



FILING AN ETHICS COMPLAINT

The Royal Palm Coast Realtor® Association accepts ethics complaints involving Royal Palm Coast Realtor® Association with regard to a potential violation of the Code of Ethics/MLS RULES set forth by the National Association of REALTORS®. The Association only deals with professionally based ethics related complaints against our active primary members.

For your reference, professional ethics complaints **do not deal with any monetary award** or compensation, as the Association is not empowered to make any financial restitution. If you seek the enforcement of a civil matter for the payment of money, return of personal belongings or the enforcement of the specifics of a contract (including a listing or employment agreement); please consult an attorney engaged in the private practice of law. If you seek criminal prosecution for the violation of a state law (including fraud or illegal activity), please consult the State Attorney's Office.

For your reference, ethics-based complaints may eventually result in some sort of disciplinary action being taken against an active member and would only affect their membership in the Association and not their license with the state. If you wish to affect an individual's license with the state for violations of real estate license law (including fraud or illegal activity), you have to file a complaint with the Department of Business & Professional Regulations for the State of Florida (go to www.myfloridalicense.com – look for the drop down menu on the left that says 'FILE A COMPLAINT').

All ethics complaints must be filed within one hundred eighty (180) days after the facts constituting the matter complained of was known and should be based upon whether there was a violation of the Code of Ethics. The Code of Ethics is the standard by which the Grievance Committee of the Board reviews allegations of potential violations. The Articles in the Code of Ethics are the specific obligations that can subject the members to disciplinary action after a due process hearing.

If you wish to file an ethics complaint, carefully read the Code of Ethics (copy attached), complete the ethics complaint form, and include an explanation of why you believe a specific Article (or Articles) has been violated (e.g., "I feel that Article _____ was violated because....."). **Any ethics complaint must cite an Article, since that is the standard by which REALTOR® conduct is judged; a Standard of Practice (e.g., 1-6) may only be cited in support of a charge that an Article was violated.** You must also include the date you became aware there was a potential violation. Many ethics complaints result from a misunderstanding or a failure in communication. Before filing an ethics complaint, make reasonable efforts to communicate with your real estate professional or a principal broker in the firm to resolve the situation.

When we receive an ethics complaint, we forward it to the Grievance Committee. The Committee will review the matter and decide if there are sufficient grounds for an ultimate hearing by the Professional Standards Committee. If forwarded for a hearing, you will be required to attend. You must, and all witnesses must be present at the hearing, otherwise the complaint will be automatically dismissed. If the case is forwarded for a hearing and a civil lawsuit or a FREC complaint is being filed at the same time of the ethics complaint, the ethics case with the Association will be held in abeyance until such time that the civil suit or the FREC investigation is finalized. It will be your responsibility to keep us informed of these proceedings.

If you have any questions, or need additional information, feel free to contact me at 239-936-3537 ext. 234 or via email at: julie@rpcra.org.

Sincerely,
Julie Gorman
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