



**DOWNEY ASSOCIATION OF REALTORS  
DBA: The Greater Downey Association of REALTORS**

**POLICY MANUAL**

**Last Revised: December 14, 2017**

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## **SECTION 1. INTRODUCTION**

This Policy Manual outlines the policies of the DOWNEY ASSOCIATION OF REALTORS® and its subsidiary organizations (jointly referred to as DAOR) (DBA GREATER DOWNEY ASSOCIATION OF REALTORS) and supersedes all previously issued policies, other than the DAOR Employee Handbook. This Policy Manual is designed as a guide to ensure consistent, fair, and uniform treatment of all DAOR members and employees.

DAOR encourages Members and employees to make suggestions for improvements that will benefit DAOR Member and employee relations. Suggestions and questions regarding DAOR policies should be directed to the Executive Vice President who is the chief staff employee of DAOR and the human resources administrator.

## **SECTION 2. GENERAL OPERATIONAL POLICIES**

2.1 Office Hours. DAOR office is open for transacting business in person or by telephone from 9:00 a.m. to 5:00 p.m., Monday through Friday and Saturday 9:00a.m. to 1:00 p.m. Employee hours are Monday through Friday 8:30a.m. to 5:00p.m.

2.2 Closed Holidays. DAOR office will be closed on the following holidays: New Year's Day; Martin Luther King Jr's Birthday; President's Day; Good Friday - at noon; Memorial Day; Independence Day; Labor Day; Veteran's Day, Thanksgiving and the Friday/Saturday following; Christmas Eve & New Years Eve – at noon; Christmas Day; Any Saturday where weekend includes a Sunday or Monday Holiday example- Mother's & Father's Day.

2.3 Logo Usage. DAOR Logo may be used only with prior written approval of DAOR's Board of Directors.

2.4 Stationary Use. DAOR stationery may be used only by DAOR staff for authorized business purposes.

2.5 Confidentiality of Documents & Discussion. All DAOR documents are confidential. Members of the Board of Directors, Chairpersons and members of the Grievance Committee, Professional Standards Committee, and Budget & Finance Committee are required to sign a Confidentiality Statement annually.

2.6 Board Auditorium. DAOR auditorium is available for use by DAOR Members. A set of rules and guidelines are available from the Executive Vice President.

2.7 Member Confidentiality. The home addresses, e-mails and fax numbers of Members will not be given out to anyone in the form of a roster or label.

2.8 Dues Refunding Policy. The dues of DAOR are non-refundable. The budget and activity of the DAOR office and events are based on the number of members who join and renew their annual membership. Trying to be as accommodating as possible, There may be cases where a partial refund may be given back.

First and foremost, no consideration will be given to anyone who has joined or paid their membership dues prior to May 1 of any year. This is due to the membership count policy of The National Association of REALTORS - and no exceptions can be made. After May 1st of any year, if a member takes a leave of absence, and license is removed, due to illness, and requests their unused dues back, DAOR may refund none of the Association portion, but may return \$19 per remaining month of mls service. If a member needs to leave to join another AOR, due to an unaccommodating broker, even after every step is taken to allow them to remain at DAOR, and said license is removed from "DAOR's Broker" ; DAOR may refund none of the Association portion, and may return \$9 per remaining month of mls service.

2.9 Organizational Document Retention Policy The DAOR shall retain, at a minimum, 2 years of MLS records, 2 years of membership files, 2 years of dues billing records, 7 years of checks and accounting records, and every year of financial statements and corporation minutes.

2.10 Communication Policy. The main method of communication from DAOR to its members is through email. It is mandatory and the sole responsibility of the member to keep the email address in the MLS database active and up to date. If a member does not have an active email address, the member is responsible for making arrangements with DAOR staff for US mail delivery of communications.

### **SECTION 3. FINANCIAL SOLVENCY POLICIES**

The DAOR has adopted financial policies and procedures to ensure the fiscal integrity of its financial operations. The DAOR shall implement controls at process levels, whether in committees, operations, or other departmental designations, in order to ensure that each process is conducted with financial integrity.

The Budget and Finance Committee shall review these Financial Policies and Procedures annually with recommendation for adjustments, if any, being submitted to the Board of Directors for consideration.

Nothing contained within these Financial Policies shall be construed as relieving the Board of Directors of full responsibility for the management of the Association's funds. The Board of Directors shall retain the full right to change, adjust, and/or eliminate any portion of the established policy at any time after its adoption.

Prior to action by the Board of Directors adjusting any established fees of the DAOR, the Budget and Finance Committee shall be instructed to review the ramifications of such an adjustment. The Budget and Finance Committee will recommend any necessary financial adjustments to the Board of Directors and will review local membership dues annually.

Preliminary financial statements shall be prepared by the CPA from which information was compiled and given to them by the Executive Vice President.

#### 3.1 Financial Policies

a. Fraud Awareness and Prevention Policy - It is the responsibility of every employee of the DAOR to immediately report suspected misconduct or dishonesty to the Executive Vice President. Any reprisal against any employee or other reporting individual because that individual, in good faith, reported a violation is strictly forbidden.

i. Identification of Responsibility for Fraud Prevention:

The Executive Vice President shall supervise all staff and office personnel to avoid misconduct and dishonesty, and shall monitor for:

- Acts which violate the Association's Code of Conduct
- Theft or other misappropriation of assets, including assets of the Association or customers
- Misstatements and other irregularities in Associations records
- Profiteering as a result of insider knowledge of DAOR activities
- Disclosing confidential and proprietary information to outside parties
- Forgery or other alteration of documents
- Fraud and other unlawful acts

Counter Staff shall take all precautions to avoid accepting fraudulent forms of payment. Precautions include but are not limited to:

- Identification shall be verified on all checks written
- Counterfeit markers shall be used on all \$100 and \$50
- Credit cards cannot be accepted if identification does not match the person using the card

The Treasurer shall oversee all checks written, including those signed by other signatories of the Association.

b. Process Level Controls:

ii. When collecting payments:

- Cash - counterfeit markers will be used on all bills of \$100, and \$50;
- Accepting Checks - identification will be asked for from any individual submitting a check that is not a current member of the DAOR;
- Credit Cards - cannot be accepted if identification does not match the person using the card, or authorization form is not signed.

iii. Avoiding Identity Theft:

- Credit Cards- Any written numbers from phone or email communication shall be immediately shredded upon processing. Credit Card charge slips are held in a safe place and shredded once they turn 12 months old.
- Payment Plan Agreements are shredded once the new dues billing cycle is produced.
- Membership Applications are removed and shredded after two years of dropping membership.

3.2 Budget Policy Budgeting shall be conducted in an orderly and responsible manner, using proper professional methods and taking into consideration all of the associations revenues and expenditures.

The Budget and Finance Committee shall have the task of budget development for the ensuing year. The annual budget development process shall utilize the zero-based budgeting approach, and shall take into consideration input from all necessary sources to ensure an accurate operating budget. A preliminary Budget shall be approved by the Committee by October each year.

The Board of Directors shall approve of the annual budget by October 31<sup>st</sup> of each year.

It shall be the responsibility of the Treasurer and Executive Vice President to administer the day-to-day implementation of the budget. If deviations occur, the Budget and Finance Committee should review and make recommendations as necessary or desirable to the Board of Directors.

3.3 Dues Collection Policy Dues collection shall be conducted in accordance with local, state and national association guidelines, and shall be subject to all required oversight.

The annual membership/MLS dues billing statements (state, local, national dues and MLS fees) shall be generated into one yearly billing and sent out no later than November 30th of each year. All members/non-members will be offered a payment plan.

3.4 Financial Information Disclosure Policy Disclosure of financial information shall be made upon a showing of reasonable necessity, and shall not be withheld in an arbitrary or capricious manner. The DAOR shall engage in a policy of transparency, unless such disclosure would subject the DAOR to unreasonable risk or other forms of unwarranted liability.



3.5 Officer, Staff and Membership Travel Reimbursement Policy Representatives of the DAOR who attend authorized conferences, business meetings, seminars or conventions, shall be provided with payment of reasonable and incidental expenses if approved in the annual budget.

Reimbursement shall occur if the Representative of the DAOR provides the following to the Executive Vice President:

- Copies of receipts, including traveled miles
- Conduct "Member Report" upon returning

3.6 Investments Policy Investments in various stocks, bonds, mutual funds or certificates of deposits on behalf of the DAOR shall be made in a professional and prudent manner.

The Board of Directors shall review a monthly report from the Custodian of Association assets. The Custodian statement shall provide investment holdings in detail as well as transaction details, cash activity and interest income.

The monthly report shall provide a statement that gives an executive summary of the DAOR's investments and performance, including the account balance, deposits/withdrawals, portfolio gain or loss for the month, and year-to-date. The statement shall show all investments in the categories previously identified in this investment policy, and report the month and year-to-date gain/loss for each investment.

3.7 Reserve Levels and Uses of Reserves Policy Reserves shall be maintained at a level sufficient to properly provide for the DAOR's financial solvency in the event of a crisis or other unforeseen circumstances. Reserve levels shall be monitored at least semi-annually and reported to the Board of Directors. Any use of the Reserve Funds shall be carefully considered and shall not be depleted unreasonably or to a level placing the DAOR in a position of excess risk.

The DAOR shall establish and maintain reserve funds for future needs of the DAOR in an amount the equals at least 18 months of operational expenses. All reserve funds shall be invested in accounts deemed reliable by the Budget and Finance Committee and the Board of Directors.

3.8 Creation and Maintenance of Corporate Resolutions Policy Any Resolution for corporate action shall be placed on the Monthly Board of Directors Agenda for consideration at a regularly scheduled meeting. The Board of Directors shall vote for and affirmatively pass any corporate resolutions.

3.9 Association Payment Policy Payment policies shall be conducted in accordance with best business practices, and shall not be subject to unreasonable delay.

The DAOR's employees shall be paid one business day after the 15th and the last day of the month. If payday falls on a weekend, employees will be paid on Monday. When payday falls on a holiday, employees will be paid on the next workday back to work.

3.10 Compliance Reporting Policy DAOR Staff and the Board of Directors are encouraged to ask questions about DAOR's compliance policies, procedures and practices and are expected to so inquire if they are unsure as to whether an action, activity or decision is consistent with any law, regulation, or DAOR policy. Compliance questions should be directed to the Executive Vice President and/or Association President.

3.11 Compensation Policy Compensation by the DAOR for any employee shall be fair and commensurate with the position held.

3.12 Association Revenue Policy Revenue policies shall be prudent and designed to provide for sufficient cash flow and reserves to meet the day-to-day and overall needs of the DAOR.

3.13 Asset Capitalization Policy Assets shall not be managed, transferred, obtained or encumbered in a manner that creates an unreasonable risk to the DAOR's financial status.

3.14 Financial Reporting Policy Reporting and accounting policies shall be in accordance with relevant professional standards, and are subject to thorough oversight and accountability from designated executive, staff or member designates.

All internal controls relating to the DAOR's accounting system shall be maintained by the Treasurer, Executive Vice President and certain staff dealing with billing, receivables etc., in accordance with generally accepted accounting principles, recommendations of the DAOR's CPA firm, suggestions in any management letter prepared as a result of an audit, and any actions taken from time-to-time by the Board of Directors.

Any expenditures incurred by a member of the Board of Directors, the Executive Vice President, or any employee shall be approved prior to payment by a person other than the person who incurred the expenditure. Expenditures by the Executive Vice President and members of the Board of Directors shall be approved by the Board of Directors. Expenditures by staff shall be approved by the designated supervising Executive. Coding for expenditures shall follow the established Chart of Accounts. Questions regarding coding of staff expense shall be directed to the Executive Vice President, with questions regarding coding of the Executive Vice President's expenditures directed to the President. All expenditures shall be reviewed by the Budget and Finance Committee, and any questions or concerns shall result in a recommendation of Review by the Board of Directors.

Signatories on checks and accounts are approved by the Board of Directors prior to the New Year beginning. Signatories for the DAOR are normally President, President Elect, Treasurer, and Executive Vice President.

Two signatures are required on all checks. Signature stamps are not allowed in lieu of signature. The Treasurer's signature is required on all voided or reversed checks. Signatures are not allowed on blank checks.

The Board of Directors reviews and evaluates each check written monthly. The Budget & Finance Committee reviews and evaluates each check written quarterly.

The Budget & Finance Committee reviews and evaluates each financial account including CD's, money markets, and checking accounts. The Budget & Finance Committee serves as an audit committee and meets annually to identify, separate and investigate any check or account found reasonably in need of scrutiny.

The DAOR credit card is to be used only by the Executive Vice President. The Budget & Finance Committee and Treasurer review every credit card invoice.

Travel expenses incurred by members traveling with the Executive Vice President are, whenever possible, paid for by the Executive Vice President using the DAOR credit card. In situations where that manner of payment is not possible, the traveling member shall be reimbursed upon returning and handing in receipts. When a member travels without the Executive Vice President, or the Executive Vice President is traveling alone, a daily per-diem will be given prior to the travel.

An annual inventory is taken by designated staff and given to the CPA.

Capitalizing Assets – The DAOR shall inform its CPA of any property and equipment purchased valued at \$500 or more for the purposes of accumulated depreciation.

The DAOR will maintain \$250 in petty cash in its cash drawer. When petty cash is used, a receipt must be submitted.

Any bank deposits shall be made on a daily basis whenever possible. It is understood that workload of the department personnel may not allow deposits to be made daily; however, the Executive Vice President and/or his/her designee shall make every effort to accomplish a daily deposit.

The Association shall pay all outstanding accounts according to payment terms, whenever practicable.

3.15 Conflict of Interest (member/officer and staff) Policy Conflicts of interest that rise to a material level, or create a risk of prejudice to any member or association interest shall be resolved in a prompt and judicious manner, and shall not be tolerated where disclosure has not been forthcoming or where efforts to cleanse the conflict are not made in good faith. A Conflict of Interest and Non-Disclosure Statement is signed annually by the Board of Directors, as well as by the Budget & Finance, Grievance, and Professional Standards Committees annually. A Conflict of Interest and Non-Disclosure Statement is signed by staff annually.

3.16 Whistleblower Policy The Whistleblower policy shall be in accordance with state and federal law. The DAOR encourages employee and executive transparency and accountability, and shall not act in a manner that punishes or prejudices those who provide revelatory material facts as to the operation or organization of the association.

3.17 Audit, Review and Compilation Report The DAOR shall submit a report from a CPA which includes either an audit opinion or an accountant's review report, or an accountant's compilation report on an annual basis.

Audits shall occur at the discretion of the Board of Directors/Budget and Finance Committee. Records of all relevant dates, documents and participants of the reviews or audits shall be kept current and made accessible to staff and administration.

3.18 Bankruptcy If the DAOR considers filing bankruptcy, the DAOR shall first obtain the NAR's consent to file for bankruptcy.

## **SECTION 4. STANDING COMMITTEES**

### **4.1 Affiliates In Action Committee.**

4.1.1 Membership. The Affiliates In Action Committee is comprised of active DAOR Affiliate Members who are individuals or firms engaged in activities related to the real estate profession who do not qualify for REALTOR® membership and have interests requiring information concerning real estate and sympathy with the objectives of DAOR.

4.1.2 Purpose. The purpose of the Affiliates In Action Committee is to support DAOR and its members, to promote goodwill through social and professional activities; to offer educational assistance to DAOR and its members; to provide on-going open communication between affiliate and other members of DAOR through the Board of Directors and staff; to plan and participate in events that provide business or social opportunities to and promote the interests of DAOR and its members.

4.1.3 Duties, Rights and Privileges. Affiliate members are not eligible to vote or hold elective office and have the right and privileges and are subject to the obligations prescribed by DAOR's Board of Directors. It is a violation of membership duty for an affiliate member to engage in conduct that is inconsistent with the objectives and purposes of DAOR, including using affiliate membership to compete with DAOR. Such conduct may subject the affiliate member to discipline, probation, suspension, or termination of membership pursuant to the Bylaws.

4.1.4 Affiliate Volunteers Agreement. Affiliate members who wish to volunteer to provide services or participate in DAOR activities and events are required to sign and deliver to DAOR an Agreement by Affiliate Volunteer in the form of the attached exemplar or as may be revised from time to time and approved by the Board of Directors.

EXEMPLAR  
DOWNEY ASSOCIATION OF REALTORS  
AGREEMENT BY AFFILIATE VOLUNTEER

By signing below, I hereby acknowledge and agree to the following:

The Downey Association of REALTORS® ("DAOR") is a non-profit mutual benefit corporation.

I am an Affiliate member of DAOR and meet the requirements for that membership as stated in DAOR's Bylaws: real estate owners and other individuals or firms engaged in activities related to the real estate profession who do not qualify for REALTOR® membership, but have interests requiring information concerning real estate and sympathize with the objectives of DAOR. I wish to provide volunteer services without compensation to DAOR to support and enhance DAOR's activities and programs.

1. In exchange for the opportunity to serve DAOR, I agree to the terms of this Agreement.
2. I do not expect any compensation for the volunteer services I provide to DAOR.
3. I have not offered to work without pay in order to gain experience.
4. I will not be an employee of DAOR for any intent or purpose.
5. DAOR will not provide me with Workers' Compensation insurance, unemployment insurance, or any employment benefits of any kind.
6. I am either employed by another person or company who provides me with Workers' Compensation insurance, or I am self-employed and exempt from having to have Workers' Compensation insurance.
7. It is my intention that DAOR will not be responsible in any way for my conduct and actions in performing volunteer services for DAOR and that DAOR will not be subject to civil, criminal, tort or other liability for failure to provide.
8. I represent and warrant that I will now, and at all times while performing volunteer services for DAOR:
  - a. have a valid and current California driver's license,
  - b. drive a properly maintained and safe vehicle, and
  - c. have a valid and current automobile insurance policy in effect that meets all legal requirements and includes uninsured motorist coverage.
9. DAOR will have no legal responsibility for any negligent act or omission or any violations of any industry standards, laws, regulations, or ordinances by me.
10. I am covered by or will maintain, at my own expense, a policy of insurance in a reasonable and customary amount to cover any negligent act or omissions committed by me during the performance of volunteer services for DAOR.

11. I will indemnify and hold Association free and harmless from any and all actual and threatened claims arising from any negligent act or omission committed by me while performing volunteer services for DAOR.
12. I will fully indemnify DAOR for any and all actual and threatened claims, demands, losses, costs, expenses, obligations, liabilities, damages, recoveries, and deficiencies, including interest, penalties, attorneys' fees, and costs, that Association may suffer or incur as a result of a breach by me of any representation, warranty, or agreement contained in this Agreement.
13. I understand that a breach of this Agreement may result in my removal as a Volunteer of DAOR and may expose me to disciplinary action and damages.

4.1.5 Affiliate Code of Professional Conduct. Affiliate members who wish to participate in the Affiliates In Action Committee must conduct themselves with the following code of professionalism. Failure to do so will result in being removed from the Committee.

PREAMBLE - We, the members of the Affiliates In Action Committee, of the Downey Association of REALTORS®, desire to be the most professional in our field of endeavor. Our products or services shall be of the highest caliber, and we will demonstrate professionalism to the public and REALTORS®, who we serve.

ARTICLE I - As an Affiliate Member, I shall subscribe to this CODE OF PROFESSIONAL CONDUCT, and to the Code of Ethics as written by the National Association of REALTORS®.

ARTICLE II - I shall always conduct myself in the highest professional manner possible when representing myself as an Affiliate Member of the Downey Association of REALTORS®

ARTICLE III - I shall encourage comradery within the organization and take no unfair advantage of a REALTOR® or Fellow Affiliate Member. I shall respect those within my organization and strive to earn their respect as a professional. I shall not publicly disgrace the integrity or reputation or another Affiliate Member or the Downey Association of REALTORS®.

ARTICLE IV - I shall never distribute or advertise false or misleading information as to my products or services.

ARTICLE V - I shall attend all meetings whenever possible, and contribute my expertise and knowledge to the membership and help promote the highest standards possible of an Affiliate Organization.

ARTICLE VI - I shall gladly volunteer my services to the organization when asked. I understand that an organization will prosper with the presence of strong leadership and will seek office or chair a Committee to in still strength to the organization.

ARTICLE VII - I shall seek a remedy to any problems or disagreements that I may have with another member through the appropriate Committee or mediator within the organization to insure the integrity of the Affiliate Membership of the Downey Association of REALTORS®.

## 4.2 Local Candidate Recommendation Committee.

4.2.1 Membership. The Local Candidate Recommendation Committee (LCRC), formerly known as the Board of REALTORS® Political Action Committee (BORPAC), is governed by a Board of Trustees comprised of nine (9) REALTOR® members as voting trustees who are approved by the DAOR Board of Directors, and one (1) REALTOR® member as a non-voting advisory trustee who serves as the Chair of the LCRC.

4.2.2 Purpose. The purpose of the LCRC is to make recommendations to CREPAC (the California Real Estate Political Action Committee) for financial support for local candidates for election to city and county offices, and to support the legislative policies and the mission of DAOR and C.A.R.

4.2.3 Duties, Rights and Privileges. The LCRC Trustees are to follow the DAOR Bylaws approved by C.A.R.

## 4.3 Budget & Finance Committee.

4.3.1 Membership. The Budget & Finance Committee (“B&F Committee”) is comprised of DAOR REALTOR® members in good standing appointed by the President pursuant to Article XII, Section 1 of DAOR’s Bylaws. Members of the Budget & Finance Committee must sign annually a Confidentiality Statement.

4.3.2 Purpose. The purpose of the B&F Committee is to prepare a budget for the current year's operation of the DAOR to be presented as the B&F Committee's recommendation to the Board of Directors.

4.3.3 Duties, Rights and Privileges. The B&F Committee will meet to discuss ways of raising non-dues revenue. The B&F Committee will, on request of the Board of Directors or the general membership, or on its own initiative, study the dues and fees charged by DAOR and any expenses of DAOR, and make recommendations for increases or decreases to the Board of Directors. Any proposed expenditure in excess of \$5,000.00 not already included in an approved budget is referred to the B&F Committee for study and recommendation to the Board of Directors and the membership. Members will be provided with financial information to which they are entitled under California law upon written request addressed to the Board of Directors. The B&F Committee serves as an audit committee during the first quarter of each year to audit the DAOR accounts for the previous year.

The B&F Committee will receive and make donations (excluding the REALTOR® Community Relations Committee) in accordance with the following policies:

- a. Account 622 will have a budget of \$800. Annually, \$300 is budgeted through the B&F Committee, an additional \$500 will be used at the Board of Directors’ discretion for donation requests.
- b. Staff will direct donation requests that are addressed to the Board of Directors, any other donation requests will be forwarded to the President to be considered at the President’s discretion.
- c. Only the Board of Directors has authority to approve donations.
- d. All requests for donations must be submitted to DAOR sixty (60) days in advance of the event to allow DAOR adequate time to process the request.
- e. No response will be given to a donation request unless it is approved by the Board of Directors upon a motion.
- f. The Board of Directors will not approve any donation to a personal friend or family member of a director.

#### 4.4 Grievance Committee.

4.4.1 Membership. The Grievance Committee is comprised of at least five (5) DAOR REALTOR® members in good standing appointed pursuant to Article XII, Section 1 of DAOR's Bylaws. Members of the Grievance Committee are required to attend one mandatory Professional Standards Training course upon appointment and at the beginning of every third year of service. Members of the Grievance Committee must sign annually a confidentiality Statement.

4.4.2 Purpose. The Grievance Committee's primary function is to determine whether or not an ethics complaint is appropriate for hearing.

4.4.3 Duties, Rights and Privileges. The Grievance Committee reviews complaints alleging a violation of a membership duty to determine whether or not the complaint should be forwarded to the Professional Standards Committee for hearing. It does not, however, determine a member's guilt or innocence or mediate between the parties.

#### 4.5 Local Governmental Relations Committee.

4.5.1 Membership. The Local Governmental Relations Committee (LGR) is comprised of DAOR REALTOR® members in good standing appointed by the President pursuant to Article XII, Section 1 of DAOR's Bylaws. The Chair of LGR is funded to attend the C.A.R. Legislative Meetings in Sacramento using PAC funds if they wish to attend.

4.5.2 Purpose. The purpose of the LGR is to apprise the public of the professional services offered by REALTORS® and the contributions of REALTORS® to the community and to maintain a continuing communication with all locally elected and appointed officials, monitor council and commission actions regularly and report any items adversely affecting real estate on city or county levels, and to recommend assistance on regulations beneficial to real estate ownership.

4.5.3 Duties, Rights and Privileges. The Membership Committee will encourage the Board of Directors and members to strive to create a community atmosphere conducive to and will seek to elect people to public office, regardless of political party affiliation, who will reaffirm and uphold the American principles of individual freedom, property rights, and the private, competitive enterprise system.

#### 4.6 Membership / MLS-Technology Committee.

4.6.1 Membership. The Membership Committee is comprised of DAOR REALTOR® members in good standing appointed by the President pursuant to Article XII, Section 1 of DAOR's Bylaws. The President is an ex-officio non-voting member of the Membership Committee, and the Vice President serves as the director liaison.

4.6.2 Purpose. It is the purpose is to discuss, and recommend changes to the MS system. It is also the purpose of the committee to assure that DAOR is providing a well informed new member orientation to its new members, assure good speakers are being schedules at the Membership Luncheons, and provide education of technology that members should be aware of.

4.6.3 Duties, Rights and Privileges. It is the duty of the Membership Committee to:

- Encourage the attendance of members who have not been in regular attendance;
- Increase attendance at all regular meetings;
- Review and suggest changes or additions to tests, methods of teaching, and processes that would improve the indoctrination class;

- Assist members in understanding their obligations to give equal service to all clients regardless of race, color, religion or national origin;
- Guide members in community cooperation with civic and private organizations in their efforts to eliminate ethnic discrimination;
- Assist members in the implementation of the Affirmative Marketing Agreement signed by DAOR with the Department of Housing and Urban Development; and
- Assist the Grievance Committee with N.A.R. Code of Ethics Article 10 violations when called upon

#### 4.7 Ombudsman Committee.

4.7.1 Membership. The Ombudsman Committee is comprised of the three (3) immediate past presidents of DAOR who automatically serve on the committee. The immediate past president serves as the Chair. The President is an ex-officio non-voting member of the Membership Committee.

4.7.2 Purpose. The purpose of the Ombudsman Committee is to assist in fostering good public relations among the members and the public.

4.7.3 Duties, Rights, and Privileges. It is the duty of the Ombudsman Committee members to receive and respond to requests made to and forwarded by DAOR staff and to complete and deliver a report to staff for every call received. Calls for the Ombudsman are received by DAOR staff. Staff obtains the caller's name and telephone number, and provides that information to a Committee Member. The types of complaints received are reported to the membership through the newsletter.

#### 4.8 Oversight Committee

4.8.1 Membership. The Oversight Committee is comprised of eight (8) REALTOR Members selected by the President, and approved by the Board of Directors.

4.8.2 Purpose. The purpose of the Oversight Committee is to serve as the Nominating Committee, Awards Committee and to evaluate any item given to them by the Board of Directors.

4.8.3 Duties, Rights and Privileges. The committee will evaluate and study any item not covered by any standing committee of the DAOR. given to them for suggestion, At any time the Directors wish

The Oversight Committee will serve as a Nominating Committee - at least two (2) months before the annual election, they will present a slate of candidates to the Board of Directors to fill vacancies of the Board of Directors for the annual elections.

The Oversight Committee will serve as the Awards Committee and screens application, nominate and may vote on the recipients of the following awards:

4.8.3 a Distinguished Service Award. The annual Distinguished Service Award (D.S.A) is presented only if there is a member with the following qualifications:

- Is a DAOR REALTOR® member in good standing.
- Has ten (10) years or more active service to DAOR.
- Is not currently serving as President and has not served as President during the past two (2) years.
- Has not previously received the D.S.A.– it is a once-in-a-lifetime award.
- The D.S.A. may be presented posthumously.



- Nominations will come from the general membership, via newsletter and from the Committee.
- The President and the past two presidents chose the recipient of the D.S.A. from those nominated and their decision is final.
- There is no minimum or maximum number of nominees to be submitted to the presidents for vote.
- If only one nominee is presented to the presidents, the recipient will be selected by majority vote of the presidents.
- The decision of the presidents is final.

4.8.3.b Service to Community Award. The annual Service to Community Award (S.C.A.) is presented to a member with the following qualifications:

- Is a DAOR REALTOR® member in good standing.
- There is no limitation to the number of times a person may be the recipient of the S.C.A.
- A request for nominations will be included in the newsletter.
- Nominees are scored on a point system between 1 and 100 and must have 75 points to qualify.
- The Committee selects the recipient of the S.C.A. by majority vote.
- A member of the Committee will be disqualified from voting if he/she is nominated.
- If the low score/ballot is less than 2/3 of the average of the remaining scores/ballot, the low score/ballot will then be eliminated.

4.8.4.c Tomorrow's Leader Today Award. The annual Tomorrow's Leader Today Award (T.L.T.A.) (replaces the former Outstanding New REALTOR® Service Award) is a surprise presentation to a member who meets the following qualifications:

- Is a DAOR REALTOR® member in good standing; length of membership is not a criteria.
- Recently became active in DAOR and has potential to be a future President.
- Closed at least three (3) transactions within the first six (6) months of the current year.
- Has attended at least fifty percent (50%) of DAOR luncheons and events.
- Is active by serving on DAOR committee(s).
- Has timely paid all DAOR dues and fees.
- Has had no complaints filed with the Bureau of Real Estate.
- Has had no grievance proceedings filed with the DAOR Grievance Committee.
- Has had no arbitration proceedings filed with the DAOR Professional Standards Committee.
- Has had no civil or criminal legal proceedings filed in any federal or state court.
- Has not previously received the T.L.T.A.
- Is nominated by the President or Committee.
- Nominees are scored on a point system between 1 and 100 and must have 75 points to qualify.
- The Committee selects the recipient of the T.L.T.A. by highest score or if only one, by majority vote.
- A member of the Committee will be disqualified from voting if he/she is nominated.
- If the low score/ballot is less than 2/3 of the average of the remaining scores/ballot, the low score/ballot will then be eliminated.

#### 4.10 Professional Standards Committee.

4.10.1 Membership. The Professional Standards Committee is comprised of at least nine (9) REALTOR® members, of whom at least a majority shall be REALTOR® Brokers, who are appointed by the President, subject to confirmation by the Board of Directors, for staggered three year terms. Members must first serve two full years on the Grievance Committee prior to

serving on the Professional Standards Committee and must take one Professional Standards Training course each year serving.

4.10.2 Purpose. The Professional Standards Committee conducts hearings of alleged ethical misconduct by REALTOR® members.

4.10.3 Duties, Rights and Privileges. Members of the Professional Standards Committee will be selected to serve on Hearing Panels as required to hear matters of alleged ethical misconduct which have been referred by the Grievance Committee or the Executive Vice President.

#### 4.11 Scholarship Committee.

4.11.1 Membership. The Scholarship Committee is comprised of DAOR members in good standing appointed by the President pursuant to Article XII, Section 1 of DAOR's Bylaws. The President is an ex-officio non-voting member of LGR.

4.11.2 Purpose. The purpose of the Scholarship Committee is to award scholarships to local high school students who meet the qualifications. Scholarships to be given only if Committee feels there are worthy recipients. One school may receive more than one, and the other receive none.

4.11.3 Duties, Rights and Privileges. The Scholarship Committee receives and reviews all applications for DAOR Scholarships and awards a \$1,000.00 Scholarship to one student from each of the following schools who is receiving a High School Diploma or Graduation Equivalency Diploma and is interested in the real estate industry or business profession:

- (a) Downey High School
- (b) Warren High School

The Scholarship Committee will choose one recipient from each school to receive \$1,000 scholarship. Committee may then choose an additional two recipients from any school to receive \$1,000 scholarship. If there are still deserving student, committee may select as many students to receive a \$1,000 scholarship sponsored by a DAOR Broker/Office.

4.12 Influencers - Staff will seek out 9-12 Influencers each year to be approved by the Board of Directors. Influencers will be identified in the first quarter magazine, receive a ticket to each membership luncheon, be invited to the annual leadership KickOff Luncheon. Influencers will be removed and possibly replaced if duties are not fulfilled. An Influencer of the Year will be chosen and their local dues will be waived for the following year.

#### 4.13 RAPP Committee

4.13.1 Purpose. The RAPP Committee stands for REALTORS Advocating for Political Progress "Saving Home Ownership".

4.13.2 Mission Statement. Educating the members of the Greater DAOR of the importance of the REALTOR Action Fund, spreading knowledge of being part of the legislative process.

### **SECTION 5. OTHER AWARDS GIVEN**

5.1 President's Choice Award. The annual President's Choice Award is presented to a person chosen in the sole discretion of the President to thank the recipient for his/her support, help and cooperation throughout the President's year of service. There is no requirement that the recipient be a member of DAOR, a REALTOR®, or affiliate. For example, the recipient may be a government official, spouse of a DAOR member, or community business leader.

5.2 Chairperson of the Year. The annual Chairperson of the Year Award is presented to a person chosen by the President with help from the EVP to thank the recipient for his/her support, help and cooperation throughout the President's year of service. The recipient is a Chairperson who served this current year, and showed growth and success in their committee.

5.3 Influencer of the Year. The annual Influencer of the Year is presented to one person who created the most social media buzz, likes, shares, and posts throughout their year as an Influencer. The EVP will submit a productivity report of each Influencer and event, recommend to the President for approval.

## **SECTION 6. ALCOHOL POLICY**

DAOR recognizes the importance of supporting various community and social events and activities and maintaining a safe, efficient and healthful environment for its employees, its members, and the public at events that are sponsored or endorsed by DAOR. DAOR also recognizes that serving alcoholic beverages at such events may be inconsistent with DAOR's image and could expose DAOR to increased risk of liability. Therefore, DAOR has adopted this Alcohol Policy regarding service and consumption of alcoholic beverages.

6.1 Total Prohibition on DAOR Premises. DAOR absolutely prohibits any sale, service, or consumption of alcoholic beverages on DAOR's premises.

6.2 Conditional Regulated Use at Events. The sale, service, or consumption of alcoholic beverages may be allowed at an activity that is sponsored or endorsed in whole or in part by DAOR, one of its Committees or Affiliates and for which DAOR's name is used ("Event") only if all of the following conditions are met:

- (a) Limited Number of Events DAOR may have no more than four (4) events per calendar year.
- (b) DAOR Insurance will determine, in its sole discretion, that its liability insurance policy provides adequate insurance coverage for the Event. Liquor liability is not covered under the National Association of REALTORS' ("N.A.R.") professional liability insurance policy. If unlawful service of alcohol is excluded (which exclusion is typical), DAOR or the sponsor will purchase a liquor liability rider from the insurance provider.
- (c) The following protocols will be followed for the service of alcoholic and other beverages at the Event:
  - o Non-alcoholic beverages will be available;
  - o Food will be available;
  - o There will be no self-service bar, free-standing keg or punch bowl where attendees can serve themselves alcoholic beverages;
  - o DAOR will designate one or more of the following limitations on service:
    - Attendees will pay cash at the bar for alcoholic beverages;
    - Attendees will be provided with drink tickets to limit the number of alcoholic beverages per attendee;
    - Attendee will be provided only two free beverage tickets and must pay for additional beverages;
    - The time during which alcoholic beverages are served will be limited;
    - Server will instruct its staff of the limitations designated by DAOR
    - NO "last call" announcement will be made (it encourages attendees to drink quickly and drink more).

## **SECTION 7. POLICIES ON PARTICIPATING AND TRAVELING WITH C.A.R. / N.A.R.**

**7.1 C.A.R. Honorary Director For Life.** Expenses of the Honorary Director-For-Life to attend State Director Meetings are not reimbursed by DAOR.

**7.2 C.A.R. Honorary Member For Life.** It is the responsibility of DAOR Staff to submit to C.A.R. an application of Honorary Membership for any eligible REALTOR® member of DAOR. To be eligible, the member must be at least 75 years of age and have been a member of C.A.R. for at least 25 years. But it is the responsibility of the member to inform staff of age and eligibility.

**7.3 Region 22 Chair.** Every three years, DAOR has an opportunity to endorse a Member to serve as a Regional Chair for C.A.R. To be nominated at the region level to represent DAOR as Region 22 Chair, the Member must be endorsed by the Board of Directors. A Member who is interested in serving as the Region 22 Chair must notify the DAOR Board of Directors during the period from January through April two years prior to the term of service as Region 22 Chair. The Board of Directors will vote/choose by silent vote, majority will rule. Any person running will not vote. By June DAOR's endorsed member will be nominated for vice region chair. If no Member is endorsed by the Board of Directors, DAOR forfeits its turn to have one of its Members serve as Region 22 Chair.

### **7.4 C.A.R. State Directors.**

**7.4.1 Selection of C.A.R. Directors.** It is mandatory for the President and President Elect to serve as C.A.R. Directors representing DAOR at the C.A.R. Director meetings. The Vice President has the option, but not the obligation, to serve as a C.A.R. Director. If the Vice President declines to serve, or if an additional C.A.R. Director position is appointed to DAOR due to increased membership, the vacancy will be filled by the Board of Directors from members of the Board of Directors. If no members of the Board of Directors wish to serve, the incoming President will appoint, subject to approval by the Board of Directors, a qualified candidate to fill the C.A.R. Director position from applications accepted from the Members.

**7.4.2 Meeting Attendance.** C.A.R. Directors are required to attend all funded meetings or appointed committee meetings, caucus, or C.A.R. Board of Directors meetings. If a C.A.R. Director fails to attend, arrives late to, or leaves early from even only one meeting in any one day without an approved excuse, all "un-served" expenses (such as hotel room and per diem), the entire day's expenses, hotel and per diem paid to that C.A.R. Director must be reimbursed to DAOR.

**7.4.3 State Director Reports.** Each C.A.R. Director must deliver to the Executive Vice President no later than ten (10) days after the C.A.R. meetings a report for distribution to the Members through the Newsletter. Any questions a Member has about a report may be asked at the following DAOR Business Meeting.

**7.5 Funding Assistant Region Chair.** On the occasion that DAOR has an assistant Regional Rep who is not also a State Director, DAOR will report this member to the C.A.R. as a State Director/ Delegate and fund them to attend the three C.A.R. Director Meetings.

**7.6 C.A.R. Midyear Legislative Meetings.** The President, the Executive Vice President, the Local Government Relations Committee Chairperson, the RAPP Chairperson, and the DAOR director serving as Region 22 Chair, if any, will attend the annual C.A.R. Midyear Legislative Meetings in Sacramento. If the President cannot attend, he/she will appoint, no later than 45 days prior to the meetings, one of the DAOR C.A.R. Directors or a member of the DAOR Board of Directors to attend in his/her place. Attendance by these representatives of DAOR will be funded from DAOR's PAC account.

7.7 N.A.R. Legislative Meeting and REALTOR® Conference/Expo.

7.7.1 N.A.R. Legislative Meeting. The President, the Executive Vice President, and the DAOR director serving as Region 22 Chair, if any, have the option, but are not required, to attend the annual N.A.R. Legislative Meeting funded from DAOR's PAC account.

7.7.2 N.A.R. REALTOR® Conference/Expo. The President and the Executive Vice President have the option, but are not required, to and the DAOR director serving as Region 22 Chair, if any, have the option, but are not required, to attend the annual N.A.R. REALTOR® Conference/Expo. Attendance by these representatives of DAOR will be funded through the annual budget.

7.7.3 N.A.R. Annual Leadership Summit. The President-Elect and the Executive Vice President will attend the annual N.A.R. Leadership Summit. Attendance is funded partially through DAOR's annual budget and partially by N.A.R.

7.7.4 ASAE and N.A.R. AE Meetings. The Executive Vice President will attend one meeting of the American Society of Association Executives (ASAE) or one N.A.R. meeting for Association Executives, in addition to attending the C.A.R. Directors meetings and the annual N.A.R. meetings. Attendance is funded through DAOR's annual budget.

**SECTION 10. SOCIAL NETWORKING POLICY FOR MEMBERS, VOLUNTEERS AND EMPLOYEES**

10.1 Value of Electronic Media and Social Networking. DAOR recognizes that Electronic Media and Social Networking sites provide new tools for DAOR to expand its membership and to deliver services to DAOR members. DAOR also recognizes that DAOR volunteers, members, and employees are increasingly utilizing Electronic Media and Social Networking both in their personal lives and at work. DAOR is committed to maintaining its current influence in the industry by using new technology and by encouraging its volunteers, members and employees to responsibly and appropriately utilize Electronic Media and Social Networking in their work and personal lives.

10.2 Recognition of Issues and Risks of Electronic Media and Social Networking. The use of Electronic Media and Social Networking by DAOR volunteers, members, and employees for work or for personal activities raises risk management issues for DAOR. The content of electronic communications (regardless of the electronic device used to create the content) is subject to state and federal laws, including laws regarding privacy, discrimination, harassment, trade secret, copyright, anti-trust, identity theft, and litigation discovery rules for the storage and production of electronically stored information under the Federal Rules of Civil Procedure. Allowing unauthorized, inappropriate or illegal communications puts DAOR and its volunteers, members, employees, vendors and others at risk.

Publishing or discussing DAOR-related matters through Electronic Media and Social Networking could damage DAOR and expose its volunteers, members and employees to claims for breach of confidentiality, slander, defamation, discrimination, harassment, and other civil and criminal violations, along with the costs of litigation and economic impact of lost productivity and a tarnished reputation in the real estate industry.

To avoid exposing DAOR to these risks and liability, electronic communications Activities and content must be consistent with DAOR's values and policies and not violate any federal, state, or local law, rules or regulations (collectively referred to in this Policy as the "Law").

### 10.3 Key Elements of This Policy.

- Be responsible for what you say and write.
- Be authentic by accurately identifying yourself.
- Consider who may receive your communication and avoid offending others.
- Exercise good judgment and consider the consequences of your communications being public.
- Balance work and personal information to create a community of mutual support with others.
- Respect copyrights and fair use and always give others credit for their work.
- Protect confidential and proprietary information.

### 10.4 Purpose.

DAOR has enacted and implemented this Policy, among other things, to:

- Establish and maintain an Electronic Media and Social Networking presence for DAOR;
- Enhance and support DAOR and its volunteers, members, and employees;
- Encourage responsible and appropriate use of Electronic Media and Social Networking by DAOR volunteers, members, and employees in their work and personal lives;
- Identify and minimize risks associated with use of Electronic Media and Social Networking;
- and
- Protect the interests of DAOR and its volunteers, members, and employees.

10.5 Applicability. This Policy applies to all DAOR volunteers, members, and employees (“Users”) who utilize Electronic Media or participate in Social Networking of any kind that involves, refers to, is associated with, reflects upon, or impacts DAOR. As used in this Policy, “volunteers” includes officers, directors, committee chairpersons and members, and “employees” includes independent contractors of DAOR.

DAOR expects all Users who participate in Electronic Media communication and Social Networking to understand and follow this Policy and to communicate in a respectful, relevant way that will protect the reputation of DAOR, its volunteers, members, and employees and will assure that DAOR and all Users remain within the requirements and the spirit of the Law.

10.6 Implementation and Enforcement. DAOR may create administrative policies and procedures to implement and enforce this Policy, to optimize the use of Electronic Media and participation in Social Networking, to identify and address future problem areas, and to minimize the risk of irresponsible communications.

DAOR reserves its right to block access to Internet Web Sites, including Social Networking sites, on DAOR’s Electronic Media systems.

A volunteer who violates this Policy may be subject to removal from a position of volunteer service. A member who violates this Policy may be disciplined or suspended from membership in DAOR. An employee who violates this Policy may be disciplined or terminated from a position of employment.

## **SECTION 11. ANNUAL AE PERFORMANCE REVIEW**

“An annual AE Performance Review shall be conducted each year by a Review Committee consisting of the President, President-Elect, Treasurer and Immediate Past President, no later than November 15th. The President shall serve as Chair. The AE will consult with the President to determine the date of the review and notify the committee members. Performance review forms shall be provided to the committee members in advance. The AE will prepare a self-evaluation document outlining the past year’s accomplishments, comments, and future activities and distribute it to the committee no less than 21days prior to the review date. The performance review shall be conducted on the date specified, with the AE present. The written evaluation shall be signed by the Review Committee Chair & Members. The AE shall also sign the document as acknowledgement of receipt, and may add any comments of

his or her own before signing. The signed evaluation shall be placed in the AE's personnel file with a copy provided to the AE. If the Review Committee determines a bonus should be recommended, this shall be presented to the Board of Directors for approval at its next regularly scheduled meeting.”  
[BOD 6-2017]

10.7 “Electronic Media” Defined. “Electronic Media” as used in this Policy includes:

- (1) The entire network of DAOR’s electronic communications systems, which are the sole and exclusive property of DAOR and are provided or made accessible by DAOR solely for use in conducting DAOR’s business and are to be used only for DAOR business and not for any personal use not unauthorized by this Policy;
- (2) All of the various forms of electronic communication, including but not limited to email, any kind of Internet website, World Wide Web, network communications service, other internal or external networks, voice mail, video conferencing, facsimiles, telephones, pagers, or email accounts, as well as any other form of electronic communication including all software, databases, hardware, digital files and other means of electronic communication now existing or created in the future; and
- (3) The use of any type of device, including but not limited to desktop or laptop computers, netbooks, Blackberry or Smartphones, cell phones, and other hand held devices whether supplied by DAOR or owned individually by the User.

10.8 “Social Networking” Defined. Social Networking as used in this Policy includes using any type of interactive electronic communications (such as Web Sites, weblogs, social networks, discussion boards and listservs), for two-way interaction, online conversation, posting or uploading content, and participation among members of respective online communities.

The following list of Electronic Media and Social Networking is provided as an example only and is not intended to be inclusive:

Blogs, Wikis, Social Networks, Virtual Worlds, Instant Message Services, email messages and attachments, Phone Voice Messaging, Voice Mail Services, Phone Text Messaging, Event Sharing, Social Bookmarking, Video Sharing, Podcasts, Micro-blogging, Photo Sharing, WidgetBox, Message Boards, Question-and-Answer Platforms, Crowdsourced News, RSS, Twitter, Yelp, Wikipedia, MySpace, Facebook, LinkedIn, Flickr, Friendfeed, GoDaddy, Goggle, Fravator, Ipromote, ListingPresss, LiveJournal, MyFrontSteps, NationalIBLS.com, NeighborCity, AuctionOffer, AgentWorld, Bing, Care2, TwitPic, UnitedLane, Viscap, WindowsLiveSpaces, Woolleyrobertson WorkForceResource, Yahoo!, YouTube, IM Chat, Web surfing history

10.9 Covered Activities and Content. This Policy governs use of Electronic Media at DAOR premises, as well as at remote locations, including but not limited to a User’s home and off-site locations such as hotels and airports. This Policy applies whether the User is using DAOR Electronic Media during business hours or their own personal computers or technology tools during non-work time, and whether use occurs while on or off DAOR premises.

Covered activities include, but are not limited to, content (audio, visual and written) that is transmitted, acquired, posted, downloaded or uploaded, or stored by use of Electronic Media such as computers, telephones, email, IM, the Web, Social Networking sites, cell phones, or other electronic business communication tools, whether or not directed to a specific individual or entity, including blogs and discussion threads created by a blog or Website visitor, and whether initiated, accessed, sent or received from DAOR’s premises or another location, and whether using DAOR’s Electronic Media equipment systems or another person’s or entity’s Electronic Media equipment or systems.

DAOR reserves the right to control the use of Electronic Media and Social Networking Activities of its volunteers, members and employees, including specifying whether such Activities are required or may be part of a Users DAOR-related responsibilities, specifying that such Activities are partially or



completely prohibited, and establishing requirements that non-DAOR business related Social Networking activities may not interfere with primary DAOR-related responsibilities.

#### 10.10 Employees Use of DAOR Electronic Media.

- Employees may use DAOR's Electronic Media communication systems to communicate personal business only through their personal media accounts.
- Employees' personal use of DAOR's computer is limited to rest and meal periods.
- Employees' personal Web-based email accounts and email tools are not to be used for DAOR business.
- Employees will not use productive business hours for personal business.
- Employees are prohibited from using DAOR's email system to do any of the following:
  - o operate a business;
  - o conduct an external job search;
  - o solicit money for personal gain;
  - o campaign for political causes or candidates;
  - o promote or solicit funds for religious or other personal causes on DAOR server, even if done through a personal email account;
  - o play online games;
  - o visit chat rooms;
  - o shop online; and
  - o engage in illegal activity.
- DAOR's Electronic Media communication systems are the property of DAOR.
- All passwords, User IDs and messages created and transmitted are the property of DAOR.
- DAOR reserves the right to monitor all email transmissions conducted on DAOR's Media.
- Employees have no reasonable expectation of privacy when it comes to business and personal use of DAOR's Electronic Media.
- DAOR reserves the right to monitor, inspect, copy, review and store at any time without notice any and all usage of DAOR's Electronic Media (including its email system and any and all files, information, software, and other content created, sent, received, downloaded, uploaded, accessed, or stored).

10.11 No Expectation of Privacy. DAOR reserves the right to monitor its electronic communications systems and non-DAOR Web Sites and blogs. Users who engage in Social Networking, whether or not using DAOR Electronic Media communications systems, should not expect their comments to be private. DAOR reserves the right to disclose email text and images to regulators, the courts, law enforcement and other third parties without the consent of the User.

**USERS HAVE NO REASONABLE EXPECTATION OF PRIVACY WHEN USING ELECTRONIC MEDIA AND SOCIAL NETWORKING.**

#### 10.12 Prohibited Activities and Content

10.12.1 Offensive, Harassing or Discriminatory Activities: Users are prohibited from using DAOR's Electronic Media to engage in activities or transmit content that is harassing, discriminatory, menacing, threatening, obscene, slanderous, defamatory, or in any way objectionable or offensive. DAOR's policies prohibiting discrimination and harassment are incorporated in this Policy and apply to all Users.

Examples of prohibited content and Activities include, but are not limited to, the following:

- o Send, receive, solicit, print, copy or reply to text or images (including jokes) that are disparaging or defamatory.
- o Send, receive, solicit, print, copy or reply to obscene, profane, adult-oriented, sexually oriented, pornographic, harassing, discriminatory, menacing, threatening, and otherwise

- offensive messages, images, language, text, art, photos, videos, graphics, cartoons, and other content.
- o Send, receive, solicit, print, copy or reply to communications that contain gossip, rumors, or innuendos about Users, clients, suppliers, or others.
  - o Send, receive, solicit, print, copy or reply to communications that are intended to alarm others, embarrass or negatively impact DAOR or any User.

10.12.2 False or Misleading Statements: In conformity to the Code of Ethics of the National Association of REALTORS® and the Law (including the California Business and Professions Code), Users are required to refrain from making false or misleading statements about competitors, competitors businesses and competitors' business practices, and not knowingly or recklessly publish, repeat, retransmit or republish false or misleading statements made by others. This Policy applies to communications verbal in person, and to electronic media communications whether in writing, by technological means (i.e. the Internet) or by any other means. The obligation to refrain from making false or misleading statements about competitors, competitors' businesses and competitors' business practices includes the duty to publish a clarification about or to remove statements made by others on Electronic Media the User controls once the User knows the statement is false or misleading.

10.12.3 Confidential, Proprietary and Personal Information: Users are prohibited from using DAOR Electronic Media to access, transmit, send, receive, solicit, print, copy confidential or proprietary information about DAOR, its volunteers, members, employees, clients, independent contractors, vendors, suppliers, and business associates. Confidential information includes, but is not limited to, client lists, credit card numbers, Social Security numbers, employee performance reviews, salary or compensation information, trade secrets, passwords and information that could embarrass or jeopardize DAOR and any of its volunteers, members or employees if that information were to be made public.

10.12.4 Trademark, Copyrights and Licenses: Users are prohibited from unauthorized use of the Electronic Media to transmit copyright-protected information without permission of the copyright holder. Users must honor, respect, and comply with all laws and standards applicable to trademarks, copyrights, patents, and licenses to software and other on-line information.

Users are not to download, upload or copy software or other copyrights or legally protected information through DAOR's electronic systems without the prior written authorization of the Chief Executive Officer.

Users are not to download, upload or copy, post or transmit DAOR's trademarks, slogans, logos, videos, podcasts, printed policies and other materials through DAOR's electronic systems or through non-DAOR or their personal Electronic Media without the prior written authorization of the Chief Executive Officer.

Users are not to copy or post on a blog any information that is copyright protected without giving appropriate credit. Copyright law applies to written copy as well as photographs and videos. Republishing of someone else's blog post without written permission is illegal and a serious violation of Law and this Policy.

10.13 Unsolicited Communications That Violate DAOR Policy. If a User receives a communication that violates this Policy, the following steps are to be taken:

- If the sender is known, immediately instruct the sender to stop sending this type of material.
- If the sender is unknown, do not respond or reply to the message.

- Immediately notify DAOR's appointed manager, who will attempt to arrange for blocking receipt of this type of material in the future.

Users who fail to follow these procedures and continue to receive prohibited content may be deemed to have violated this Policy.

10.14 Passwords. Passwords to DAORs Electronic Media are the property of DAOR. Only authorized Users are permitted to use passwords or user IDs to access DAOR's email. Misuse or sharing of passwords and User IDs is a violation of this Policy.

10.15 DAOR Email Exists for Business Purposes

- Employees will be assigned a DAOR email address to be used for all incoming mail and outgoing mail, to the fullest extent possible.
- All email received or sent in connection with DAOR business is to be delivered and sent through DAOR server so that the emails can be stored and retrieved by DAOR in compliance with its policies and the Law.
- If an email related to DAOR business is sent or received through any non-DAOR email address (such as a User's home or other personal email address), the employee is to copy and store that email in DAOR's system.
- Any personal communications should be conducted through a personal email account which may be accessed through DAOR-owned Electronic Media as long as the content and Activities are in compliance with this Policy, other DAOR policies and Law.

10.16 EMAIL Writing Style. Email messages are to be written in a formal business writing style with accurate and appropriate spelling, grammar, and punctuation. All electronic communications sent by Users on behalf of DAOR must be pre-approved by the Chief Executive Officer.

10.17 Business Records / Messages. In order for DAOR to comply with the litigation discovery rules for the storage and production of electronically stored information under the Federal Rules of Civil Procedure, messages regarding DAOR business must be transmitted in a format that can be made a permanent record. A message is probably a business record if it would be retained had it been sent in paper form. Business records should be transmitted via DAOR email system and retained. This includes text messaging by Users on cell phones, Smartphones, Blackberries and other mobile handheld and hands-free phones whether provided by DAOR or owned by the User. Text messages transmitted via DAOR's system create business records and must be retained if it has any bearing on DAOR business.

All emails and text messages or other form of communication for use in DAOR business must identify the User and the User's relationship to DAOR. Email signature blocks are to include the User's name, phone number and email address, and DAOR's name and address. Voicemail should identify the User by name, and DAOR name if User is an employee, and a greeting.

10.18 Confidentiality.

10.18.1 Cell Phones: Cell phone conversations in public can be easily overheard. Users should never discuss DAOR business in any public setting where the conversation could be overheard. Cell phone conversations to conduct DAOR business should be conducted in a location that provides privacy.

10.18.2 Email: Email is not a confidential means of communication. Emails can be forwarded, intercepted, printed, and stored by others. After an email is transmitted, it can be altered. Deleting an email from an Electronic Media device does not eliminate it from the device and the other systems to which it has been transmitted.

10.18.3 Web Sites: content posted on personal Social Networking web sites, even those with controlled access, should not be expected to remain confidential or private.

10.19 Cameras and Video Recorders. Users are not to use cell phone cameras or video recorders to take, transmit, download, upload, print or copy photos or videos that are not appropriate or in the case of a volunteer or employee, directly related to DAOR's business.

Users are not to use a DAOR-provided or personal Electronic Media device to take, transmit, download, or upload to Social Networking or video sites any business or DAOR-related photos, photos or videos of coworkers, executives, customers, suppliers, any other third party without first securing the written permission of an authorized member of DAOR management and obtaining a signed release from each person appearing in photos or videos.

Prohibited photos and videos include, but are not limited to, embarrassing, humorous or unprofessional images (of anyone or anything), images of and DAOR management, coworkers, executives, customers, suppliers, or any other third party without getting the express permission of the person(s), and images of DAOR buildings (internal and external) offices, facilities, operations, products, services, and proprietary or confidential documents.

Users must exercise caution when taking any photographs of valuables and children.

10.20 Software Usage. Software piracy is both a crime and a violation of DAOR's software usage policy. Employees are directed to use software strictly in accordance with its licensing agreement. Unless otherwise provided in the license, the unauthorized duplication of copyrighted software (except for back up purposes) is a violation of copyright law and this Policy. Users are not to give software to members, clients, customers, vendors, and others outside DAOR. Under no circumstances will DAOR use software that is from an unauthorized source, including, but not limited to, the Internet, home, friends or colleagues. Users are not to load any software used on DAOR-owned Electronic Media devices unless it is pre-approved and purchased by DAOR.

#### 10.21 Social Networking.

##### 10.21.1 All Users:

(a) **Responsible Use:** DAOR recognizes that some Users may access, view, operate, and download, upload, or post content (including but not limited to text, photos, videos, and art of any kind) to non-DAOR Social Networking sites and video sites on their own time via their own computer equipment, personal Internet accounts and personal cell phones or Blackberries. When doing so, Users are responsible for behaving professionally, ethically, responsibly, and in accordance with this Policy, all other DAOR policies and procedures, and the Law.

(b) **Appropriate Content:** Users must adhere to DAOR's written content and language guidelines. Prohibited content includes, but is not limited to, obscene, profane, adult-oriented, pornographic, harassing, discriminatory, menacing, threatening, and otherwise offensive text, art, photos, videos, graphics, cartoons, or other images and content, when using a personal Social Networking site or public video site.

(c) **Correct Identification:** Users are required to write and post content under their own names on Social Networking and video sites. Pseudonyms and anonymous postings are prohibited, whether using a personal Social Networking site, public video site, or a DAOR-hosted Social Networking or video site.

(d) **No Disclosures of DAOR Proprietary Information:** Users will not disclose confidential, private, sensitive, proprietary, secret, and financial information (includes revenues, profits,

forecasts, and other financial information), about DAOR, its products, services, trade secrets, financials, plans, research and development, employees, executives, customers, partners, suppliers, or other third parties, when using a personal Social Networking site or public video site.

(e) **No References to DAOR:** Users will not mention DAOR or identify themselves as associated with DAOR (as volunteers, officers, directors, committee chairs or members, employees, or otherwise,) via text, photos, art, DAOR logos, DAOR uniforms, DAOR letterhead, DAOR products, DAOR trademarks, or any other image, copy, or content, when using a personal Social Networking site or public video site.

(f) **No Criticism of DAOR:** Users will not attack, defame, harass, discriminate against, menace, threaten, or otherwise exhibit inappropriate or offensive behavior, attitudes, opinions, or commentary toward or about DAOR, its volunteers, members, managers, supervisors, employees, executives, customers, or vendors, or the media, or other third parties when using a personal Social Networking site or public video site.

#### 10.21.2 Employees:

(a) **No Activity on DAOR Time:** Unless otherwise allowed under this Policy or specified as part of an employee's employment responsibilities, DAOR prohibits employees from accessing external networking sites and external video sites via DAOR electronic devices during business hours. Business hours include but are not limited to time engaged in business-related activities at DAOR premises and at remote locations, including at employees' homes, in vehicles, airplanes, airports, trains, hotels, restaurants, offices of members, prospects, suppliers and vendors. This Policy applies during business hours on DAOR time, using DAOR's Electronic Media systems, and after working hours on employees' own time and personal Electronic Media systems and Internet accounts.

(b) **Disclaimer Required:** Employees must incorporate the following legal disclaimer into their personal Social Networking pages, blogs, and public video site posts: "The opinions expressed on this Social Networking profile (video site) are my own personal opinions. They do not reflect the opinions of my employer."

10.22 Blogging. DAOR recognizes and supports the activity of blogging as a tool to promote business and support professional development efforts. Therefore, DAOR has established this Policy to ensure that Users behave professionally, ethically, and responsibly when blogging.

All other provisions in this Policy apply with heightened attention given to complying with copyright law, trademark law, and the prohibition against false and misleading statements when engaged in the Activity of blogging. Bloggers must adhere to DAOR's written content and language guidelines, whether using an DAOR-hosted business blog or a personal blog.

In addition, the following applies specifically to blogging: Users will immediately report to DAOR any comments that are posted on their blogs that they have concerns about or that appear to violate this Policy or the Law.

10.23 Personal Web Sites. DAOR recognizes the opportunities available to Users for marketing, promoting their businesses, and providing consumers with necessary real estate related information. DAOR commends Users who have their own personal web site and encourages Users to establish a presence on the Web. This Policy provides a unified, legal, and creative platform in which to operate Personal Web Sites.

10.23.1 Provide URLs to DAOR: Users will provide DAOR with URLs for their personal and real estate business web sites and blogs as well as sites where the User posts on multi-authored platforms, along with any Web Sites that display a link to DAOR Web Site.

10.23.2 Compliance with NAR Code of Ethics and MLS Rules: User will comply with state licensing law and the Code of Ethics of the National Association of REALTORS® by keeping the property information up to date, in accordance with MLS rules and regulations.

10.23.3 Misleading Consumers: Framing web sites or listings of other brokerages without their written consent, deceptively using metatags, keywords, or other devices or methods to direct, drive, or divert Internet traffic, or to otherwise mislead consumers and manipulate listing content in any way that produces a deceptive or misleading result is not allowed.

10.23.4 Include Privacy Statement: Users will include a Privacy Statement on the Web Site that describes how the Web Site gathers information and how that information is used.

10.23.5 Compliance with DRE and NAR Web Advertising Guidelines: Users will be familiar with and comply with any guidelines regarding electronic communications and advertising via the Web as promulgated by the California Department of Real Estate, the California Association of REALTORS® and the National Association of REALTORS®, including the following:

- A licensed firm advertising or marketing on a site on the Internet must include on each page of the site on which the firm's advertisement or information appears the following data:
  - o the firm's name as registered with the Department of Real Estate (abbreviations are not permitted);
  - o the city, state, and country in which the firm's office is located;
  - o all jurisdictions in which the firm holds a real estate broker license, and
  - o the license number(s).
- A licensee advertising or marketing on a site on the Internet must include on each page of the site on which the licensee's advertisement or information appears the following data:
  - o the licensee's name;
  - o the name of the firm with which the licensee is affiliated as that firm name is registered with the commission (abbreviations are not permitted);
  - o the city, state/province, and country in which the licensee's office is located;
  - o the regulatory jurisdiction(s) in which the licensee holds a real estate broker or salesperson license (including the license number).
- A licensed firm communicating using any Internet electronic communication including but not limited to (email, email discussion groups, instant messenger, chat, VON, and bulletin boards) must include the following data in each communication:
  - o the name of the firm with which the licensee is affiliated as that firm name is registered with the commission (abbreviations are not permitted);
  - o the city, state/province, and country in which the licensee's office is located; and
  - o the regulatory jurisdiction(s) in which the licensee holds a real estate broker license (including the license number).
- A licensee using any Internet electronic communication for advertising or marketing, including but not limited to email, email discussion groups, web sites and bulletin boards, must include on the first page of all communications the following data:
  - o the licensee's name;
  - o the name of the firm with which the licensee is affiliated as that firm name is registered with the commission (abbreviations are not permitted);
  - o the city, state/province, and country in which the licensee's office is located; and

- o the regulatory jurisdiction(s) in which the licensee holds a real estate broker or salesperson license (including the licensee number).

10.23.6 Affiliated Business: If User's real estate Web Site advertises a business relationship with a product or service provider, or if User has an affiliate business relationship, DAOR must be consulted and permission granted to advertise those relationships because without such approval, DAOR would be liable for the endorsement of the product or the service, because the User is posting with DAOR information attached to the User's Web Site. The business relationship must be fully disclosed to all visitors to the Web Site. If the User Web Site contains a live link to an affiliate program Web Site for purposes of registration or obtaining quotes for services, the affiliate program must be approved by DAOR.

10.23.7 Permission to Link to DAOR: Users must receive permission from DAOR to display links on their web sites and blogs to DAOR Web Sites.

10.23.8 Disclosure of Intention to State Information: If User's Web Site requires registration to access additional information, User must comply with the disclosure provision in the National Association of REALTORS® Code of Ethics requiring that REALTORS® intending to share or sell consumer information gathered via the Internet will disclose that possibility in a reasonable and readily apparent manner.

10.23.9 Domain Names: In compliance with the National Association of REALTORS® Code of Ethics, Users will not use URLs or domain names that present less than a true picture, or register URLs or domain names which, if used, would present less than a true picture. User will supply to DAOR a list of all of their registered domain names from the domain registration service from which they originated.

10.24 Press Inquiries. All requests for comments and interviews regarding DAOR from any media must be directed to DAOR's Chief Executive Officer for response.

10.25 Rights to DAOR Information. DAOR reserves its property interest in all information, data and communications that are stored in, transmitted by, or received from or on its Electronic Media communications systems. Only the Chief Executive Officers and/or his or her designee has the ability to convey, license, assign, sell, limit, impair or alter this property interest.

10.26 Acknowledgement and Agreement. Each employee is expected to read and understand the above Electronic Media and Social Networking Policy, and, after directing any questions about the policy to DAOR's Executive Vice President, sign the Acknowledgement and Agreement, in the form of the attached exemplar or as may be revised from time to time and approved by the Board of Directors, and return it to the Executive Vice President.

#### EXEMPLAR

#### DOWNEY ASSOCIATION OF REALTORS - ELECTRONIC MEDIA AND SOCIAL NETWORKING POLICY ACKNOWLEDGEMENT AND AGREEMENT

By signing below, I hereby acknowledge that I have read and understand DAOR's Electronic Media And Social Networking Policy, and I agree to abide by it.

I understand that a violation of any of the above rules, policies, and procedures may result in disciplinary action, up to and including my removal from a position of volunteer services with DAOR, suspension or termination of my DAOR membership, or discipline or termination of my employment with DAOR.

Signature

Date

Name Printed

Company Name:

Address:

Check appropriate status:

- Volunteer (Officer, Director, Chair or Member of Committee or Task Force)
- Member
- Employee