

DETROIT BOARD OF REALTORS®

2111 Woodward Ave.,
Detroit, MI 48201

**General Instructions and Information for Filing and Replying
to Ethics Complaints**

1. Complaints must be typewritten and submitted with a sufficient number of copies (a minimum of five) to enable the Board to provide one to each respondent plus one copy for the Board's records. Any reply must be typewritten and submitted with a sufficient number of copies (a minimum of five) to enable the Board to provide one to each complainant plus one copy for the Board's records. Additional copies of the Complaint and reply should be furnished by the complainant and the respondent as requested. If the complainant is a member of the public, extra copies of the Complaint should not be requested.
2. Complaints will be referred to the Board Secretary (or Executive Officer), and by the Secretary to the Chairperson of the Grievance Committee. If the Grievance Committee finds the matter to constitute a proper cause of action, it will be referred to the Board Secretary to arrange a hearing; if it is not found to constitute a proper cause of action, it will be returned to the complainant with the decision of the Grievance Committee, together with information advising the complainant of the procedures by which the Grievance Committee's decision may be appealed to the Board of Directors.
3. If there is to be a hearing, respondent will have fifteen (15) days after service of a copy of the Complaint to reply. Copy of reply will be sent to complainant, the Board President, and the Professional Standards Committee Chairperson. The date for hearing will be set and all parties will be notified of the date and place of hearing at least twenty-one (21) days in advance.
4. If no reply is received from respondent within fifteen (15) days from service of copy of the Ethics Complaint, date, time, and place of hearing will be set.
5.
 - a. *All parties may be represented by legal counsel. If a party is not represented by counsel as a result of their own action or inaction, and a continuance has been previously granted by the Hearing Panel based upon the party's failure to obtain counsel, then the Hearing Panel may decide to proceed forward with the hearing.*
 - b. *Each party may, if necessary, compel attendance of witnesses or offer the testimony of witnesses through depositions pursuant to and as permitted by applicable Michigan law and court rule.*
6. It is the responsibility of each party to arrange for his/her witnesses to be present at the hearing.
7. Either party may file with the Secretary, within ten (10) days from the date the names of the members of the Professional Standards Committee are mailed to the parties, a written request for disqualification of any potential member of the Hearing Panel for any of the following reasons:
 - a. Is related by blood or marriage to either the complainant, respondent or a Realtor® acting as counsel for either the complainant or respondent.
 - b. Is an employer, partner, or employee, or in any way associated in business with either the complainant or respondent or a Realtor® acting as counsel for either the complainant or respondent.
 - c. Is a party to the hearing, or a party or a witness in another pending case involving complainant or respondent.
 - d. Knows any reasons acceptable to the Hearing Panel or tribunal which may prevent him/her from rendering an impartial decision.
8. The notice of hearing will contain names of members of the tribunal who will hear the case and should be accompanied by an "Outline of Procedure for Ethics Hearing."
9. The parties shall not discuss the case with any member of the Hearing Panel or the Board of Directors at any time prior to announcement of a decision in the case.
10. Both parties should be present at the hearing. No hearing will be held in the absence of a complainant. An ethics hearing may proceed in the absence of a respondent.

Form #E-1

Detroit Association of Realtors

Board or State Association
2111 Woodward Ste.907 Detroit MI 48201
Address City State Zip

Ethics Complaint

To the Grievance Committee of the _____
Board or State Association
Filed: _____ 20 _____

Complainant(s) Respondent(s)

Complainant(s) charge(s):
An alleged violation of Article(s) _____ of the Code of Ethics or other membership duty as set forth in the bylaws of the Board in _____ and alleges that the above charge(s) (is/are) supported by the _____
Article, Section
attached statement, which is signed and dated by the complainant(s) and which explains when the alleged violation(s) occurred and, if a different date, when the complainant(s) first knew about the alleged violations. This complaint is true and correct to the best knowledge and belief of the undersigned and is filed within one hundred eighty (180) days after the facts constituting the matter complained of could have been known in the exercise of reasonable diligence or within one hundred eighty (180) days after the conclusion of the transaction, whichever is later.

Date(s) alleged violation(s) took place: _____

Date(s) you became aware of the facts on which the alleged violation(s) (is/are) based: _____

I (we) declare that to the best of my (our) knowledge and belief, my (our) allegations in this complaint are true.

Are the circumstances giving rise to this ethics complaint involved in civil or criminal litigation or in any proceeding before the state real estate licensing authority or any other state or federal regulatory or administrative agency?

Yes No

You may file an ethics complaint in any jurisdiction where a Realtor® is a member or MLS participant. Note that the Realtors® Code of Ethics, Standard of Practice 14-1 provides, in relevant part, "Realtors® shall not be subject to disciplinary proceeding in more than one Board of Realtors® . . . with respect to alleged violations of the Code of Ethics relating to the same transaction or event."

Have you filed, or do you intend to file, a similar or related complaint with another Association(s) of Realtors®?

Yes No

If so, name of other Association(s): _____ Date(s) filed: _____

I understand that should the Grievance Committee dismiss this ethics complaint in part or in total, that I have twenty (20) days from my transmittal of the dismissal notice to appeal the dismissal to the Board of Directors.

Complainant(s):
Type/Print Name _____ Signature _____

Type/Print Name _____ Signature _____

Address _____

Phone _____ Email _____
(Revised 11/15)