

**2016 KCRAR Citation Program**  
**Approved by KCRAR Board of Directors on May 21, 2015**

**Purpose of the Citation Program:** The Citation Program is an optional Professional Standards Program approved by the National Association of REALTORS® (NAR) to assist Local Associations in streamlining the Professional Standards Process on specific approved Articles of the NAR Code of Ethics.

**List of Approved NAR Code of Ethics Articles included in the Citation Schedule adopted by the KCRAR Board of Directors for the KCRAR Citation Program:**

1. Article 1, supported by SOP 1-16 – Accessing or using, or allowing others to access or use, a property managed or listed on terms other than those authorized by the owner or seller
2. Article 3, supported by SOP 3-2 – Failure to communicate a change in compensation for cooperative services prior to the time that REALTOR® submits an offer to purchase/lease the property
3. Article 3, supported by SOP 3-2 – As a listing broker, attempting to unilaterally modify the offered compensation with respect to a cooperative transaction after a REALTOR® has submitted an offer to purchase or lease that property
4. Article 3, supported by SOP 3-4 – Failing to disclose existence of dual or variable rate commission arrangements
5. Article 3, supported by SOP 3-8 – Misrepresenting the availability of access to show or inspect a listed policy
6. Article 3, supported by SOP 3-9 – Providing access to listed property on terms other than those established by the owner or the listing broker
7. Article 4 – second sentence – Failing to disclose REALTOR®'s ownership or other interest in writing to the purchaser or their representative
8. Article 5 (limited to present interest, not contemplated) – Providing professional services without disclosing REALTOR®'s present interest in property
9. Article 6 (first paragraph) – Accepting any commission, rebate, or profit on expenditures without client's knowledge or consent
10. Article 6 (second paragraph) – Failure to disclose to a client or customer REALTOR®'s financial benefits or fees received as a direct result of recommending real estate products or services
11. Article 6 supported by SOP 6-1 – Failure to disclose REALTOR®'s direct interest in an organization or business entity when recommending to a client or customer that they use the services of that organization or business entity
12. Article 12 – Failure to present a true picture in real estate communications and advertising
13. Article 12 – Failure to disclose status as real estate professional in advertising and other representations
14. Article 12, supported by SOP 12-4 – Advertising property for sale/lease without authority of owner or listing broker
15. Article 12, supported by SOP 12-5 – Failing to disclose name of firm in advertisement for listing property
16. Article 12, supported by SOP 12-6 – Failing to disclose status as both owner/landlord and REALTOR® or licensee when advertising property in which REALTOR® has ownership
17. Article 12, supported by SOP 12-7 – Falsely claiming to have "sold" property
18. Article 12, supported by SOP 12-10 – Misleading consumers through deceptive framing, manipulating content, deceptively diverting internet traffic, or attribution or permission

19. Article 12, supported by SOP 12-13 – Representing that the REALTOR® has a designation, certification, or other credential they are not entitled to use
20. Article 16, supported by SOP 16-16 – Conditioning submission of a buyer’s offer on additional compensation from a listing broker
21. Article 16, supported by SOP 16-19 – Placing for sale/lease sign on property without permission of seller/landlord

**Fines/penalties adopted by the KCRAR Board of Directors for the Citation Program if Member found in violation:**

- Only one fine per complaint regardless of the number of SOPs cited
- \$250 fine for first offense, to be paid within 30 days of citation date
- \$500 fine for second offense on previously cited Articles or SOPs, to be paid within 30 days of citation date. Additionally, Respondent will be required to complete a “live” Code of Ethics Course
- \$1,000 fine for third offense on previously cited Articles or SOPs, to be paid within 30 days of citation date. Additionally, Respondent will be required to complete a “live” Code of Ethics Course
- NAR Policy regarding repeated violations is: a) No more than 2 citations will be issued to a member within a consecutive 12 month period, starting on the date the first complaint was filed, at the same association; b) no more than 3 citations will be issued to a member within a consecutive 36 month period, starting on the date the first complaint was filed, at the same association; c) No additional citations are permitted where the cumulative fine for the citations issued would be more than \$5,000 in any 3 year period at the same association; and d) With the adoption of the escalating fine schedule for repeat citations the Citation Panel may only consider the past citations for the particular conduct alleged in the complaint.

**Additional Information pertaining to the Citation Program:**

- Complaints will go directly to the Citation Panel first, and then if appealed or found to be egregious, sent to the Grievance Committee
- KCRAR adopted the policy to not accept anonymous complaints relating to the Citation Program
- Respondent will have the right to appeal the citation; which will then result in a full Professional Standards Ethic Hearing.
- To submit a complaint to be considered by the Citation Panel – Complainant would complete the normal Ethic Complainant Form E-1 located on the KCRAR Website at the following link and return to KCRAR attention Debbie Strange:  
<http://www.kcrar.com/code-of-ethics-and-complaints>

**Staff Liaison for Program:**

Debbie Strange, e-PRO®, RCE,  
KCRAR Executive Assistant/Professional Standards Manager  
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913-266-5925 (Direct #)