Dear Complainant,

If you wish to file a complaint the National Association of Realtors® requires that it be submitted on the enclosed forms within 180 days from the time the alleged offense could have been known (in the exercise of reasonable diligence or within 180 days after the conclusion of the transaction or event, whichever is later). All complaints are preliminarily reviewed by the Grievance Committee to determine if there is probable cause to warrant a hearing. They will then take one of the following actions:

a) Forward case information to the Professional Standards Committee for hearing to be scheduled (All parties will be notified of hearing date, time and location at least 21 days prior to scheduled date, as your presence is required)
b) Dismiss the complaint due to lack of probable cause (Complainant may appeal to Board of Directors within 20 days of receipt of dismissal)

If a hearing is warranted and a Realtor® is found guilty of violating the Code of Ethics, he/she will receive one or more of the following disciplinary actions:

a) A Letter of Warning to be placed in members file
b) A Letter of Reprimand to be placed in members file
c) Required attendance at an educational course and/or seminar
d) A fine not to exceed $15,000 which is paid to the Association
e) Probation
f) Suspension of Membership
g) Expulsion of Individual from Membership
h) Termination of Membership

The above referenced actions are the only disciplinary actions that the Association may take against its members.

We have no authority to award damages or monies to any party.

If you have any questions regarding the process, need assistance completing the attached forms, or would like more information please contact our Professional Standards Department at (561) 727-2754.

Sincerely,

[Signature]

Sara Dougan, Professional Standards Manager
sdougan@rapb.com

Enclosed: Form E1, 2019 Code of Ethics
Ethics Complaint

To the Grievance Committee of the Realtors® of the Palm Beaches and Greater Fort Lauderdale

Date: _____________________

Name(s): _____________________

Complainant(s)
Person(s) filing the complaint

Name(s): _____________________

Respondent(s)
Person(s) responding to the complaint

Complainant(s) charge(s):

An alleged violation of one or more of the seventeen Articles of the Code of Ethics or other membership duties as set forth in the bylaws of the board.

Please circle the article(s) you are alleging to have been violated:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17

Please initial after reading each of the following statements:

1. The above charge(s) is/are supported by the attached statement, which is signed and dated by the complainant(s) and which explains when the alleged violation(s) occurred and, if a different date, when the complainant(s) first knew about the alleged violations.

2. This complaint is being filed within one hundred eighty (180) days after the facts constituting the matter complained of could have been known in the exercise of reasonable diligence or within one hundred (180) days after the conclusion of the transaction, whichever is later.

Date(s) alleged violation(s) took place: _____________________

Date(s) you became aware of the facts on which the alleged violation(s) (is/are) based: _____________________

3. I (we) declare that to the best of my (our) knowledge and belief, my (our) allegations in this complaint are true.

Initial: ______

Are the circumstances giving rise to this ethics complaint involved in any of the following? Yes or No (Please Circle)

(If yes, check all that apply):

☐ Civil or criminal litigation
☐ State of FL Real Estate Licensing Authority (DBPR/FREC)
☐ Other state or federal regulatory _____________________
☐ Administrative agency _____________________
☐ Other _____________________

Rev. 7/19
Ethics Complaint (cont.)

I understand that should the Grievance Committee dismiss this ethics complaint in part or in total, that I have twenty (20) days from transmittal of the dismissal notice to appeal the dismissal to the Board of Directors.

Complainant(s):
Person(s) filing the complaint

Type/Print Name
Signature of Complainant

Type/Print Name
Signature of Complainant

Office/Firm Name  (If any)

Address
City / State / Zip

All communication will be sent to you electronically with a requested delivery and read receipt. If receipt of the notice has not been acknowledged by the intended recipient within twenty-four (24) hours, the recipient will be contacted by telephone to confirm receipt and the recipient’s confirmation will be noted in the file.

Initial of Complaint(s) _____  |  _____

Contact Phone Number*  Email Address (please print)

Below give the full name(s) and complete address of the Realtor®(s) complained against.

Respondent(s):
Person(s) responding to the complaint

Type/Print Name
Type/Print Name

Office/Firm Name
Office/Firm Name

Office/Firm Address
Office/Firm Address
Statement of Complaint

Please type a separate document and attach (preferred)
or
Neatly print in ink a brief statement of the facts concerning your complaint.
(Attach additional pages if needed)

__________________________________________________________
Complainant Signature

__________________________________________________________
Complainant(s) Signature

__________________________________________________________
Date

__________________________________________________________
Date

FORM E-1

Case #
(office use)
Summary of Complaint

It is very important to explain how and why the Realtor® may have violated an article of the Code of Ethics. Local Boards and Associations of REALTORS® can only determine whether the Code of Ethics has been violated. We do not have authority on matters falling outside of the Code of Ethics. Please refer to the attached National Association of Realtors® Code of Ethics & Standards of Practices for the description of each Article. (Use additional paper if necessary)

I feel Article ___ has been violated because...

I feel Article ___ has been violated because...

I feel Article ___ has been violated because...

I feel Article ___ has been violated because...

Complainant Signature

Date

Complainant(s) Signature

Date
Supporting Documentation

Failure to provide pertinent documents may result in a delay or dismissal of your case. For this reason, please include with your complaint all relevant documentation to support your charges.

The following list will assist you in providing the proper documentation when filing your ethics complaint.

Items to consider when filing your complaint:

- Listing Agreement
- Advertisements
- Exclusive Rental Listing Agreements
- MLS Feature Sheet
- MLS listing/profile sheet
- Contract to Lease/Memorandum to Lease
- Any Disclosure Forms
- Lease
- Contract for Sale & Purchase
- Conditional/Unconditional Withdrawal
- Addendum
- Bills (i.e. water, electric)
- Warranties/Guarantees
- Escrow Agreements
- Copies of Checks
- Closing Statement
- Inspection Reports
- Invoices
- Walk-thru-forms
- Other documentation / Correspondence
Other Resources

If you feel there may be a potential violation of license law you can notify the Florida Real Estate Commission (FREC). A copy of the Florida Statutes and Administrative code can be found at the links below:

Florida Statutes and Administrative Code
http://www.myfloridalicense.com/dbpr/re/statutes.html

Florida Real Estate Commission to File a Complaint
http://www.myfloridalicense.com/dbpr/re/complaint.html

DBPR Bureau of Enforcement FAQ:

If you are seeking assistance in recovering deposit monies, you are advised to contact the Florida Department of Business & Professional Regulation (DBPR) at (850) 487-1395 or online at:

DBPR Request for Escrow Disbursement Order (EDO):