

**NC REALTORS® POLICY MANUAL - BYLAWS RELATED**  
**4-10-24**

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**\*See also Appendix A**

## PREAMBLE

The North Carolina Association of REALTORS®' (NC REALTORS® or the Association) Policy Manual serves as an administrative guide and an expansion of the terms of operation of NC REALTORS® in accordance with NC REALTORS®'s articles of incorporation and bylaws. The Policy Manual is divided into two separate sections –Bylaws Related and Administrative. The Bylaws Related section contains the policies referred to in NC REALTORS®'s bylaws. The Administrative section contains the remainder of the policies that address NC REALTORS®'s operations.

The Executive Committee may refer policy proposals to the Policy Committee for consideration and recommendation. The Policy Committee is chaired by the NC REALTORS® Immediate Past President and consists of the President, President-Elect, Immediate Past President, Treasurer and Chief Executive Officer.

The members of the North Carolina Association of REALTORS®, Inc. are dedicated to the protection and preservation of the free enterprise system and right of all people to own, use, enjoy and transfer real property. We continue to hold fast to a basic belief and confidence in the American system. We will continue to adhere to and govern ourselves according to the Code of Ethics of the National Association of REALTORS®, which establishes fair, honest and professional service in all real estate transactions.

We continue to promote member participation in all aspects of political activity. In doing so, the Association supports appointees to the North Carolina Real Estate Commission and other local, state and federal agencies to protect and communicate the interests of all our membership. Through the Legislative Committee and the Rapid Response Team, the Association maintains a statewide network that responds quickly and effectively to issues requiring decisive actions.

The Association will continue to identify the needs of its members and support them by responding with programs and benefits for all real estate specialties. The Association, through the North Carolina Real Estate Education Foundation, will continue to identify and offer quality educational programs that will assist members in increasing profitability and professional competence. The Association will maintain strong involvement in the development of courses for mandatory continuing education as required by the North Carolina Real Estate Commission.

We encourage the North Carolina Real Estate Commission and the North Carolina General Assembly to support the goal of adequate protection of the public and our members in real estate transactions. We will expend any and all efforts seeking legislation and/or regulations to preserve mortgage interest deduction and we will seek favorable changes to capital gains and homestead exemption legislation. The Association will continue to actively oppose any land transfer taxes, impact taxes and impact fees that directly affect the affordability of housing and economic development.

We support a Strategic Plan for the Association that is both timely and reflective of current business trends. We promote the fiscal responsibility of the Association and urge that all necessary measures be taken to insure the long-term viability of our Association. The Association, through the NC REALTORS® Housing Opportunity Foundation, promotes affordable housing programs.

The North Carolina Association of REALTORS®, Inc. recognizes private ownership of property as a cornerstone of free enterprise and we commit ourselves to that end.

[Amended by Executive Committee 1-11-06]

## **ABSENCE FROM BOARD OF DIRECTORS OR EXECUTIVE COMMITTEE MEETING**

A “valid” excuse, as used in NC REALTORS®’s bylaws relating to an absence by Director or Executive Committee member (“Leader”) from two consecutive Board of Directors or Executive Committee meetings (as the case may be), includes, but is not limited to, the Leader’s personal or business emergency, a death in the Leader’s immediate family or the illness of either the Leader or someone in the Leader’s immediate family. “Emergency” means a serious situation or occurrence that happens unexpectedly and demands immediate action on the part of the Leader. “Immediate family” means a spouse, child, parent, sibling, grandparent or grandchild of the Leader or Leader’s spouse and includes such step, half and in-law relations. A “valid” excuse, however, will generally not include a conflict with the Leader’s business or personal schedule, such as a closing or the Leader’s vacation plans.

A Leader must make a request for an excused absence to the NC REALTORS® President, the NC REALTORS® President-Elect or the NC REALTORS® Corporate Secretary, via a telephone call, facsimile, electronic or regular mail, or in person. The Leader must state the specific reason for his or her request. Wherever possible, the request should be made no later than one (1) hour in advance of the meeting from which the Leader expects to be absent.

The Board of Directors and the Executive Committee may consider any violations of this policy by the Leader in determining whether the Leader’s excuse is “valid.”

[Revised by Executive Committee 8/2008]

## **ANTI-HARASSMENT POLICY**

NC REALTORS® strives to create and maintain an environment in which people are treated with dignity, decency and respect. The environment of the Association should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. Association employees and volunteers should be able to work and learn in a safe, yet stimulating atmosphere. The accomplishment of this goal is essential to the mission of the Association. For that reason, NC REALTORS® will not tolerate unlawful discrimination or harassment of any kind. Through enforcement of this policy and by education of employees and volunteers, the Association will seek to prevent, correct and discipline behavior that violates this policy.

All NCR Members are expected to comply with this policy. It applies to any allegation that an NCR Member has harassed an NCR employee or an NCR volunteer. Appropriate disciplinary action will be taken against any NCR Member who violates this policy. An allegation that an NCR employee has engaged in harassment are handled in accordance with the NCR Employee Handbook.

### **Harassment**

NC REALTORS® prohibits harassment of any kind, including sexual harassment. For purposes of this policy, harassment is any verbal or physical conduct designed to threaten, intimidate or coerce an NCR employee or an NCR volunteer, including but not limited to, officers, directors and committee members ("NCR Volunteers"). Verbal taunting (including racial and ethnic slurs) that, in the NCR employee's or NCR Volunteer's opinion, impairs his or her ability to perform his or her job is included in the definition of harassment.

The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal harassment includes comments that are offensive or unwelcome regarding a person's nationality, origin, race, color, religion, gender, sexual orientation, age, body, disability or appearance, including epithets, slurs and negative stereotyping.
- Nonverbal harassment includes distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, sexual identity, marital or domestic partnership or other protected status.

### **Sexual harassment**

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- Is made explicitly or implicitly a term or condition of employment.
- Is used as a basis for an employment decision.
- Unreasonably interferes with an employee's or volunteer's work performance or creates an intimidating, hostile or otherwise offensive environment.

Sexual harassment may take different forms. The following examples of sexual harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal sexual harassment includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.
- Nonverbal sexual harassment includes the distribution, display or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering;

- staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets and Internet postings; or other form of communication that is sexual in nature and offensive.
- Physical sexual harassment includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing and fondling and forced sexual intercourse or assault.

Courteous, mutually respectful, pleasant, non-coercive interactions between NCR Members and NCR Employees and NCR Volunteers, including men and women, that are appropriate in the workplace and acceptable to and welcomed by both parties are not considered to be harassment, including sexual harassment.

### **Reporting Incidents of Harassment**

Any NCR Employee or NCR Volunteer who believes they experienced or witnessed harassment in violation of this Policy should promptly report the incident to the NCR Chief Executive Officer or the NCR President.

### **Investigation and Discipline**

Upon receipt of an NCR Employee's or Volunteer's report of possible harassment or inappropriate behavior in violation of this Policy, NCR will promptly conduct an investigation under the direction of an attorney/attorneys with the law firm acting as NCR's General Counsel. During the investigation, NCR will involve only those deemed necessary to the investigation, and disclosures will only be made on an as-needed basis. If the investigation substantiates that a violation of this Policy has occurred, any disciplinary action will be determined by the NCR President, President-Elect, and one member of the NCR Executive Committee selected by the highest ranking officer not named in the complaint in consultation with NCR's General Counsel. If one or more of the foregoing officers are named in the complaint of harassment or inappropriate behavior, NCR's General Counsel will identify a substitute to be selected from the Executive Committee.

NCR reserves the right to take any necessary and appropriate action against an NCR Member who engages in any form of harassment in violation of this Policy. Such actions may include, but are not limited to, prohibition from attendance at future NCR meetings or events, removal from a committee appointment, expulsion from membership or any other action deemed appropriate by NCR.

**Role of NC REALTORS® Chief Executive Officer.** The NC REALTORS® Chief Executive Officer will not be involved in the investigation of any complaint or determination of disciplinary action. The CEO will be apprised of all information derived from the investigation as well as the decision and determination of disciplinary action, if any.

**Retaliation.** It is contrary to NC REALTORS® policy for an NCR Member to retaliate against any NCR Employee or NCR Volunteer who files a charge of harassment. All possible steps will be taken to eliminate the possibility of retaliation resulting from the filing of a complaint. In the event a complaint of harassment is found to be totally and completely without basis, appropriate disciplinary measures may be taken against the NCR Employee or NCR Volunteer who brought the complaint. While this is in no way intended to discourage NCR Employees or NCR Volunteers who believe they have been the victim of harassment from bringing a complaint, NC REALTORS® recognizes that a charge of harassment can cause serious damage to the personal reputation and professional career of the accused.

**Alternative legal remedies.** Nothing in this policy may prevent the complainant or the respondent from pursuing formal legal remedies or resolution through local, state or federal agencies or the courts.

[amended by Executive Committee 9-22-20]

**ASSOCIATION EXECUTIVE SERVICE ON CERTAIN COMMITTEES AND ADVISORY  
GROUPS**

In addition to the standing committees specified in the Bylaws, an Association Executive Member shall be appointed as a member of each of the following committees or advisory groups: Convention Committee, Forms Committee (Residential), Information Management Committee and Risk Management Advisory Group.

[Approved by Executive Committee 8-13-2013]

**ASSOCIATION EXECUTIVES SERVICE STATEMENT**

Dear NC REALTORS® Association Executive Member:

According to NC REALTORS®'s bylaws, you may attend executive sessions of the NC REALTORS® Board of Directors, except for any such session or portion thereof that may pertain to personnel issues, provided you sign this service statement. ***Deliberations held in executive session are confidential.*** By signing this service statement, you agree to (1) maintain in confidence and not disclose or cause to be disclosed to any person or entity any matter discussed during an executive session and any information relating to it; (2) preserve the confidentiality of the matter and any related information indefinitely; (3) keep any materials concerning the matter in a safe and secure place to protect against inadvertent disclosure; and (4) promptly return to NC REALTORS® staff, upon request, any materials that you have acquired or been sent related to the matter.

***Once the NC REALTORS® Board of Directors moves into executive session, you may not thereafter discuss the deliberations outside the NC REALTORS® Board of Directors. Alleged violations of this Service Statement shall be referred to the NC REALTORS® Executive Committee for a hearing in accordance with ARTICLE XVIII, Section 2 of the NC REALTORS® bylaws.***

Please sign this letter and send it back to NC REALTORS® to confirm your acceptance of these terms. Thank you very much for your cooperation and your continuing work and devotion to NC REALTORS®.

Sincerely,

NC REALTORS® President

Agreed to by:

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(Name)

(Date)

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(Print Name)

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(Print Name of Local Association or Board)

[Approved by Executive Committee 6-14-2004]

## CANDIDATE APPLICATION POLICIES

**I. Candidate Application Forms.** Applications for the following positions are attached as Appendix A to this Policy Manual and incorporated herein by reference:

NAR Director Application  
NC REALTORS® At-Large Representative  
NC REALTORS® Finance Committee  
NC REALTORS® President-Elect  
NC REALTORS® Regional Vice President  
NC REALTORS® Treasurer  
Issues Mobilization Committee

**II. Application Deadline.** Applications must be received by NC REALTORS® no less than one hundred fifty (150) days prior to the date of the Annual Election. Receipt of an application is required before a candidate can announce his or her candidacy, engage in any electioneering, or be endorsed. See Electioneering and Display of Campaign Items Policy for details.

**III. Early Consideration of Applications.** An individual seeking an Elective Position as set forth in the NC REALTORS® Bylaws may, if he or she would be required to answer “yes” to any legal/financial question on the application for the Election Position, obtain consideration of his/her application by the Certifying/Recruiting Committee prior to the deadline for submitting applications.

- A. **Deadline/Notification.** To qualify for early consideration of his/her application, the candidate shall submit a complete application no later than:
1. July 1 in the year preceding their election if he/she plans to announce his/her candidacy at the Annual Membership Meeting or Directors meeting held in conjunction with the Annual Convention; or
  2. October 1 in the year preceding their election if he/she plans to announce his/her candidacy at the meeting of the Board of Directors held in January of the year of their election; or
  3. If no announcement is planned at any of the meetings described in 1 or 2 above, the first working day in January of the year in which he/she intends to run for an Elective Position.
- B. Any such application shall be handled in the same manner as described in any relevant section of the Bylaws and/or Policy Manual. The Committee’s certifying decision with respect to such application shall be made no later than thirty (30) days prior to the application deadline.
- C. **Letter of Support.** An individual seeking early consideration of his/her application may submit the required written statement of support for their candidacy from the current board of directors or other duly authorized body of their Local Board following the date that he/she receives notification that he/she has been certified to run for the position he/she seeks, but in no event more than thirty (30) days calendar days following the date of such notification or the application deadline, whichever comes first. A candidate who fails to timely submit the written statement of support will not be considered certified.

**IV. Processing Applications for Positions on Executive Committee**

- A. **Purpose.** The purpose of this policy is to establish procedures for the processing of applications required by NC REALTORS®’s Bylaws of candidates and appointees for positions on the NC REALTORS® Executive Committee. Recognizing that such applications require the disclosure of

potentially sensitive information about an applicant, this policy includes safeguards to help insure that the confidentiality of such information is maintained to the greatest extent possible.

- B. Submission of Application.** Applications must be completed online and forwarded to the General Counsel, who shall conduct a confidential, preliminary review of the application to determine (1) if it is complete and (2) if it indicates any adverse matter of a financial or legal nature involving the candidate or appointee.

A copy of any application that is complete and does not indicate an adverse matter of a financial or legal nature shall be forwarded by the General Counsel to the Chair of the Certifying/Recruiting Committee.

A copy of any application that does indicate such a matter shall be forwarded by the General Counsel to an attorney designated by NC REALTORS® (hereinafter referred to as the “Auditor”) for further review as set forth herein. Original applications shall be maintained by the General Counsel in a confidential file. In addition, the application of a candidate for the position of President-Elect or Treasurer shall automatically be forwarded by the General Counsel to the Auditor to confirm the accuracy of the information contained in the application.

- C. Review and Report by Auditor.** The Auditor shall conduct a review of any application forwarded to him/her by the General Counsel. The Auditor shall gather additional information about any adverse matter contained therein and shall submit a written report summarizing the matter to the Chair of the Certifying/Recruiting Committee. The Auditor shall not disclose any information about the applicant to any person other than the Chairperson, the General Counsel and other persons as may be reasonably necessary to enable the Auditor to gather additional information about any adverse matter, and shall maintain all applications and any additional information about any applicant in strict confidence except as provided herein.

- D. Interview.** The Chairperson shall arrange a telephone or in-person interview with a candidate if an adverse matter of a financial or legal nature is revealed by either the candidate’s application or the Auditor’s review of the candidate’s application and shall provide him/her with a copy of the report prior thereto.

The Chairperson shall advise the applicant that if he/she chooses to proceed with consideration for election or appointment to office, he/she may, within seven calendar days following the date of the interview, in his/her discretion, submit supplemental information to the Chairperson and/or notify the Chairperson in writing of his/her desire to appear at a meeting of the Committee to explain why he/she believes he/she should be certified by the Committee.

- E. Committee Deliberation.** In determining whether an applicant should be certified by the Committee, the Committee shall consider the application, any report prepared by the Auditor, any supplemental information submitted by the applicant, and any comments made by the applicant at any meeting of the Committee. Committee members shall have an obligation to maintain and protect the confidentiality of any information about the applicant before, during and after the Committee’s deliberations, and the Chairperson shall take reasonable steps to maintain control over any copies of any such information used by the Committee in its deliberations.

In situations where an adverse matter of a financial or legal nature has been revealed with respect to the applications of one or more candidates and one or more such candidates elects to appear at a meeting of the Committee to explain why he/she believes he/she should be certified by

the Committee, an in-person meeting of the Committee will be held to consider any such application(s).

**F. Maintenance of Information.** Following the conclusion of the Committee's deliberations (or if, at any time the applicant elects in writing not to pursue the position), all information about the applicant in the possession of the Chairperson or the Committee shall be destroyed, except that copies of any such information not already in the possession of the Auditor shall be forwarded to him or her by the Chairperson for inclusion in their file.

**V. Appeal from Adverse Decision of Certifying/Recruiting Committee**

**A. Purpose.** This policy sets forth procedures for a candidate to appeal an adverse decision of the Certifying/Recruiting Committee.

**B. Time for Appeal.** Written notification of a candidate's appeal from an adverse decision of the Certifying/Recruiting Committee must be received by the NC REALTORS® Corporate Secretary no later than 5:00 p.m. on the seventh calendar day following the date the candidate receives written notification of the adverse decision from the Corporate Secretary (or by 5:00 p.m. on the next business day, if the seventh day falls on a weekend or holiday). Any "written notification" or "written notice" under this Policy is deemed received at the time such notification is (1) delivered via express mail service to the recipient's office address; or (2) transmitted to the recipient's business facsimile machine; or (3) transmitted to the recipient's e-mail address. The candidate's office address, business facsimile machine and email address shall be according to NC REALTORS®'s then-current membership records. The Corporate Secretary's office address, business facsimile machine and email address shall be the same as the then-current office address and facsimile machine number for NC REALTORS®'s office in Greensboro and the then-current email address of NC REALTORS®'s Chief Executive Officer.

**C. Hearing.** The Executive Committee shall consider the appeal, except for the President, who shall not participate in the hearing. The President may, however, select a Chair for the hearing from among the remaining members of the Executive Committee.

The Corporate Secretary shall immediately inform the Executive Committee of the receipt of a written notice of appeal. The Executive Committee will seek to meet no later than the seventh day following receipt of the written notice of appeal (or on the next business day, if the seventh day falls on a weekend or holiday). The Executive Committee may meet in person or by conference call. The Corporate Secretary shall give the candidate written notice of and an opportunity to be heard at the hearing. The Executive Committee shall make its decision by majority vote in Executive Session, and the Corporate Secretary shall furnish a memorandum of the decision to candidate. The Executive Committee's decision is final and shall not be subject to further review. If the Executive Committee overturns the adverse decision of the Certifying/Recruiting Committee, then the candidate shall be immediately certified to run for the office or position and any Certifying/Recruiting Committee Report announced by NC REALTORS® or displayed at NC REALTORS®'s Annual Convention/Annual Membership Meeting shall include, or shall be amended to include, the candidate.

## **VI. Certifying/Recruiting Committee Report**

NC REALTORS® will post the Certifying/Recruiting Committee's Report on the Members Only portion of its Web site at least thirty (30) days prior to the Annual Election and will announce such posting in the next edition of the weekly member newsletter or similar NC REALTORS® publication following the posting.

[Revised by Executive Committee 3-25-2019]

## CONFLICT OF INTEREST

### INTRODUCTION

Service as a leader for an association gives rise to certain legal obligations to the association. One obligation is the fiduciary duty owed to the association by the leader. It requires the exercise of reasonable care in performing functions for NC REALTORS®—exhibiting honesty and good faith—and encompasses the responsibilities of both care and loyalty. The duty of loyalty requires NC REALTORS® leaders to avoid conflicts of interest and be looking out for NC REALTORS®'s best interests, not their best interests. A conflict of interest may exist when one participates in the decision-making process on an issue for NC REALTORS® while concurrently having other business, professional or personal interests that could tend one toward bias or predisposition on the issue. The fiduciary duty of a leader also requires a leader to avoid the appropriation of programs and activities, particularly business prospects, that properly belong to the NC REALTORS®. NC REALTORS® leaders must also maintain the confidentiality of NC REALTORS® information. These obligations run from the NC REALTORS® leader to NC REALTORS® as a whole. Even where an NC REALTORS® leader might be appointed or elected regionally or by virtue of the NC REALTORS® leader's professional position within a particular company or practice area, the obligations of the NC REALTORS® leader are to NC REALTORS® as an organization, not to the NC REALTORS® leader's constituency. The following policies apply to any NC REALTORS® leader, including but not limited to officers, directors, and members of any NC REALTORS® decision-making body, such as the Board of Directors, Executive Committee and Finance Committee.

### CONFLICT OF INTEREST POLICY

Any NC REALTORS® leader will be considered to have a conflict of interest whenever that leader:

1. is a principal, partner or corporate officer of a business providing products or services to NC REALTORS® or in a business being considered as a provider of products or services to NC REALTORS® (collectively referred to herein as "the business"); or
2. holds a seat on the board of directors of the business, unless the person's only relationship to the business is service on such board of directors as NC REALTORS®'s representative; or
3. holds an ownership interest of more than 1 percent of the business; or
4. holds any unique and substantial interest in the business, financial or otherwise, such as a familial, personal, employer-employee, contractor-contractee, shareholder or governance relationship with the business.

NC REALTORS® leaders with a conflict of interest must immediately disclose their interest at the outset of any discussions by a decision-making body pertaining to the business or any of its products or services. Such NC REALTORS® leaders may not participate in the discussion relating to that business other than to respond to questions asked of them by other members of the decision-making body. Furthermore, no NC REALTORS® leader with a conflict of interest may vote on any matter in which the NC REALTORS® leader has a conflict of interest, including votes to block or alter the actions of the decision-making body in order to benefit the business in which they have an interest. Minutes of appropriate meetings shall reflect that such disclosure was made, and that the leader excused himself or herself from the discussion of the pros and cons and vote on the matter.

## OWNERSHIP DISCLOSURE POLICY

1. When NC REALTORS® has an ownership interest in an entity and an NC REALTORS® leader has an ownership interest in that same entity, such NC REALTORS® leader must disclose the existence of his or her ownership interest.
2. If an NC REALTORS® leader has personal knowledge that NC REALTORS® is considering doing business with an entity in which an NC REALTORS® leader has any financial interest, then such NC REALTORS® leader must disclose the existence of his or her financial interest.
3. If an NC REALTORS® leader has a financial interest in an entity that the NC REALTORS® leader knows is offering competing products and services as those offered by NC REALTORS®, then such NC REALTORS® leader must disclose the existence of his or her financial interest.

NC REALTORS® leaders with an ownership interest must disclose their interest at the outset of any discussions by a decision making body pertaining to the business or any of its products or services. Such NC REALTORS® leaders may not participate in the discussion relating to that business other than to respond to questions asked of them by other members of the decision-making body. Furthermore, no NC REALTORS® leader with an ownership interest may vote on any matter in which the NC REALTORS® leader has an ownership, including votes to block or alter the actions of the decision-making body in order to benefit the business in which they have an interest. Minutes of appropriate meetings shall reflect that such disclosure was made, and that the leader excused himself or herself from the discussion of the pros and cons and vote on the matter.

## CORPORATE OPPORTUNITIES POLICY

Any NC REALTORS® leader who learns of a business opening, investment, project, or program through his or her service to NC REALTORS® may not pursue that opportunity outside of NC REALTORS® without first offering it to NC REALTORS®. Only if NC REALTORS® decides not to proceed (i.e., abandons the corporate opportunity) may he or she proceed independently of NC REALTORS®. NOTE: No NC REALTORS® leader is prohibited from engaging in conduct in the same general line of commerce as NC REALTORS®, but he or she must conduct his or her own activities in good faith and without injury to NC REALTORS®. For example, assume that part of your service on a Committee entails development of an educational course to be delivered to NC REALTORS® members. It would be a violation of this Policy to take the work of the Committee and use it to create an educational course for your personal financial gain.

## CONFIDENTIAL INFORMATION POLICY

Any NC REALTORS® leader must (a) maintain in confidence and not disclose or cause to be disclosed to anyone, other than NC REALTORS®, any information designated as confidential prior to or during deliberation by NC REALTORS® in NC REALTORS®'s sole discretion; (b) keep any materials containing confidential information in a safe and secure place to protect against inadvertent disclosure; and (c) preserve confidential information indefinitely, even after expiration of the leader's service. Upon expiration of the leader's service, the leader must promptly return to NC REALTORS® staff, upon request, any materials containing confidential information sent to or acquired by the leader relating to the leader's work for NC REALTORS®. For example, assume that the Administrative Committee, during its search for an CEO, designates the deliberations as "confidential," to preserve the integrity of the search. It would be a violation of this Policy for members of the Committee to disclose such deliberations to anyone outside the Committee or except as may be required for the conduct of the Committee's business.

## SERVICE STATEMENTS

Any person serving NC REALTORS® in an elected or appointed position must annually sign a service statement in form designated by NC REALTORS® prior to serving.

## MONITORING AND COMPLIANCE

Reasonable efforts will be taken to educate NC REALTORS® leaders as to the requirements of these policies and to remind NC REALTORS®'s decision-making bodies of these policies prior to and/or during meetings of such bodies. NC REALTORS®'s Chief Executive Officer and chief employed finance executive will exercise reasonable diligence in monitoring proposed or ongoing transactions for conflicts of interest and disclose them to the President in order to address potential or actual conflicts, whether discovered before or after the transaction has occurred. Alleged violations of these policies by an NC REALTORS® leader shall be reported to the Executive Committee for further action in accordance with Article XIX of the NC REALTORS® bylaws.

[Approved by Board of Directors 01-23-09]

## **DETERMINATION/DESIGNATION OF NC REALTORS® STATE DIRECTORS**

Determination of the number of Directors from the Local Boards for each calendar year shall be based on NC REALTORS®'s membership records as of the immediately preceding July 31<sup>st</sup>.

By October 15<sup>th</sup> of each year, NC REALTORS® will make available a State Director Report Form for local boards and associations to use to designate their NC REALTORS® directors effective January 1<sup>st</sup> of the upcoming year. Local boards and associations shall return the completed State Director Report Forms to the NC REALTORS® Executive Assistant no later than December 1<sup>st</sup>.

In the event of a vacancy by resignation or otherwise during a year, the local board or association must notify the NC REALTORS® Executive Assistant in writing of the vacancy and replacement not less than two (2) weeks in advance of the next NC REALTORS® Board of Directors meeting.

[Approved by Executive Committee 08-11-2010]

## **NC Association of REALTORS® Dues Payment Policy**

Payment Schedule: In order to maintain the National Association of REALTORS® guidelines for dues payments, the following schedule will be adhered to:

### January 1

Dues deadline

### March 31

Dues postmarked after March 31 are delinquent. Members whose dues have not been forwarded to NC REALTORS® by this date must be placed on inactive status by the Member Board. Any Member Board whose dues are not paid will be classified as a Member Board not in good standing, and the Association may assess such late charges and administrative fees as may be established by NAR and NC REALTORS®.

### March 31

All dues received by March 31 are posted in the order in which they are received; Member Boards will have transmitted all NC REALTORS® and NAR dues money and record updates to NRDS by this date.

### April 30

All payments received by March 31 are posted and Outstanding dues reports are sent to each Member Board.

### June 1

Notification is sent to each Member Board that has not paid their total dues obligation. This letter informs the Member Board that it is classified as a member not in good standing, which will result in the Member Board's loss of voting rights at future meetings of the Board of Directors. Also, notice of delinquency will be given to the NC REALTORS® Executive Committee for consideration at their next scheduled meeting.

**NOTE:** The Treasurer and Chief Executive Officer of NC REALTORS® shall identify specific patterns of delinquency in the collection process and require that Member Board appear at "hearings" to explain the occurrence of such patterns. Upon reviewing the results of the "hearing", the Treasurer shall present information pertaining to the delinquency to the Executive Committee for its consideration as set forth in the NC REALTORS® Bylaws.

Form of Payment. Starting with the 2017 NC REALTORS® dues, NC REALTORS® will no longer accept paper checks from local associations submitting dues to NC REALTORS®. All NC REALTORS® dues payments must be submitted electronically.

[approved by NC REALTORS® Executive Committee 1-26-16]

## **ELECTIONEERING AND DISPLAY OF CAMPAIGN ITEMS**

Two (2) weeks after a candidate has submitted an application for a position, he or she may formally announce his or her candidacy and distribute or display campaign items, and he or she may be endorsed by a region, board or member provided that any such announcement endorsement or electioneering may not in any event take place earlier than the first day of the NC REALTORS® Annual convention preceding the year of his or her election. For example, REALTOR® Jones wants to run for an RVP position. The election will take place at the 2020 annual elections. REALTOR® Jones may formally announce her candidacy and distribute and display campaign items, and may be formally endorsed by a region, board or member, on the first day of the 2019 Annual Convention, provided that REALTOR® Jones submitted an application for the position she is seeking at least two (2) weeks prior thereto.

A candidate, either personally or through an individual spokesperson (not a team of individuals), may make a single announcement of the candidacy itself from the floor of *either* an NC REALTORS® Board of Directors meeting *or* NC REALTORS®'s Annual Membership Meeting. The choice between the meetings is at the discretion of the candidate. Such an announcement of candidacy may *not* be accompanied by or include candidate endorsements (see below). For example, REALTOR® Smith is a member of REALTOR® Jones' campaign committee and also an NC REALTORS® Director. REALTOR® Jones wishes to announce her candidacy for RVP at the next NC REALTORS® Board of Directors meeting, so she appoints REALTOR® Smith as her spokesperson. REALTOR® Smith announces the candidacy from the floor of the NC REALTORS® Board of Directors meeting. No other announcements of REALTOR® Jones' candidacy will be entertained on the floor of any subsequent NC REALTORS® Board of Directors or general Membership meeting.

Candidate endorsements - whether they are endorsements by a region, board or individual member - are distinguished from announcements of candidacies themselves for the purposes of this policy. No candidate endorsements may be made from the floor of any NC REALTORS® Board of Directors or general Membership meeting, including NC REALTORS®'s Annual Membership Meeting. Candidates may, nonetheless, immediately prior to the start of such meetings, place leaflets or token campaign items bearing endorsements on the chairs in the rooms designated for such meetings. For example, ABC Association of REALTORS® is supporting REALTOR® Jones' candidacy for RVP. The endorsement may not be referred to on the floor of any NC REALTORS® Board of Directors or general Membership meeting, but leaflets may be placed on the chairs in such meeting room saying that REALTOR® Jones is endorsed by ABC Association of REALTORS®.

Up to one-half page of advertising space in the *Insight* Magazine-(excluding the front and back of each cover) may be purchased by, or on behalf of, a candidate on a one-time basis for the publication of material related to the candidacy, provided that any material submitted for publication is in support of the candidate and in no way derogatory toward another candidate or toward NC REALTORS®. The material is subject to editorial approval by NC REALTORS® staff. As a courtesy, NC REALTORS® staff shall notify any other candidate for the same position about the purchase of the space. For example, the members of REALTOR® Jones' RVP campaign committee purchase a one-quarter page ad stating their support for REALTOR® Jones' candidacy. The *Insight* editor notifies REALTOR® Jones' opponent upon the purchase. The material otherwise meets the publication requirements and appears in *Insight*. Subsequently, no other individual or group may purchase ad space for publication of material related to REALTOR® Jones' candidacy.

A pre-election issue of *Insight* shall, at NC REALTORS®'s cost, include a photograph and a brief summary of each candidate (name, city, local association name, firm name, position sought, etc.) whose

names will be on the ballot in the Annual Election, with a link to a full biography for each candidate on the NC REALTORS® website.

At any NC REALTORS® meeting or function including, but not limited to, Inaugural, Mid-Year, Vision Quest and Convention, candidates are not permitted to do any electioneering or distribute or display campaign items at the meeting facility's registration desk(s) or within 100 feet in any direction of NC REALTORS®'s registration desk(s). Each candidate is limited to displaying one banner (maximum size 3' x 6') and one sign (maximum size 24"x 36") at each NC REALTORS® meeting or function. Under no circumstances is NC REALTORS® required to provide a candidate space or a table for display of campaign items at any NC REALTORS® meeting or function. Notwithstanding the above, immediately prior to the start of any NC REALTORS® Board of Directors or general Membership meeting, candidates may place leaflets or token campaign items on the chairs in the meeting room designated for such meeting. Any and all campaign items must be in support of a candidate and in no way derogatory toward another candidate or toward NC REALTORS®.

Candidates are solely responsible for making arrangements directly with the meeting facility for the physical display of any campaign items. Under no circumstances are campaign items to be nailed, tacked, pinned, taped or otherwise affixed to the meeting facility's property. In many instances, the meeting facility will charge a fee for hanging signs and banners or renting easels for display. Candidates are solely responsible for any cost(s) incurred in connection with the display of campaign items and must make their own arrangements for payment, such as by having the cost(s) billed to the candidate's hotel room. Candidates may not use NC REALTORS® easels, tables or other equipment for display of campaign items. NC REALTORS® will not authorize payment for any candidate expenses. Any costs billed to NC REALTORS® by the meeting facility due to the display of a candidate's campaign items will be charged back to the candidate. Candidates must abide by all rules and requirements of the meeting facility, and where the meeting facility's rules and requirements impose additional obligations and/or are more restrictive than this policy, the meeting facility's rules control. NC REALTORS® will endeavor to provide the meeting facility's relevant rules and requirements, if any, to all announced candidates at least two (2) weeks prior to the meeting.

Candidate hospitality suites are the sole responsibility of the candidate.

Each year during NC REALTORS®'s Legislative Meetings, NC REALTORS® will hold a candidate forum for the positions of President-Elect, Treasurer and NAR Director. The candidate forum will be a stand-alone session at which candidates for those positions may make presentations and respond to questions.

The NC REALTORS® President, President-Elect, First Vice President, Immediate Past President and Treasurer shall refrain from any direct or indirect campaign involvement other than his or her own campaign.

NC REALTORS®'s Immediate Past President (or his or her designee) and the NC REALTORS® Corporate Secretary shall serve as the Sergeants-at-Arms for the purposes of this policy, and each has full authority to enforce the provisions of this policy in his or her sole discretion. The Sergeant-at-Arms will promptly remove or arrange to have removed any campaign items displayed or distributed in violation of this policy, and a candidate (or member of his or her campaign committee) who tampers with, removes or otherwise disturbs another candidate's campaign items will have his or her own campaign items removed by or at the direction of the Sergeant-At-Arms. It is the candidate's responsibility to recover, at the candidate's expense, all campaign items so removed, and NC REALTORS® is not responsible for any items removed pursuant to this policy.

Each candidate will be required to sign a Statement of Candidate Conduct when they apply for candidacy. The specific requirements to be included in the statement will be established by the NC REALTORS® Policy Committee.

It is the candidate's responsibility to inform each member of the candidate's campaign committee of this policy.

[Amended by Executive Committee 3-25-19]

[Amended by Executive Committee 4-10-24]

## ELECTRONIC VOTING POLICY

1. NC REALTORS® shall establish and maintain an electronic voting system that allows voters entitled to vote in the Annual Election to vote from any location where a computer with Internet access is available. The electronic method of voting will be the only means by which voters may vote in the Annual Election. For purposes of this policy, an NC REALTORS® member is entitled to vote in the Annual Election if he/she: (i) is eligible under the NC REALTORS® bylaws to vote in the Annual Election; (ii) has provided NC REALTORS® with a valid, unique e-mail address; and (iii) has not notified NC REALTORS® that he/she no longer wishes to receive email messages from NC REALTORS®. Notwithstanding the foregoing, NC REALTORS® Members may nevertheless vote in the Annual Election if they are eligible to vote under the NC REALTORS® Bylaws, notify NC REALTORS® in writing no more than 60 days and no fewer than 21 days prior to the Annual Election of their desire to vote and provide NC REALTORS® with a valid, unique e-mail address from which they will exercise their vote.
2. The Annual Election shall take place over a period of four consecutive business days prior to the Annual Convention (the “Election Period”), beginning at 12:00:01 A.M. on the first day and ending at 11:59:59 P.M. on the fourth day. The precise dates that the Election Period shall begin and end shall be established each year by the Corporate Secretary; provided, the Election Period shall begin no more than seventy (70) calendar days prior to the commencement of the Annual Convention but no later than September 10.
3. The dates and times of the Annual Election shall officially be announced by written and electronic notice to the presidents and association executives of each local REALTOR® association no fewer than one hundred eighty (180) days prior to the beginning of the Annual Election. The dates and times of the Annual Election shall also be announced via other regular channels of communication with members, including but not limited to NC REALTORS®’s *Insight Magazine*, the weekly email to members the NC REALTORS® website and various list serves.
4. Candidates will be notified of the results of the Annual Election the day following its conclusion and instructed not to communicate the results prior to announcement of the results to the membership-at-large. Immediately following notification of the candidates, the results will be announced electronically to the members. Vote totals will be published.
5. Explanation of the electronic voting process (including system requirements) will be announced via regular channels of communication with members.
6. Candidates will have the opportunity to submit campaign information (i.e., photo, bio, personal statement, etc.) to be posted on the NC REALTORS® website and included in an ‘election bulletin’ to be distributed electronically on up to two occasions by NC REALTORS® to NC REALTORS® members prior to the Annual Election. The NC REALTORS® Corporate Secretary will establish and enforce reasonable requirements and deadlines pertaining to the content, submission and dissemination of such information and candidates will be responsible for compliance with such requirements.
7. NC REALTORS® staff shall, subject to the approval of the Executive Committee, select a vendor to provide the voting system, and work with the vendor to administer the election process, including ballot production, voter identification and eligibility, and vote tabulation.
8. The selected vendor will provide a secure voting system that may require multiple identifiers for security. NC REALTORS® may use one or more personal identifiers, including email address, to determine eligibility of the voter.

[Amended by the Executive Committee 1-23-18]

[Amended by the Executive Committee 1-25-22]

[Amended by the Executive Committee 12-12-22]

[Amended by Executive Committee 4-10-24]

## **ORIENTATION ATTENDANCE POLICY**

All persons elected or appointed as an NC REALTORS® director shall, prior to his or her service as a director (whether it is his or her initial term or a subsequent term in such capacity), attend the NC REALTORS® director orientation program offered in conjunction with the first meeting of the Board of Directors each year. A director will be excused from attending the orientation program only in accordance with the policy pertaining to excused absences from Board of Director or Executive Committee meetings. The orientation program shall be recorded on video for viewing at a later date by persons who have obtained an excused absence from the directors' meeting or who may be elected or appointed after the directors' meeting has been held, and any such person shall certify in writing that he/she has viewed the video. The position of a director who fails to attend the orientation program or view the video in accordance with this policy shall be considered vacant and subject to being filled with a replacement in accordance with the Bylaws or Policy Manual, provided that this policy shall also apply to any replacement director.

All persons elected or appointed as chair or vice-chair of any NC REALTORS® Committee shall, prior to his or her service as a committee chair/vice-chair (whether it is his or her initial term or a subsequent term in such capacity), attend the orientation program offered each year. A committee chair/vice-chair will be excused from attending the orientation program only in accordance with the policy pertaining to excused absences from Board of Director or Executive Committee meetings. The orientation program shall be recorded on video for viewing at a later date by persons who have obtained an excused absence from the program or who may be elected or appointed after the program has been held, and any such person shall certify in writing that he/she has viewed the video. The position of a chair/vice-chair who fails to attend the orientation program or view the video in accordance with this policy shall be considered vacant and subject to being filled with a replacement in accordance with the Bylaws or Policy Manual, provided that this policy shall also apply to any replacement chair/vice-chair.

[Approved by Executive Committee 1-18-2011]

## REGIONAL BOUNDARIES AND REPRESENTATION

A. Description of Regions: For Administrative Purposes, NC REALTORS® shall be divided into 10 Regions as follows:

### **Region 1**

Albemarle Area Association of REALTORS®  
Carteret County Association of REALTORS®  
Jacksonville Board of REALTORS®  
Neuse River Region Association of REALTORS®  
Outer Banks Association of REALTORS®  
Topsail Island Association of REALTORS®  
Washington-Beaufort County Board of REALTORS®

### **Region 2**

Brunswick County Association of REALTORS®  
Cape Fear REALTORS®

### **Region 3**

Longleaf Pine REALTORS®  
Goldsboro-Wayne County Association of REALTORS®  
Coastal Plains Association of REALTORS®

### **Region 4**

Durham Regional Association of REALTORS®  
Johnston County Association of REALTORS®  
Orange Chatham Association of REALTORS®  
Roanoke Valley Lake Gaston Board of REALTORS®  
Rocky Mount Area Association of REALTORS®  
Triangle Commercial Association of REALTORS®  
Wilson Board of REALTORS®

### **Region 5**

Burlington-Alamance County Assoc. of REALTORS®  
Greensboro Regional REALTORS® Association  
High Point Regional Association REALTORS®  
Mid Carolina Regional Association of REALTORS®

### **Region 6**

Catawba Valley Association of REALTORS®  
High Country Association of REALTORS®  
Winston-Salem Regional Association of REALTORS®

### **Region 7**

Burke County Board of REALTORS®  
Charlotte Region Commercial Board of REALTORS®  
Central Carolina Association of REALTORS®  
Cleveland County Association of REALTORS®  
Gaston Association of REALTORS®  
Lincoln County Board of REALTORS®  
McDowell Board of REALTORS®  
Rutherford County Board of REALTORS®  
Salisbury-Rowan Association of REALTORS®  
Union County Association of REALTORS®

### **Region 8**

Canopy REALTOR® Association

### **Region 9**

Carolina Smokies Association of REALTORS®  
Hendersonville Board of REALTORS®  
Highlands-Cashiers Board of REALTORS®  
Land of the Sky Association of REALTORS®  
Mountain Lakes Board of REALTORS®

### **Region 10**

Raleigh Regional Association of REALTORS®

B. Representation: Each Region shall be entitled to and be represented by a Regional Vice President of the Association; provided, Regions 8 and 10 shall each be entitled to and represented by two Regional Vice Presidents.

C. Changes in Regional Alignment and Representation. The NC REALTORS® Board of Directors shall, every seven years (beginning in the year 2013), consider whether changes to the number and/or boundaries of the Regions or the number and/or distribution of Regional Vice Presidents should be made. A task force shall be appointed by the President to make recommendations to the NC REALTORS® Board of Directors regarding proposed changes thereto. In determining whether any such changes should be made, a primary goal of the NC REALTORS® Board of Directors shall be to create regions that have proportionate representation on the Executive Board based on numbers of members.

[Approved by NC REALTORS® Board of Directors April 19, 2006]  
[Amended by Executive Committee 4-10-24]

## **Search Committee Policy**

**Applicability.** This Policy applies to a search for an NCR Chief Executive Officer in the event the position becomes vacant.

**Make-up of Search Committee.** The Search Committee will be comprised of the following persons:

- Members of the NCR Leadership Team (President, President-Elect, Treasurer and Immediate Past President)
- Any newly-elected candidate for the position of President-Elect or Treasurer who has yet to take office following their election
- Two members appointed by the NCR President from the then-current Executive Committee.
- A Past President (in addition to the immediate Past President) to be appointed by the NCR President
- The NCR President appoints the Chair of the Search Committee

The President should seek to appoint members of the Executive Committee who have worked in positions with NCR that allow them to understand the role and duties of the NCR Chief Executive Officer. At-large appointees are not subject to confirmation by the Executive Committee.

**Duties of the Search Committee.** The Search Committee shall:

- Seek out and recommend to the Executive Committee a candidate for the office of Chief Executive Officer, including recommended compensation and other terms of employment
- Provide interim reports to the Executive Committee regarding the status of its search
- Insure that the duties of the Chief Executive Officer are carried out by staff, either directly or through the employment of an interim administrator, until the position of Chief Executive Officer is filled

**Confidentiality.** The members of the Search Committee shall at all times consider the reasonable privacy expectations of any and all applicants for the position, and shall maintain confidentiality in performing its duties to the greatest extent possible.

[approved by Executive Committee 12-3-20]

## **STRATEGIC PLANNING COMMITTEE**

**Purpose.** The purpose of this policy is to establish procedures for appointment to and meetings of the Strategic Planning Committee.

**Meetings of the Committee.** Every three years, the President-Elect shall call such meetings of the Committee as may be necessary to develop an all-inclusive Strategic Plan. Meetings of the Committee shall be chaired by the President-Elect. NC REALTORS® staff shall participate in meetings of the Committee as may be directed by the Executive Vice-President.

**Make-up of Committee.** The Committee shall consist of the Executive Committee, twelve at-large NC REALTORS® members appointed by the President-Elect, and the Chief Executive Officer.

**Approval of Strategic Plan.** The Strategic Plan and updates thereto shall be reviewed by the Executive Committee and approved by the Board of Directors.

[Amended by Executive Committee 1-23-18]