

SCOTTSDALE AREA ASSOCIATION OF REALTORS®, INC.

4221 North Scottsdale Road * Scottsdale, Arizona 85251

RULES AND REGULATIONS

Amended July 15, 2009

Section 1 - Association Magazine

1. The *Scottsdale Area REALTOR Magazine* (hereafter Magazine) will be published quarterly.
1. The Scottsdale Area Association of REALTORS® (hereafter SAAR) will sell advertising in the Magazine at the discretion of the Chief Executive Officer (hereafter CEO).
1. Advertising will be sold at member and non-member rates, based on availability of space and at the CEO's discretion.

Section 2 - Board of Directors

2.1 PRESIDENT:

- Represents the entire SAAR Membership and its interests, and has an understanding of the concepts of the local, state, and national associations. Within the limits of the *Scottsdale Area Association of REALTORS®' BYLAWS* (hereafter *BYLAWS*) and *Rules and Regulations*, the President has the authority, duty, and responsibility to:

A. SAAR:

1. Conduct meetings and preside at all meetings of the Leadership Team, Board of Directors, and Membership;

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1. Act as public representative of SAAR and work with the CEO as official spokesperson of SAAR;
1. Create, appoint members, and outline the purposes of task forces, all subject to the approval of the Board of Directors;
1. Hold Designated REALTOR® meetings as needed;
1. May administer the *REALTOR® Pledge* at monthly New Member Orientation meetings;
1. Appoint the Committee Chairpersons for the coming year no later than November 15th. If the Chairpersons are not appointed by this date, the Leadership Team will make the appointments;
1. Serve as a non-voting member of all committees, if desired;
1. Be the authorized signatory on *Articles of Incorporation, BYLAWS, and Rules and Regulations*, if changed during term of office;
1. Be a signatory on all legal documents and bank accounts (checks in excess of \$5,000 require two signatures);
1. Act as official host at SAAR events;
1. Write articles for the Magazine;
1. Attend the Leadership Team Retreat;
1. Exercise personal leadership in the motivation of other Officers, Directors, Committee Chairpersons, and Members;
1. Support policies and programs adopted by the Board of Directors;
1. Conduct the Committee Chairperson/Vice Chairperson Orientation at the beginning of term of office;
- 16) Participate, as requested, in meetings of member firms to promote SAAR;
- 17) Participate in the CEO selection process;

- 18) Personally notify Board of Director candidates of election results;
- 19) Appoint RAPAC Chairperson.
- B) AAR:
 1. Attend AAR meetings representing SAAR (see *Travel Guidelines*);
 1. Serve as a member of the AAR Board of Directors;
 1. Attend the AAR Leadership Conference.
- C) NAR:
 1. Attend NAR national meetings, including but not limited to the Legislative Meeting in Washington, DC (approximately six days) and the National Convention (approximately five days). (See *Travel Guidelines*.)
 - 2) Be the voting delegate at the annual NAR Convention Delegate Body Meeting.
- D) General:
 - 1) May initiate/attend meetings with Presidents and/or Presidents-Elect of other associations/boards of REALTORS®;
 - 2) Will attend installations of other state and local associations/boards, and other functions of those associations/boards, as requested;
 - 3) Will attend annual reception sponsored by the City of Scottsdale Leadership Program.
 1. PRESIDENT-ELECT:
 - Represents the SAAR Membership and its interests, and has an understanding of the concepts of the local, state and national associations. In the event of the absence or disability of the President, performs the duties and responsibilities of the President. Works closely with the other Officers and the CEO for orientation and planning purposes to ensure a smooth transition into the presidency. Within the limits of the *BYLAWS* and *Rules and Regulations*, the President-Elect has the authority, duty, and responsibility to:

- A) SAAR:

1. Preside over official meetings in the absence of the President;
1. Act as Parliamentarian for all official meetings, except when acting as Chairperson;
1. Attend all Board of Directors and Leadership Team Meetings, and other official SAAR events;
1. Plan the Leadership Team Retreat for their year as President;
1. Attend at least one New Member Orientation Session;
- 6) Serve as a non-voting member of all committees, if desired;
- 7) Act as Chairperson of the *BYLAWS* and *Rules and Regulation* Task Force;
- 8) Act as “Strategic Plan” Chairperson;
- 9) Appoint the Committee Vice Chairpersons for the coming year no later than November 15th. If the Vice Chairpersons are not appointed by this date, the Leadership Team will make the appointments;
- 10) Assume responsibility for the Installation for their year as President in collaboration with the SAAR Staff;
- 11) Participate in the CEO selection process.

- B) AAR:

1. Attend AAR meetings, representing SAAR (see *Travel Guidelines*);
1. Serve as a member of the AAR Board of Directors;
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1. Attend the AAR Leadership Conference.

- C) NAR: Attend NAR national meetings, including but not limited to the Legislative Meeting in Washington, DC (approximately six days) and the National Convention (approximately five days) (see *Travel Guidelines*);
 - D) General: Attend meetings with Presidents and/or Presidents-Elect of other associations/boards of REALTORS®.
1. VICE PRESIDENT:
- Represents the SAAR Membership and its interests. In the event of the absences of the President and the President-Elect, performs the duties and responsibilities of the President. Within the limits of the *BYLAWS* and *Rules and Regulations*, the Vice President has the authority, duty, and responsibility to:
- A) SAAR:
 - 1. Serve as a member of the Leadership Team and assist the President and President-Elect in carrying out the functions of their offices;
 - 1. Act as Parliamentarian in the absence of the President-Elect;
 - 1. Attend all official SAAR events;
 - 1. Attend at least one New Member Orientation meeting;
 - 1. Serve as a non-voting member of all committees, if desired.
 - B) AAR:
 - 1. Attend AAR meetings, representing SAAR (see *Travel Guidelines*);
 - 1. Serve as a member of the AAR Board of Directors;
 - 1. Attend the AAR Leadership Conference.
 - C) NAR: Attend NAR national meetings, including but not limited to the Legislative Meeting in Washington, DC (approximately six days) and the National Convention (approximately five days) (see *Travel Guidelines*).

TREASURER:

- Represents the SAAR Membership and its interests. Within the limits of the *BYLAWS* and *Rules and Regulations*, the Treasurer has the authority, duty, and responsibility to:
 - A) Attend all Board of Directors and Leadership Team Meetings, and other official SAAR events;
 - B) Work with the Controller and the Budget Task Force to formulate, review, and present the budget for the coming year. The Budget Task Force will be chaired by the Treasurer and its members will include the President-Elect, CEO, Controller, and qualified SAAR Members;
- C) Review the monthly financial reports.

1. LEADERSHIP TEAM:

- The Leadership Team will consist of the President, President-Elect, Vice President, Immediate Past President, Treasurer, and CEO. It will be subject to the directions of the Board of Directors and none of its acts will conflict with action taken by the Board of Directors. Within the limits of the *BYLAWS* and *Rules and Regulations*, the Leadership Team has the authority, duty, and responsibility to:
 - A. Be familiar with SAAR's governing documents;
 - A. Maintain confidentiality of their offices;
 - C) Represent SAAR and report to the Board of Directors on any activities attended on behalf of SAAR;
 - A. Monitor Article V of the *BYLAWS* (*Qualification and Election*);
 - A. Attend Board of Directors' Meetings and Retreat;
 - A. Attend Leadership Team Meetings and Retreat;
 - A. Make Committee appointments by December 1st if the President and/or the President-Elect fail to do so;
 - A. Review fees with the CEO on an annual basis;
 - A. Any member of the Leadership Team may call for a special meeting;

- A. Make recommendations to the Board of Directors pertaining to SAAR financial affairs;
 - A. Create the CEO evaluation form to be used by all parties, making certain it specifically reflects the contractual responsibilities of the CEO;
- L) Conduct the CEO evaluation before the end of October and present it to the Board of Directors in November;
- M) Negotiate the CEO contract when necessary;
- N) Clearly define the Board of Directors' expectations of the CEO;
- O) Serve as the CEO Selection Task Force, with one of the Officers acting as Chairperson:
 - 1) The Task Force may also consist of current Members of the Board of Directors, Past Presidents, and other recognized leaders in the industry;
 - 2) Legal Counsel should review and confirm the issues of employment contracts, topics to be discussed, and legally permissible questions to ask in the interview process;
 - 3) Members of the CEO Selection Task Force should understand and be able to discuss SAAR's structure, history, and objectives. They should have a working knowledge of its budget and financial status, as well as its services and activities such as membership categories and services, educational programs, public relations activities, and legislative issues and efforts;
 - 4) The responsibilities of the CEO Selection Task Force, and the procedures and guidelines for selecting the CEO are contained in NAR's "Human Resources Tool Kit for Recruiting Association Executives".

1. BOARD OF DIRECTORS:

- The Board of Directors is the elected governing body of SAAR. Within the limits of the *BYLAWS* and *Rules and Regulations*, the Board of Directors has the authority, duty, and

responsibility to:

- A) SAAR:

1. Be familiar with SAAR's governing documents;
1. Attend Directors' meetings;
1. Maintain confidentiality of their offices;
1. Review and adopt long-range plans which best serve the interests of the Membership;
1. Select additional AAR Directors from the current Board of Directors, Committee Chairpersons, Committee Vice Chairpersons, and Leadership Academy Alumni. No more than two REALTORS® under the same Designated REALTOR® may be chosen and they will serve at the pleasure of the Board of Directors;
1. Make final decisions affecting SAAR's fiscal structure and other financial matters;
1. Attend official events of SAAR as possible; *NOTE: The Affiliate Director will attend all Affiliate Quarterly Conferences and Affiliate Orientations.*
1. Attend the Officer/Director Installation;
1. Review the completed CEO evaluation provided by the Leadership Team;
1. Delegate Staff decisions to the CEO;
1. Review the SAAR financial reports on a monthly basis;
1. Adopt the annual operating budget and the level of dues for all classes of membership;
1. Create Special Programs (see Section 6) which are beneficial to the SAAR Membership. (Participation will be by appointment.);
1. Confirm the Committee Chairpersons and Vice Chairpersons or make committee appointments if the President and President-Elect fail to do so;

1. Recognize *Robert's Rules of Order (Newly Revised)* as the authority governing all meetings of the Board of Directors;
 2. Antitrust - All Members of the Board of Directors must be aware that certain topics are not proper subjects for discussion and consideration at any meeting of Members, Officers, Committees or Directors, whether formal or informal. Any action or proposed action which is intended to eliminate, restrict, or govern competition amongst Members is a violation of antitrust laws. Discussion at SAAR meetings relating to significant factors of competition amongst the Members may be construed as an attempt to agree upon a common course of business conduct. SAAR expressly forbids such discussions, and Directors have the affirmative obligation to take action to cease any such discussions;
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1. Ratify annual election results, by majority vote, by e-mail or at a Special Executive Session of the Board of Directors.

B) AAR:

- 1) Attend the AAR Leadership Conference;
- 2) Attend the AAR Midwinter Conference.

1. CHIEF EXECUTIVE OFFICER:

- The CEO will administer and oversee the *Rules and Regulations* as set forth by SAAR in conjunction with the Board of Directors. Within the limits of the *BYLAWS* and *Rules and Regulations*, the CEO has the authority, duty, and responsibility to:
 1. A) Offices and Staff:
 1. Oversee and administer the *Rules and Regulations* for office functions in conjunction with the Board of Directors and Legal Counsel;
 1. Recruit, hire, train, promote, and dismiss Staff Members; and administer an effective personnel program which includes position descriptions, performance standards, performance appraisals, and compensation as prescribed by the “Employee Policy Manual”;
 1. Ensure all Board of Director Candidates submit a signed “Consent to Serve Form” and a “Conflict of Interest Policy” form with their candidate application, in compliance with Article XI, Section 5(c) of the *BYLAWS*;
 1. Ensure all current Board of Director Members’ and Officers’ licenses are current.

- B) SAAR:
 1. Manage the finances of SAAR;
 1. Work with Legal Counsel to ensure the legal integrity of SAAR;
 1. Plan and coordinate meetings for the Board of Directors, Leadership Team, and Membership;
 1. Monitor and assist with committee meetings, as necessary;
 - 5) Make recommendations to the Board of Directors to employ or dismiss vendors necessary for the transaction of the business of SAAR.

- C) AAR and NAR:
 1. Maintain a strong working relationship with other associations/boards of REALTORS®, AAR, and NAR;
 1. Participate in activities and programs offered by state, national, and professional association management organizations within the limits of the SAAR budget;
 1. Attend AAR and NAR meetings as required.
 1. Serve as NAR Director.

- D) Membership:
 1. Oversee the development and maintenance of communications/publications programs which are responsive to the needs of the Membership and promote the interests of SAAR;
 1. Coordinate research as directed by the Board of Directors and report findings to the Board of Directors;
 1. Coordinate and administer a program of membership development and services in conjunction with and as approved by the Board of Directors.

- E) Civic and Community:
 1. Serve as spokesperson for SAAR in conjunction with the President;

1. As directed by the Board of Directors, maintain an active interest in civic organizations and community groups;
1. If invited by the Scottsdale Area Chamber of Commerce, the CEO will serve as Director on their Board of Directors. The CEO will abstain from any votes on political candidates.

F) General:

1. Provide “SAAR Calendar of Events” to the Board of Directors on a monthly basis;
1. Provide SAAR, AAR, and NAR calendars of events/meetings for the coming year at the Board of Directors’ Retreat;
1. Work with the President-Elect in planning the upcoming year;
 - 4) May conduct a self evaluation using the CEO evaluation form provided by the Leadership Team, and provide a copy of the evaluation to the Leadership Team.

Section 3 - Association Facilities

1. PRIORITIES:
 - A. Official SAAR events (orientations, educational seminars, special events, Board of Directors’ meetings, etc.);
 - A. Member companies’ meetings not for educational credit hours;
 - A. Committee, Special Programs, and Task Force meetings;
 - A. Member companies’ meetings for educational credit hours;
 - A. Non-Member Organizations:
 - 1) Real estate related;
 - 2) Other.
1. FEES:

A. The CEO will establish fees on an annual basis, with the review of the Leadership Team;

A. All fees must be paid *two weeks in advance* of scheduled meeting or event.

3.3 GUIDELINES:

A. Meetings and events outside of normal business hours will be at the discretion of the CEO;

A. Speakers, meetings or events will not conflict with SAAR-scheduled speakers, meetings or events;

A. Equipment damaged by a company utilizing the facilities will be replaced at their additional expense;

A. Smoking will be allowed in designated outside areas only;

A. The Staff is authorized to have unauthorized vehicles that are parked in the SAAR parking lot towed.

Section 4 - Committees

1. Committees will be established by the Board of Directors and governed by these *Rules and Regulations*.

1. Committee meetings are open to all REALTOR® and Affiliate Members, with the exception of Institute Affiliate Members, of SAAR.

1. In order to vote at committee meetings, the Member must have been present at the meeting when the issue was discussed.

1. All actions of committees are subject to the approval of the Board of Directors.

1. Committee Chairperson and Vice Chairperson appointments are made by the incoming President and incoming President-Elect respectively, with final approval by the Board of Directors.

1. The President may appoint additional committees, subject to approval of the Board of Directors.

1. The “Roles of Committees” for the ensuing year are developed by the incoming President in conjunction with input from incoming and outgoing Directors, the CEO, and the incoming and outgoing Committee Chairpersons. These goals and charges to the committees are made in concurrence with those responsibilities outlined in the *BYLAWS* and the “Strategic Plan”.
 1. At the Annual Committee Orientation, Committee Chairpersons and Vice Chairpersons are provided with a manual that includes the committees’ responsibilities for the year, a copy of the SAAR *BYLAWS, Rules and Regulations*, and “Strategic Plan”, and a list of the committee appointments for the year.
- 4.9 Chairpersons will be responsible for monitoring their committee income and expenses as outlined in the budget and coordinating with/reporting to the SAAR Controller.
 - 4.10 Committees gather information and review materials received which fall within the goals and responsibilities of their respective committee. They make recommendations of what SAAR could be doing to best serve the Membership. *NOTE: All proposed actions, events, and expenditures must have the approval of the Board of Directors.*
 - 4.11 Recommendations of the committees are directed to the Board of Directors for action. Board policy provides for recording of committee meeting *Minutes* by a Staff Liaison. *Minutes* will be made available on the SAAR Web site prior to the next scheduled Board of Directors’ meeting. The Directors will review committee proposals and may approve as submitted, approve with modifications, or refer back to the committee. Board action will be noted on the proposal sheet and returned to the referring committee.
 - 4.12 Correspondence addressed to SAAR may be reviewed by the Board of Directors and directed to an appropriate committee for review. The Chairperson of the committee is advised of its receipt and content in order that it may be included on the committee meeting agenda. Any outgoing correspondence resulting from a committee meeting will originate from or be coordinated with the SAAR Staff and be reviewed by the CEO prior to distribution. All communications by SAAR’s committees relative to responsibilities, programs, activities, and meetings will be coordinated through the CEO prior to distribution.
 - 4.13 A Staff Liaison will be assigned to each Committee to attend meetings and take *Minutes*. *Committee Minutes* are maintained at the SAAR office and are available on the

SAAR Web site.

- 4.14 Contracts and/or commitments made in securing facilities for scheduled events, obtaining necessary supplies, etc., must be made in the name of the SAAR and include the CEO or Assistant Executive Officer (hereafter AEO) as the contact person, have the SAAR office as the address to receive such contracts, and have the authorized signature of the CEO.
- 4.15 Monies received by committees in connection with scheduled events must be delivered to the SAAR office for accounting and record-keeping purposes in a timely manner. Expenses incurred for scheduled events must be invoiced to the SAAR office where they must be approved for payment by the CEO, the AEO, or the Controller. (Exceptions must be approved in advance.)
- 4.16 The REALTOR® Marketing Session (hereafter RMS) Chairperson, RMS Meeting Coordinator, RMS Program Coordinator, RMS Tour Director(s), Speaker(s), and SAAR Staff will be admitted to the appropriate RMS at no cost. SAAR Officers and Directors will not pay if they are attending in their official capacity, but must pay if they are promoting their business.
- 4.17 Members of the Board of Directors may not chair committees, but may be a non-voting member of any committee and will be notified, in advance, of their meetings.

Section 5 - Committee Descriptions

- 5.1 AFFILIATE: Represents the Affiliate Members of SAAR and works closely with the REALTOR® Members on various projects to enhance the reputation and professional image of its Members and SAAR.
- 5.2 COMMUNITY OUTREACH & AWARENESS: Identifies, develops, and promotes programs that enhance the volunteer opportunities with the community; creates and promotes opportunities that involve REALTORS® and Affiliates at the local and state levels.
- 5.3 GOVERNMENT AFFAIRS: Raises the awareness of SAAR Members of the importance of their civic involvement at the local level; recommends and coordinates actions pertaining to state and local government legislation, including zoning and other regulations, affecting the real estate industry; coordinates all legislative actions with NAR

and AAR when appropriate. *NOTE: The Government Affairs Committee is not a lobbying group. Any actions proposed must have the approval of the Board of Directors.*

- 5.4 MULTIPLE LISTING SERVICE (MLS): Works, with the highest ethical standards, toward the continuous improvement of the MLS data and structure as an evolving marketing and knowledge management tool for Members and their clients. From time-to-time, the Committee may recommend MLS changes and improvements to the SAAR Board of Directors.
- 5.5 REALTOR® MARKETING SESSION (RMS): Manages activities of groups that promote fellowship, and present program formats designed to help Members be more knowledgeable and professional in their dealings with the public and each other through educational opportunities, networking, touting, and touring residential properties.

Section 6 - Special Programs

1. SPECIAL PROGRAMS: Will be established by the Board of Directors and governed by these *Rules and Regulations*. A Special Program will be created to address a specific area outside the scope of the SAAR Committees. A Staff Liaison will be assigned to Special Programs. Any outgoing correspondence resulting from a meeting will originate from or be coordinated with the SAAR Staff and reviewed by the CEO prior to distribution.
- 6.2 HUTCH FUND: Provides financial assistance to SAAR Members whose personal financial resources may be depleted by catastrophic medical expenses, major emergency relief measures, or long-term care needs.
 - 6.3 LEADERSHIP ACADEMY: Identifies future leaders for SAAR and expands Member knowledge of volunteer opportunities in Scottsdale and other communities. The Academy Chairperson will be selected by the President Elect from the Academy Alumnus.
 - 6.4 LEADERSHIP ACADEMY ALUMNI: Promotes the Alumni image and participation in SAAR activities that provide opportunities for the social and educational growth of the Alumni and an outreach to the community thereby creating cohesiveness amongst the Alumni.

- 6.5 STRATEGIC PLAN: Creates and recommends a plan of operation to the SAAR Board of Directors.

Section 7 - Task Forces

- 7.1 The President may create, outline the purpose of, and appoint members to task forces as he/she may deem necessary, subject to the approval of the Board of Directors.
- 7.2 Task forces will terminate upon issuance of a final written report to the Board of Directors or at the end of the President's term of office (whichever occurs first), and will be included in the Board of Directors' *Minutes*.
- 7.3 Task force meetings will be conducted in accordance with *Robert's Rules of Order*.

Section 8 - Education

- 8.1 The overall educational policy of SAAR is to upgrade the professionalism of the Membership.
 1. SAAR will provide, support, and sponsor basic real estate education and educate its Members on how to work cooperatively with fellow Members under the *Code of Ethics* and the *Arizona Regional Multiple Listing Service Rules and Regulations* through its New Member Orientation Program.

Section 9 - Employee Related

9.1 Hiring Policy for the SAAR Office:

- A. No employee of SAAR may engage in any real estate activity for which a license is required;
- A. Current SAAR Members are not eligible for employment by SAAR unless their real estate license is inactive and their membership in SAAR is withdrawn;
- A. Spouses, other family members, or significant others of SAAR Officers and Directors or existing Staff Members are not eligible for employment by SAAR.
- 1. Salaries of Staff Members will be of a confidential nature and inquiries from Members regarding the salary of any Staff Member must be directed to the CEO. The CEO will personally respond to such inquiries.

Section 10 - Events

1. A Committee or Special Program Chairperson is to recommend a budget, including the fee structure for an event, which is to be presented to the Board of Directors for approval.
1. No refunds will be given for event registration unless a 48-hour cancellation notice is provided to SAAR. This policy will be printed on all publicity.
1. Cancellation of scheduled events will be determined by the Chairperson of the appropriate committee and the CEO after taking into consideration the terms of the speaker's contract, registration, etc.
1. All Past Presidents, incoming and outgoing Officers and Directors, and their spouse or guest will receive complimentary invitations to the annual SAAR Installation. The Elected President's immediate family and guests will also receive complimentary invitations.

Section 11 - Finances

11.1 SAAR's accounting system will be accrual based.

- 11.2 In matters of override or non-budgeted expenditures to the SAAR budget, a written proposal will be sent to the Board of Directors for their review. The CEO will include the proposal in the Agenda, which is provided seven days prior to the next Board of Directors' meeting. A presentation will be made at the meeting and, if further information is necessary, a vote may be postponed until the following meeting.
- 11.3 REALTOR® Membership application and/or processing fees for the following classifications will be:
 - A) Designated REALTOR® \$125.00;
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 - B) REALTOR® Member \$125.00;
 - C) Designated REALTOR® (*Secondary Membership*) Complimentary
- 11.4 Affiliate Members will pay \$225.00 SAAR dues for the Head Affiliate plus the \$125.00 initial application fee. Additional representatives *from a company* may be added

for a fee of \$50.00 per Affiliate.

- 11.5 Appraiser Members will pay \$225.00 SAAR dues for the Head Appraiser plus the \$125.00 initial application fee. Additional representatives *from a company* may be added for a fee of \$150.00 per Appraiser.
- 11.6 Multiple Listing Service Only Members will pay \$675.00 SAAR dues, \$210.00 application fee, and the cost of a yearly MLS subscription.
- 11.7 Transfer Fee: There will be a \$25.00 transfer fee for all REALTORS®, Affiliates, and Appraisers when transferring from one Designated REALTOR®/Head Affiliate/Head Appraiser to another Designated REALTOR®/Head Affiliate/Head Appraiser.
- 11.8 Overpayment of Account: Amount of overpayment will be refunded or credited to next billing.
- 11.9 The NSF charge will be \$50.00 for any check received from Members returned for insufficient funds.

11.10 A \$50.00 late fee will be placed on dues unpaid after January 15th.

- 11.11 REALTOR® Members who leave SAAR owing money will be given 30 days notice. If the amount owed is not paid within 30 days, or a written payment agreement is not obtained prior to the end of the 30 days, the account will be assigned to a collection agency. If there is a breach of the agreement, the account will automatically go to collection.
- Uncollected debts will be written off as a bad debt after 12 months from the due date in accordance with generally accepted accounting procedures. Past Members who re-join SAAR will be required to pay any debt, whether written-off or not.
- 11.12 At the discretion of the CEO, payment of all SAAR services may be required to be in cash, cashier's check or certified funds where there is a history of checks returned for insufficient funds or at the time of reinstatement.

- 11.13 The Treasurer and the Board of Directors will review the SAAR financial statements on a monthly basis. A review of the annual audit will be conducted at a Board of Directors' meeting.
- 11.14 The President, President-Elect, or Vice President, and CEO will be eligible to sign checks for all bank accounts.
- 11.15 Two signatures will be required on payroll checks. The signatories will be the current President and the CEO.
 1. The CEO and AEO will co-sign checks between \$1,000.00 and \$5,000.00. Checks over \$5,000.00 require the signatures of the CEO and an Officer.
 1. The CEO and Leadership Team will be responsible for making recommendations to the Board of Directors on managing SAAR's assets. All monies not immediately required will be invested in interest-bearing accounts through federally insured financial institutions. Deposits will be at the highest interest rate possible and will be for a period of time, as determined by the CEO, to allow sufficient funds for operating expenses throughout the year.
- 11.18 All check requests will be approved by the CEO prior to payment.
- 11.19 The CEO is authorized to spend up to \$5,000.00, unbudgeted, in a calendar year, on capital expenditures, without requiring approval by the Board of Directors. (Capital Expenditures: Property and equipment purchases in excess of \$1,000.00)
- 11.20 The CEO will be issued a credit card to be used for official business (not for personal use).
- 11.21 The CEO will arrange for an annual audit.
- 11.22 SAAR is audited on an annual basis and the results of the prior year's annual audit are available for review by the Membership, along with annual tax returns, at SAAR.
 1. All donation requests will be submitted in writing, on the "Benefactor Request Form", to SAAR. Requests will be considered by the Board of Directors.

1. SAAR “Membership Certification” will be sent to the Designated REALTORSâ annually.

Section 12 - Awards

1. Award nomination forms will appear in the *Magazine* and on the SAAR Web site.
1. Award nominations will be presented by the CEO for approval at the September Board of Directors’ Meeting.
1. Distinguished Service:
 - A. Purpose: To acknowledge continuous and exemplary industry service within the REALTOR® organization and community;
 - A. Qualifications: Active in SAAR business and service for a minimum of 15 years;
 - A. Recipient receives a waiver of SAAR annual dues.

12.4 REALTORâ of the Year:

- A. Purpose: To recognize a REALTORâ Member selected by peers for exemplary service to the industry;
- A. Qualifications: Recipient must be a primary member of SAAR who is involved in SAAR, REALTORâ, and community activities, and is not a current Officer or Director.

12.5 Affiliate of the Year:

- A. Purpose: To recognize outstanding contributions by an Affiliate;
- A. Qualifications: Recipient must be a Member of SAAR.
1. Citizen of the Year:
 - A. Purpose: To recognize outstanding contributions to the community;
 - A. Qualifications: Recipient must live, work, or represent the jurisdiction of SAAR.

Section 13 - General Policies

- 13.1 SAAR will participate in the AAR Leadership Conference for Directors.

- 13.2 ARMLS Director/ARMLS-MLS Committee Member Selection Process:
 - A. Nominations will open in May, inviting Members to submit their name for ARMLS Director/the ARMLS-MLS Committee;
 - A. Nominations are to be submitted to SAAR by the fourth Friday in June;
 - A. Candidates may appear at the July Board of Directors' meeting;
 - A. Selection will be by a vote of the Board of Directors at the July meeting;
 - A. Two absences in a row or three absences in the calendar year will result in removal from the ARMLS-MLS Committee. SAAR will solicit candidates for replacement to be elected at the Board of Directors' next regularly scheduled meeting;
 - A. No more than ONE REALTOR® employed by the same Designated REALTOR® may serve as an ARMLS Director/ARMLS-MLS Committee Member.

13.3 ARMLS Director Criteria:

- A. Serve at the pleasure of the Board of Directors;
- A. Commit to attending all ARMLS Board of Directors' meetings for three years;
- B. The ARMLS Director may not serve more than three consecutive three-year terms;
- A. Two absences in a row or three absences in the calendar year will result in removal from the ARMLS Board of Directors. SAAR will solicit candidates for replacement to be elected at the Board of Directors' next regularly scheduled meeting.

13.4 ARMLS-MLS Committee Member Criteria:

- A. Serve at the pleasure of the Board of Directors;
- A. Commit to attending all ARMLS-MLS Committee meetings for two years;
- A. May not serve more than three consecutive two-year terms;
- A. Two absences in a row or three absences in the calendar year will result in removal from the ARMLS-MLS Committee. SAAR will solicit candidates for

replacement to be elected at the Board of Directors' next regularly scheduled meeting.

13.5 AAR Director Criteria:

- A. Serve at the pleasure of the Board of Directors;
- A. President, President-Elect, and Vice President automatically serve as AAR Directors, by virtue of their SAAR office;
- A. Additional AAR Directors will be selected by the SAAR Board of Directors from the current Board of Directors, Committee Chairpersons, Committee Vice Chairpersons, and Leadership Program Alumni;
- A. No more than two REALTORS[®] employed by the same Designated REALTOR[®] may be chosen.

13.6 NAR Director Criteria:

- A) The SAAR President will serve as a NAR Director;
- B) The SAAR President-Elect will serve as a NAR Director;
- C) The CEO will serve as a NAR Director.

1. Leadership Team Retreat:

- A. The President-Elect will be responsible for the Retreat;
- A. The Retreat will be held in-state;
- A. Proposed expenses will be approved by the Board of Directors, prior to the Retreat.

• Section 14 - Legal Counsel

14.1 Position Description: To assist and advise SAAR in legal affairs.

- 14.2 Preferred Skills: Association Counsel needs a good balance of common sense, sound judgment, and legal knowledge, particularly of the real estate industry and trade

association laws. He/She should have experience in, or at least working knowledge of corporate, antitrust, civil rights, tax, employment, and municipal law. The Attorney should understand SAAR's structure and operations, including the area of Professional Standards, and be able to handle a myriad of developing legal trends related to trade associations. Counsel or counsel's firm needs to have adequate staff and facilities to represent and handle all SAAR's legal needs.

1. Responsibilities:
 - A. Be available, by telephone or in person, to respond to questions and consult with the President and CEO on matters concerning legal aspects of SAAR's operations;
 - A. Negotiate, draft or review contracts involving SAAR, when appropriate;
 - C) Correspond with those who have addressed SAAR by telephone or mail when a response from Counsel is requested by the President, Board of Directors and/or CEO.

14.4 Legal Counsel Selection Committee:

- A. The Selection Committee should consist of seven Members, with committee make-up as follows:
 1. The Leadership Team;
 1. Two Members of the Board of Directors to be selected by the Board of Directors.
- A. Members of the Selection Committee should have, when possible, a background in MLS, Professional Standards, and/or law.
- A. The Selection Committee will be responsible for:
 1. Reviewing all applications/resumes;
 - 1. Determining who will be interviewed by telephone and/or in person;
 1. Preparing the interview questions;
 1. Submitting recommendations, with supporting evidence, to the Board of Directors.

Section 15 - Membership

- 15.1 All SAAR Members are required to provide the Membership Coordinator with their home address, e-mail address, and preferred phone number. This information will be added to the NRDS core fields in a Member's record. Without this information, the record cannot be processed.
- 15.2 Leave of Absence Policy: Leave of absence is the relief of financial burden of dues and user fees. Requests for a leave of absence will be considered by the CEO on a case-by-case basis. This is for up to one year only.
 1. Designated REALTORS® or Associate Brokers, designated by the Designated REALTOR® in writing to SAAR, are acceptable signatories on any SAAR form.
 1. Any SAAR Member who is not active for a full calendar year will be classified in a dropped status in the computer system. Their permanent file will be retained for three years.
 1. New Licensees must be reported to SAAR within five days of receipt of license. An application for membership is deemed notification. If the application is not made by the Designated REALTOR®, the Licensee will be added to the Designated REALTORS®' firm as a non-Member and the Designated REALTOR® will be billed accordingly.
 1. The CEO will be responsible for coordinating the content and time allocation for the orientation of new applicants for Designated REALTOR® and REALTOR® memberships.

Section 16 - Member Services

- 16.1 Use of SAAR's fax machine will be at *no charge to SAAR Members* for local faxes. For long-distance, the charge will be \$2.00 per page plus the long-distance charge for SAAR Members and non-Members. For incoming faxes there is *no charge to SAAR Members for up to five pages*. After five pages, there will be a \$1.00 per page charge.
 1. The REALTOR® Service Center makes available to the SAAR Membership and REALTOR® Members of other associations/boards, ARMLS listing/legal forms, contracts, and sales tools at a Member cost. Non-REALTOR® walk-ins may purchase all items at twice the Member cost.
 1. Any SAAR Member Office may have ARMLS listing/legal forms and contracts shipped to their office via UPS. The costs of the forms, shipping, and handling will be billed to the Designated REALTOR®'s account.

1. A copy machine is available to SAAR Members. The first six copies are free of charge; each additional copy is ten cents.
1. MLS terminals are available for SAAR Members' use at SAAR's office.
1. Upon requests from the general public, written or verbal, for recommendations of a REALTOR®, the CEO or AEO will suggest direct contact with three member firms of their choice in regards to the services offered.
1. Services offered to Institutes, Societies or Councils, or other similarly chartered affiliations will be defined by such management contracts. In the absence of a management contract, services will be limited to providing meeting room space, if available, at no charge for committee and/or Board of Directors' meetings unless there is a conflict with Section 3 ("Association Facilities"), in which case Section 3 will prevail. Information regarding upcoming events will be published in the Magazine, on a space available basis, at the discretion of the CEO. Services requested beyond those stated are subject to a management contract.

Section 17 - Multiple Listing Service

- 17.1 The Multiple Listing Service participation fee is \$210.00. *This is a one-time fee* that will be charged each time an office joins the MLS, a participant adds a branch, or when a former participant reinstates their MLS status outside the calendar year.
- 17.2 SAAR Staff inputting of REALTOR® listings will cost \$25.00 per listing. The REALTOR® must sign a statement assuming full responsibility for verifying the accuracy of the data.
 1. MLS service will not be provided to those who fail to pay fees to ARMLS or the ARMLS-MLS vendor.
 1. **SAAR does not and will not establish or recommend rates of commissions. Commissions are a matter of negotiation between the parties. SAAR will NOT interfere in those negotiations or inhibit in any way the freedom of the parties to negotiate.**
 1. SAAR strongly recommends that a Designated REALTOR® maintain a written contract with each associate in his/her firm setting forth their rights and obligations. In addition, an office policy and procedure guide should be provided to each REALTOR® who acknowledges that he/she has read and accepts said

policy. SAAR has no jurisdiction over the internal relationship between a Designated REALTOR and a REALTOR affiliated with his/her firm.

Section 18 - ARMLS Rules and Regulations

- 18.1 Although a separate document, the *Arizona Regional Multiple Listing Service Rules and Regulations* are incorporated in this document by reference.

Section 19 - Professional Standards Policies

- 20.1 The *Code of Ethics and Arbitration Manual of the National Association of REALTORS®* has been made a part of the *BYLAWS*.
- 20.2 SAAR is signatory to the Statewide Professional Standards Enforcement Procedures, under which all inquiries pertaining to Ethics Complaints, Arbitration Requests, and Mediation will be referred to AAR.

Section 20 - Record Retention

21.1 Documents and items to be retained appropriately include:

- A. *Articles of Incorporation*;
- A. *BYLAWS* and all amendments;
- A. The Charter;
- A. *Minutes* of the Board of Directors' meetings;
- A. Corporate tax returns;
- A. IRS 501(c)6 status letter;
- A. Annual audit reports and management letters;
- A. Pension records;
- A. Insurance policies;

- A. Stock certificates;
 - A. Privileged attorney/client communications between SAAR and its Attorney;
 - A. Membership electronic files;
 - A. *ARMLS Rules and Regulations* and all amendments;
 - A. *ARMLS Subscriber Agreement and ARMLS Waivers*;
 - A. *Statewide Professional Standards Enforcement Procedures* and all amendments.
1. Records relating to real and personal property will be retained for as long as the property is held and for a period of seven years after disposal.
 1. Accounting and payroll records will be retained for three years.
 1. Employee records and completed I-9s will be retained for three years from date of termination.
 1. All Membership paper files will be retained until a Member has been terminated from SAAR for one full calendar year without rejoining. If a Member does not renew for the following year, the paper file will be retained for three years.
 1. At the end of the applicable retention period, files will be shredded.

Section 21 - Travel Guidelines

1. SAAR's Board of Directors will be responsible for the guidelines determining eligibility for reimbursement of travel expenses while on SAAR business. The rate of reimbursement per mile will be at the current rate allowed under AAR regulations for automobile mileage use.
1. The CEO will be charged with implementing the budgetary allocations and approving travel/business expense guidelines in accordance with IRS regulations and *SAAR Rules and Regulations*.
1. The CEO may use the SAAR credit card to purchase airline tickets for the President, President-Elect, Vice President, himself/herself, and any other Staff who may be required to travel. Reservations must be made in a timely fashion in order to obtain the best rate.

1. Phoenix Metropolitan Area:

- A. Early registration fees (if applicable);
- A. Receipted expenses will be reimbursed at the discretion of the CEO;
- A. Expense reports based on actual expenses must be filed within 21 days after the meeting.

1. All Other Areas:

- A. Actual standard hotel room rate (early registration required), plus tax(es), for duration of convention only;
- A. Airline ticket not purchased by SAAR (reservations must be made in order to obtain the best rate);
- A. Receipted expenses up to \$100.00 per diem will be reimbursed;
- A. Early registration fees (if applicable);
- A. Mileage (if the traveler prefers driving) will be reimbursed at current AAR rate, not to exceed the cost of airline ticket;
- A. Expense reports based on actual expenses must be filed within 21 days after the meeting.

- *NOTE: If AAR Chairpersons, AAR and/or NAR Directors, and NAR Committee Chairpersons or Committee Members receive compensation from another source to attend the same meeting (AAR/NAR/ARMLS), such compensation will be deducted from SAAR's reimbursement by the CEO.*

22.6 AAR Directors (Officers and CEO only):

- A. Actual standard hotel room rate (early registration required), plus tax(es), for up to two nights (if applicable);
- B) Actual mileage at current AAR rate or airfare, whichever is less;

- C) Receipted expenses up to \$100.00 per diem will be reimbursed;
- D) Early registration fees (if applicable);
 - E) Expense reports based on actual expenses must be filed within 21 days after the meeting.

22.7 AAR Quota Directors:

- A) Actual standard hotel room rate (early registration required), plus tax(es), for up to one night (if applicable);
- A. Actual mileage at current AAR rate or airfare, whichever is less;
- A. Receipted expenses up to \$100.00 per diem will be reimbursed;
- A. Early registration fees (if applicable);
- A. Expense reports based on actual expenses must be filed within 21 days after the meeting.

22.8 NAR Directors:

- Excess expenses over AAR reimbursement, up to a maximum of \$600.00, provided receipts (*INCLUDING A COPY OF AAR EXPENSE REPORT*) are submitted within 21 days after the meeting, will be reimbursed.
 1. NAR Committee Representatives:
 - If a SAAR Member serves on a NAR Committee, they will be reimbursed in the following manner:
 - A) Actual standard hotel room rate (early registration required), plus tax(es), for up to two nights (if applicable);
 - B) Airfare rate applicable to 21-day advance purchase fare;

- C) Early registration fees (if applicable);
- D) Receipted expenses up to \$100.00 per diem will be reimbursed;
- E) Expense reports based on actual expenses must be filed within 21 days after the meeting.