

# BIG BEAR ASSOCIATION OF REALTORS®

("BBAOR")

**INSTRUCTIONS:** Complete, date, sign, attach Notice of Violation and any supporting documentation, and deliver to MLS Administrator within 15 calendar days of the Receipt Date on the Notice of Violation.

## REQUEST FOR HEARING

CASE #: \_\_\_\_\_

### NOTICE OF VIOLATION

RECEIPT DATE \_\_\_\_\_  
See upper right on first page of Notice of Violation

To be completed by MLS Compliance Administrator

RECEIPT DATE: \_\_\_\_\_  
2 business days after mailing or 1 business day after fax or e-mail

HEARING DATE: \_\_\_\_\_

### AGENT (VIOLATOR):

Name \_\_\_\_\_  
Office \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_

### BROKER and/or MANAGER:

Broker Name \_\_\_\_\_  
Manager Name \_\_\_\_\_  
Office Name \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_

I, the above agent (or broker), in accordance with the *California Code of Ethics and Arbitration Manual*, hereby request a hearing on the attached Notice of Violation, issued pursuant to the Policies and Procedures Manual of BBAOR's Multiple Listing Service ("MLS"), for alleged violation of BBAOR's MLS Rules and Regulations.

I hereby declare under penalty of perjury that the following statements are true and correct:

1. The Responsible Participant is: Name \_\_\_\_\_ who is a  
G MLS Broker/Participant  
G Subscriber

2. The violation(s) alleged in the Notice has/have been corrected, as follows:  
\_\_\_\_\_  
Date \_\_\_\_\_  
\_\_\_\_\_  
Date \_\_\_\_\_  
\_\_\_\_\_  
Date \_\_\_\_\_

3. This Request for Hearing is based on: *[select applicable grounds]*  
*NOTE: Failure to receive notice of violation or fine is not grounds for a Professional Standards hearing.*  
G Factual dispute regarding the alleged violation(s) such as misapplication of MLS Rule(s) cited  
G Contention that there has been a violation of procedural due process  
G Dispute regarding calculation of fine

4. All grounds, facts, and/or reasons for this Request for Hearing are set forth below:  
*[Attach continuation pages and copies of all supporting documentation]*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. **SANCTION / DISCIPLINARY GUIDELINES**

**I understand that by requesting a hearing, if the violation is upheld, the violation must be corrected and fines must be paid as required in the Notice of Decision. In addition, discipline may be imposed in accordance with the California Code of Ethics and Arbitration Manual, which may consist of one or more of the following:**

- a. Letter of Warning in the member's/participant's file for a specified time period.
- b. Letter of Reprimand in the member's/participant's file for a specified time period.
- c. Fine commensurate with the gravity of the determined violation not to exceed \$15,000 (alternative discipline must also be imposed).
- d. Attendance at an appropriate educational course (alternative discipline must also be imposed).
- e. Probation of the imposed discipline for a stated time period not to exceed one year. This involves the selection of appropriate discipline and then the decision to place the discipline in abeyance until (and if) the member violates the same MLS Rule during the probationary period. At that time, the Directors may activate the discipline. This, of course, would be in addition to the discipline for the second offense.
- f. Suspension of Association membership and/or MLS services for a stated period of time not less than 30 days nor more than one year with an automatic right of reinstatement without paying the Association initiation fees or attending the orientation program. The obligation to pay Association dues is not suspended.
- g. Expulsion of Association membership and/or MLS services for a stated time period of one to three years with reinstatement only by application for membership after the specified time. The application will be considered on its merits and processes as if the individual were a new member, including payment of initiation fees and attendance at the Association orientation.

6. Please notify me of the hearing date.

G I submit on the paperwork and will not attend the hearing.

G I will attend the hearing.

G The following witnesses will present testimony at the hearing: *[attach additional pages if necessary]*

\_\_\_\_\_  
Name Address Phone

\_\_\_\_\_  
Name Address Phone

\_\_\_\_\_  
Name Address Phone

G I will be represented at the hearing by the following attorney:

Name: \_\_\_\_\_ Firm: \_\_\_\_\_

Address \_\_\_\_\_

Email \_\_\_\_\_ Ofc \_\_\_\_\_

Fax \_\_\_\_\_ Cell \_\_\_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Agent (Broker)*