

West Volusia Association of REALTORS®

POLICY MANUAL

**Approved by the Board of Directors
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SECTION ONE AWARDS & HONORS

1.1 KITTY JACKSON AWARD

The Kitty Jackson Award is administered by the Professional Development and Education Committee. Business cards are collected at all education events throughout the year. One card is drawn at the December Annual December Meeting; the winner is not required to be present. The Kitty Jackson Award is an educational scholarship to be used for a WVAR educational offering.

1.2 AFFILIATE OF THE YEAR

Selection of the Affiliate of the Year (AOTY) shall be the responsibility of the Affiliate of the Year Selection Committee. This Committee shall consist of the three most recent recipients of the Award, and in the event one or more of these three shall not be an Affiliate member of the Association, or shall decline to serve, the next most recent Award winner, or winners, shall serve on the Committee. The Committee shall serve for one year and those serving on the Committee shall not be eligible to receive the Award. The most recent AOTY recipient shall serve as Chairman.

Recognizing that Affiliate members provide significant contributions and outstanding service to the West Volusia Association of REALTORS[®], the Committee may award the Affiliate of the Year honor to one such Affiliate member. However, it is not mandatory that the award be made each year, and in the event that the Committee is of the opinion that no member adequately qualifies for the Award in any one year, the Award will not be made.

Nominations for Affiliate of the Year will be solicited from the membership, including the Affiliate members. The Affiliate of the Year Selection Committee will select the winner from those nominations. The Committee may also make nominations for the Award, but no nominations will be considered that are not received by the published deadline.

The Award shall be made to an Affiliate member in good standing on the following basis:

- a) Character and personality;
- b) General activity at the Association; and
- c) Community activity

The Award shall be in the form of a trophy with the recipient's name and the year received engraved on the award. The recipient shall keep the cup in his/her office for one year from the date received. S/he shall also receive a plaque designating him/her as Affiliate of the Year, which s/he shall keep permanently. The presentation of the Award shall be made at the Annual December Meeting. The name of the winner shall not be disclosed to the general membership prior to the presentation.

1.3 REALTOR[®] OF THE YEAR

1. The name of this Award shall be the V.W. Gould Memorial REALTOR[®] of the Year Award. The recipient of the Award must be a REALTOR[®] member in good standing of the West Volusia Association of REALTORS[®].
2. To enhance the true value and meaning of the REALTOR[®] of The Year (ROTY) award, it is clearly stipulated that there is no absolute requirement that a ROTY be selected each year. To the contrary, the award is only to be made when a West Volusia REALTOR[®] clearly demonstrates worthiness for the honor in any given year. The REALTOR[®] of The Year award is limited to one time only for any recipient.

3. The REALTOR® of The Year Selection Committee shall consist of the three most recent recipients of the Award, and in the event one or more of these three shall not be a REALTOR® member of the Association, or shall decline to serve, the next most recent award winner, or winners, shall serve on the Committee. The Committee shall serve for one year, and those serving on the Committee shall not be eligible to receive the Award.
 - a) The most recent ROTY recipient shall serve as chairman.
 - b) Any previous recipient whose spouse is a nominee is ineligible to serve on the Selection Committee that year.
4. The Selection Committee should hold its final meeting to review nominations no later than the first week in November. Any nominations received by the time of the meeting are eligible for consideration; however, the award shall be limited to one time only for any recipient. (1/07)
 - a) To meet this schedule, initial solicitation of nominations from the membership shall begin in mid-September.
5. All members shall be invited to submit names to the Awards Committee for consideration. The Awards Committee shall determine the three (3) finalists for REALTOR® of the Year and then forward those names to the Selection Committee to determine the winner. The Awards Committee may also make nominations for ROTY, but no nominations will be considered that are not received by the published deadline.
6. The current President is not eligible. Every other resident REALTOR® Member of the Association is eligible for consideration as the ROTY, unless they have received the award any year prior. This should be clearly emphasized in any solicitations for nominations.
7. Guidelines for Selection for ROTY shall be as follows:
 - a) **Local Association Activities**—Local Association offices and committee work, special assignments, meeting attendance record, professional education and REALTOR® promotion work, membership and offices held in local chapters of NAR Institutes, etc. (50%)
 - b) **Production**—This includes volume of business or profits earned between November 1st and October 31st. (35%)
 - c) **Education**— Quality and volume of educational classes completed by the individual. (5%)
 - d) **Community Service**—Activities connected with work in the local Chamber of Commerce, youth groups, religious organizations, civic clubs, cultural or recreational groups, interest and activity in programs designed to aid the public welfare, active participation in community bond or tax matters concerning real estate, public offices held (such as mayor, city council, public commissions, school board, planning or zoning boards, or tax groups). (5%)
 - e) **Individual Accomplishments (Other)** (5%)
8. The Award shall be in the form of a loving cup, topped by a figurine symbolizing achievement, to be given by the West Volusia Association of REALTORS®. The Award shall have the recipient's name engraved and the year received.

The recipient shall keep the cup in his/her office for one year from the date s/he receives it. S/he shall also receive a plaque designating him/her as REALTOR® of the Year, to be kept permanently.

9. Formal presentation of the Award shall be made at the Annual December Meeting.
 - a) Until formal presentation to the membership, the identity of the new ROTY shall be held in the utmost confidence within the Selection Committee.
 - b) However, the individual who nominated the recipient should be advised to ensure that the recipient attends the presentation meeting.

1.4 ROOKIE OF THE YEAR AWARD

Guidelines for Selection for Rookie of the year shall be as follows:

- a) **Production**—This includes volume of business or profits earned between November 1st and October 31st. (40%)
- b) **Education**— Quality and volume of educational classes completed by the individual. (25%)
- c) **Local Association Activities**—Local Association offices and committee work, special assignments, meeting attendance record, professional education and REALTOR[®] promotion work, membership and offices held in local chapters of NAR Institutes, etc. (25%)
- d) **Community Service**—Activities connected with work in the local Chamber of Commerce, youth groups, religious organizations, civic clubs, cultural or recreational groups, interest and activity in programs designed to aid the public welfare, active participation in community bond or tax matters concerning real estate, public offices held (such as mayor, city council, public commissions, school board, planning or zoning boards, or tax groups). (5%)
- e) **Other**— (5%)

1.5 CONTINUING SERVICE AWARD

The name of this Award shall be the Warren A. Todd Continuing Service Award. To be considered for the Award, a member must:

1. Be a REALTOR[®] member in good standing; and
2. Have served the Association on a committee and/or Board of Directors for 10 consecutive years.

The Continuing Service Award Selection Committee shall consist of the three most recent recipients of the Award who are still active with the Association. The Chairman shall be the most recent recipient of the Award who is still active in the Association. The Committee shall serve for one year, and those serving on the Committee shall not be eligible to receive the Award. Formal presentation of the Award shall be made at the Annual December Meeting.

1.6 REALTOR[®] ACHIEVEMENT AWARD

This award is to be chosen at the discretion of the Awards Committee and presented at the Annual December Meeting.

1.7 MLS AWARDS

MLS Awards will be compiled monthly and distributed at the next general membership meeting. Certificates or plaques not picked up will be mailed to the recipient.

The top monthly awards will be for residential only, listing and selling. The Top Twenty Annual Awards will be for overall sales, to include Top Residential Lister and Top Residential Seller, Top Land Lister and Top Land Seller, Top Commercial Lister and Top Commercial Seller, and Top Overall.

The annual awards are compiled November 1 through October 31. Annual awards are presented at the Annual December Meeting.

The Multiple Listing Service Awards are administered by the Awards Committee. The MLS Committee Chair will be a member of the Awards Committee. The monthly Top Twenty awards will be for residential production only. A Top Residential Lister and Top Residential Seller award will be presented monthly.

There will be one quarterly award for Top Commercial total production and one quarterly award for Top Vacant Land total production. If a property is listed in both categories, the listing agent will be contacted to ask in which category they want the credit for MLS awards purposed.

MLS Awards are limited to REALTORS® whose office is located within the jurisdictional boundaries of the West Volusia Association of REALTORS® and who are primary members of WVAR.

SECTION TWO BOARD OF DIRECTORS

2.1 RESPONSIBILITIES OF THE PRESIDENT

- Preside at all meetings of Directors & Membership
- Serve as spokesperson for the Association
- Attend all State and National Association Meetings with the Association Executive, representing the Board at all such functions
- Recommend all committee appointments (note: Vice Chairs are appointed by the President-elect)
- Have an understanding of the total concept of the Association (local, state, and national), including the Bylaws, Policies and Code of Ethics
- Serve as delegate of the Association at all Florida Association of REALTORS® delegate body meetings and as delegate of the Association at the National Association of REALTORS® Annual Convention delegate body meeting
- Serve as an ex-officio member of all committees

Desired Characteristics:

- Be dedicated to entire membership
- Communicate effectively and be a good listener
- Know the extent of his/her position and authority
- Devote necessary time and resources
- Exhibit a high level of professionalism
- Be firm but diplomatic
- Be open-minded

2.2 RESPONSIBILITIES OF THE PRESIDENT-ELECT

- Support the President
- Preside over official meetings in the absence of the President
- Devote necessary time and commitment in preparing to become the President of the Board
- Recommend all committee Vice Chair appointments
- Have an understanding of the total concept of the Association (local, state, national)
- Attend all Board of Director and Executive Committee meetings and other scheduled events of the Association when possible
- Serve as member of the Finance Committee to foster understanding of Association finances and the budgeting process
- Attend all State and National Association Meetings with the Association Executive and President
- Serve as delegate of the Association at all Florida Association of REALTORS® delegate body meetings

- Chair the Public Relations, Strategic Planning and Leadership Development committees

Desired Characteristics:

- Be dedicated to entire membership
- Communicate effectively and be a good listener
- Know the extent of his/her position and authority
- Devote necessary time and resources
- Exhibit a high level of professionalism
- Be firm but diplomatic
- Be open-minded

2.3 RESPONSIBILITIES OF THE TREASURER

- Chair the Finance Committee
- Oversee the preparation of the budget for the ensuing year
- Explain the proposed budget to the Directors and the membership
- Carefully review the monthly and quarterly financial reports of the Association, including bank statements. Report any concerns to the Board of Directors for action.
- Monitor actual income and expenditures against those budgeted
- Ensure that the Finance Committee performs responsibilities as outlined in the approved "Finance Committee Policies and Procedures" [to be developed in 2007]
- Know the extent of his/her position and authority
- Devote necessary time and resources

Desired Characteristics:

- Have a strong financial background
- Have excellent analytical skills
- Be reliable and trustworthy

2.4 RESPONSIBILITIES OF THE EXECUTIVE COMMITTEE

- The elected officers of the Association and the Association Executive shall comprise an Executive Committee which shall have such duties as its title, by general usage, would indicate. It shall be subject to the orders of the governing body of the Association, and none of its acts shall conflict with action taken by the governing body.
- Special meetings may be called by the President or the Association Executive as needed.
- Be able to give time to Association needs and attend meetings
- Be familiar with Association governing documents
- Read materials before meetings
- Serve as an example to the general membership and be attentive to their needs

- Respect confidentiality of their offices
- Review and recommend committee appointments

2.5 RESPONSIBILITIES OF THE DIRECTORS

- Make a commitment to:
 - Provide support, back up ideas and decisions
 - Attend all meetings of the Board of Directors
 - Review the official minutes of each Board of Directors Meeting to ensure accurate records
 - Study Directors' Agenda and materials prior to meetings
 - Participate in General Membership Meetings, Director Retreats, and other appropriate functions
- Make policy decisions consistent with governing documents
- Leave staff-related decisions to the Association Executive
- Serve as conduit from membership to leadership and to the AE
- Define clear expectations of the AE
- Identify important community issues (zoning, ordinance revisions, etc.)
- Adopt the annual operating and capital expenditure budgets, and the level of dues and MLS user fees for all classes of membership
- Review and adopt Decisions on all Professional Standards Hearings conducted by the Professional Standards Committee
- Serve as appeal body for any Ethics or Arbitration hearings held by the Professional Standards Committee of the Association.
- Review and approve all committee goals and appointments as recommended by the President
- Review all recommendations for action by the committees of the Association. Final action is determined by the Directors
- Appoint/employ or dismiss persons/agencies necessary for the transaction of the business of the Association, including legal counsel, accounting professionals, and other such support positions.
- Employ an Executive Officer, who shall be known as the Association Executive
- Receive and review periodic reports on the financial condition of the Board. Investment and reserve policy is also approved by the Directors
- Carry out the responsibilities of Director Liaison to the committee appointed
- Be familiar with Association Bylaws, MLS Rules and Regulations and the Policies and Procedures Manual
- Respect confidentiality of their offices
- Recognize Robert's Rules of Order as the authority governing all meetings of the Board of Directors except for those exceptions otherwise noted in the West Volusia Association of REALTORS® Policy Manual.
- Review and sign a confidentiality agreement
- Antitrust — All members of the Board of Directors must be aware that certain topics are not proper subjects for discussion and consideration at any Board 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 among members is a violation of antitrust laws.

Discussion at Board meetings relating to significant factors of competition among the members may be construed as an attempt to agree upon a common course of business conduct. Such discussions are not encouraged or condoned by the Board. Further, Directors have the affirmative obligation to take action to cease any such discussion.

- Absence from three regular BOD meetings during a calendar year is deemed resignation; however, the Executive Committee has the authority to reinstate Directors on a case-by-case basis.
- At the beginning of the calendar year, a maximum of one officer and one director from any one firm shall serve on the Board of Directors.

2.6 RESPONSIBILITIES OF DIRECTOR LIAISONS

- Attend all meetings of the committee assigned
- Act as a conduit to communicate ideas of the committee to the Directors and the rationale of the Directors back to the committee
- Keep committee on target with the charges/goals of the committee
- Contribute ideas and references which may assist with the work of the committee
- Make the report of the committee to the Directors
- Present all committee motions to the Directors for action
- Serve as an ex-officio member of the committee; does not have a vote
- The Director Liaison should check with the committee chair prior to and after the meetings to remain informed of any matters that may need Director Liaison assistance

2.7 The regular meeting of the Board of Directors shall take place on the first Thursday of each month beginning at 8:30 a.m., unless changed by consensus.

2.8 The Agenda for the Board of Directors meeting is determined five (5) days prior to the actual meeting date, at which time the Agenda is closed. However, the Executive Committee will have the authority to add topics to the Agenda at their discretion.

2.9 Minutes of the Board of Director meetings will be made available to the membership upon request.

2.10 E-MAIL VOTING

E-mail voting is to be used only as a last resort when deemed necessary. The President shall determine if a motion: can wait until the next scheduled BOD meeting; requires a special meeting; or, if time is of the essence, an e-mail vote is necessary. If e-mail voting is deemed the best choice, the following process shall be used:

- Motion is presented to the President;
- President calls for a second;
- Discussion is allowed for a specified period of time; however each Director shall “Reply to All” when responding to ensure that the discussion is reviewed by all Directors;
- The vote is called and the results are e-mailed to the directors; documentation of the results will be compiled and held until recorded at the next BOD meeting;
- The vote is documented in the BOD minutes for the next scheduled meeting.

2.11 Board of Directors’ meeting minutes will not include the names of persons making and seconding the motion(s).

SECTION THREE
BUILDING/ASSOCIATION FACILITIES

- 3.1 The current President and one other Officer appointed by the President shall receive a key to the WVAR office, along with the alarm code. The keys will be returned at the end of their terms.
- 3.2 The Association classroom/meeting room will be made available for use, at the discretion of the Association Executive, and on an availability basis, during daytime hours for real estate-related services. No alcoholic beverages allowed. Appropriate fees will be charged.

Use of Association classroom facilities after normal working hours must meet the following criteria:

- Business use only, such as seminars, meetings, etc.
 - No weddings, parties or private uses.
 - Non-member or Affiliate Member renters must show proof of \$300,000 liability coverage.
 - Smoking is permitted in designated areas only.
 - No alcoholic beverages allowed on premises.
 - The facility may be rented for the purpose of pre- and post-licensing classes.
- 3.3 An asset inventory will be established with a control number on a master list to be reviewed annually at the end of the year by the Building Committee. Any proposed changes to the inventory of assets must be approved by the Board of Directors prior to disposition.
- 3.4 The Association shall not allow signs in support of political candidates or issues to be posted on its property.
- 3.5 There shall be no broker solicitation of agents on Association property.
- 3.6 **Rental Unit**
- Any office space leased by the Association shall be limited to non-retail use. Other uses may also be limited if such use may create a strain on the septic, electrical or other systems. Further, in order to avoid any potential conflict of interest or perception of favoritism, real estate-related companies shall be prohibited from leasing said rental unit. In all cases, tenant acceptance shall be based on final approval by the Board of Directors prior to execution of the lease. (2/07)

SECTION FOUR COMMITTEES

- 4.1 The following Committee Policies & Procedures document is hereby made a part of this policy manual.

Committees are the limbs of the organization. They gather information, review materials received which fall within the goals and responsibilities of their respective committee, develop recommendations of what the Association should be doing in various aspects of local, state and national involvement as well as how our members can best be served through their membership in the Association.

RECOMMENDATIONS OF THE COMMITTEES are directed to the Board of Directors through the motions made at committee meetings. The Directors will review the motion recommendations of the committees and approve as submitted, approve with modifications, refer the matter back to the Committee, or deny the motion. In cases where a committee motion is not adopted, it will be returned to the committee with the Directors' rationale for their decision. Motions must be sent to the Board of Directors early enough to allow for their approval/decision "prior" to any action being taken by the committee or expending the funds.

A DIRECTOR LIAISON is appointed by the President to each committee. This is a Director of the Board who is responsible for attending that committee's meetings in order to act as the "liaison" from the committee to the Board of Directors and back to the committee. This policy provides for the "intent" and rationale of committee motions to be presented to the Directors before they make their decision. It also provides for the reasoning of the Directors to be communicated back to the committee.

GOALS AND RESPONSIBILITIES of each committee for the ensuing year are developed by the incoming President in conjunction with input from incoming and outgoing Directors and the Association Executive.

UPON RECEIPT OF COMMITTEE REQUEST FORMS for appointment to committees, the Staff Liaison will review requests for their committee and develop a list of members requesting that committee. The Chair and Director Liaison may also contact and add members to the list. Appointments to Committees are made by the incoming President with final approval by the Board of Directors. Special care must be taken to provide for fair representation of all member offices.

Additional appointments and/or removals on a committee can be made at any time throughout the year, as approved by the President.

THE FIRST MEETING of each newly appointed committee will include direction for the committee from the Chair, will establish a meeting schedule for the year, and will review budget for the committee (when applicable).

CORRESPONDENCE addressed to the Association may be directed to an appropriate committee for review. The Chair of the Committee is advised of its receipt and content in order that it may be included in the committee meeting agenda.

CONTRACTS AND/OR COMMITMENTS made in securing facilities for scheduled events, obtaining necessary supplies, etc., must be made in the name of the Association and at least one of the following must sign all contracts and financial documents for the Association: Association Executive, President, President-Elect or Treasurer.

MONIES RECEIVED by committees in connection with scheduled events must be delivered to the Association office for accounting and record keeping purposes. Any funds received by the Association office for such events may not be removed from the Association office. Likewise, any expenses incurred for scheduled events must be invoiced to the Association office where they will be approved for payment by the Association Executive and the Treasurer.

COMMITTEE EXPENSES in excess of \$1,000 for a single item, or in excess of the committee budget, require approval by the Board of Directors. Additionally, when purchasing an asset or leasehold improvements, expenses in excess of \$1,000 require three (3) bids prior to submission for Board of Directors approval. After approval, a purchase order must be requested from the Association office, stating the purpose and amount of the expense. Purchase orders are then approved by the Association Executive. If funds are requested to be advanced for the purpose of an approved event, such funds are to be reimbursed from the event's proceeds.

PARLIAMENTARY PROCEDURES REGARDING MOTIONS: Motions must be clearly stated and properly supported. If a motion is not seconded, it fails. Once a motion is made and properly seconded, there may be discussion. A motion can only be made when there is a quorum present. After discussion, a call for the vote is made by the Chair. If a committee member wishes to go on record opposing a motion, they must state this to the recording secretary.

4.2 DUTIES AND RESPONSIBILITIES OF THE CHAIR

- Review the agenda for committee meetings with the staff liaison prior to distribution to committee members
- Call the meeting to order when a quorum is present
- Conduct the meeting in accordance with the agenda (NOTE: When guest speakers are in attendance, the Chair may elect to alter the sequence of the agenda.)
- Cannot make a motion but can suggest one
- Votes only in the case of a tie; can also create a tie
- May elect to attend the Directors meeting to present a recommendation of the committee
- Provide the staff liaison with outgoing correspondence to be prepared for the appropriate signatures
- Review the minutes of each meeting
- Review committee members' meeting attendance with the staff liaison; if necessary, contact members with excessive absences to determine their desire to continue on the committee; advise staff of any members who will not be continuing on the committee

4.3 DUTIES AND RESPONSIBILITIES OF THE COMMITTEE VICE CHAIR

- Chair the committee meeting when the Chair is absent

4.4 DUTIES AND RESPONSIBILITIES OF THE COMMITTEE MEMBERS

- Attend the committee meetings (three absences during the year constitutes automatic resignation from the committee)
- Review the materials sent prior to a meeting and to bring those materials to the meeting
- Provide input to the committee meetings
- Work with the Chair and committee members in accomplishing goals established by the President, the Board of Directors and the committee

4.5 DUTIES AND RESPONSIBILITIES OF THE STAFF LIAISON

- Staff liaison to send copies of the Agenda and Minutes from the last meeting to committee members one week prior to the next meeting
- Record the minutes of committee meetings and prepare the appropriate Action Request Forms and see that they are typed, approved and distributed to the appropriate persons
- Notify the chair of the attendance record of committee members; if advised by the Chair, the staff liaison will remove the member from the committee and send the appropriate correspondence to the member
- Report the status of the committee budget (when applicable) to the committee
- Maintain an outline of annual committee projects to pass on to succeeding committees
- Provide guidance to committee chairs as to which motions require Director approval and which Board policies may be involved in any actions of the committee
- Staff Liaison to maintain an accurate list of those members who have donated to committee events/courses and coordinate the appropriate acknowledgment and thank you letter
- All directions from Directors, Committee Chairs, or Committee members for staff support MUST be funneled through the Association Executive. (There may be instances when the staff may not be aware of other commitments that may interfere with the timely completion of a request or directive. Also, the administrators cannot effectively manage those things of which they are not aware.)

4.6 Absence from three (3) meetings by a member appointed to a committee is deemed resignation. After two (2) absences by a committee member, staff will advise the Chair of the member's attendance record. It will be the responsibility of the Chair to contact the member and advise the staff liaison whether the member will continue serving on the committee.

4.7 The Chairperson of each committee shall have the authority at their discretion to reinstate members to the committee.

4.8 Motions from committees for expenditures should be made to the Board of Directors far enough in advance to allow Director action prior to the expenditure being made. Further, such motions should include whether or not the expenditure is a budgeted item and the unused budgeted amount for the committee.

4.9 Any sub-committee request is made to the parent committee, which may or may not forward a motion to the Board of Directors for approval.

SECTION FIVE
EDUCATION & EVENTS

- 5.1 It shall be the responsibility of the staff to establish a fee for non-members of the Association to attend an Association-sponsored educational offering or event. The fee established may be higher than the fee charged to members, as allowed by law.
- 5.2 Cancellations must be received three days prior to a class to obtain a full refund or credit for a future WVAR education program.
- 5.3 Cancellation of scheduled seminars shall be determined by the Association Executive after taking into consideration the terms of the speaker's contract, registrations, etc.
- 5.4 On an annual basis, the Board of Directors or an assigned task force from the Board of Directors shall recommend in conjunction with the budget planning processes, one or more cause(s) that they approve to pay contributed dollars from a specified Association-sponsored event/activity.
- 5.5 WVAR shall retain 10 percent of charitable events proceeds after expenses are paid.
- 5.6 The Association will pay the admittance fee to the Annual December Meeting for all current, outgoing and incoming Officers and Directors and the Association Executive and one guest each.

SECTION SIX ELECTION PROCEDURES

- 6.1 Election procedures for the Board of Directors shall be followed as detailed below:
1. The President, with approval of the Board of Directors, shall appoint three (3) or more Tellers to conduct the vote by collecting and counting the ballots. Tellers may not have served on the current year's Nominating Committee.
 2. Staff to be on hand with alpha printout of eligible members, current as of date of election, to pass out ballots when checking in each member.
 3. Use printed ballots listing nominees alphabetically. When more than one ballot is necessary due to different term positions to be filled, each ballot is printed in a different color.
 4. President to announce election procedures:
 - Verify all active members have checked in and have ballot
 - Announce quorum necessary
 - Announce Nominating Committee
 - Votes cast in person, absentee ballots may be cast in person at designated places and times; absentee ballots counted toward quorum
 - Directors to be elected by simple majority, with tie votes determined by run-off vote
 - MUST vote for number of candidates equal to number of vacancies to be filled
 - Voting for more or fewer candidates than vacancies to be filled will void the entire ballot
 - Announce that polls are open
 5. Candidates to be introduced and given the opportunity to make a statement (up to two minutes)
 6. President to allow adequate time for members to cast votes and after asking if all have been cast, announce "POLLS CLOSED." No more ballots to be distributed or votes cast after polls are closed.
 7. Tellers collect ballots and adjourn to separate room for counting
 8. Upon receipt of full teller's report, announce total results:
 - (a) Number of ballots cast
 - (b) Number of illegal/void ballots cast
 - (c) Identify candidates elected
 9. Ask for a motion to destroy the ballots. Ballots are collected by staff and destroyed.

SECTION SEVEN FINANCES

- 7.1 Out of area brokers who join as secondary members and who open a local office with WVAR members shall be required to pay all applicable membership fees, but shall not be required to attend orientation.
- 7.2 A NSF check charge will be assessed for any check received from a member that is returned unpaid. If services need to be suspended for non-payment of bills, there will be a reinstatement fee.
- 7.3 The Association will accept VISA, MASTERCARD and DISCOVER payments.
- 7.4 The Association will keep a petty cash account in the office, as follows: \$150 shall be kept on hand to provide change for store purchases, to make small cash purchases for the office, and to provide change for cash payment of “at the door” event/education registrations. The petty cash account shall be balanced on a weekly basis.
- 7.5 All fees related to membership or education and social events require payment at the time of application or registration. No applicant shall be permitted to attend Orientation until the application fee has been paid.
- 7.6 A late fee shall be placed on the accounts of members who have not paid their renewal membership dues by the specified due date.
- 7.7 Members who leave the Association owing money will be given 30 days notice. If the amount owing is not paid within the 30 days, or a written agreement is not obtained prior to 30 days, the account may be assigned to a collection agency. If there is a breach of agreement, the account may go to collection.
- 7.8 Payment for all Board services may be required to be in cash, bank check or certified funds where there is a history of checks returned unpaid, or at the time of reinstatement.
- 7.9 Former members reinstating after their account has been assigned to a collection agency must pay fees equivalent to those charged by the collection agency (if any) in addition to a reinstatement fee, the full amount due on their account, and the applicable dues at time of reinstatement.
- 7.10 Salespersons who were terminated because their Principal/Designated REALTOR[®] was terminated may be reinstated with another firm without payment of any reinstatement fee.
- 7.11 The Finance Committee will review the financial statements of the Association and forward to the Board of Directors for approval on a monthly basis.
- 7.12 The primary signatures on Association accounts shall be the AE and the Treasurer. The members of the Executive Committee shall serve as backup signers, as necessary.
- 7.13 An Association credit card will be provided to the AE and President to cover Association expenses.
- 7.14 Members are allowed to submit competitive bids to the Association for services such as insurance, construction, etc. Member’s bids will be evaluated objectively in relation to all other bids.
- 7.15 Dues for all renewing members shall be payable annually in advance of the dues period. All requests by renewing members for refunds of Local dues will be approved if submitted to the Board of Directors in writing prior to the Association’s first business day of the year for which the dues are allocated. A handling fee will be deducted from any renewal dues refunds.

Dues for new members shall be computed from the first day of the month in which application is made and shall be prorated for the remainder of the billing year. New member dues are not refundable.

- 7.16 The Association shall conduct selection procedures every three (3) years for legal counsel, auditors, and business insurance services.
- 7.17 For any financial questions, policies, or procedures not addressed in this section, refer to the Treasurer's Guide. The Treasurer's Guide shall be kept current and updated by the Treasurer and Finance committee and approved by the Board of Directors as needed.

SECTION EIGHT
GIFTS

- 8.1 Gifts are provided to the Directors and the outgoing President at the December BOD meeting. Gifts for Directors shall not exceed \$50 each; the outgoing President's gift shall not exceed \$300.
- 8.2 Special guests (detailed below) who are invited to a WVAR meeting are presented with gifts in an amount not to exceed that listed on the WVAR fee schedule:
1. DVP
 2. FAR Officers
 3. RPAC Trustee
 4. NAR Officers

The Association will pay the admittance fee to the Annual December Meeting for invited guests from other REALTOR® associations.

SECTION NINE LEGAL COUNSEL

- 9.1 **SCOPE OF POSITION:** To assist and advise the West Volusia Association of REALTORS® in the legal affairs of the Association.

QUALIFICATIONS:

- Have a good balance of common sense, sound judgment, and legal knowledge, particularly of the real estate industry and trade association laws
- Have experience in corporate, antitrust, civil rights and municipal law
- Understand the Association's structure and operations, including the area of Professional Standards and Ethics
- Be available to advise regarding developing legal trends relating to trade associations
- Have adequate staff and facilities to represent and manage all the Association's legal affairs
- Be comfortable with the Association and willing and able to communicate advice in terms the association's audience can understand

RESPONSIBILITIES:

- Respond to questions and advise the Association Executive on matters concerning legal aspects of Association operations
- Confer only with the AE and/or President regarding Association matters, unless otherwise instructed
- Negotiate, draft and/or review contracts involving the Association
- Correspond with those who have addressed the Association where response from counsel is requested by the Association Executive and/or the President
- Review and advise on cases and legislation affecting the Association and its members
- Review and advise on Articles, Bylaws, Rules and Regulations and any amendments to these governing documents
- Keep current on National and State Association policies, litigation, recommendations and legal activities
- Represent, or recommend representation, for the Association in litigation when necessary
- Read, analyze and advise the Association on matters disclosed by the Minutes of the Board of Directors Meetings and/or any other official meeting minutes which are of concern to the Association Executive or the Board of Directors

Note: Counsel may also be asked to advise in advance of a meeting on matters that appear on the Board of Directors' agenda.

- Read, analyze and advise on issues in publications received from the national, state, and local associations, when requested
- Respond to questions concerning ethics and arbitration hearings
- Attend Professional Standards Ethics Hearings for the purpose of advising the Hearing Panel. Review all Professional Standards cases, decisions, etc. and be available for consultation to the Association Executive relative to Professional Standards matters

- Conduct briefings for Grievance and Professional Standards Committees in conjunction with the Association Executive
- Furnish written legal opinions to the Board of Directors as requested
- Attend the Board of Directors, General Membership, and Committee meetings as requested
- Attend meetings and seminars sponsored by the National, State and Local Associations which have a legal impact
- Devote the necessary time to learning and keeping current with the Association's governing documents (Bylaws, Rules & Regulations, Policies, Professional Standards Procedures, etc.) and all issues and regulations which affect the Association and the real estate industry (i.e., licensing rules and regulations, legislative actions, etc.)
- Assume other responsibilities as assigned

9.2 Legal Counsel Selection Process

- A. The Board shall conduct legal counsel selection procedures every three (3) years.
- B. The Search Committee
 1. The Search Committee should consist of five (5) members, with committee make-up as follows:
 - (a) one (1) member from the Board of Directors
 - (b) one (1) member from the Executive Committee, NOT the Board President
 - (c) one (1) Past-President
 - (d) two (2) REALTOR® members who are selected from the West Volusia Association of REALTORS® membership
 2. The Association Executive shall have full participation, but shall not be a voting member.
 3. It is emphasized that the members of the Search Committee should have a background in Professional Standards and/or the law. It is understood that the Association Executive will have background in Professional Standards, and will provide input from that direction.
 4. The Search Committee will be responsible for:
 - (a) reviewing all applications for legal counsel
 - (b) preparing the interview questions
 - (c) determining who will be interviewed
 - (d) conducting interviews
 - (e) submitting recommendations and supporting documentation to the Board of Directors

- 9.3 Association counsel shall represent the Association if the occasion of conflict of interest occurs. It is important that Association members and counsel understand that the Association attorney is not paid by the Association to represent any member on an individual basis. Association counsel represents the Association.

SECTION TEN
MEETING REIMBURSEMENT

- 10.1 In the event any individual who is otherwise scheduled for reimbursement by Association policy is reimbursed from any other source, no reimbursement will be made by the Association. For all others scheduled for reimbursement by the Association, the following reimbursement guidelines will apply:

Florida Association of REALTORS® Meetings		
Winter	AE President President-elect Immediate Past President Treasurer RPAC Chair Legislative Chair Attorney	Level A Level A Level A Level B Level C Level C Level C Level D
Annual	AE President President-elect Immediate Past President Treasurer Legislative Chair RPAC Chair Attorney	Level A Level A Level A Level B Level C Level C Level C Level D
Legislative Days	AE President President-elect RPAC Chair Legislative Chair	Level A Level A Level A Level A Level A
AE Institute	AE	Level A
CEO Symposium	AE President-elect	Level A Level A
Spokesperson Training	President-elect	Level A
National Association of REALTORS® Meetings		
Mid-Year (Legislative)	AE President President-elect Legislative Chair	Level A Level A Level A Level A
Annual	AE President President-elect	Level A Level A Level A
Leadership Summit	AE President-elect	Level A Level A
AE Institute	AE	Level A
(See paragraph 10.2 for description of reimbursement Levels A through D.)		

10.2 Level A through E Reimbursement:

Level	Mileage	Registration	Meals	Transportation	Lodging
A	Federal Rate	100%	Up to \$75/day	100%	100%
B	Federal Rate	100%	Must attend Caucus and BOD; 1 night hotel + expenses		
C	Federal Rate	100%	Reimbursement of expenses; no room		
D	Federal Rate	100%	Expenses; no room [or room for one night and expenses, depending on lowest cost]		

Tickets to the FAR Mid-Winter Installation Ball will be paid for the spouses of the President, President-Elect and AE.

FAR Super Sales Day luncheon tickets will be paid for committee chairs of committees that have been nominated for awards and/or members nominated for FAR awards; however, these members will be responsible for paying their own registration.

Legislative Committee members' expenses to attend Legislative Days in Tallahassee will be paid based on funds available from the committee budget.

- 10.3 An expense report should be completed and returned to the Association within 30 days of the meeting to be eligible for reimbursement.
- 10.4 Effective immediately upon election, Directors will be eligible for reimbursement as provided in the Reimbursement Policy.

SECTION ELEVEN
MEMBER COMMUNICATION

- 11.1 The official publication of the Association shall be a newsletter, *The Realtor Update*, which will be published monthly. The newsletter will be distributed via electronic notice to REALTOR® offices that newsletters are available for pick-up, and the newsletter will also be posted on the web site. The newsletter will be mailed to Affiliate members.
- 11.2 Criteria for articles submitted by members for the newsletter shall be as follows: (1) It shall not be offensive, (2) It shall be real estate or REALTOR® related, (3) It must benefit the majority of members, (4) The author must be willing to allow a disclaimer, (5) The author must accept editing or size limitations. The article will be accepted for publication if all criteria are met and can be done in a timely manner.
- 11.3 Only WVAR REALTOR® and Affiliate members can purchase ad space in the newsletter.
- 11.4 Newsletter mission statement: To provide useful, timely information to the membership on REALTOR® and real estate related issues, members' involvement in our communities, educational opportunities, legislation affecting the real estate industry and pertinent news concerning Association membership. Editorial comments may be acceptable for publication providing both sides of the issues are simultaneously presented and the article publication criteria are met.
- 11.5 WVAR also publishes a weekly electronic newsletter, the *e-News*, and sends reminders and notices via e-mail.
- 11.6 Privacy Statement: WVAR is committed to protecting the privacy of its members. WVAR never sells, rents, or lends members' personal information to anyone. We ask members to provide us with their e-mail addresses so we can send them e-mail news briefings. These addresses are used only to send news, notices and account information to those members. WVAR never sells, rents, or lends e-mail addresses of users to anyone.
- 11.7 Any member of the West Volusia Association of REALTORS® may purchase a set of mailing labels at the cost per set listed on the fee schedule. Mailing labels of REALTOR® members of the West Volusia Association of REALTORS® can be purchased by non- members at the cost per set listed on the fee schedule. Labels will be printed with office addresses only; no home addresses will be distributed.

SECTION TWELVE MEMBERSHIP

- 12.1 A waiver will be extended to active duty members of the Armed Forces to suspend dues during service. The waiver will be in effect until 60 days after the date of their return.
- 12.2 Past Presidents who no longer qualify under the Association's Bylaws and Membership Policies for REALTOR® Membership shall be conferred Honorary Membership. Honorary Members are individuals not engaged in the real estate profession who have performed notable service for the real estate profession, for the Association, or for the public.
- 12.3 Affiliate firms must pay a one-time application fee. Upon receipt of the firm application fee, up to two individuals from said firm are eligible for membership upon application and payment of dues. Additional individuals within the firm may join for an additional fee.
- 12.4 Any member of the Association whose primary income source is from governmental payrolls (including local, county, state, federal or public agencies, such as universities or public schools) who otherwise does not qualify for REALTOR® membership in the Association, shall be classified as a Public Service Member rather than as an Affiliate or Institute Affiliate member.
- 12.5 The membership procedure for new DRs is as follows:
1. The designated broker makes application. At the time of application a DBPR search is performed to determine if there are any licensees associated with this broker.
 2. If there are any licensees with the applying broker, they are provided applications. If they choose not to make application, the broker applicant will be assessed non-member salesperson fees for them, payable when the broker is accepted for membership.
 3. Brokers who are currently WVAR members and brokers who are out of the area but have an office and agents in the area may have attendance at Orientation waived. Otherwise, depending upon when the broker's application is received, the following steps are completed:
 - a) The applicant must attend Orientation within 60 days (or two cycles in the case where WVAR may not offer Orientation during a given month) of application. All dues and application fees are due prior to the beginning of Orientation. Fees and dues are non-refundable; if applicant does not attend Orientation within 60 days of application, s/he must reapply, paying all applicable fees.
 - b) The applicant attends MLS training within 90 days of application.
 - c) Membership is approved by the Board of Directors.
 4. After all of the above criteria are met, the member is provided an MLS User ID and program disk. Paperwork is faxed to the Mid-Florida Regional MLS that will activate the new member's MLS access. Fees to MFRMLS are due at this time.
 5. In evaluating a REALTOR® application, the most rigorous qualifications which may be required by a Board of REALTORS® are defined by NAR Member Policy:
 - a) Has a valid real estate license or is a licensed or certified appraiser and actively engaged in the real estate business.
 - b) Must have no record of official sanctions involving unprofessional conduct. Must have no record of recent or pending bankruptcy.
 - c) Completes the Association Orientation class.
 - d) Agrees that if elected to membership, s/he will abide by the constitution, bylaws, policy and rules and regulations of the local association, the state association and the national association.

SECTION THIRTEEN
MID-FLORIDA REGIONAL MULTIPLE LISTING SERVICE

- 13.1 By November 1st of each year, the membership will be notified that applications will be accepted for the Director position that will be open.
- 13.2 The published deadline after which no applications will be accepted will be February 15th of each year.
- 13.3 All applicants will appear before the Board of Directors in March to state their qualifications.
- 13.4 The appointment will be made at the March Board of Directors meeting.
- 13.5 An MFRMLS Director will be the current WVAR MLS Chairman, upon appointment by the President.
- 13.6 Board staff will input MFRMLS listings for a fee.
- 13.7 MLS Directors

Qualifications. All directors shall be members in good standing of a Shareholder Member Association and shall be Participants or Subscribers affiliated with a Participant Service. Each Member Association and the Corporation shall prepare at the beginning of each calendar year a list ranking all Participants of such Member Association, in descending order, according to the number of listings each Participant placed with the Service during the immediately preceding calendar year (the "Listing Activity Report").

The Class I Standing Director representing each Member Association shall be appointed by the Member Association from among any of those REALTOR® Participants (or their Subscribers) who are listed on the Listings Activity Report.

The Class II Standing Director representing each Member Association shall be appointed by the Member Association from among those REALTOR® Participants (or their Subscribers) who, in the immediately preceding calendar year, were among the upper one-fourth of all Participants listed on the Listing Activity Report.

Appointment of Directors; Terms of Office. At each Annual December Meeting of shareholders or thereafter, the successors to the directors whose terms shall expire in that year shall be appointed by each Member Association, as provided in this Article IV.

Each Standing Director shall be appointed to serve for a term of two (2) years, or such portion thereof remaining after the beginning of his term until his successor is appointed and qualified. Class I Standing Directors shall be appointed in odd numbered years and Class II Standing Directors shall be appointed in even numbered years; provided, however, the Class II Standing Director initially appointed by the Member Association Shareholders shall serve for one (1) year (AMENDED 4/1/96). Each Additional Director shall be appointed to serve for a term of one (1) year, or such portion thereof remaining after the beginning of his term until his successor is appointed and qualified.

The terms of office of all Directors shall begin as of the date of his or her appointment or election, as the case may be. No Standing Director may serve on the Board of Directors for more than two consecutive two (2) year terms, provided, however, the initial one (1) year term of the first Class I Standing Directors appointed under these Bylaws shall not be counted. Additional Directors may not serve on the Board of Directors for more than four (4) consecutive one (1) year terms. A Director appointed to fill an unexpired term shall be deemed to have served a full term if the length of the unexpired term is over one-half the original term.

Removal. Any Director who ceases to be a REALTOR®, ceases to be a member in good standing of a Member Association, closes his or her office in the Member Association he or she represents, ceases to be a Participant, ceases to be a Subscriber affiliated with a Participant in the Service, fails to attend three consecutive regular meetings or special meetings of the Board of Directors, or is otherwise unable to serve for any reason, shall be disqualified from serving on the Board of Directors, and shall be deemed to have tendered their resignation and shall be immediately removed from office.

Vacancies. Vacancies in the Board of Directors caused by the removal, resignation, or death of a Director shall be filled by the Member Association entitled to appoint such affected Director's successor.

SECTION FOURTEEN
PROFESSIONAL STANDARDS

- 14.1 The West Volusia Association of REALTORS® shall adopt the NATIONAL ASSOCIATION OF REALTORS® *Code of Ethics and Arbitration Manual*, as amended for compliance with Florida laws, in governing all Professional Standards issues.
- 14.2 The Association shall comply with the policies and procedures contained in the current annual edition of the Code of Ethics and Arbitration Manual (CEAM) of the National Association of REALTORS®.
- 14.3 The Association shall also adhere to the West Volusia Association of REALTORS® Board of Director's most recently adopted document titled "CEAM Adoptions (Year)". This document specifies those changes, provisions or adaptations to the current annual edition of the Code of Ethics and Arbitration Manual (CEAM) of the National Association of REALTOR® that have been adopted by the Association Board of Directors to conform to local policy and comply with state law. (Reference pages i, ii and iii of the CEAM.)

SECTION FIFTEEN RECORD RETENTION

15.1 FINANCIAL RECORDS

Company Tax Returns	7 years
Payroll Tax Records	7 years
Cash Receipt Books	7 years
Bank statements/canceled checks	7 years
Expense vouchers and invoices	7 years
Disbursement and Receipt Journals	7 years
General Ledger	7 years
Income & Expense statements (unaudited)	7 years
Income & Expense statements (CPA prep)	10 years
Final monthly detail reports	7 years

15.2 GENERAL RECORDS

Articles of Incorporation	Permanent
*Corp. Director Minutes	Permanent
Bylaws Editions	2 years
Committee Minutes/Reports	2 years**
Individual Membership Records	10 years***
General Correspondence	2 years
Legal Opinions	10 years
Association Staff Personnel Records	10 years***
Membership Reports to NAR/FAR	7 years
Insurance Policies	2 years after expiration
Contracts	2 years after expiration

*dating to incorporation of Board

**with the exception of Grievance Committee

***from date of death or termination

15.3 PROFESSIONAL STANDARDS RECORDS

1. A master log shall be maintained for a period of six (6) years. This log shall identify all Ethics and Arbitration matters filed with the Board and shall record the status from the point of filing through final disposition.
2. Any Decision rendered in a formal Ethics Hearing which finds a member guilty of violating the REALTOR® Code of Ethics shall be placed in the member's own file upon final action by the Board of Directors. All other materials pertaining to the case shall be destroyed upon final action of the Directors unless the Decision itself and the Directors action require dissemination to the Department of Licensing and Regulation.
3. Upon final action by the Directors following a formal hearing where no violation of the Code has been found and no disciplinary action is involved, the entire file in such case shall be destroyed immediately.
4. Upon expiration of the Appeal period following any formal Hearing, the Association shall instruct the court reporting service (if used) to immediately destroy all transcription tapes, notes and records from the Hearing.
5. Minutes of Grievance Committee meetings shall be maintained for a period not to exceed one year.
6. Records of Complaints filed which do not go to formal hearing shall immediately be destroyed.

SECTION SIXTEEN REVISION DATE HISTORY

- | | | |
|-------|------------|---|
| 16.1 | 12/06/2007 | <p>Board approved deletion of Section Sixteen (16) – “Reserve Accounts” from Policy Manual</p> <p>Board approved adoption of Section 7.17 of Policy Manual - “For any financial questions, policies, or procedures not addressed in this section, refer to the Treasurer’s Guide. The Treasurer’s Guide shall be kept current and updated by the Treasurer and Finance Committee and approved by the Board of Directors as needed.”</p> |
| 16.2 | 01/10/2008 | <p>Board approved revision of Section 5.6 to read as follows: “The Association will pay the admittance fee to the Annual December Meeting for all current, outgoing and incoming Officers and Directors and the Association Executive and one guest each.”</p> <p>Board approved the removal of the Consent Agenda procedure and putting Committee Reports on the business agenda.</p> |
| 16.3 | 02/07/2008 | <p>Board approved revision to page 4, paragraph 3 to read as follows: “The Multiple Listing Service Awards are administered by Awards Committee. The MLS Committee Chair will be a member of the Awards Committee. The monthly Top Twenty Awards will be for residential production only. A Top Residential Lister and Top Residential Seller award will be presented monthly.”</p> |
| 02.5 | 06/05/2008 | <p>Board approved amendment to Item 2.5 (Responsibilities of the Directors), Paragraph 18, to read as follows: “Recognize Robert’s Rules of Order as the authority governing all meetings of the Board of Directors except for those exceptions otherwise noted in the WVAR Policy Manual.”</p> |
| 02.9 | 06/05/2008 | <p>Board approved removal of item 2.9, page 8, from the WVAR Policy Manual requiring the Board of Directors meeting to utilize a “Consent Agenda”.</p> |
| 02.10 | 06/05/2008 | <p>Board approved amendment to item 2.10, page 8, to read as follows: “Minutes of the Board of Director meetings will be made available to the membership upon request.”</p> |
| 02.5 | 07/10/2008 | <p>Board approved including the following verbiage in the WVAR Policy Manual, under Section 2.5, Responsibilities of the Directors: “At the beginning of the calendar year a maximum of one officer and one director from any one firm shall serve on the Board of Directors.”</p> |
| 02.11 | 07/10/2008 | <p>Board approved adding item 2.11 to the WVAR Policy Manual to read as follows: “Board of Directors’ meeting minutes will not include the names of persons making and seconding the motion(s).</p> |
| | 07/10/2008 | <p>Board approved replacing Section Fourteen Professional Standards with the following.</p> |
| 14.1 | 07/10/2008 | <p>The West Volusia Association of REALTORS® shall adopt the NATIONAL ASSOCIATION OF REALTORS® <i>Code of Ethics and Arbitration Manual</i>, as amended for compliance with Florida laws, in governing all Professional Standards issues.</p> |
| 14.2 | 07/10/2008 | <p>The Association shall comply with the policies and procedures contained in the current annual edition of the Code of Ethics and Arbitration Manual (CEAM) of the National Association of REALTORS®.</p> |

- 14.3 7/10/2008 The Association shall also adhere to the West Volusia Association of REALTORS® Board of Director's most recently adopted document titled "CEAM Adoptions (Year)". This document specifies those changes, provisions or adaptations to the current annual edition of the Code of Ethics and Arbitration Manual (CEAM) of the National Association of REALTOR® that have been adopted by the Association Board of Directors to conform to local policy and comply with state law. (Reference pages i, ii and iii of the CEAM.)