Association Executive to include certain items of business, at their discretion.

DISTRIBUTION OF MINUTES

Minutes of all Board of Directors meetings shall be distributed to the membership if requested, after the minutes are approved. A copy of each months minutes, when approved, shall be posted at the Board Office.

MEETING SITES

The regular meetings of the Board of Directors will be held at the Association Office. The Membership meeting place and time must be determined and approved by the Directors. All Committee/task force meetings will be held at the Association Office.

CONTRACTS

Contracts that are binding upon the Association consistent with the Bylaws must be signed by the President, or Secretary in his absence, and the Association Executive.

COMMUNICATIONS

Copies of all correspondence between the Association, AAR and NAR shall be filed at the Association Office.

No member is authorized to generate written material on behalf of the Association without approval of the Directorate.

Association stationary use is limited to OFFICIAL ASSOCIATION BUSINESS ONLY and will not be made available for use by members for any purpose whatsoever.

All statements to the media concerning the Association shall be made by the President, or in his/her absence, by the President Elect.

DISBURSEMENTS

Disbursement and payments of accounts payable shall be made in accordance with general bookkeeping procedures, according to the following inter-office procedures:

1. Association staff or Association Executive receives and opens all statements.
2. The Association Executive reviews all bills and submits them to the accountant in a timely manner.
3. Any two of the following individuals must review and sign all checks:
 - President
 - Secretary
 - Treasurer

AUTHORIZED SIGNATURES

Any two of the following individuals have authorization to sign checks and financial documents for the Association:

1. President
2. Secretary
3. Treasurer

Signature authorization cards and resolutions will be prepared by the Association Executive and filed annually with all banks in which the Association maintains accounts.

DONATIONS

No donations or contributions shall be made without the expressed approval of the Board of Director's except in the event of the death of a Realtor member, their spouse or their children. Should such event arise, a \$50.00 donation for Realtor members or \$25.00 donation for Realtor members spouse or children shall be sent to the AAR Charitable Fundraiser Project in memory of the deceased.

DUES REFUNDS/WAIVERS

No waiver of dues or service fees shall be made without the express approval of the Board of Directors. Request for waivers shall be in writing and presented to the Directors for review and decision based on individual circumstances.

Refund of dues shall not be made for any reason except in the event of an overpayment. In this instance the amount overpaid shall be returned.

APPLICATION FEE REFUNDS/WAIVERS

Refund of application fee shall not be made for any reason, except in the event of rejection of application for membership.

RESERVES AND INVESTMENTS

The reserves of the Association will be invested in savings accounts, insured money market accounts, certificates of deposit, or other interest bearing paper, as recommended by the Administrative Committee and as approved by the Board of Directors.

OTHER SPECIAL RULES

1. All new applicants must complete 2.5 hours of Code of Ethics training and must attend the next scheduled Orientation after they have joined the Association. If they are not in attendance due to an unexcused absence their SUPRA service will be terminated within 48 hours from that orientation date. New members can request to have their absence excused and their service reinstated through the approval of the member service committee or wait until the next scheduled orientation and have the SUPRA service reinstated. New member orientation will be in compliance with NAR requirements.
2. Members who drop out of the Association and stay out for more than one year must attend orientation again.
3. Members who drop out of the Association or are dropped because of nonpayment of fees to the Association must pay the application fee again.
4. ANY LATE PAYMENT OF DUES/FEES will have a 10% penalty imposed, after three (3) business days. If dues and fees are not paid after fourteen (14) days, the Board will notify the member's Broker, a 5% penalty per day will be added, after thirty (30) days the firm's membership will be cancelled. Payment plans are not accepted. Any returned checks will be assessed a \$50.00 fee.
5. All Members will pay a transfer fee of \$25.00 to the Morgan County Association of Realtors when the transfer takes place.

6. Any firm found violating the membership rule shall be sent a letter prepared by the Administrative Executive and signed by the President or Administrative Executive of the Association, before bringing it to the Director's attention for action.

7. A penalty will be imposed for a Designated REALTOR failing to notify the Association about new agents whose licenses he/she holds. Failure to notify the Association within 30 days from the time the Real Estate Commission issues the agent's license to the Designated REALTOR, a late fee of \$100.00 will be imposed after three (3) business days and \$25.00 for each day for up to thirty (30) days thereafter.

8. Any member who desires the Association Office to enter their MLS listing will be charged a \$50.00 entering fee for each listing and \$5.00 fee for each scanned photo.

9. When an agent leaves a firm, it is the Agent's responsibility to ensure the lock box key is turned into the Association Office. If the key is NOT turned in, within ten (10) business days, the security deposit will be forfeited.

11. The Realtor & Rookie of the Year will be selected in February of each year.

12. Person's eligible for Local/AAR Affiliate Membership are: Staff personnel of member Real Estate Firms, Retired Realtors with ten years or more continuous service before retirement. Other affiliate memberships must be actively engaged in a related real estate profession.

STATE MEETINGS

STATE DIRECTORS MUST ATTEND:

1. Annual AAR Leadership Meeting
2. Annual AAR Summer Meeting
3. Annual AAR Convention
4. Other meetings held that the President and the Association would benefit from as approved by the Board of Directors.

OTHER MEETINGS OUTSIDE THE ASSOCIATION

PRESIDENT MUST ATTEND:

1. Annual AAR Leadership
 2. Annual AAR Summer Meeting
 3. Annual AAR Convention
 4. Annual Mid Year Meeting
- Other meetings or special called meetings held that the President and the Association would benefit from as approved by the Directors.

PRESIDENT ELECT MUST ATTEND:

1. Annual NAR Leadership Summit
2. Annual NAR Convention
3. Annual NAR Summer Meetings
4. Annual AAR Leadership
5. Annual AAR Summer Meeting
6. Annual AAR Convention
6. Other meetings held that the President Elect and the Association would benefit from as approved by the Directors.

ASSOCIATION EXECUTIVE MUST ATTEND:

1. Annual NAR Executive Officers' Seminar
2. Annual NAR Leadership Summit
3. Annual NAR Convention
4. Annual Mid Year Meetings
5. Annual AAR Leadership
6. Annual AAR Summer Meeting
7. Annual AAR Convention
8. Annual AAR AE Workshop
9. Other meetings held that the Association Executive and the Association would benefit from as approved by the Directors.

REALTOR OF THE YEAR SHOULD ATTEND:

1. Annual AAR Convention (Registration Fee is paid by the MCAOR)

TRAVEL ALLOWANCES

Specific travel allowances for the Association are budgeted annually. General travel policies are described below:

Where travel is by car, mileage shall be calculated from the Association Office to the point of destination.

No reimbursement(s) shall be made unless a "travel voucher" is submitted to the Association **WITHIN 30 DAYS OF THE TRAVEL DATE.**

Request for travel reimbursement, which **DOES NOT** meet requirements, shall **NOT BE PAID**, without specific approval of the Board of Directors.

Two credit cards (both for one account) shall be issued to A.E and President Elect and be issued for Association business only, excluding meals. Itemized receipts for all charges must be submitted to the board office within 14 days and attached to the monthly credit card statement, the statement will be reviewed monthly by the Board of Directors.

FOR OVERNIGHT

The mileage allotment for travel by car shall be in accordance with federal maximum allowable guidelines.

Travel by Air - Lowest Super Saver price available will be paid per trip plus round trip ground transportation from airport. Receipt required.

Hotel/Motel expenses (at the published rate) (including room tax and parking) will be reimbursed for actual expenses not to exceed the usual and customary charges. Receipts required. A daily allotment of \$75.00 per day will be given for meal expenses. Estimated expenses may be paid in advance, but failure to attend will require reimbursement. **NO EXCEPTION.**

FOR NON-OVERNIGHT

The mileage allotment for travel by car shall be in accordance with the federal maximum allowable guidelines.

Travel by Air - Lowest Super Saver price available will be paid per trip. Receipt required.

Travel expenses will be reimbursed incidental to the Association activities, as approved by the Board of Directors.

REIMBURSEMENTS FOR ANY TRAVEL AND/OR RELATED EXPENSES NOT DELINEATED IN THESE OPERATING POLICIES AND PROCEDURES SHALL NOT BE MADE WITHOUT THE EXPRESS AUTHORITY OF THE BOARD OF DIRECTORS.

DUTIES OF OFFICERS AND DIRECTORS

I. DUTIES COMMON TO ALL OFFICERS

A. Serve as a spokesperson for the Association and represent the interests and objectives of the Association according to policies established by the Board of Directors. Be informed on Association activities and prepared to represent the Association before the news media, allied organizations and industries, local state and federal agencies, the general public, and the State and National Associations.

B. Be thoroughly familiar with the Association's Strategic Plan, the Constitution and Bylaws of the Morgan County Association of REALTORS, the Alabama Association of REALTORS, and the National Association of REALTORS, and the Code of Ethics of the National Association of REALTORS. Be familiar with the Alabama Real Estate License Law and all matters affecting real estate in our community, state and nation.

C. Serve as a member of the Administrative Committee and member of the Board of Directors.

D. Be responsible to the Administrative Committee and to the Board of Directors.

E. Be familiar with Robert's Rules of Order and basic parliamentary procedure.

II. DESCRIPTION OF OFFICERS' RESPONSIBILITIES

A. President:

1. The President of the Morgan County Association of REALTORS is the Chief Elected Officer of the Association. The President will preside at all meetings of the Association and shall have the authority to call special meetings of the Board of Directors and to designate where such meetings are to be held. The President is specifically charged with the following responsibilities:

2. With the assistance of the Officers and the Association Executive, guide the business affairs of the Association.

3. Exercise personal leadership in the motivation of other Officers, Association members, committee members, staff and membership.
4. Work with the Administrative Committee, Board of Directors and committees in formulating basic policies and/or policy changes, which are in concert with the Association's Strategic Plan, and which will further the goals and objectives of the Association.
5. With the approval of the Board of Directors, appoint committee chairpersons and committee members. Outline the purpose, goals and duties of committee and monitor their progress in meeting stated objectives.
6. Request from each committee chairman a written report of the progress of the committee and budget recommendations for the next year.
7. The President may appoint such other committees or task force as deemed advisable, but must state the purposes, the membership, and the budget requirements to support each committee appointed. Each committee appointed shall be approved by the Board of Directors. These committees shall be temporary committees.
8. Serve as an ex-officio member of all committees and task forces of the Association.
9. Write to brokers encouraging them and their agents to serve and participate on Association committees; advising them that committee work is a necessary prerequisite to serving as a Director and an Officer. Use the Association's Association Briefs, membership meetings and broker mailings to encourage the membership's involvement in the nominating process. Advise the membership that the following criteria will be used by the Nominating Committee, when considering prospective Officers and Director's:
 - a. Association member in good standing.
 - b. Dedicated to Association service as shown through a record of active participation in Association activities.
 - c. An established and recognized individual who enjoys a good reputation in the real estate profession.
 - d. Capable of expressing the views of the Association and the real estate profession in public forums, a knowledgeable professional.
 - e. An articulate individual capable of working with other organizations.
 - f. Nominee's for an Officer position must have served as a director.
10. Appoint replacements to fill un-expired director terms in the event of a vacancy.

B. President Elect:

1. With the assistance of the Officers and the Association Executive, guide the business affairs of the Association.
2. Study and become familiar with the duties of the President. Be prepared to assume all duties of the President in the event of his/her incapacity, absence, and removal from office or resignation.
3. Be responsible for the coordination of committees and committee objectives as assigned by the President.
4. Accept special assignments upon request of the President and/or Board of Directors.
5. Report to and be responsible to the President and the Board of Directors.

C. Secretary:

1. With the assistance of the Officers and the Association Executive, guide the business affairs of the Association.
2. Be prepared to assume all duties of the President Elect or President in the event of his/her incapacity, absence, removal from office or resignation.
3. Ensure that all records and correspondence of the Association are maintained in good order.
4. Ensure that a record of all meetings is maintained by the Association in accordance with the Association's document retention procedures.
5. Ensure that advance notice of all membership meetings and copies of all pertinent documents are provided to all members in good standing.
6. Serve as liaison to Association committees, as requested by the President.
7. Report to and be responsible to the President and the Board of Directors.

D. Treasurer:

1. With the assistance of the Officers and the Association Executive, guide the business affairs of the Association.

2. In the absence of the Association Executive, have custody of all financial records and funds of the corporation.

3. Monitor the Association to assure expenditures are within the annual budget and keep the Officers and members informed of the financial condition of the Association. Ensure that proper accounting procedures are in effect.

4. Present monthly financial reports to the Board of Directors.

5. Monitor and assure compliance with the Association's investment procedures and make recommendations for investments to earn highest possible interest while maintaining financial integrity.

6. Serve as liaison to committees, as requested by the President.

7. Report to and be responsible to the President and the Board of Directors.

III. DESCRIPTION OF DIRECTORS RESPONSIBILITIES

A. Serve as the governing body of the Association.

B. Participate in all Association meetings as a representative of the members. Review, revise and establish policies for the mutual benefit of the membership. Promote and support decisions that are in the best interest of the entire membership, keeping in mind that the Board of Directors is responsible to all members and must place the welfare of the total group and membership ahead of individual company, geographic or personal considerations.

C. Review and approve the annual budget and all adjustments thereto as submitted by the Administrative Committee.

D. Approve employment of an accounting firm and legal counsel for the Association.

E. Review the audit of the financial records of the Association when completed by the Auditor, or Audit Committee

F. Review all committee reports and approve committee expenditures.

G. Serve as an appellate body to Professional Standards hearings and make final decisions in Professional Standards cases. Ensure adherence to NAR Code of Ethics and Arbitration Manual in all Professional Standards matters.

H. Establish membership dues and privileges of membership in Association.

I. Approve membership applications.

J. Approve proposed amendments to Rules and Regulations, and recommend or not recommend changes to the Constitution and Bylaws.

K. Approve replacements to fill un-expired terms in the event of a vacancy, in accordance with the Bylaws.

L. Keep informed of the Code of Ethics, the Alabama Real Estate License Law and all matters affecting real estate in our community, state, and nation.

M. Be responsible to the President and the Board of Directors.

N. Directors are responsible for attending:

1. Board of Directors Meetings.
2. Monthly Membership Meetings. Plus getting members to attend.

O. Directors should try to attend the following meetings, if possible:

1. AAR Leadership Conference in January.
2. State Conventions.
3. Association educational functions.

P. Directors should be familiar with Robert's Rules of Order and basic parliamentary procedures.

COMMITTEES

The purpose of each committee is as delineated in this Operating Policies and Procedures Manual. Committees shall be reviewed from time to time and committee "purposes" revised, as needed. Committee members will be appointed for three-year terms, and each year one third of each committee will be either re-appointed or replaced. Professional Standards, and Grievance Committee members must have been members of the Association for at least 5 years. Bylaws committee members must have been members of the Association for at least 3 years. Professional Standards & Grievance Committee members must receive training during the month of January each year. The Multiple Listing Committee members must have Qualifying Brokers as the majority. Each Committee must have a Director assigned to it as a Liaison.

GENERAL FUNCTIONS OF THE COMMITTEES OF THE MORGAN COUNTY ASSOCIATION OF REALTORS.

ADMINISTRATIVE COMMITTEE - is responsible for overseeing the finances of the Association, and for preparation of the Association's annual budget in cooperation with the Administrative Executive and President-Elect. Other functions of the committee are to: Review the budget and financial report, at least quarterly, and recommend any necessary adjustments to the budget to the Board of Directors; Study ways and means of raising funds for projects adopted by the Board of Directors for which funds are not available; Review the dues and fees structure of the Association to ensure that projected income is sufficient to support the level of services required by the membership; Review and recommend investment and insurance policies. Do Annual Audit. The proposed annual budget must be presented to the Board of Directors at their December meeting. It is also responsible for screening applicants for employment for the Administrative Executive position when that is necessary, and making recommendations to the Board of Directors on any matter affecting Policies & Procedures for personnel employed by the Association.

BYLAWS COMMITTEE - each member of the Bylaws Committee should have a thorough knowledge of the Bylaws of the Association, the Alabama Association of REALTORS and the National Association of REALTORS. The committee is responsible for initiating and/or reviewing all proposed changes to the Bylaws and for making recommendation regarding proposed changes to the Board of Directors. The committee should render any interpretations of the Bylaws as requested by the Board of Directors. Association legal counsel should be consulted as necessary. The Committee is also responsible for keeping the Association's

Operating Policies & Procedures Manual current and making recommendation regarding any changes needed to the Board of Directors.

PROFESSIONAL STANDARDS COMMITTEE - the primary function of the Professional Standards Committee is to enforce the Code of Ethics of the National Association of REALTORS and to handle the hearings, of Ethics and Arbitration. The Committee members should be knowledgeable of the following documents: (1) The Code of Ethics, (2) Code of Ethics and Arbitration Manual, (3) Interpretations of the Code of Ethics, (4) Membership Policy and Procedures Manual, (5) Association Bylaws, (6) AAR Constitution and Bylaws, (7) NAR Constitution and Bylaws, and (8) Professional Standards Training Manual. The secondary function of the Professional Standards Committee is to educate the membership on the meaning and interpretation of the Code of Ethics and The Code of Ethics. The committee chairman should coordinate administrative details with the Administrative Executive.

GRIEVANCE COMMITTEE - the function of the committee is similar to that of the grand jury. The committee receives Ethics complaints and Arbitration requests from either Association members or the public, to determine if, taken as true on their face, a hearing is to be warranted. The Grievance Committee makes only such preliminary evaluation as is necessary to make these decisions. The committee meets at the call of the chairman regarding Ethics complaints or Arbitration requests. Committee does not mediate or arbitrate business disputes. The committee members should be thoroughly familiar with the Code of Ethics and Standards of Practice of the National Association of REALTORS. The Grievance Committee does not hold "hearings". The committee chairman should closely coordinate the administrative processing of Ethics complaints or Arbitration requests with the Administrative Executive.

MULTIPLE LISTING SERVICE COMMITTEE - has the responsibility for overseeing and effective management of the Service. It makes recommendations to the Board of Directors concerning proposed changes in the MLS Rules and Regulations and MLS operational procedures. The committee is also responsible for drafting and preparation of all MLS related forms and for the Lock Box System. Committee members must be thoroughly familiar with the Handbook on Multiple Listing Policy of the National Association of REALTORS, and the MLS Rules and Regulations of our Association. The committee also handles complaints of violation of MLS Rules only.

GOVERNMENTAL AFFAIRS COMMITTEE - has the responsibility to provide information to the membership on legislative matters affecting the real estate profession, and conduct the annual Morgan County Association RPAC fund raising drive. It also has the responsibility to assist members in the understanding Fair Housing Laws and to assist members with their Affirmative Fair Housing Marketing Plan. Committee members should become knowledgeable of the following documents: (1) Civil Rights and the Real Estate Sales agent. (2) Equal Opportunity in Housing Guide, (3) Affirmative Fair Housing Marketing Plan Model, and (4) Equal Opportunity in Housing in the 90's program and be able to utilize it in making educational presentations to REALTORS as needed.

MEMBERS SERVICE COMMITTEE - A vital role is performed by this committee, because the Association is a voluntary professional organization. It has the primary responsibility to recruit as many salespersons and brokers as possible, who are located within the marketing area of the Association. Conduct orientation sessions for new members. Planning, and promoting all educational programs. Providing a program, and promoting each Membership Meeting. Selecting the Realtor of the Year, Rookie of the Year and recommend other awards deemed necessary to the Board of Directors. Other functions of the committee are to: Review all membership applications as necessary. All committee members should be thoroughly familiar with the following: (1) Membership Policy and Procedures Manual of the National Association of REALTORS, (2) Association Bylaws, and (3) Operating Polices & Procedures Manual of the Association.

PUBLIC RELATIONS COMMITTEE - Coordinate news releases with respect to national, state, and local activities; coordinate/plan community projects for Realtors to be involved in; publish a bi-monthly news letter for the membership; and coordinate any social events the Association might hold or be part of.