



# Statements Of Policy

## Section A

Outer Banks Association of REALTORS®  
Statements of Policy - Section A

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*Section A of the Association's Policies governs details concerning Membership, Board of Directors, Staff, Contracted Professional Services and General Operating Policies and Procedures not delineated in the Association's Bylaws.*

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# Outer Banks Association of REALTORS<sup>®</sup> Policy Manual

## Section A. General Policies

The Outer Banks Association of REALTORS<sup>®</sup> is an association of volunteer members governed by Bylaws adopted in October 1984, and incorporated in April 1986. Qualification for and objectives of membership are found in the Bylaws, as approved by the National Association of REALTORS<sup>®</sup>. The governing body of the Association is a Board of Directors. The activities of the Association are carried out through Committees of volunteer members. All Association functions and activities are supported by paid staff, administered through an Executive Officer. The policies found in this manual are in addition to, not a replacement for, the Association's Bylaws. These policies serve to provide detail concerning Membership, Board of Directors, Staff, Contracted Professional Services and Operating Policies not delineated in the Association's Bylaws.

### 1. Definition

- 1.1 "Board" means Board of Directors, Outer Banks Association of REALTORS<sup>®</sup>.
- 1.2 "Association" means the Outer Banks Association of REALTORS<sup>®</sup>

### 2. Membership

- 2.1 Application. All applicants for membership in the Association must submit a completed, signed Application Form to the Membership Committee. This application must be accompanied by an application fee in an amount specified by the Board and a check to the North Carolina Real Estate Commission (necessary for receipt of a Certificate of Licensure). Application fees are non-refundable and non-transferable; unless the applicant is denied membership, in which case the fee will be returned. Applicants who do not complete the application process during the required time permitted will not be entitled to a refund.
  - 2.1.1 The Membership Committee will present all applicant names to the General Membership for Comment Period. In the event that an application for membership reviewed by the Membership Committee contains questionable information, then a letter of acknowledgment must be signed by the principal broker, acknowledging such questionable information and returned to the Membership Committee prior to Committee action being taken.
- 2.2 Orientation Course. Applicants for REALTOR<sup>®</sup> membership in the Association are required to attend and successfully complete a course of instruction otherwise known as Orientation. Attendance at an Orientation Course within a period of time sufficient to meet the requirements for induction is mandatory. Failure to satisfy this requirement within ninety (90) days of the date of application will result in denial of the membership application (3/06). Reapplication to the Association will require payment of a new application fee. In any event, applicants must participate in and pass the examination given at the end of the Orientation Course. In the event an applicant fails to pass the prescribed examination for REALTOR<sup>®</sup> membership, he will be

given the opportunity to take it again after a waiting period of three (3) days from the date of testing. Additional retakes will be allowed every three days as necessary thereafter.

2.2.1 After receipt of a completed application and prior to scheduling Induction, the Membership Committee will supply each applicant with a packet of information to include but not be limited to a copy of the Bylaws, Policy, Code of Ethics, and MLS Rules and Regulations.

2.3 Changes of Business Affiliation. Upon termination of employment or association with a REALTOR<sup>®</sup> firm, a REALTOR<sup>®</sup> member in good standing will be eligible for reinstatement, if he becomes employed by or associated with another REALTOR<sup>®</sup> firm within one hundred eighty (180) days of such termination. Establishment of the REALTOR<sup>®</sup> member's own business within such one hundred eighty (180) day period is also eligible for reinstatement. If membership in the Association has not been reinstated within one hundred eighty (180) days, he will thereafter apply for membership in the manner prescribed for new applicants.

#### 2.4 Leaves of Absence and Reinstatement Procedures.

2.4.1 REALTORS<sup>®</sup> who were current in their obligations to the Association when they resigned may be considered for reinstatement within 90 days or less by the payment of a \$50.00 fee to cover administrative and clerical costs to the Association. The member will not be required to take the Orientation examination. If the member resigned in one fiscal year and returns the next fiscal year, the member will be required to pay annual dues in full (2/06).

2.4.2 REALTORS<sup>®</sup> who were current in their obligations to the Association, and who have been out of the Association for more than 90 days, but less than 180 days, may reapply to the Association for membership under the same designation for one-half the current application fee of a new applicant plus annual dues as prescribed in paragraph 2.5 and without taking the Orientation examination (2/06).

2.4.3 A former member of the Association, who had been a member in good standing for five years, but who has been out of the Association for over 180 days, but less than eighteen (18) months, may be reinstated for one-half the current application fee plus annual dues as prescribed in paragraph 2.5 and without taking the Orientation examination (2/06).

2.5 Dues and Obligations. Dues for all Members will be payable annually on the first day of January. Dues will be computed from the first day of the month in which a Member is notified of election and will be prorated for the remainder of the year. Members will notify the Association of any change of status, including resignation from the Association; leaving the area; change of firm, mailing address, e-mail address or other pertinent information. Resignation will not relieve a member of their obligation for dues and fees already incurred.

#### 2.6 Waivers.

2.6.1 Military Service: Upon request by member or firm, local association dues will be waived for any member serving on "active duty" in any branch of the military. Appropriate requests will be made by the Executive Officer to the North Carolina Association of REALTORS<sup>®</sup> and the National Association of REALTORS<sup>®</sup> for respective dues waivers.

2.6.2 Lifetime Members: Upon application to the Membership Committee, local Association dues will be waived for any REALTOR<sup>®</sup> who has been a member of the Association for twenty-five years. Any REALTOR<sup>®</sup> so qualified will retain all rights of REALTOR<sup>®</sup> membership and will be considered a Lifetime Member.

- 2.6.3 **Emeritus Status:** Upon Approval by the Board of the National Association of REALTORS<sup>®</sup>, any payment of further dues is waived. Waiver of such dues begins in the first quarter in which approval of REALTOR<sup>®</sup> Emeritus status is granted by the Board of the National Association of REALTORS<sup>®</sup>. All other privileges and obligations of REALTOR<sup>®</sup> membership will apply to REALTOR<sup>®</sup> Emeritus status.
- 2.6.4 **Honorary Membership:** Honorary Membership in the Association will be approved by the Board. Once approved, honorary members will be exempt from paying local dues.
- 2.6.5 **Non-Member to REALTOR<sup>®</sup> Status:** When a non-member who is affiliated with a REALTOR<sup>®</sup> firm elects to become a REALTOR<sup>®</sup> member within a year when non-member assessments have been collected from and remain credited to the Designated REALTOR<sup>®</sup> of that firm, no dues are collected from the new REALTOR<sup>®</sup> for that year.
- 2.6.6 **OBAR President.** The Association will waive the local portion of dues and pay the state and national portions of dues for the current year local board president. The Association will also cover the expense of meals at any association function for the current year local board president.

### 3. **Board of Directors**

- 3.1 **Governance.** The governing body of the Association will be a Board consisting of the elected officers, Chair of the Bylaws Committee, Membership Committee, Multiple Listing Service Committee, and Property Management Committee, the Legislative Committee Chair, the Dare County Tourism Board Member, and two REALTOR<sup>®</sup> Member At Large Directors. Directors will be elected to serve for a term of one year, with the exception of the Member At Large Directors and the Tourism Board Director, which will be two year terms.
- 3.2 **Duties of the Board of Directors.** The Association is governed through the Bylaws and the planning, leadership and policy decisions of the Board, as defined in the Bylaws.
  - 3.2.1 Orientation for the Board will be held after the Installation Ceremony and prior to the January BOD meeting.
  - 3.2.2 All changes to the Bylaws are subject to the recommendation of the Board and the approval of the Membership.
  - 3.2.3 All resolutions are subject to the recommendation of the Board and the approval of the membership.
  - 3.2.4 The Board is authorized to amend, delete or add to the Association Policy and Procedures without the subsequent approval of the membership of the Association.
  - 3.2.5 The Directors are responsible to the Association to provide direction through visioning and planning; to guide, direct and monitor the actions of the committees and Association staff; to represent the Association in cooperative efforts with the community, the State and National Associations; to assure the Association's finances are sound; to maintain awareness of all internal and external forces which may affect Association members and to communicate and act on those matters when required; and to identify and nurture future Association leaders.
  - 3.2.6 Directors will attend annual Professional Standards Training once every two years. New Directors must attend Professional Standards Training within the 1<sup>st</sup> quarter of their first term unless they have taken training within the last twelve (12) months. (07/06)

- 3.2.7 Directors will attend all General Membership Meetings unless excused by the President.
- 3.2.8 Directors will receive 8 hours of OBAR sponsored continuing education (one Mandatory Update Class and one Elective) each calendar year, paying only the cost of continuing education accreditation for each class.
- 3.3 Confidentiality. Members of the Board will be required to sign a Confidentiality and Conflict of Interest Policy Statement.
- 3.4 Duties of the Executive Committee. Within the Board, the Executive Committee consists of the President, the President-Elect, the Treasurer, the Secretary, and the Immediate Past President. The duties of the Executive Committee are to support the President; to perform research and study necessary to provide the Board with information and to meet each month, at the option of the President, prior to the Board meetings and carry out any correspondence or actions as directed by the Board and not delegated to committee or staff.
- 3.4.1 The Executive Committee will annually review by June 1 a contingency plan for loss of key personnel.
- 3.4.2 The Executive Committee will annually review staffing needs by August 1st.
- 3.4.3 Each year the Executive Committee will develop a calendar.
- 3.5 Duties of Association Officers.
- 3.5.1 President: The purpose of the President of the Association is to act as spokesperson for organized real estate in the area and to lead the Association in worthwhile activities that improve the real estate climate. The responsibilities of this office include: To represent the Association in community activities in person or through a representative; to preside at the Board and General Membership meetings; to appoint action committees to pursue adopted programs; to be ex-officio member of committees as defined in Section C of the Policy Manual; to strengthen the Association's internal structure; to personally answer criticisms regarding the policy or performance of the Association; to become familiar with the operation and policies of the State and National Association and attend conventions and appropriate meetings; to preside over the Executive Committee of the Association and to be directly responsible for the performance of the Executive Officer and Association Staff. The President and Executive Officer will determine a daily time period when both will be available for questions and/or counsel. A timetable of events and duties of the President can be found in Attachment A of this document.
- 3.5.2 President-Elect: The President-Elect will be responsible for the duties of the President when the President is unavailable; will be a member of the Executive Committee and an ex-officio member of committees as defined in Section C of the Policy Manual and will attend the National Association of REALTORS® annual convention. The President-Elect will maintain a supportive position with the Executive Officer as indicated by the EO and/or the Association President; and will attend all Board and General Membership Meetings and will be available to the Executive Officer daily for questions and/or counsel if the President is not available. A timetable of events and duties of the President-Elect can be found in Attachment B of this document.
- 3.5.3 Treasurer: The Treasurer will review with the Executive Officer expense reports; review and sign Association expenditures; attend the Board and General Membership Meetings; to report the status of all Association financial accounts and to serve as Chair of the Finance and Budget Committee.

#### 4. NCAR Directors

- 4.1 The President will automatically serve as an NCAR Director for the North Carolina Association of REALTORS®. The term will be one year. (9/06)
- 4.2 Any member applying to serve as an elected NCAR Director will meet the following minimum requirements:
  - 4.2.1 Will have served on at least two (2) OBAR committees.
  - 4.2.2 Will have chaired at least one (1) OBAR committee.
  - 4.2.3 Will have served a minimum of one (1) term as an OBAR Director.
  - 4.2.4 Will be required to volunteer for at least one (1) NCAR committee during their term as an NCAR Director.
- 4.3 NCAR Directors shall be elected by the Board of Directors via secret ballot at the October Board of Directors meeting. The Executive Officer will solicit nominations by Friday of the first full week in October. (9/06)
- 4.4 Elected NCAR Directors will serve a two-year staggered term. Should a circumstance arise where both terms end concurrently, the Board of Directors will specify one of the NCAR Directors to serve a one-year term. (9/06)
- 4.5 The President-Elect will serve as the first alternate if an NCAR Director cannot attend a meeting. Additional alternates will be selected in order from the nominees based on the number of votes received during the election. (9/06)

#### 5. Association Staff

- 5.1 Duties of the Executive Officer: The Executive Officer of the Association is responsible to the Board for the effective administration of the Association. The administration of general operations, financial and personnel management, as well as the coordination of volunteer activities are encompassed in these responsibilities. The Executive Officer is responsible for and retains authority necessary to implement the actions enabling the Association to achieve its mission, goals and objectives. Specific charges to be accomplished and directives to be followed by the Executive Officer and staff as related to the mission, goals and objectives will be determined annually by the Board. These same charges and directives will become the measure for annual evaluation of the Executive Officer by the Board. A timetable of events and duties of the Executive Officer can be found in Attachment C of this document.
- 5.2 Support Staff. The Association will maintain a paid support staff as necessary to provide for member services identified by the Board. The staff will be managed by an Executive Officer.
  - 5.2.1 For each staff member, the Executive Officer will conduct an annual performance review of the appropriate job on or before each employee's anniversary date.
  - 5.2.2 The Executive Officer will budget for salary increases and year-end bonuses as part of the annual budget process. Compensation decisions that will cause the budget to be exceeded require approval of the Board of Directors. (07/06)
  - 5.2.3 Specific assigned tasks for each staff member are outlined in job descriptions and revised as needed.

- 5.2.4 Internet usage and email communications will be limited to business pertaining to the Association.
- 5.2.5 Complaints, concerns or recommendations from the Association Staff should only be discussed with the Executive Officer or Association President, not with other staff, Association members or the public.

## 6. Facilities

6.1 Office Operations. The Association will maintain a physical point of office operations, to be maintained and managed through the Executive Officer. The Association is a non-smoking office. Details of office operations may be found in the Association's Office Procedure Manual.

### 6.2 Killgore Training Center Use and Rental.

#### 6.2.1 Direct Use by the Association:

6.2.1.1 Reservations will be made in advance by calling the Association Office and completing the Room Rental Form.

6.2.1.2 Use by the Association will have first priority over other uses given the requests are made at the same time.

6.2.1.3 There will be no charge for use by the Association.

#### 6.2.2 Use by Association Members for real estate related activities (i.e. training sessions, combined meetings, sales meetings, etc):

6.2.2.1 Reservations will be made in advance by calling the Association Office and completing the room rental form.

6.2.2.2 The member will be charged a cleaning fee.

6.2.2.3 The member will be responsible for any damage occurring during the use period.

#### 6.2.3 Special request by non-member groups (i.e. boy/girl scout troops, Toastmaster, Red Cross, Hospice, etc).

6.2.3.1 Reservations must be requested by contacting the Executive Officer well in advance (giving the group the opportunity to seek an alternate meeting place should requested use not be feasible)and completing the room rental form.

6.2.3.2 Use is subject to Executive Officer Approval.

6.2.3.3 Use is subject to Association Insurance Policy (special one time liability premium may be required). Any such premium will be paid for by the non-member group requesting the use of the room.

6.2.4 Rental cleaning fees will be based upon usage. See Room Rental Form.

6.2.5 Use is subject to parking restrictions.

6.2.6 Request for the use of the Association meeting room other than specified above will be at the discretion of the Executive Officer.

## 7. Contracted Professional Services

7.1 General. Professional services will be requested only by the President, Executive Officer or a member designated by the Board. The professional services of an Attorney and Accountant will be secured on a contract basis with provisions made for cancellation by either party after appropriate written notice, as specified in the contract. The contract will be subject to an annual review between the Executive Officer of the Association and the contractor. Successful contractors will be selected upon approval of the Board and their decision will be final. Contracts will be awarded at the discretion of the Board with or without the submission of requests for bids.

7.2 Association Attorney. Specific duties of the Association Attorney will be: to work closely with Board and the Executive Officer; to maintain an office and staff in Dare County; to be an affiliate member of the Association; to attend, if possible, the general membership meetings and all other meetings as required; to represent the Association on legal matters as required; to represent the Association in the enforcement of the Code of Ethics and arbitration manual and advise the Association or appropriate committee when arbitrating disputes and will show extensive knowledge and experience in real estate law and the real estate profession. Association Attorney will attend NCAR Legal Update annually.

7.3 Association Accountant. Specific duties of the Association Accountant will be: to work closely with the Board and Executive Officer; to maintain an office and staff in Dare County; to be an affiliate member of the Association; to attend, if possible, the general membership meetings and all other meetings as required; to advise the Finance and Budget Committee, on an as needed basis, upon matters relative to maintaining the Association's budget status and will be responsible for the preparation and punctual filing of state and federal tax forms.

## 8. General Membership Meetings

8.1 Meeting Frequency. The Association will meet not less than 9 times per year, at a place and time designated by the President and the Board.

8.2 Meeting Minutes. General Membership Meeting minutes will be posted on the Association web site once approved.

## 9. Memorials

9.1 Memorial Donations. Upon learning of the death of a member or employee of the Association, the Association will make a contribution to a family designated charity or if none is selected, to the OBAR Scholarship Fund in the amount of \$75.00.

9.2 Announcements. Upon learning of the death of an OBAR REALTOR® member, the Association will send out an announcement via mass email to all members.

## 10. Meeting Attendance

10.1 General. It is the continuing policy of the Association to send annually, at the Association's expense, officers and directors to State and National meetings as follows:

- 10.2 President. The President will attend, at the Association's expense, the NCAR annual convention, NCAR Inaugural, NCAR Legislative, NAR Midyear, and the NAR Annual Convention.
- 10.3 President-Elect. The President-Elect will attend, at the Association's expense, the NCAR annual convention, NCAR Inaugural, NCAR Legislative, NAR Midyear, NAR Annual Convention, and also the NAR Leadership Summit, and NCAR Vision Quest.
- 10.4 NCAR Directors. Directors for the North Carolina Association of REALTORS® will attend meetings of the Board of the State Association at the Association's expense. Directors will attend preparatory meetings called by the President prior to NCAR meetings.
- 10.5 Executive Officer. The Executive Officer will attend, at the Association's expense, the NCAR annual convention, NCAR Inaugural, NCAR Legislative, NAR Midyear, NCAR Vision Quest, NAR Annual Convention, and also the NAR Association Executives Institute, NAR Leadership Summit, and the Regional AE Conference.
- 10.6 Staff other than the Executive Officer. Staff other than the Executive Officer may attend, at the Association's expense and with prior approval of the Board, state and national meetings and seminars as necessary.
- 10.7 NCAR/NAR Committee Members. NCAR/NAR committee members from the Association who are not representing the Association as NCAR/NAR directors will attend their committee meetings when scheduled. NCAR committee members will be reimbursed up to \$250 total expenses for documented, reasonable travel expenses if the meeting is held within a 325 mile one way driving distance of the Outer Banks. If the meeting location is further than a 325 mile one way driving distance, NCAR committee members will be reimbursed for up to \$500 total expenses for documented, reasonable travel expenses. NAR Committee members will be reimbursed up to \$700 total for documented, reasonable expenses in traveling to their meetings. Reimbursement maximums specified here are subject to the annual budgeted maximum amount dedicated for NCAR and NAR Committee Member Travel. Reimbursement maximums will be lowered accordingly as the number of travelers exceeds a pro rata share of the maximum overall expense forecast in the annual budget.
- 10.7.1 Association members who serve on multiple NCAR/NAR committees, which meet during the NCAR/NAR Governance meetings, will receive reimbursement for travel expenses incurred for participating on only one committee unless prior approval of the Finance & Budget Committee and the Executive Committee is obtained.
- 10.7.2 NCAR/NAR committee members will attend their committee meetings when scheduled. NCAR/NAR Committee Members will automatically serve as members of the respective local committee. If NCAR/NAR committee members are removed from the respective local committee, the related NCAR/NAR committee travel will not be reimbursed. If any reimbursement for NCAR/NAR committee travel is available from NCAR or NAR directly, the Association will not provide reimbursement for those same expenses.

## 11. Travel Policies

- 11.1 Re-imburement. It is the policy of the Association to reimburse officers, NCAR Directors, NCAR and NAR Committee members and other Association members as authorized by the Board while traveling to meetings working on behalf of the Association. All requests for reimbursement must be accompanied with a written report, which will be distributed directly to the Board of Directors. Travelers may be asked by the President to report to the membership at

the next general membership meeting. These travel expense reimbursements are subject to the approval of the Executive Officer.

- 11.1.1 It is the policy of the Association to reimburse officers and employees while entertaining for the Association's benefit and officers, employees and directors while traveling to and attending meetings and conventions in accordance with Association policy and as authorized by the Board.
  - 11.1.2 Any request for reimbursement of travel expenses must be made in accordance with the procedures found in this manual using the expense form in the appendix of this manual.
  - 11.1.3 Any request for reimbursement of travel expenses must be submitted within 30 days of incurring the expenses. All listed expenses must be accompanied by a receipt. Reasonable tips that are included on attached receipts will be reimbursed.
- 11.2 Mode of Travel. Commercial air, train or bus travel must be approved in advance by the Board and will be for the lowest fare possible.
- 11.3 Private Transportation. For the use of private airplanes, automobiles, buses or any other type of vehicular travel, allowable mileage expenses will be calculated at 100% of the rate currently in use by the IRS per mile for automobile expense. Under this agreement, all expenditures for the operation of the particular mode of transportation are the responsibility of the individual and will not be paid by the Association. For the calculation of private aircraft mileage, the actual air miles of the most direct flight path will be used. The flight path mileage will, in most cases, be less than allowable automobile road mileage, but will not exceed allowable automobile road mileage and will be paid at the standard automobile reimbursement rate.
- 11.4 Mileage. For the calculation of road type vehicle mileage, actual odometer mileage will be used.
- 11.4.1 Car pooling: Carpooling is strongly encouraged. Reimbursement for private vehicular use will be paid only to the owner/operator of the vehicle being used. No mileage allowance will be reimbursed to passengers traveling with the owner/operator.
  - 11.4.2 In the event extended travel is required, private vehicular reimbursement for mileage will not be allowed above what would be paid for commercial air travel, lowest fare possible.
  - 11.4.3 Rental Cars are not authorized as a convenience or to facilitate sight-seeing while traveling. The use of rental cars will be allowed where absolutely necessary in order to attend the required business. Rental cars should be standard economy class cars.
  - 11.4.4 Where a regular automobile allowance is provided, it is expected that all trips of 300 miles or less will be made in the personal automobile and no other transportation reimbursements will be made (unless another form of transportation chosen by the attendee will result in a lower expenditure for the Association).
- 11.5 Per Diem. The standard meal reimbursement for meals will be at the actual cost incurred but will be limited to an average of a maximum expenditure of \$75.00 per person per day. No reimbursement will be provided for alcohol purchases.
- 11.6 Lodging. The standard reimbursement for lodging will be the actual cost incurred, but will be limited to a maximum expenditure of the designated hotel for such meetings.

## 12. Financial Policies

- 12.1 Dues Collection and Billing: Annual REALTOR<sup>®</sup> dues will be billed on the first of December for the following year. Dues are due the first of January and become past due as of the first of February. All Members not paying dues by February 1 will be charged a late fee of \$ 50.00 and will be suspended until paid. Members-, who have not paid by February 15-, will be automatically terminated as Members of the Association. Such Members may reapply after making payment in full of all account dues and fees as of the date of termination. The former member must reapply in the manner prescribed for new members.
- 12.2 Non-Member Dues: If an individual belonging to a firm does not have REALTOR<sup>®</sup> status by January 1, when dues are considered due, then that individual is considered a non-member and the broker will be billed the non-member dues. If the non-member becomes a REALTOR<sup>®</sup> later in the year, no refund will be paid for the difference in REALTOR<sup>®</sup> dues and non-member dues.
- 12.3 Refund Policy.
- 12.3.1 CE: Members who are registered for an education class must cancel before 3 business days of the class or no refund will be given. If an emergency situation results in a last minute cancellation, a credit toward a future class may be given at the discretion of the Executive Officer or another member may be substituted. The credit may not be carried forward to another fiscal/calendar year.
- 12.3.2 General Membership Meetings and Other Events: All cancellations must be received by noon on the Monday prior to the meeting or no refund will be given. A substitute Member may attend the meeting in place of the canceling Member with advance notice. If a Member cancels without notice, he/she will be billed for the full amount of meal cost.
- 12.4 Non-Member Fees. When appropriate, non-members (general public) may attend events and functions for a minimum fee of \$25. If a fee is charged to the Member, the non-member fee will be 35% greater than the Member fee. Guests of Members will be charged the Member fee.
- 12.5 Returned check procedures. The Association will collect the maximum fee allowed by law for each returned check received by the Association. Any member who has two checks returned for Non-Sufficient Funds in a twelve (12) month period must pay by cash or other secured fund payment for a period of one year.
- 12.6 Late Payment Penalty. A late payment penalty of 10% or \$25, whichever is the greater of the outstanding balance, will be added to any invoice not paid within thirty (30) days of the date of that invoice. (4/06)
- 12.7 MLS Service Fees, Fines and Collections. MLS Service Fees and Fines are billed and collected in accordance with the policy set forth in the MLS Rules and Regulations. (10/06)
- 12.8 Required Reserves. In accordance with accepted Association practices (ASAE, NAR, etc.) of maintaining reserves for emergency operation (Operating Reserves) and capital expenditures (Capital Improvement Reserves), the Association will maintain Operating Reserves of such an amount that will sustain the Association for three (3) months, or twenty five percent (25%) of annual budget, following a natural or other disaster. This amount will be reviewed and adjusted annually as part of the budget process. The Association will maintain Capital Improvement Reserves of such amount that major capital expenditures (those items which can reasonably be

expected to last longer than one year) can be anticipated and financed on a regular schedule, depending on the life expectancy. Following a “Reserve Fund Analysis,” a specific amount of moneys should be allocated each year to this fund, which should be reviewed annually as part of the budget process. All reserves should be in a liquid form.

- 12.9 Budget Process. The Association’s annual budget process will be conducted annually, beginning in July, by the Treasurer, Executive Officer and the Finance and Budget Committee. All budget requests or needs from committees should be presented to the Finance and Budget Committee by July 1 for the following year’s budget. The annual budget process should include a review of all income and expenses, as well as: insurance policies, reserve funds, capital needs, staff salaries and employee needs. A review of all policy manuals for changes, which may affect the budget, should be part of the budget process. The annual budget will be ready for approval by the Board’s October meeting and presented to the General Membership at the annual business meeting in November.
- 12.10 Association Financial Audits. The Association will have a full audit on a schedule recommended by accepted association policy, but not less than every three (3) years. At the recommendation of the Board, the Association will also conduct an audit following a change in key staff personnel.
- 12.11 Association Charitable Investments. The Association will maintain all monies raised by the two (2) official Association charities, the Scholarship Fund and the Disaster Relief Fund, in a managed investment portfolio. This portfolio is managed by the Outer Banks Community Foundation, which submits quarterly reports on investments. All such funds should be managed in accordance with the rules and regulations of the Outer Banks Community Foundation.
- 12.12 Internal Accounting Policy. The Association maintains an internal accounting policy in accordance with accepted standard accounting policies to safeguard the financial assets and integrity of the Association. The policy is part of the Office Procedures Manual and should be reviewed and updated as recommended by Audit recommendations or other recommendations made by the Association accountant.
- 12.12.1 Job Tasks for Accounting Procedures:
- 12.12.2 Code of Conduct and Conflict of Interest Policy
- 12.12.3 Check Signatures: The President and the Treasurer of the Association will be authorized to sign checks. Signature cards will be signed with the appropriate banking institutions prior to the start of terms of the respective Officers.
- 12.12.4 Document Signatures: Documents such as Insurance Policies, Contracts, etc. will be required to have dual signatures. These should be signed by the President and the Executive Officer.
- 12.12.5 Bank Statement Reconciliation: All Bank statements will be reconciled within 5 days of receipt.
- 12.12.6 Purchase Invoice Approval
- 12.12.7 Segregation of Duties
- 12.12.8 Procedure for receipt of income
- 12.11.8.1 Checks
- 12.11.8.2 Cash
- 12.11.8.3 Credit Cards

12.12.9 Accounts receivable

12.12.10 Collection Policy

12.12.11 Bank Deposit Policy: Bank deposits will be made daily.

12.12.12 Depreciation Schedule and Entries:

12.13 Insurance: The Association will maintain at all times adequate insurance to cover the building and all assets as well as liability, flood, wind/hail and other policies as recommended by Association insurance agent. In addition, the Association will maintain Errors and Omissions (E&O) Coverage for all Directors, in accordance with standard Association practice. All insurance policies will be subject to an annual review prior to the budget process.

### **13. Logo Usage**

13.1 The Association will follow the guidelines set forth by the National Association of REALTORS<sup>®</sup>. concerning the use of the REALTOR<sup>®</sup> Logo/Logos. These guidelines can be found at <http://www.realtor.org/letterlw.nsf/pages/trademarkmanual>.

### **14. Member Addresses**

14.1 Mailing Addresses: For a fee, the Association will make the list of mailing addresses of all its members available upon request of an active member or affiliate members of the Association. Addresses will be provided in label format.

14.2 Email Addresses: The Association will not make an email address list of its members available. Email addresses may be obtained for individual members via the 'member search' engine on the Association Web Site. Email addresses of MLS members may be obtained via Paragon/Paragon Desktop.

**Attachment A of Section A  
Outer Banks Association of REALTORS® Policy Manual**

**DUTIES & EVENTS TIMETABLE OF THE PRESIDENT**

January

S Attend NCAR Inaugural Meetings. Meet with all Directors prior to meeting.

March

S Attend REALTOR® Fest.

April

S Attend NCAR Legislative Meetings unless scheduled in June. Meet with all Directors prior to meeting.

S Develop job evaluation for the Executive Officer with the President-Elect and Immediate Past President.

May

S Attend NAR Mid-Year Meetings. Plan with the President-Elect and the Executive Officer which meetings each will attend to insure optimal meeting coverage.

June

S Attend NCAR Legislative Meetings if not scheduled for April.

September/October

S Attend NCAR Convention. Meet with all Directors prior to meeting.

S Chair REALTOR® of the Year Selection Committee.

November

Attend NAR Annual Convention.

December

S Attend Installation Ceremony and REALTOR® Ball.

January

S Conduct awards ceremony at general membership meeting.

**Attachment B to Section A**  
**Outer Banks Association of REALTORS® Policy Manual**

**DUTIES & EVENTS TIMETABLE OF THE PRESIDENT-ELECT**

December

Attend NCAR Vision Quest with future President Elect and Executive Officer.

January

S Attend NCAR Inaugural Meetings. Give a summary report at the next GM meeting.

March

S Attend REALTOR® Fest.

April

S Attend NCAR Legislative Meetings unless scheduled in June. Give a summary report at the next GM meeting.

S Develop job evaluation for the Executive Officer with the President and the Immediate Past President.

May

S Attend NAR Mid-Year Meetings. Give a summary report at the next GM meeting.

June

S Attend NCAR Legislative Meetings if not scheduled for April. Give a summary report at the next GM meeting.

August

S Identify next year's Board of Directors and committee chairs w/the Nominating Committee.

S Plan next year's general membership meeting schedule with Executive Officer.

S Attend NAR's Leadership Summit with Executive Officer.

September/October

S Attend NCAR Convention if not scheduled for October. Give a NCAR Convention summary report at the next general membership meeting.

November

S Attend the NAR Convention. Attendance must include attendance at the Delegate Body Meeting. Give a summary report at the next GM meeting.

December

S Attend NCAR Leadership Meetings along with the incoming President-Elect and Executive Officer. Plan and hold OBAR Leadership Meetings.

S Attend Installation Ceremony and REALTOR® Ball.

**Attachment C to Section A**  
**Outer Banks Association of REALTORS® Policy Manual**

**DUTIES AND EVENTS TIMETABLE OF THE EXECUTIVE OFFICER**

**DAILY**

- **COMMITTEE MEETINGS:** Attend all scheduled committee meetings. Take notes and transcribe minutes. Complete any actions assigned to the Executive Officer during the meeting. Delegate assignments to staff as appropriate.
- **MAIL:** Forward correspondence containing information or requests for action to appropriate Association officers and/or committee chairs.
- **SUPERVISION OF STAFF:** Monitor activities of staff to ensure various goals and deadlines are being met.

**WEEKLY**

- **ACCOUNTING:** Ensure that all checks are prepared for signature.

**BI-WEEKLY**

- Ensure that payroll is paid.

**MONTHLY**

- **BOARD OF DIRECTORS MEETING:** Prepare agenda subject to approval by President. Compile background materials to be reviewed by Board prior to the meeting for distribution via mail. Attend Board of Directors meeting. Take notes and transcribe minutes. Complete tasks assigned to the Executive Officer including composition of resolutions and letters.
- **GENERAL MEMBERSHIP MEETING:** Make site arrangements for meeting. Prepare agenda for President's approval. Prepare handouts relating to meeting agenda topics. Prepare registration, induction lists, and other items for meeting. Attend meeting. Take notes and transcribe minutes. Complete any actions necessary as a result of the meeting.
- **ACCOUNTING:** Ensure that all accounts are balanced including operating account and money market accounts. Prepare spread sheets for Finance & Budget Committee meeting. Summarize report of income and expense line items that exceed budget. Ensure that monthly payroll taxes, sales and use tax deposits, and IRA deposits are prepared.

**ANNUALLY**

- On or before July 1, prepare staff performance evaluations and recommendations for pay increases, if appropriate, for presentation to Board of Directors. Review evaluation and pay increases with staff.
- Oversee Preparation of the Association budget for presentation to Finance & Budget Committee so that it may be presented to Board of Directors for approval. Upon approval, define monthly budget figures for the upcoming year for all income and expense line items and enter into accounting system for use at the beginning of the next Fiscal Year.
- Finalize accounting for the previous Fiscal Year (December-January). Compile records necessary for filing of Federal and State income tax returns and meet with CPA to review records.
- Draft a proposed Association Event Calendar for presentation to the Executive Committee.
- Present for approval an updated Disaster Recovery Plan to the Board of Directors that provides a response system to keep OBAR running and communicating with members in case of any form of a

disaster that affects the Association and its members, including but not limited to emergencies that disrupt services on the Outer Banks, and loss of key Association personnel.

## **SPECIAL EVENTS/PROGRAMS AND SERVICES**

- **REALTORFEST:** Prepare sponsorship materials and registration flyer. Secure necessary contracts. Monitor registration of exhibitors, sponsors, and attendees. Prepare program for printing. Assist with event day registration. Prepare and place advertising. Write thank you letters to exhibitors, sponsors, and contributors.
- **GOLF TOURNAMENT:** Prepare registration flyer. Secure necessary contracts. Monitor sponsorship and order signage. Prepare and place advertising. Calculate net proceeds to determine the contribution to be made to the Scholarship Fund. Prepare checks for vendors. Assist with event day registration and other activities.
- **FISHING TOURNAMENT:** Prepare registration flyer. Monitor sponsorship and order signage. Prepare and place advertising. Calculate net proceeds to determine the contribution to be made to the Scholarship Fund. Prepare checks for vendors. Assist with event day registration and other activities.
- **SCHOLARSHIP PROGRAM:** Distribute scholarship applications to committee. Schedule interviews with scholarship semifinalists. Report scholarship recipients to Outer Banks Community Foundation and arrange for presentation of scholarship at high school awards ceremony. Prepare and place press releases.
- **INSTALLATION CEREMONY AND HOLIDAY PARTY:** Secure contracts with site and entertainment. Prepare and order invitations and tickets. Monitor ticket sales. Invite dignitaries. Order REALTOR<sup>®</sup> of the Year plaque.
- **CONTINUING EDUCATION COURSES:** Submit application to NC Real Estate Commission annually to maintain approval of Association sponsorship of continuing education Update and elective courses, as well as required applications and payments for each course and other required reports. Contract with site and course instructors selected by Education Committee. Update registration form and submit to printer. Oversee registration, preparation of course completion certificates, and handouts. Assist in check-in registration, class monitoring, and distribution of course completion certificates. Prepare and mail course completion reports and payments to the NC real Estate Commission.
- **AGENT TRAINING SEMINARS AND OTHER EDUCATION OFFERINGS:** Contract with site and course instructors selected by the Education Committee. Prepare and print registration flyers. Oversee registration, preparation of course completion certificates and evaluations, and handouts. Assist in check-in registration, class monitoring, and distribution of course completion certificates.
- **ORIENTATION COURSES:** Schedule with Orientation Course Facilitator and Instructors as needed. Verify that materials in the Manuals are up to date and oversee staff preparation of manuals and other materials. Oversee registration and check-in of participants. Ensure that refreshments are supplied.
- **GRIEVANCE/PROFESSIONAL STANDARDS:** Maintain certification. Distribute complaint packets to REALTORS<sup>®</sup> and the public wishing to file an ethics complaint or arbitration request. Upon receipt, forward a copy of ethics complaint/arbitration request to the Respondent for reply. Once reply is received, schedule meeting of the Grievance Committee to review the ethics complaint/arbitration request. Depending upon the outcome of the review, notify parties that the matter has been dismissed or that a Professional Standards Hearing has been scheduled.

If a hearing is to be scheduled, consult with the Professional Standards Chair for selection of panel members. Coordinate hearing date with the Complainant, Respondent, and panel members. Obtain

services of a court reporter for the hearing. Serve as Secretary for the hearing. Distribute findings of the panel to Complainant and Respondent.

If an appeal of the decision is filed, consult with the President for selection of an appeal panel comprised of five members of the Board of Directors. Schedule a date with the panel to review the appeal. Serve as secretary for the appeal. Distribute findings of the panel to Complainant and Respondent.

**OSHA REVIEW:** Complete annual required questionnaire.

**WORKER'S COMP REVIEW:** Complete annual required review.

**INSURANCE:** Ensure that all necessary documents and payments are submitted to maintain insurance.

**BANK ACCOUNTS:** Ensure that all necessary documents are updated upon the change of officers.

**NAR REVIEW OF ASSOCIATION BYLAWS AND MLS RULES & REGULATIONS:**

Submit Bylaws and MLS Rules & Regulations to Member Policy Division of NAR annually to verify their compliance with NAR models. Revise documents as necessary after obtaining approval of the appropriate committee, Board of Directors, and/or general membership. Oversee distribution of revised documents to Designated REALTORS<sup>®</sup> and staff.

**POLICY MANUAL:** Schedule an annual review of the Association's Policy Manual with the Policy Manual committee. Submit revised document for approval to the Board of Directors.

**JOB DESCRIPTIONS:** Review job descriptions annually and revise as needed. Submit to Executive Council for review.

**NAR ORGANIZATIONAL STANDARDS:** On a rotating schedule, NCAR verifies that local associations meet NAR Organizational Standards. The Executive Officer will complete questionnaire covering areas of association operation: grievance/professional standards procedures, communication with membership, verification of NAR approval of local Bylaws and MLS Rules & Regulations, content of Orientation course for new members, and services offered members.

**MEETING/SEMINAR ATTENDANCE:** Executive Officer attends meetings of the NCAR Association Executive Officers Committee and Board of Directors and selected NAR business meetings.