

Mountain Resort Communities ASSOCIATION OF REALTORS



Policies and Procedures Manual

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PURPOSE AND SCOPE

A Professional Association is set up to accomplish certain definite purposes for its members. It therefore must be governed by certain policies. The purpose of this manual is to define the policies and procedures for the Operating Committees and the Staff of the Mountain Resort Communities Association of Realtors®. The scope of the manual will include all Association policies that are required to support the current Bylaws of the Association and those approved policies necessary to administer the Association's day-to-day operation. The manual will also include a procedural guide for all Standing Committees within the Association. A secondary purpose of the manual is to provide leadership and members with a Standard Guide to Professionalism in the Management of the Association.

BOARD OF DIRECTORS

PURPOSE:

The Board of Directors shall be the governing body of the Mountain Resort Communities Association of Realtors®, over and above the Association President, Chief Executive Officer, and all Committees. A voting Quorum is the majority of Directors.

DUTIES:

In addition to being accountable to the general membership for the conduct of the Association's business, the Directors' duties are as follows:

1. Shall attend orientation determined by the Board of Directors to include Professional Standards and Code of Conduct training.
2. Shall become familiar with:
 - A. General principles of Robert's Rules of Order
 - B. Association's Bylaws
 - C. Operation and policies of the C.A.R. and N.A.R.
 - D. The Association's Mission and Vision Statements
 - E. Policies and Procedures Manual
 - F. Professional Standards Rules and Regulations
 - G. Multiple Listing Service Rules and Regulations
 - H. Business and/or Financial Plans
3. Shall serve the public's interests, as well as the Member's interests.
4. Shall determine overall policies and make decisions that affect the operations of the Association.
5. Shall establish goals and objectives of the Association.
6. Shall serve on Committees as authorized by the Bylaws.
7. Shall sign the Association's Confidentiality Agreement, Code of Conduct and Conflict of Interest Code prior to taking office.
8. Shall attend all meetings of the Board of Directors, including General Membership and Special meetings, and be prepared by reviewing the Director's packet delivered prior to the meeting date, which includes the Agenda and Minutes from the previous meeting for approval.
9. Shall cooperate with the C.A.R. and N.A.R.
10. Shall analyze the Association problems and provide appropriate solutions.
11. Shall encourage membership participation to the fullest.
12. Shall strengthen the Association's internal structure.
13. Shall have electronic mail capability in order to be able to receive notices and information from the Association and Chief Executive Officer.
14. Are encouraged to, at a minimum, make an annual donation and participate in the C.A.R. political action fund, including Political Survival, CREPAC Champion, and CREPAC/Federal.
15. Are required to complete the MLS Rules and Regulations training if provided by the Association.

16. Leadership Directors are obligated to attend a Leadership Code of Conduct Orientation and sign an acknowledgment of receipt and agreement to follow the "Leadership Code of Conduct."

17. Directives relative to committee and task force items shall be channeled through the Chief Executive Officer.

18. Directives relative to staff items shall be channeled through the Chief Executive Officer.

PRESIDENT

PURPOSE:

The President shall be the President of the Association, shall preside at all meetings of the membership and the Board of Directors, and shall be an ex officio member of all Committees, except the Grievance Committee, the Professional Standards Committee, and the Election Committee. The President shall communicate to the members of the Board of Directors such matters as, in the President's opinion, are deemed proper and tend to promote the welfare and increase the usefulness of the Association. The President shall perform all other duties as are required by law or incident to the office of President or as may be prescribed by the Bylaws and the Board of Directors. The President shall automatically serve as a C.A.R. Director.

DUTIES:

In addition to the duties outlined for the Board of Directors, the President's duties are as follows:

1. Provide objective leadership and administration.
2. Delegate such Presidential duties, as appropriate, to President-Elect and/or others throughout the year, but maintain sufficient supervisory contact to create successful performance.
3. Work with the Chief Executive Officer in organizing a Strategic Planning Meeting to be attended by the incoming and existing Officers and Directors to prepare and present the goals for the Association for the following years.
4. Act as spokesperson for the Association in community activities, in person or through a representative.
5. Implement a short-term and long-term program of positive action as approved by the Board of Directors.
6. Preside over meetings as follows:
 - A. Check annual calendar for upcoming items to conform to Bylaws when coordinating agenda with Chief Executive Officer.
 - B. Commence meetings on time.
 - C. Control meetings with firm guidance.
 - D. Control discussion to the subject being considered.
 - E. Confer with Chief Executive Officer or Association legal counsel for decisions on parliamentary procedure.
 - F. Vote only to break a tie.
 - G. Relinquish the chair for entire subject if taking part in the discussion.
7. Manage membership as follows:
 - A. Consult with and work in cooperation with the Chief Executive Officer
 - B. Influence the establishment of goals and objectives for the Association.
 - C. Be responsible for confirming that the programs and policies of the Association reflect the needs and aspirations of the membership.
 - D. Act as spokesperson and inspirational leader of the Association and take

- a substantial role in monitoring and evaluating organizational performance and effectiveness.
 - E. Exercise personal leadership in the motivation of other Officers, Directors, Committee members and membership.
 - F. Promote interest and active participation in the Association by the membership.
 - G. Attend Association functions and meetings.
8. Conduct business as follows:
- A. Strive, in cooperation with the Finance Committee, to operate within an annual budget.
 - B. Confirm that the Treasurer or Chief Executive Officer arranges to have the Association's finances audited per the Bylaws.
 - C. Be available to sign checks and contracts as needed.
 - D. Monitor progress of Committees, except Grievance Committee, Professional Standards Committee, and Nominating Committee, as ex officio member, and make appropriate recommendations.
 - E. Report to the Board of Directors and the membership on the business affairs of the Association.
9. Serve as C.A.R. Director as follows:
- A. Attend C.A.R. Regional meetings, (Leadership Conference, Directors Meeting, and Convention).
 - B. Attend N.A.R. Leadership Conference, Directors Meeting and Convention, if budgeted.
10. Prepare a final report of the term of office highlights.
11. Be available to sign all checks, when needed.

IMMEDIATE PAST PRESIDENT

PURPOSE:

The Immediate Past President shall perform such duties as prescribed by the Bylaws and the Board of Directors, and as delegated by the President, and shall participate in and vote on Association business.

DUTIES:

In addition to the duties outlined for the Board of Directors, the Immediate Past President's duties are as follows:

1. Serve, automatically, as Immediate Past President for one year.
2. Be available to advise, from the valuable experience and knowledge gained through past years' service, whenever the occasion demands.
3. Be available to sign all checks, when needed.

PRESIDENT-ELECT

PURPOSE:

The President-Elect shall serve in the absence of the President and perform such duties as prescribed by the Bylaws and the Board of Directors, and as delegated by the President, and shall participate in and vote on Association business. The President-Elect shall automatically serve as a C.A.R. Director.

DUTIES:

In addition to the duties outlined for the Board of Directors, the President Elect's duties are as follows:

1. Serve as President-Elect for one year and automatically ascend to the Presidency at the end of his/her term as President-Elect, or upon vacancy in the position of President, as set forth in the Bylaws.
2. Meet with current President and/or Past Presidents to become familiar with the office and to promote a smooth transfer of authority.
3. Commence selection of Committee Chairpersons and submit those recommended appointments to the Board of Directors no later than the regular November meeting prior to his/her year as President, for ratification.
4. Meet with Committee Chairpersons to review policies, procedures, and goals for the coming year.
5. Serve on MLS Committee.
6. Work with the C.E.O. in organizing the annual Strategic Planning Retreat to be attended by the incoming and existing Officers, Directors, and Association legal counsel and to prepare and present the goals for the Association for the following years.
7. Attend C.A.R. Regional meetings, (Leadership Conference, Directors Meeting, and Convention).
8. Attend N.A.R. Leadership Conference, Directors Meeting and Convention, if budgeted.
9. Be available to sign all checks, when needed.

VICE PRESIDENT

PURPOSE:

The Vice President shall serve in the absence of the President-Elect and familiarize himself/herself in other duties and responsibilities of the office. The Vice President position is designed as a “grooming” period, to determine if the position holder is interested in moving up to President-Elect and President. The Vice President position is not an automatic ascension to the President-Elect position. The Vice President shall automatically serve as a C.A.R. Director.

DUTIES:

In addition to the duties outlined for the Board of Directors, the Vice President’s duties are as follows:

1. Attend C.A.R. Regional meetings, (Leadership Conference, Directors Meeting, and Convention), upon approval of the Board and if budgeted.
2. Attend N.A.R. Leadership Conference, Directors Meeting and Convention, upon approval of the Board and if budgeted.

SECRETARY

PURPOSE:

The Secretary records minutes and provides same to the Board of Directors for approval.

DUTIES:

In addition to the duties outlined for the Board of Directors, the Secretary's duties are as follows:

1. Record Minutes per the Minutes Guidelines as outlined in the Meetings section of this manual.

TREASURER

PURPOSE:

The Treasurer shall be the Chief Financial Officer of the Association and shall be in charge of monthly and annual income and expense reports, budgets, tax returns, the receipt and disbursement of funds. The Treasurer is designated the custodian of the Association funds and ensures those funds, physical assets, and other properties of the Association are appropriately safeguarded and administered.

DUTIES:

In addition to the duties outlined for the Board of Directors, the Treasurer's duties are as follows

1. Serve as Chairperson of the internal Budget and Finance Committee.
2. Safeguards the Association operates within the limits of the annual approved budget.
3. Be available to sign all checks whenever possible.
4. Present in person, or by designated representative, a financial summary report of the Association operations at the Board of Directors meetings.
5. Make financial statements available to the Chief Executive Officer 7 calendar days before each Directors meeting.
6. Review and acknowledge receipt of all bank statements.
7. Arrange for the annual proposed budget for the following year to be presented at the October Board of Directors meeting and to be finalized by November Board of Directors meeting.
8. Arrange for an audit, per the Bylaws, to be prepared by the Association's CPA or Designee and presented to the Board of Directors.
9. Review the annual tax returns of the Association.
10. Meet, as needed, with the Budget and Finance Committee and as needed with the Association's CPA when necessary to review the Association's financial position.
11. Review financial reports and make recommendations to the Board of Directors.
12. Review and analyze the budget on a quarterly basis and make proper recommendations to the Board of Directors.

CHIEF EXECUTIVE OFFICER

PURPOSE:

In accordance with a written contract, the Chief Executive Officer is the chief staff person of the Association and shall be the corporate Secretary of the Association, except as otherwise expressly determined by the Board of Directors and shall have responsibility to hire and terminate staff and to plan, direct and supervise the employees; maintain all records and administer the Association budget. The Chief Executive Officer shall be chosen by, and his or her salary shall be fixed by, the Board of Directors. The Chief Executive Officer need not be a member of the Association and shall have no voting privileges.

DUTIES:

Outlined in the Job Description of the Chief Executive Officer contract, (attached).

1. Be available to sign all checks whenever possible.
2. Act as a resource to distribute Committee and Task Force information to the appropriate people, if instructed.
3. Shall be kept informed of all actions.
4. Shall communicate actions of the Board of Directors to the membership.
5. Staff items shall be channeled through the Chief Executive Officer.
6. Be prepared to travel to certain meetings at the direction of the Board.

MEETINGS

1. The Board of Directors may conduct business only in regularly scheduled or properly noticed special meetings, pursuant to the Association's Bylaws, or at an adjournment thereof, of which every Director has been notified and at which a quorum is present.
2. A Director who is absent from a meeting of the Board of Directors, whether excused or not, shall not be relieved of any duties or responsibilities of his or her office and shall be obligated to take all reasonable action necessary to become familiar with the meeting agenda and obtain information from other Directors regarding the discussions that took place and the actions taken at the meeting.
3. Meetings shall be conducted in accordance with Robert's Rules of Order unless otherwise provided for in the Bylaws.
 - A. Minutes of previous meetings should be approved before conducting other business.
 - B. During closed sessions, the presiding officer shall review the Association's policy with all attendees. Closed session topics are restricted to personnel, litigation, and/or contractual matters.
4. All meetings shall be non-smoking.
5. Common courtesy to be displayed by all participants during meetings, relative to timely arrival, cell phone and text usage, and personal conversations.
6. Any materials to be distributed at the General Meetings shall be presented to the CEO for approval, prior to the meeting. Material may need to be presented to the Board for approval, to then be distributed at the next General Meeting. The CEO has discretion to remove any materials that have not been approved.

MINUTES GUIDELINES

The record of the proceedings of a deliberative assembly is usually called the Minutes, or the Record, or the Journal. In the meetings of ordinary societies, there is no object in reporting the debates: the duty of the secretary, in such cases, is mainly to record what is “done” by the assembly, and not what is said by the members. The minutes should show:

1. Kind of meeting, “regular” (or stated) or “special”, or “adjourned regular” or “adjourned special”;
2. Name of the organization or assembly.
3. Date/time of meeting and place when it is not always the same.
- 4 The fact of the presence of the regular chairman and secretary, or in their absence the names of their substitutes. Roll call includes attendees, those who are absent, tardy, depart early, and any guests.
- 5 Whether the minutes of the previous meeting were read and approved, or approved as corrected, and the date of the meeting if other than a regular business meeting.
- 6 All main motions (except such as were withdrawn) and motions that bring a main question again before the assembly, stating the wording as adopted or disposed of, the disposition, including temporary disposition with any primary and secondary amendments and adhering secondary motions then pending.
- 7 Secondary motions not lost or withdrawn where needed for clarity of the minutes.
- 8 General objective statements of significant discussions with no action taken.
- 9 Previous notice of motions.
- 10 Points of order and appeals, and reasons the chair gives for the ruling.
- 11 Time of adjournment.

The name is recorded of the mover, and the seconder, unless ordered by the assembly. When corrections to the minutes are made by the assembly, the corrections are made in the written text of the minutes being approved, and the minutes of the meeting where they are corrected merely state that the minutes were approved “as corrected”, without actually stating the details of those corrections.

The secretary/recorder of that meeting should sign the minutes, and in some societies the minutes are also signed by the president. When the minutes are approved, they will be acknowledged as such on the following meeting minutes.

The essentials of a record should be entered, as previously stated, and when a count has been ordered or where the vote is by ballot, the number of votes on each side should be entered. The voting is by roll call, a list of the names of those voting on each side should be entered, and those answering “present”, and enough names of those present, who fail to respond, to reflect that a quorum was present.

Where the regular meetings are held weekly, monthly, or quarterly, the minutes are read at the opening of each day's meeting, and, after correction, should be approved. Where the meetings are held several days in succession with recesses during the day, the minutes are read at the opening of each business day. If the next meeting of the organization will not be held for a long period, as six months or a year, the minutes that have not been read previously should be read and approved before final adjournment. If this is not practical, then the executive committee or a special committee should be authorized to correct and approve them. A special meeting does not approve minutes, and its minutes should be approved at the next regular meeting.

When the reading of the minutes is dispensed with, they can afterwards be taken up at any time when nothing is pending. If not taken up previously, they come before the assembly at the next meeting before the reading of the later minutes.

For additional information, refer to Robert's Rules of Order, 10th edition, pp 451-458.

Robert's Rules says that all MAIN motions should be shown in the minutes. However, at a meeting, the secretary will have a need to record nearly all motions and what was done (their disposition), recording details that are not intended to show up in the final draft to be submitted for approval at the next regular meeting.

These notes will then be edited and condensed so that secondary motions, e.g. amendments, are not listed separately in the minutes, but are incorporated into the final wording that is the exact same wording used by the chair in putting the question to a vote and/or otherwise disposing of the main motion. The final draft will show all MAIN motions, as amended, and will not show the evolution of the wording of a motion during its amendment. Thus, a half-dozen handwritten pages may become a single typewritten page.

For example, the final draft minutes may be worded as follows:

After amendment, a motion by H.M. Robert was adopted, "that the club purchase a new laptop computer for use by the secretary in preparing minutes and other correspondence, at a cost not to exceed \$2,500."

The fact that the motion was amended is mentioned only parenthetically, without providing details.

MINUTES TEMPLATE
(May be adjusted to meeting agenda)

BOARD OF DIRECTORS MEETING MINUTES (kind of meeting-regular, special, etc)
Mountain Resort Communities ASSOCIATION OF REALTORS, INC. (name of
organization)
Board Office (meeting place)
8:00 A.M. (time)
March 16, 2009 (date)

Call to Order:

The meeting was called to order by _____ at _____ a.m./p.m.

Present

List names and titles

Absent:

List names and titles

Guests:

List names

Staff:

List names and titles

Approval of Minutes

Record motion per policy and any corrections

President's Report

Record essentials of report

CEO Report

Record essentials of report

Old Business

Record motions per policy

New Business

Record motions per policy

Committee Reports

Record motions/ essentials of report

Approval of Applicants

Record motion and list names and company names in appropriate category

REALTORS-
MULTIPLE LISTING SERVICE-
APPRAISERS-
AFFILIATES-

Meeting Adjourned

Record time

Respectfully submitted by _____

C.A.R. DIRECTORS

Serve an appointment of one year and accept appointments to serve on State Committees as directed by the Regional Chairperson.

Purpose

Responsible for governing C.A.R. as an appointed director of its policy making body.

Qualifications

As set for in the Bylaws of C.A.R., including the following.

1. Must be a member in good standing with the Association.
2. Must have previous Association experience.

Number of Directors

The number of C.A.R. Directors for the following year shall be determined using a formula of three (3) C.A.R. Directors for up to one thousand (1,000) Association members based on C.A.R. membership figures as of April 1st.

Automatic Appointments

The following Officers are automatically appointed, fully funded and serve as C.A.R. Directors:

President

President-Elec

Vice President

Should an automatic appointee be unable to attend, the President - with the confirmation of the Board of Directors, may appoint an attendee.

Meeting Attendance

C.A.R. Directors are required to attend the three (3) scheduled C.A.R. Directors meetings, New Directors Forum/Orientation, assigned committee meetings, all caucus and Friday Director sessions, unless excused.

Absences

In the event that a C.A.R. Director is unable to attend all or any part of a C.A.R. Meeting, a request for an excused absence must be submitted in writing, to the Chief Executive Officer of the Association in advance of the meeting if possible. Failure to attend meetings referenced could result in loss of funding and/or loss of Directorship. A Director may appeal an adverse decision of the President to the Board of Directors within thirty (30) days of the decision.

Reports

A funded C.A.R. Director must make a report to the General Membership at the General Membership meeting immediately following the C.A.R. Meeting attended.

Travel Policy

Lodging and Transportation arrangements are made by the Chief Executive Officer. Expenses paid by the Association are:

Hotel Accommodations

Airfare costs

Transportation to and from hotel to Airport

Internet cost in hotel room

Mileage to and from airport or meeting (maximum amount allowed by IRS)

Parking airport and hotel

Per Diem (amount determined by Board Of Directors)

Tickets for C.A.R. Economic Luncheon or any other events as approved by the Board of Directors.

The cost of approved expenses be paid by the C.A.R. Director will be reimbursed upon presentation of receipts to the Chief Executive Officer within thirty (30) days. Failure to provide receipts in a timely fashion will result in non-payment. Costs shall not exceed the amount approved by the Board of Directors.

The cost of any transportation or lodging requested by an automatically appointed, fully funded C.A.R. Director for a spouse, child or others shall be paid by the C.A.R. Director upon presentation of a bill from the Chief Executive Officer.

TRAVEL POLICY

In the event that any member options for a mode of transportation other than recommended by the Association, the amount for any travel reimbursement will be limited to the costs of the "recommended mode".

N.A.R. DIRECTORS

Should N.A.R. Travel be approved in the Budget the following will apply:

Appointments

The following are automatically appointed and fully funded.

President and/or the President Elect

Chief Executive Officer

Should an automatic appointee be unable to attend the President may, with the confirmation of the Board of Directors, appoint an attendee.

Meeting Attendance

As Directed by the Board of Directors and to include assigned committee meetings, all caucus and Director sessions, unless excused.

Reports

A report will be made to the General Membership at the General Membership meeting immediately following the N.A.R. Meeting.

N.A.R. Travel Policy

Lodging and Transportation arrangements are made by the Chief Executive Officer.

Expenses paid by the Association are:

Hotel Accommodations

Airfare costs

Transportation to and from hotel to Airport

Internet cost in hotel room

Mileage to and from airport or meeting (maximum amount allowed by IRS)

Parking airport and hotel.

Per Diem (amount determined by Board of Directors)

Tickets for events as approved by the Board of Directors.

The cost of approved expenses be paid by the attendee will be reimbursed upon presentation of receipts to the Executive Vice President with thirty (30) days. Failure to provide receipts in a timely fashion will result in non-payment. Costs shall not exceed the amount approved by the Board of Directors.

The cost of any transportation or lodging requested by an automatically appointed, fully funded attendee for a spouse, child or others shall be paid by the attendee upon presentation of a bill from the Chief Executive Officer.

TRAVEL POLICY

In the event that any member options for a mode of transportation other than recommended by the Association, the amount for any travel reimbursement will be limited to the costs of the "recommended mode".

STANDING COMMITTEES

Awards Committee

Shall select the recipient of the REALTOR of the Year Award.

1. In October, the CEO is to invite all past recipients to participate in nominating and selecting a new recipient to be presented with the Award at the Installation. The Awards Committee to be comprised of past recipients, (a minimum of 3 members), to nominate a minimum of 1 and no more than 3 persons to be voted on by the entire committee. The past year's winner may be the Chairperson. Method of the vote to be determined by the committee.
2. Selection criteria
 - A. Number of Years in Good Standing as a REALTOR
 - B. Service to the Association
 - C. Community involvement
 - D. Advancement of REALTOR image
 - E. Not awarded in the past

AFFILIATE OF THE YEAR – Is awarded at the sole discretion of the President.

Selection Criteria:

- A. Affiliate in good standing with the Association.
- B. Service to MRCAOR, BBAOR or ROTW
- C. Not awarded in the past

OFFICER, DIRECTOR, AND COMMITTEE RECOGNITION – It is the responsibility of the current year's President, with the assistance of the CEO, to implement the appropriate awards and awards presentation for these individuals. The Board of Directors will determine the expenditure.

Equal Opportunity/Fair Housing Committee

Promote and implement the Association's Equal Opportunity Program in the areas of minority outreach, fair housing, affirmative marketing, and fair lending practices.

1. Informs the membership regarding legislation, legal and regulatory issues related to equal access to housing for individuals, regardless of race or creed.
2. Make periodic reports to the membership on Equal Opportunity matters and report to the Board of Directors, when directed.

Budget and Finance Committee

Reviews with the Treasurer the expenditures of the Board. Prepares and reviews a proposed budget to be submitted to the Board of Directors for the ensuing year. Recommends policy changes in order to keep the Board in a strong fiscal position.

Grievance Committee

Considers all allegations of unethical conduct or violations of the Code of Ethics and/or MLS Rules and Regulations in compliance with currently approved guidelines promulgated by the National Association of REALTORS and the California Association of REALTORS. Makes preliminary investigation and evaluation of a complaint against a member as required to determine whether the validity and substance of the complaint warrants further consideration by Hearing Panel of the Professional Standards Committee.

Legislative Committee

Keeps the membership informed of local, state, and national governmental activities and legislation which affect our industry. Recommends legislation to be sponsored. Keeps the membership informed of positions of CAR and NAR on proposed legislation. Reviews requests for BOR/PAC and CREAPAC funds requests and presents its recommendation to the Board of Directors. Chair mentors candidates for scholarship to C.A.R. Legislative Day Activities.

Multiple Listing Service Committee

Supervises the activity and operation of the Multiple Listing Service in accordance with its Rules and Regulations, subject to the approval of the Board of Directors. Develops recommended policy and procedures for operation of the Multiple Listing Service. See MLS Rules and Regulations and Policy for further information.

Nominations Committee

Assists in the selection of a slate of Officers and Directors for the annual Board Election.

Professional Standards Committee

Enforce the Code of Ethics, discipline and arbitrate matters of the Association. Hear matters of alleged ethical misconduct by the Association members, or members of the public.

SPECIAL COMMITTEES AND TASK-FORCES

Special Committees-formed for a specific or immediate problem or need. The President shall appoint from among REALTOR® members, subject to confirmation of the Board of Directors, special committees as deemed necessary.

Taskforces-appointed for a specific purpose and disbanded upon completion of task. The President shall appoint from among REALTOR® members, taskforces as deemed necessary.

Strategic Planning

Charged with reviewing the values, mission, and strategic objectives that will guide the Association over the next three to five years.

MRCAOR CHARITY FOUNDATION

Cantree Committee

Plan and execute fundraising event(s) to raise money for charitable contributions for Local food pantries. The Committee shall put forth a recommendation to the Board of Directors as to disbursement of the funds.

Scholarship Committee

Shall raise money for scholarships, screen and select scholarship recipients.

ASSOCIATION OPERATIONAL POLICY

1. CORRESPONDENCE – Association letterhead will be kept at the Board Office. Requests for letterhead will be directed to the CEO. All correspondence on Association letterhead will be reviewed and approved by the CEO or President.
2. AUTHORIZED SIGNATURE POLICY – Any note, mortgage, contract, tax returns, evidence of indebtedness, conveyance, or other instrument in writing must be signed by the President, Secretary, or Treasurer. All checks drawn on the Association accounts require two signatures. Authorized signatures are the President, President-Elect, Treasurer, Immediate Past President, and CEO.
3. OFFICE KEYS – Only the CEO and Office Staff are issued office keys. The CEO may determine, with Board approval, if any other keys are issued.
4. CREDIT CARDS – Issued to the CEO with a \$15,000.00 limit and two (2) Office Staff members with a \$500.00 limit each.
5. RELEASE OF MEMBER DATA:
 - Association Members
 - Office Physical/Mailing Address
 - Office Phone/Fax Number
 - E-mail Address
 - Cell Phone Number
 - Non-Members
 - Office Physical/Mailing Address
 - Office Phone/Fax Number
 - Other REALTOR Associations
 - NRDS Number
 - New Member Orientation/Ethics Completion Date
 - Quadrennial Ethics Training Completion
 - Triennial Fair Housing Training
 - CAR/NAR Dues Payment
 - All other information by request in writing
 - Mailing Address
 - Office/Cell Phone Numbers
6. USE OF BOARD/COMMITTEE TITLES
 - As established in other sections of this Policies and Procedures Manual, the President, or a person appointed by the President and approved by the Board of Directors, shall be the spokesperson for the Association regarding any issue presented to any individual, the public or governmental agency or other organization.
 - Accordingly, to preclude any person from interpreting the statements or writings of any other Officer, Director or Committee Member as official policy or position of the Association, no Officer, Director or Committee Member, except the President or person appointed by the President and approved by the Board of Directors as Association Spokesperson, shall utilize, publish or associate themselves with their title as an Officer,

Director or Committee Member in any statement or correspondence, whether written or verbal, or electronic communication, including email, web log, or web site, except however, any current or past Officer, Director, or Committee Member may describe his/her service to the Association by using the appropriate title in a biography or resume or promotional type of communication, so long as the communication does not indicate or advocate a policy or position of the Association.

7. PUBLIC RELATIONS

Representation

- The President or person appointed by the President, with Board approval, shall be the spokesperson. Opinion, commitment, or position, written or oral, shall have prior approval of the Board of Directors.

News Releases

- All news releases prepared should be reviewed by the President or CEO.

Solicitation

- No member may represent himself/herself as soliciting donations for the community for an Association public/community relations project without prior approval from the Board of Directors.

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8. PROFESSIONAL STANDARDS

Shared Tribunalists

- Shared tribunalists and Directors are authorized by the California Code of Ethics and Arbitration Manual and have been adopted by the Mountain Resort Communities Association of REALTORS. Use of tribunalists from the High Desert, Joshua Tree, Antelope Valley, Rim of the World and Mammoth lakes must have received Professional Standards/Grievance training within the last two (2) years.

Fees and Deposits

- The Arbitration filing fee shall be \$500.00. There will be no charge for a Directors' Review or for a first request of continuance. However, any further requests for continuance shall be \$100.00. If any party wishes to have a copy of the recordings of the hearing, the fee shall be \$25.00 per tape. Any misuse of said transcripts may be construed as a violation of Article 14 of the N.A.R. Code of Ethics and the *California Code of Ethics and Arbitration Manual – C.A.R.2025*

BOARD ATTORNEY CONTACT POLICY

For ordinary course of business, contact should be CEO and/or the President, unless otherwise appointed by the Board of Directors. For an extraordinary course of business, contact must be approved by the BOD at the BOD meeting. When a BOD meeting is too far off and an issue comes up that needs legal attention, the appointed attorney contact needs to either call a special meeting for advice or initiate an appointment for a phone conference with each member of the BOD for their input and for their notification and approval. Every BOD member needs to be notified verbally as to what the contact is about. In such a phone conference situation, there has to be a quorum vote stating a "yes" vote to allow an attorney contact via follow up written confirmation for the contact to go forward. A discussion of the attorney's advice on the issue shall be held at the next BOD meeting.

CONFIDENTIALITY AND BREACH POLICY

The Mountain Resort Communities Association of REALTORS®, (the “Association”), Board of Directors, its Officers, and Directors (the “Board”) manage and have access to confidential information. Confidential information includes, but is not limited to, information regarding members, employees, policies, policy making, financial information, personnel information, and associated documents.

To protect the confidentiality of the Board, fellow members, employees and the organization, no information concerning other members, staff, or Board business not contained in minutes is to be discussed with anyone except when necessary for the purpose of daily business. Care shall be exercised to be certain that unauthorized individuals do not overhear discussion of confidential information.

Board members understand and agree that during their service they may obtain information and documents which are confidential and/or privileged in nature and which must be kept confidential both during and after their term of service or employment.

The following policies apply to Board members and staff:

1. Stated confidential information shall never be shared. In addition, when a BOD member discusses issues that transpired at meetings, they shall show respect and common courtesy to the other BOD members and their opinions.
2. Closed Sessions: The minutes of a Board meeting shall indicate when the body goes into a closed session. When the Board takes an action in closed session that needs to be recorded, the Secretary will provide any such text that is to be included in the official minutes of the meeting. No other information regarding the executive session shall be disclosed.
3. Board Meeting Packets: The Board meeting agenda is available to REALTOR® members only and should not be shared with non-REALTOR® members, including but not limited to MLS-only members. The packets prepared for the Board are confidential and should be treated as internal documentation restricted to use by the Board Members only. Other than the Board meeting agenda, no portion of the packet may be shared, in written or oral form, with any individual or with any organization outside of the current Board members. Exceptions may be made only with the prior written consent of the board.
4. Information on Association Members: All information about Members or perspective members obtained in the application approval process will remain confidential and not be discussed or provided to any individual other than a current Board or staff member.
5. Any Board member that divulges confidential or privileged information, whether during or after his/her term of service, is subject to appropriate discipline, including dismissal. Board members recognize that the Association has a proprietary interest in any such information and/or documents and

would be irreparably damaged as a result of any disclosure or dissemination thereof.

6. This policy shall not reduce any restriction contained in any privacy or confidentiality policy specific to another committee or empaneled body, including but not limited to, the Grievance Committee or anybody empaneled to hear a complaint from this or any other board.

DISASTER POLICY

NOTE: This Disaster Policy is to be posted in a visible area and updated when necessary, with accurate contact information.

MEDICAL EMERGENCY: Call __911_. Describe the problem, give the exact location and your name. Do not try to administer first aid; you may do more harm than good.

FIRE: Call __911_. If you have any doubts about your ability to extinguish the fire, secure and leave the area. They will call the Fire Department if necessary.

VANDALISM: Do not confront the vandal. Walk discreetly to the nearest phone and Call __911_.

BOMB THREAT: Call __911_, to report the bomb threat immediately.

FIRE SAFETY TIPS:

- ALWAYS REPORT A FIRE BEFORE ATTEMPTING TO EXTINGUISH IT.
- ALWAYS KEEP YOUR BACK TO YOUR ESCAPE ROUTE.
- NEVER ATTEMPT TO EXTINGUISH A LARGE FIRE.
- WHEN USING A FIRE EXTINGUISHER REMEMBER THE ACRONYM P.A.S.S.
 - o Pull
 - o Aim
 - o Squeeze
 - o Sweep

PERSONS TO SUMMON WHEN A DISASTER OCCURS

It is the responsibility of the first person observing the disaster to call the following persons.

CONTACT:	OFFICE PHONE:	HOME PHONE:
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____

EMERGENCY EVACUATION PROCEDURES

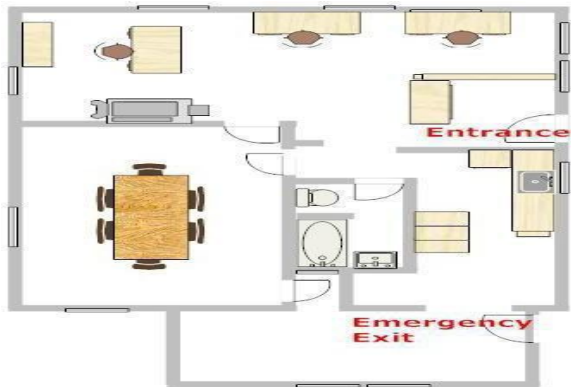
The only persons authorized to initiate an evacuation are:

1. _____	at extension: _____
2. _____	at extension: _____
3. _____	at extension: _____
4. _____	at extension: _____
5. _____	at extension: _____

DAMAGE ASSESSMENT

If the building cannot be entered, meetings will take place at the office of the presiding president, or TBD. Police and Fire Department officials will gather for a status report on the situation that should cover the extent of damage and when the building can be entered for recovery purposes. Photographs of damage should be taken for recovery planning purposes.

FLOOR MAP HERE



EVACUATION PROCEDURES

- The EVP is to conduct the evacuation procedures and maintain items until danger subsides and evacuation is lifted.
- Items to be removed include hard-drive equipment, including towers and/or back up disks, all necessary files with vital documents, and any cash. Note: If a firebox is on the premises, all above-mentioned items should be stored in the firebox.
- Close all windows and doors.
- Leave the premises.

INVENTORY OF EMERGENCY SUPPLIES

NOTE: These supplies are stored in _____.

Item Description	Quantity in Stock
Disposable camera	_____
First aid kit, 10-15 people	_____
Flashlight with extra batteries	_____
Earthquake Kit	_____

DRUG AND ALCOHOL POLICY

Board Members and staff that are involved with the illegal use of drugs or abuse alcohol (which we define as either impaired functioning or a blood alcohol level beyond the legal limit) pose unacceptable risk to the work environment and may also undermine public confidence in the Mountain Resort Communities Association of Realtors, (MRCAOR), and its programs. To protect the work environment and public confidence in the MRCAOR, our policy on drug related activity and alcohol abuse is outlined below:

WHAT IS PROHIBITED AND REQUIRED

The following prohibitions apply to volunteers while on MRCAOR property, and/or while performing MRCAOR business, or engaging in any other activities in which the volunteer's actions can undermine public confidence in the MRCAOR and its programs.

1. Alcohol
Being under the influence, possessing, consuming alcohol is prohibited on the MRCAOR's office property. In addition, persons whose position with the MRCAOR requires driving as a part of their work may be removed from such position if found to have been driving under the influence of alcohol whether on duty or off duty. No alcohol will be provided by the MRCAOR at any sponsored function. Alcohol may be offered for sale by a licensed provider at outside functions.
2. Illegal Drugs
"Illegal Drugs" are drugs or controlled substances which are (1) not legally obtainable or (2) legally obtainable, but not obtained in a lawful manner. Examples include cocaine, marijuana, and prescription drugs which were not lawfully obtained. The use, purchase, sale, transfer possession, being under the influence, or the presence in one's system of a detectable amount of an illegal drug by any Board Member or staff is prohibited.

Board Members and staff are obligated to sign this statement acknowledging they have read and understand this policy. Violation of the policy on drug and alcohol abuse shall result in disciplinary action, up to and including termination.

Name (print) _____

Signature _____ Date _____

MEMBER RECORDS ACCESS POLICY

Member Records shall be defined as Board of Directors meeting agendas and minutes, Committee meeting agendas and minutes, proposed and approved budgets, and AOR contracts and policies, except for personnel and member discipline records. Realtor members shall be allowed access to Member Records as follows:

1. Current AOR Board of Director Meeting Agendas, Board of Director Meeting Minutes, Committee Agendas and Minutes shall be available to all members at the AOR office and shall be posted on the AOR website
2. Members may access AOR records during normal office hours of the AOR.
3. Members shall sign for requested documents prior to receiving copies of records from the AOR office.
4. Members shall have the right to written copies of all AOR records created within the 90 days prior to such request, without charge; and
5. Members shall have the right to written copies of all AOR records, if available, prior to 90 days of such request, however the AOR shall have the option to charge the cost of reproduction of such records dated more than 90 days prior to the request.
6. Records posted to the Board Website shall be in a read-only format. ■

RECORD RETENTION AND DESTROYING POLICY

Accounting Records

- Accounts payable (seven years)
- Accounts receivable (seven years)
- Annual financial statements (permanent)
- Bank statements (seven years)
- Bank reconciliations (seven years)
- Canceled checks- routine matters (seven years)
- Canceled checks- special (loan repayment, etc.) (permanent)
- Correspondence: routine (four years)
- Deeds and closing papers (permanent)
- Deposit slips (four years)
- Electronic payment records (seven years)
- Employee expense reports (seven years)
- Fixed-asset acquisition invoices (after disposal) (seven years)
- Freight bills (seven years)
- General ledgers (permanent)
- Income tax returns (permanent)
- Inventory count & costing sheets (seven years)
- Insurance policies (after expiration) (four years)
- Investments (after disposal) (seven years)
- Mortgages, loans & leases (paid) (seven years)
- Payroll journals & ledgers (permanent)
- Purchase orders (except accounts payable copy) (one year)
- Purchase invoices & orders (seven years)
- Receiving sheets (two years)
- Sales commission reports (five years)
- Sales records (seven years)
- Sales tax returns & exemption support (five years)
- Subsidiary ledgers (seven years)

- Tax returns (federal & state) (if applicable) (permanent)
- Trial balances (permanent)

Association Corporate Records

- Articles of Incorporation and amendments (permanent)
- Bylaws and amendments (permanent)
- Corporate filings (permanent)
- Corporate Minute Book (permanent)
- IRS Exemption Letter (permanent)

Electronically Stored Information

Specific documents in electronic formats will be treated according to the timeframes set forth elsewhere in the policy. The policy should state how long a association maintains information stored on its backup tapes and other backup systems. The policy should also state that the purpose of the backups is to restore the association's computer network in the event of a crash.

Employment Records

- Documents relating to job recruitment: advertising, job orders submitted to employment agencies, interviewing, testing, hiring, training, demotions, promotions, layoffs, discharge, and other personnel decisions (one year)
- Employee benefit plan documents (duration of plan)
- FMLA leave records including: all FMLA information and notices distributed to these employees and records of any FMLA disputes.
- Garnishments / wage assignments (three years)
- Immigration I-9 forms (duration of employment plus one year, minimum of three years)
- Medical records relating to the exposure of the employee to any toxic or hazardous substances. (duration of employment plus 30 years).
- Payroll records showing name address, date of birth, occupation, rate of pay, and weekly compensation (three years)
- Personnel Records (ten years after employment ends)
- Record of all occupational injuries, including those under state workers compensation law and any ERISA awards (five years for ERISA; state law requirements will vary)

Legal Documents

- Contracts (ten years after expiration)
- License Applications (one year after expiration)

- Licenses (one year after expiration)
- Trademarks, Patents & Copyrights (permanent)
- Warranties & Guaranties (two years beyond terms of the warranty)
- Correspondence: legal (permanent)

MLS Documents

- Rules and Regulations (permanent)
- MLS Policies (permanent)
- Listing agreements (until expiration of listing)
- Sold property information (at least ten years)
- Lockbox key agreements/Leases (one year after agreement terminates)
- MLS Service Mark License Agreements (Permanent)
- Contracts (ten years after expiration)
- Subscription Agreements (ten years after expiration)
- Participation Agreements (ten years after expiration)
- Website Click-Through Confirmations (ten years)

NAR / Association Documents

- NAR charter (permanent)
- Territorial jurisdiction (permanent)
- REALTOR® Agreement (until superseded)
- Member file & membership applications (two years after membership terminates, with social security number and other financial information removed (if applicable))
- Professional Standards Hearing Records: Ethics (result of hearing- permanent; rest of hearing file- minimum of 1 year after satisfaction of sanctions (if any) and there is no threat of litigation)
- Arbitration / Mediation (minimum of 1 year after payment of award (if any) and there is no threat of litigation)

Property Records

- Deeds of Title (permanent)
- Leases (two years after expiration)
- Depreciation schedules (permanent)
- Property Damage (seven years)

- Property Tax (permanent)
- Appraisals (permanent)
- Blueprints / Plans (permanent)
- Warranties & Guaranties (two years beyond terms of the warranty)

Pension & Profit Sharing

- ERISA disclosure documents (six years from date disclosure was due)
- IRS Determination Letter(s) (permanent)
- Forms 5500 & plan documents (permanent)

DESTRUCTION

CEO to destroy all records no longer required to be retained. CEO to determine the most efficient and effective method of destruction.

WHISTLE BLOWER POLICY

Whistle Blowers are Protected.

It is the public policy of the State of California to encourage employees to notify an appropriate government or law enforcement agency when they have reason to believe their employer is violating state or federal statute or violating or not complying with a state or federal rule or regulation.

Who is protected?

Pursuant to California Labor Code Section 1102.5, employees are the protected class of individuals. "Employee" means any person employed by an employer, private or public, including, but not limited to, individuals employed by the state or any subdivision thereof, any county, city, city and county, including any charter city or county, and any school district, community college district, municipal or public corporation, political subdivision, or the University of California. (California Labor Code Section 1106).

What is a Whistle Blower?

A "Whistle Blower" is an employee who discloses information to a government or law enforcement agency where the employee has reasonable cause to believe that the information discloses:

1. A violation of a state or federal statute
2. A violation or noncompliance with a state or federal rule or regulation, or
3. With reference to employee safety or health, unsafe working conditions or work practices in the employee's employment or place of employment.

What protections are afforded to whistle blowers?

1. An employer may not make, adopt, or enforce any rule, regulation, or policy preventing an employee from being a whistle blower.
2. An employer may not retaliate against an employee who is a whistle blower.
3. An employer may not retaliate against an employee for refusing to participate in an activity that would result in a violation of a state or federal statute, or a violation or noncompliance with a state or federal rule or regulation.
4. An employer may not retaliate against an employee for having exercised his or her rights as a whistle blower in any former employment.

Under California Labor Code Section 98.6, if an employer retaliates against a whistle blower, the employer may be required to reinstate the employee's employment and work benefits, pay lost wages, and take other steps necessary to comply with the law.

How to report improper acts

If you have information regarding possible violations of state or federal statutes, rules, or regulation, or violations of fiduciary responsibility by a corporation or limited liability company to its shareholders, investors, or employees, **call the California State Attorney General's Whistle Blower Hotline at 1-800-952-5225**. The Attorney General will refer your call to the appropriate government authority for review and possible investigation.

Mountain Resort Communities

Association of REALTORS®

Job Description

Position Description

Position Title: Chief Executive Officer

Reports to: Board of Directors

Basic Function: Serves as chief staff officer of the Association and Multiple Listing Service.

Programs/Tasks

1. Assures that the Board of Directors is kept fully informed on the conditions of the Association and on all important factors influencing it. Attends all meetings of the Board of Directors unless she is on vacation or absent due to illness or a family emergency.
2. Plans, formulates and recommends for the approval of the Board of Directors basic policies and programs which will further the objectives of the Association.
3. Executes all decisions of the Board of Directors.
4. Develops for purpose of day-to-day administration, specific policies, hours of operation, procedures, and programs to implement the general policies established by the Board of Directors.
5. Establishes a sound organizational structure for the headquarters offices.
6. Plans for the general administration of the entire Association operation. Though many responsibilities may be delegated to other members of the Association staff, the Chief Executive Officer should be aware of the progress of all Association projects.

7. Unless otherwise designated by the Board of Directors, acts as an authorized representative for the Association on any and all local governmental matters affecting the real estate industry.
8. Directs and coordinates all approved programs, projects and major activities of the Association staff.
9. Recruits, hires, indoctrinates, trains, and motivates Association staff personnel. Responsible for all promotions and terminations, unless expressly directed by the Board of Directors as set forth in a written resolution adopted in accordance with California law.
10. Obtains maximum utilization of staff personnel by clearly defining their duties, establishing performance standards, conducting performance reviews and maintaining a competitive salary structure.
11. Provides or delegates the necessary liaison and staff support to committee chairs and committees to enable them to properly perform their functions. Assures that committee decisions and recommendations are submitted to the Board of Directors for their review and action.
12. Executes such contracts and commitments as may be authorized by the Board of Directors or within the established policies of the Association.
13. Promotes interest and active participation in the Association's activities on the part of the membership and reports activities of the Association through the communications media of the Association.
14. Maintains effective relationships with other organizations, both public and private, and sees that the positions of the Association and its members are enhanced in accordance with the policies and objectives of the Association.
15. In conjunction with the Association's Treasurer and its Finance Committee, prepares a preliminary annual budget, and assures all funds, physical assets, and other property of the Association are appropriately safeguarded and administered. Operates within the approved budget.
16. Works with the Board of Directors to plan, coordinate and conduct a public relations program to enhance public acceptance of the industry.
17. Serves as supervising editor of any official Association publication.

18. Coordinates research on related projects, prepares reports and publishes the results on subjects deemed of importance to the membership. When directed by the Board of Directors, assists with the coordination of educational programs to advance the professional/technical/managerial skills of the membership, operating within the budget and program objectives approved by the Board of Directors.
19. Plans, organizes, and directs membership promotion and retention programs, evaluates results and recommends policies, procedures and action to achieve membership goals.
20. Collects dues and exercises control of the budget and all arrangements to meet financial objectives.
21. Performs a secretarial function for the Association, as the Association's Assistant Secretary, maintaining official minutes of the Board of Directors and other official meetings of the organization, provides security for all files, legal and historical documents, membership and mailing lists.
22. Responsible for the planning, promotion and administration of all official meetings of the Association.
23. Plans and executes all communication to the general membership, which includes newsletters, general mailings, news releases, etc.
24. Acts as a direct liaison with the State and National Associations in matters which can be handled by Association staff.
25. Acts as liaison with other Associations whose interests are similar.
26. Acts as a spokesman for the Association in the absence of, or when Officers or Directors of the Association are unavailable.
27. Serves on State and National committees, if appointed, when such service is of benefit to the Association.
28. Carries out or delegates such other general responsibilities as may be assigned by the President or the Board of Directors.

Relationships

Establishes positive working communications of mutual respect with the following:

1. Leadership of the Association of REALTORS®, and the California Association of REALTORS® and the National Association of REALTORS® and its affiliated institutes, councils and societies.
2. Chief Executive Officers, Executive Vice Presidents, Executive Officers/elected leaders from other Associations within the state.
3. Members of city councils, their staff, and appropriate government officials.
4. Appropriate personnel at the State and National Associations.
5. Staff at the Association office.
6. Leadership of subordinate or allied group organizations, if any.

Performance Standards

Performance standards for this position are attained when:

1. The policies offered for consideration by the Board of Directors are forward looking and add to the constructive growth and influence of the Association.
2. Officers, committee chairs and other leaders of the Association are fully informed as to the activities and plans in their particular areas.
3. The headquarters office is efficiently and effectively organized for the maximum benefit of the Association.
4. Programs of the Association are well managed through planning, organization, coordination and control.
5. Association staff members are efficiently and effectively utilized to the maximum benefit of the Association and the staff is of the highest quality possible.
6. Committee liaison is supported, timely and effectively.

7. Educational opportunities of the Association are forward-looking and add to the needed expertise of the membership in their various fields.
8. Meetings of the Association are well planned, organized and effective.
9. Communications of the Associations purpose, programs, and activities penetrate to the target or level of members planned.
10. Lobbying activities are effective on behalf of the Association, equal to or above prior experience.
11. Contact and support of the local Associations/Boards is appropriate and effective.
12. Speaking on. behalf of the Association is well received, presents the Association's story in a positive manner, and is effective.