

1 BYLAWS

2 HARFORD COUNTY ASSOCIATION OF REALTORS®, INC.

3
4 **ARTICLE I - NAME**

5
6 Section 1. Name. The name of this organization shall be the HARFORD
7 COUNTY ASSOCIATION OF REALTORS®, INCORPORATED, hereinafter referred to
8 as the "Association".
9

10 Section 2. REALTORS®. Inclusion and retention of the Registered Collective
11 Membership Mark REALTORS® in the name of the Association shall be governed by the
12 Constitution and Bylaws of the NATIONAL ASSOCIATION OF REALTORS® as from time
13 to time amended.
14

15 **ARTICLE II - OBJECTIVES**

16
17 The objectives of the Association are:

18
19 Section 1. To unite those engaged in the recognized branches of the real estate
20 profession for the purpose of exerting a beneficial influence upon the profession and
21 related interests.
22

23 Section 2. To promote and maintain high standards of conduct in the real estate
24 profession as expressed in the Code of Ethics of the NATIONAL ASSOCIATION OF
25 REALTORS®.
26

27 Section 3. To provide a unified medium for real estate owners and those
28 engaged in the real estate profession whereby their interests may be safeguarded and
29 advanced.
30

31 Section 4. To further the interests of home and other real property ownership.
32

33 Section 5. To unite those engaged in the real estate profession in this
34 community with the MARYLAND ASSOCIATION OF REALTORS® and the NATIONAL
35 ASSOCIATION OF REALTORS®, thereby furthering their own objectives throughout the
36 state and nation, and obtaining the benefits and privileges of membership therein.
37

38 Section 6. To designate, for the benefit of the public, individuals authorized to
39 use the terms REALTOR®, REALTORS® as licensed, prescribed, and controlled by the
40 NATIONAL ASSOCIATION OF REALTORS®.
41

42 **ARTICLE III - JURISDICTION**

43
44 Section 1. The territorial jurisdiction of the Association as a Member of the
45 NATIONAL ASSOCIATION OF REALTORS® is and shall include HARFORD COUNTY,
46 MARYLAND, officially approved by the Board of Directors of the NATIONAL

47 ASSOCIATION OF REALTORS®.

48
49 Section 2. Territorial jurisdiction is defined to mean:
50 The right and duty to control the use of the terms REALTOR®, REALTORS® subject to
51 the conditions set forth in these Bylaws and those of the NATIONAL ASSOCIATION OF
52 REALTORS®, in return for which the Association agrees to protect and safeguard the
53 property rights of the National Association in the terms.

54
55 **ARTICLE IV - MEMBERSHIP**

56
57 Section 1. There shall be six classes of Members as follows:

58
59 (a) REALTOR® Members. REALTOR® Members, whether primary or
60 secondary shall be:

61 (1) Individuals who, as sole proprietors, partners, corporate officers, or
62 branch office managers, are engaged actively in the real estate profession, including
63 buying, selling, exchanging, renting or leasing, managing, appraising for others for
64 compensation, counseling, building, developing or subdividing real estate, and who
65 maintain or are associated with an established real estate office in the State of Maryland
66 or a state contiguous thereto. All persons who are partners in a partnership, or all officers
67 in a corporation who are actively engaged in the real estate profession within the state or
68 a state contiguous thereto shall qualify except as provided in the following paragraph for
69 REALTOR® Membership only, and each is required to hold REALTOR® Membership in
70 a Board of REALTORS® within the state or a state contiguous thereto unless otherwise
71 qualified for Institute Affiliate Membership as described in Section 1(b) of Article IV.

72 In the case of a real estate firm, partnership, or corporation, whose business
73 activity is substantially all commercial, only those principals actively engaged in the real
74 estate business in connection with the same office, or any other offices within the
75 jurisdiction of the board in which one of the firm's principals holds REALTOR®
76 membership, shall be required to hold REALTOR® membership unless otherwise
77 qualified for Institute Affiliate Membership as described in Section 1 (b) of Article IV.
78 (Amended 4/05).

79
80 NOTE: REALTOR® MEMBERS MAY ATTAIN MEMBERSHIP IN A "SECONDARY"
81 BOARD IN ANOTHER STATE.

82
83 (2) Individuals who are engaged in the real estate profession other than
84 as sole proprietors, partners, corporate officers, or branch managers and are associated
85 with a REALTOR® member and meet the qualifications set out in Article V.

86
87 (3) Franchise REALTOR® Membership. Corporate officers (who may
88 be licensed or unlicensed) of a real estate brokerage franchise organization with at least
89 one hundred fifty (150) franchises located within the United States, its insular possessions
90 and the commonwealth of Puerto Rico, elected to membership pursuant to the provisions
91 in the NAR Constitution and Bylaws. Such individuals shall enjoy all of the rights,
92 privileges and obligations of REALTOR® Membership (including compliance with the
93 Code of Ethics) except: obligations related to board mandated education, meeting
94 attendance, or indoctrination classes or other similar requirements; the right to use the

95 term REALTOR® in connection with their franchise organization's name; and the right to
96 hold elective office in the local board, state association and National Association.
97

98 (4) Primary and secondary REALTOR® Members. An individual is a
99 primary member if the Association pays State and National dues based on such Member.
100 An individual is a secondary member if State and National dues are remitted through
101 another Board/Association. One of the principals in a real estate firm must be a
102 Designated REALTOR® member of the Association in order for licensees affiliated with
103 the firm to select the Association as their "primary" Association.
104

105 (5) Designated REALTOR® Members. Each firm (or office in the case
106 of firms with multiple office locations) shall designate in writing one REALTOR® Member
107 who shall be responsible for all duties and obligations of Membership including the
108 obligation to arbitrate (or to mediate if required by the association) pursuant to Article 17
109 of the Code of Ethics and the payment of Board dues as established in Article X of the
110 Bylaws. The "Designated REALTOR®" must be a sole proprietor, partner, corporate
111 officer or branch office manager acting on behalf of the firm's principal(s) and must meet
112 all other qualifications for REALTOR® Membership established in Article V, Section 2, of
113 the Bylaws. (Amended 3/5/13)
114

115 (b) Institute Affiliate Members. Institute Affiliate Members shall be individuals
116 who hold a professional designation awarded by an Institute, Society or Council affiliated
117 with the NATIONAL ASSOCIATION OF REALTORS® that addresses a specialty area
118 other than residential brokerage or individuals who otherwise hold a class of membership
119 in such Institute, Society, or Council that confers the right to hold office. Any such
120 individual, if otherwise eligible, may elect to hold REALTOR® membership, subject to
121 payment of applicable dues for such membership.
122

123 (c) Affiliate Members. Affiliate Members shall be real estate owners and other
124 individuals or firms who, while not engaged in the real estate profession as defined in
125 paragraphs (a) or (b) of this Section, have interests requiring information concerning real
126 estate, and are in sympathy with the objectives of the Association.
127

128 (d) Public Service Members. Public Service Members shall be individuals
129 who are interested in the real estate profession as employees of or affiliated with
130 educational, public utility, governmental or other similar organizations, but are not
131 engaged in the real estate profession on their own account or in association with an
132 established real estate business.
133

134 (e) Honorary Members. Honorary Members shall be individuals not engaged
135 in the real estate profession who have performed notable service for the real estate
136 profession, for the Association, or for the public.
137

138 (f) Student Members. Student Members shall be individuals who are seeking
139 an undergraduate or graduate degree with a specialization or major in real estate at
140 institutions of higher learning, and who have completed at least two years of college and
141 at least one college level course in real estate, but are not engaged in the real estate
142 profession on their own account or not associated with an established real estate office.

143
144 **ARTICLE V - QUALIFICATION AND ELECTION**
145

146 **Section 1. Application.**
147

148 (a) An application for membership shall be made in such manner and form as
149 may be prescribed by the Board of Directors and made available to anyone requesting it.
150 The application form shall contain among the statements to be signed by the applicant
151 (1) that applicant agrees as a condition to membership to thoroughly familiarize himself
152 with the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®, the
153 Constitutions, Bylaws, and Rules and Regulations of the Association, the State and
154 National Associations, and if a Member, will abide by the Code of Ethics of the NATIONAL
155 ASSOCIATION OF REALTORS® including the obligation to arbitrate (or mediate if
156 required by the association) controversies arising out of real estate transactions as
157 specified by Article 17 of the Code of Ethics, and as further specified in the Code of Ethics
158 and Arbitration Manual of the NATIONAL ASSOCIATION OF REALTORS®, as from time
159 to time amended, and (2) that applicant consents that the Association, through its
160 Membership Committee or otherwise, may invite and receive information and comment
161 about applicant from any Member or other persons, and that applicant agrees that any
162 information and comment furnished to the Association by any person in response to the
163 invitation shall be conclusively deemed to be privileged and not form the basis of any
164 action for slander, libel, or defamation of character. The applicant shall, with the form of
165 application, have access to a copy of the Bylaws, Constitution, Rules and Regulations,
166 and Code of Ethics referred to above. Applicants having current membership in another
167 REALTOR® Board/Association shall provide this Association with certification from their
168 primary Board/Association stating: applicant's dues are current; applicant has or has not
169 had any pending complaints or violations of the Code of Ethics within three years; and
170 that applicant has satisfied the National Association of REALTORS® Code of Ethics
171 training requirement. (Amended 3/5/13)

172
173 **Section 2. Qualification.**
174

175 (a) An applicant for REALTOR® Membership who is a sole proprietor, partner,
176 corporate officer, or branch office manager of a real estate firm shall supply evidence
177 satisfactory to the Board through its membership Committee or otherwise that he is
178 actively engaged in the real estate profession, and maintains a current, valid real estate
179 broker's or salesperson's license or is licensed or certified by an appropriate state
180 regulatory agency to engage in the appraisal of real property, has a place of business
181 within the state or a state contiguous thereto (unless a secondary member), has no record
182 of recent or pending bankruptcy*, has no record of official sanctions involving
183 unprofessional conduct**, agrees to complete a course of instruction covering the Bylaws
184 and Rules and Regulations of the Association, the Bylaws of the State Association, and
185 the Constitution and Bylaws and Code of Ethics of the NATIONAL ASSOCIATION OF
186 REALTORS®, and shall pass such reasonable and nondiscriminatory written
187 examination thereon as may be required by the Committee, and shall agree that if elected
188 to membership, he/she will abide by such Constitution, Bylaws, Rules and Regulations,
189 and Code of Ethics. (Amended 9/25/12)

191 *No recent or pending bankruptcy is intended to mean that the applicant or any real estate
192 firm, in which the applicant is a sole proprietor, general partner, corporate officer, or
193 branch office manager, is not involved in any pending bankruptcy or insolvency
194 proceedings or, has not been adjudged bankrupt in the past three (3) years. If a
195 bankruptcy proceeding as described above exists, membership may not be rejected
196 unless the Board establishes that its interests and those of its members and the public
197 could not be adequately protected by requiring that the bankrupt applicant pay cash in
198 advance for Board and MLS fees for up to one (1) year from the date that membership is
199 approved or from the date that the applicant is discharged from bankruptcy (whichever is
200 later). In the event that an existing member initiates bankruptcy proceedings, the member
201 may be placed on a "cash basis" from the date that bankruptcy is initiated until one (1)
202 year from the date that the member has been discharged from bankruptcy.

203
204 **No record of official sanctions involving unprofessional conduct is intended to mean that
205 the Board may only consider judgments within the past three (3) years of violations of (1)
206 civil rights laws; (2) real estate license laws; (3) or other laws prohibiting unprofessional
207 conduct against the applicant rendered by the courts or other lawful authorities.

208
209 Note 1: One or more of the requirements for REALTOR® Membership set forth above in
210 Article V; Section 2(a) may be deleted at the Board's discretion. However, Boards may
211 not adopt membership qualifications more rigorous than specified in the Membership
212 Qualifications Criteria for REALTOR® Membership approved by the Board of Directors of
213 the National Association. (Adopted 4/05)

214
215 NOTE 2: Article IV, Section 2, of the NAR Bylaws prohibits Member Boards from
216 knowingly granting REALTOR® membership to any applicant who has an unfulfilled
217 sanction pending which was imposed by another Board or Association of REALTORS®
218 for violation of the Code of Ethics. (Adopted 1/01)

219
220 (b) Individuals who are actively engaged in the real estate profession other
221 than as sole proprietors, partners, corporate officers, or branch office managers in order
222 to qualify for REALTOR® Membership, shall at the time of application, be associated
223 either as an employee or as an independent contractor with a Designated REALTOR®
224 Member of the Association, or a Designated REALTOR® Member of another
225 Board/Association (if a secondary member), and must maintain a current, valid real
226 estate broker's or salesperson's license or be licensed or certified by an appropriate
227 state regulatory agency to engage in the appraisal of real property, shall complete a
228 course of instruction covering the Bylaws and Rules and Regulations of the Association,
229 the Bylaws of the State Association, and the Constitution and Bylaws and Code of
230 Ethics of the NATIONAL ASSOCIATION OF REALTORS® and shall pass such
231 reasonable and nondiscriminatory written examinations thereon as may be required by
232 the Membership Committee and shall agree in writing that if elected to membership he
233 will abide by the Constitution, Bylaws, and Rules and Regulations, and the Code of
234 Ethics.

235
236 (c) The Association will also consider the following in determining an
237 applicant's qualifications for REALTOR® membership:
238

- 239 1. All final findings of Code of Ethics violations and violations of other membership
240 duties in this or any other REALTOR® association within the past three (3) years.
241 2. Pending ethics complaints (or hearings).
242 3. Unsatisfied discipline pending.
243 4. Pending arbitration requests (or hearings).
244 5. Unpaid arbitration awards or unpaid financial obligations to any other
245 association or association MLS.
246 6. Any misuse of the term REALTOR® or REALTORS® in the name of the
247 applicant's firm. (Amended 06/2006)
248

249 "Provisional" membership may be granted in instances where ethics complaints or
250 arbitration requests (or hearings) are pending in other associations or where the applicant
251 for membership has unsatisfied discipline pending in another association (except for
252 violations of the Code of Ethics; See Article V, Section 2 (a) NOTE 2) provided all other
253 qualifications for membership have been satisfied. Associations may reconsider the
254 membership status of such individuals when all pending ethics and arbitration matters
255 (and related discipline) have been resolved or if such matters are not resolved within six
256 months from the date that provisional membership is approved. Provisional members
257 shall be considered REALTORS® and shall be subject to all of the same privileges and
258 obligations of REALTOR® membership. If a member resigns from another association
259 with an ethics complaint or arbitration request pending, the association may condition
260 membership on the applicant's certification that he/she will submit to the pending ethics
261 or arbitration proceeding (in accordance with the established procedures of the
262 association to which the applicant has made application) and will abide by the decision of
263 the hearing panel. (Amended 9/25/12)
264

265 Section 3. Election

266 The procedure for election to membership shall be as follows.
267

268 (a) The chief staff executive (or duly authorized designee) shall determine
269 whether the applicant is applying for the appropriate class of membership. If the
270 association has adopted provisional membership, applicants for REALTOR®
271 membership may be granted provisional membership immediately upon
272 submission of a completed application form and remittance of applicable
273 association dues and any application fee. Provisional members shall be
274 considered REALTORS® and shall be subject to all of the same privileges and
275 obligations of membership. Provisional membership is granted subject to final
276 review of the application by the board of directors.
277

278 (b) If the board of directors determines that the individual does not meet all of the
279 qualifications for membership as established in the association's Bylaws, or, if the
280 individual does not satisfy all of the requirements of membership (for example,
281 completion of a mandatory orientation program) within ninety (90) days from the
282 association's receipt of their application, membership may, at the discretion of the
283 board of directors, be terminated. In such instances, dues shall be returned to the
284 individual less a prorated amount to cover the number of days that the individual
285 received association services and any application fee. The board of directors
286 shall vote on the applicant's eligibility for membership. If the applicant receives a

287 majority vote of the board of directors, he/she shall be declared elected to
288 membership and shall be advised by written notice.

289
290 (c) The board of directors may not reject an application without providing the
291 applicant with advance notice of the findings, an opportunity to appear before the
292 board of directors, to call witnesses on his/her behalf, to be represented by
293 counsel, and to make such statements as he/she deems relevant. The board of
294 directors may also have counsel present. The board of directors shall require
295 that written minutes be made of any hearing before it or may electronically or
296 mechanically record the proceedings.

297
298 (d) If the board of directors determines that the application should be rejected, it
299 shall record its reasons with the chief staff executive (or duly authorized designee). If the
300 board of directors believes that denial of membership to the applicant may become the
301 basis of litigation and a claim of damage by the applicant, it may specify that denial shall
302 become effective upon entry in a suit by the association for a declaratory judgment by a
303 court of competent jurisdiction of a final judgment declaring that the rejection violates no
304 rights of the applicant. (Adopted 1/98, Amended 1/05)

305 306 Section 4. New Member Code of Ethics Orientation.

307
308 Applicants for REALTOR® membership and provisional REALTOR® members
309 (where applicable) shall complete an orientation program and instruction on the Code of
310 Ethics of not less than two hours and thirty minutes of instructional time. This requirement
311 does not apply to applicants for REALTOR® membership or provisional members who
312 have completed comparable orientation in another association, provided that REALTOR®
313 membership has been continuous, so that any break in membership is for one year or
314 less.

315
316 Failure to satisfy this requirement within 90 days of the date of application (or,
317 alternatively, the date that provisional membership was granted), will result in denial of
318 the membership application or termination of provisional membership.

319
320 NOTE: Orientation programs must meet the learning objectives and minimum
321 criteria established from time to time by the NATIONAL ASSOCIATION OF
322 REALTORS®.

323 324 Section 5. Continuing Member Code of Ethics Training.

325
326 Effective January 1, 2017 through December 31, 2018 and for successive two
327 year periods thereafter, each REALTOR® member of the association shall be required
328 to complete ethics training of not less than two hours and thirty minutes of instructional
329 time. This requirement will be satisfied upon presentation of documentation that the
330 member has completed a course of instruction conducted by this or another association,
331 the State Association of REALTORS®, the NATIONAL ASSOCIATION OF
332 REALTORS®, or any other recognized educational institution or provider which meets
333 the learning objectives and minimum criteria established by the NATIONAL
334 ASSOCIATION OF REALTORS® from time to time. REALTOR® members who have

335 completed training as a requirement of membership in another association and
336 REALTOR® members who have completed the New Member Code of Ethics
337 Orientation during any two (2) year cycle shall not be required to complete additional
338 ethics training until a new two (2) year cycle commences.

339
340 Failure to satisfy the required periodic ethics training shall be considered a violation
341 of a membership duty. Failure to meet the requirement in any two (2) year cycle will result
342 in suspension of membership for the first two months (January and February) of the year
343 following the end of any two (2) year cycle or until the requirement is met, whichever
344 occurs sooner. On March 1 of that year, the membership of member who is still
345 suspended as of that date will be automatically terminated. (Adopted 1/01, Amended
346 11/08, Amended 11/2016)

347
348 Section 6. Status Changes.

349
350 (a) A REALTOR® who changes the conditions under which he holds
351 membership shall be required to provide written notification to the Board within 30 days.
352 A REALTOR® (non-principal) who becomes a principal in the firm with which he/she has
353 been licensed or, alternatively, becomes a principal in a new firm which will be comprised
354 of REALTOR® principals may be required to satisfy any previously unsatisfied
355 membership requirements applicable to REALTOR® (principal) Members but shall,
356 during the period of transition from one status of membership to another, be subject to all
357 of the privileges and obligations of a REALTOR® (principal). If the REALTOR® (non-
358 principal) does not satisfy the requirements established in these Bylaws for the category
359 of membership to which they have transferred within 30 days of the date they advised the
360 Board of their change in status, their new membership application will terminate
361 automatically unless otherwise so directed by the Board of Directors.

362
363 A REALTOR® who is transferring their license from one firm comprised of
364 REALTOR® principals to another firm comprised of REALTOR® principals shall be
365 subject to all of the privileges and obligations of membership during the period of
366 transition. If the transfer is not completed within 30 days of the date the board is advised
367 of the disaffiliation with the current firm, membership will terminate automatically unless
368 otherwise so directed by the Board of Directors.
369 (Amended 9/25/12)

370
371 (The Board of Directors, at its discretion, may waive any qualification
372 which the applicant has already fulfilled in accordance with the Board's Bylaws.)

373
374 (b) Any application fee related to a change in membership status shall be reduced
375 by an amount equal to any application fee previously paid by the applicant.

376
377 **ARTICLE VI - PRIVILEGES AND OBLIGATIONS**

378
379 Section 1. The privileges and obligations of Members, in addition to those
380 otherwise provided in these Bylaws, shall be specified in this Article.

381
382 Section 2. Any member of the Association may be reprimanded, fined, placed

383 on probation, suspended, or expelled by the Board of Directors for a violation of these
384 Bylaws and Association Rules and Regulations consistent with these Bylaws, after a
385 hearing as provided in the Code of Ethics and Arbitration Manual of the Association.
386 Although Members other than REALTORS® are not subject to the Code of Ethics nor its
387 enforcement by the Association, such Members are encouraged to abide by the principles
388 established in the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®
389 and conduct their business and professional practices accordingly. Further, Members
390 other than REALTORS® may, upon recommendation of the Executive Committee, or
391 upon recommendation by a hearing panel of the Professional Standards Committee, be
392 subject to discipline as described above, for any conduct, which in the opinion of the
393 Board of Directors, applied on a nondiscriminatory basis, reflects adversely on the terms
394 REALTOR® or REALTORS®, and the real estate industry, or for conduct that is
395 inconsistent with or adverse to the objectives and purposes of the local Association, the
396 State Association, and the NATIONAL ASSOCIATION OF REALTORS®.

397
398 Section 3. Any REALTOR® member of the Association may be disciplined by
399 the Board of Directors for violations of the Code of Ethics or other duties of membership,
400 after a hearing as described in the Code of Ethics and Arbitration Manual of the
401 Association, provided that the discipline imposed is consistent with the discipline
402 authorized by the Professional Standards Committee of the NATIONAL ASSOCIATION
403 OF REALTORS® as set forth in the Code of Ethics and Arbitration Manual of the National
404 Association. (Amended 4/05)

405
406 Section 4. Resignations of Members shall become effective when received in
407 writing by the Board of Directors, provided, however, that if any Member submitting the
408 resignation is indebted to the Association for dues, fees, fines, or other assessments of
409 the Association or any of its services, departments, divisions, or subsidiaries, the
410 Association may condition the right of the resigning Member to reapply for membership
411 upon payment in full of all such monies owed.

412
413 Section 5. If a Member resigns from the Board or otherwise causes membership
414 to terminate with an ethics complaint pending, the complaint shall be processed until the
415 decision of the association with respect to disposition of the complaint is final by this
416 association (if respondent does not hold membership in any other association) or by any
417 other association in which the respondent continues to hold membership. If an ethics
418 respondent resigns or otherwise causes membership in all Boards to terminate before an
419 ethics complaint is filed alleging unethical conduct occurred while the respondent was a
420 REALTOR®, the complaint, once filed, shall be processed until the decision of the
421 association with respect to disposition of the complaint is final. In any instance where an
422 ethics hearing is held subsequent to an ethics respondent's resignation or membership
423 termination, any discipline ratified by the Board of Directors shall be held in abeyance
424 until such time as the respondent rejoins an association of REALTORS®.

425
426 (a) If a member resigns or otherwise causes membership to terminate, the duty
427 to submit to arbitration (or mediation if required by the association) continues in effect
428 even after membership lapses or is terminated, provided that the dispute arose while the
429 former member was a REALTOR®. (Amended 1/00 and 11/11)

430

431 Section 6. REALTOR® Members. REALTOR® Members, whether primary or
432 secondary, in good standing whose financial obligations to the Board are paid in full shall
433 be entitled to vote and to hold elective office in the Board; may use the terms REALTOR®
434 and REALTORS®, which use shall be subject to the provisions of Article VIII; and have
435 the primary responsibility to safeguard and promote the standards, interests, and welfare
436 of the Board and the real estate profession.

437
438 (a) If a REALTOR® member is a sole proprietor in a firm, a partner in a
439 partnership or an officer in a corporation, and is suspended or expelled, the firm,
440 partnership or corporation shall not use the terms REALTOR® or REALTORS®
441 in connection with its business during the period of suspension, or until
442 readmission to REALTOR® membership, or unless connection with the firm,
443 partnership or corporation is severed, or management control is relinquished,
444 whichever may apply. The membership of all other principals, partners, or
445 corporate officers shall suspend or terminate during the period of suspension of
446 the disciplined member, or until readmission of the disciplined member or unless
447 connection of the disciplined member with the firm, partnership, or corporation is
448 severed, or unless the REALTOR® who is suspended or expelled removes
449 himself/herself from any form or degree of management control of the firm for the
450 term of the suspension or until readmission to membership, whichever may
451 apply. Removal of an individual from any form or degree of management control
452 must be certified to the association by the member who is being suspended or
453 expelled and by the individual who is assuming management control, and the
454 signatures of such certification must be notarized. In the event the suspended or
455 expelled member is so certified to have relinquished all form or degree of
456 management control of the firm, the membership of other partners, corporate
457 officers, or other individuals affiliated with the firm shall not be affected, and the
458 firm, partnership or corporation may continue to use the terms REALTOR® and
459 REALTORS® in connection with its business during the period of suspension or
460 until the former member is admitted to membership in the association. The
461 foregoing is not intended to preclude a suspended or expelled member from
462 functioning as an employee or independent contractor, providing no management
463 control is exercised. Further, the membership of REALTORS® other than
464 principals who are employed or affiliated as independent contractors with the
465 disciplined member shall suspend or terminate during the period of suspension of
466 the disciplined member or until readmission of the disciplined member, or unless
467 connection of the disciplined member with the firm, partnership, or corporation is
468 severed, or management control is relinquished, or unless the REALTOR®
469 member (non-principal) elects to sever his/her connection with the REALTOR®
470 and affiliate with another REALTOR® member in good standing in the
471 association, whichever may apply.

472
473 If a REALTOR® member other than a sole proprietor in a firm, partner in a
474 partnership, or an officer of a corporation is suspended or expelled, the use of the terms
475 REALTOR® or REALTORS® by the firm, partnership or corporation shall not be affected.
476 (Amended 5/14)

477
478 (b) In any action taken against a REALTOR® Member for suspension or

479 expulsion under Section 6(a) hereof, notice of such action shall be given to all
480 REALTORS® employed by or affiliated as independent contractors with such
481 REALTOR® Member and they shall be advised that the provisions in Article VI, Section
482 6(a) shall apply.
483

484 Section 7. Institute Affiliate Members. Institute Affiliate Members shall have
485 rights and privileges and be subject to obligations prescribed by the Board of Directors
486 consistent with the Constitution and Bylaws of the NATIONAL ASSOCIATION OF
487 REALTORS®.
488

489 NOTE: Local associations establish the rights and privileges to be conferred on Institute
490 Affiliate Members except that no Institute Affiliate Member may be granted the right to
491 use the term REALTOR®, REALTOR-ASSOCIATE®, or the REALTOR® logo; to serve
492 as President of the local association; or to be a Participant in the local association's
493 Multiple Listing Service. (Amended 4/05)
494

495 Section 8. Affiliate Members. Affiliate Members shall have rights and
496 privileges and be subject to obligations prescribed by the Board of Directors.
497

498 Section 9. Public Service Members. Public Service Members shall have rights
499 and privileges and be subject to obligations prescribed by the Board of Directors.
500

501 Section 10. Honorary Members. Honorary Membership shall confer only
502 the right to attend meetings and participate in discussions.
503

504 Section 11. Student Members. Student Members shall have rights and
505 privileges and be subject to obligations prescribed by the Board of Directors.
506

507 Section 12. Certification by REALTOR®. "Designated" REALTOR® Members of
508 the Association shall certify to the Association during the month of May on a form provided
509 by the Association, a complete listing of all individuals licensed or certified in the
510 REALTOR®'s office(s) and shall designate a primary Association for each individual who
511 holds membership. Designated REALTORS® shall also identify any non-member
512 licensees in the REALTOR®'s office(s) and if Designated REALTOR® Dues have been
513 paid to another Association based on said non-member licensees, the Designated
514 REALTOR® shall identify the Association to which dues have been remitted. These
515 declarations shall be used for purposes of calculating dues under Article X, Section 2(a)
516 of the Bylaws. "Designated" REALTOR® Members shall also notify the Board of any
517 additional individual(s) licensed or certified with the firm(s) within thirty (30) days of the
518 date of affiliation or severance of the individual.
519

520 Section 13. Legal Liability Training. Within one hundred and fifty (150) days
521 of the date of election to membership, and every year thereafter, each REALTOR®
522 Member of the Board shall be required to (have completed) completion of a course of
523 instruction on Professional Standards training to include the REALTORS® Code of
524 Ethics, its interpretation and meaning and the procedures related to its enforcement.
525 (Amended 9/05)
526

527 This requirement will be considered satisfied upon presentation of evidence that
528 the member has completed an educational program conducted by another Member
529 Board, the State Association of REALTORS®, the NATIONAL ASSOCIATION OF
530 REALTORS® or any of its affiliated institutes, societies or councils, or any other
531 recognized educational institution which, in the opinion of the Board of Directors, is an
532 adequate substitute for the training programs conducted by the Board.
533

534 Failure to satisfy this requirement will result in suspension from the Board of
535 Directors until such time that the member provides evidence of completion of the
536 aforementioned educational requirements. (Amended 9/05)
537

538 NOTE: Any education requirement must comply with Interpretation No. 37 of
539 Article I, Section 2, Bylaws, NATIONAL ASSOCIATION OF REALTORS®.
540

541 Section 14 Harassment. Any member of the Association may be reprimanded,
542 placed on probation, suspended or expelled for harassment of an Association or MLS
543 employee or Association Officer or Director after an investigation in accordance with the
544 procedures of the Association. As used in this Section, harassment means any verbal
545 or physical conduct including threatening or obscene language, unwelcome sexual
546 advances, stalking, actions including strikes, shoves, kicks, or other similar physical
547 contact, or threats to do the same, or any other conduct with the purpose or effect of
548 unreasonably interfering with an individual's work performance by creating a hostile,
549 intimidating or offensive work environment. The decision of the appropriate disciplinary
550 action to be taken shall be made by the investigatory team comprised of the President,
551 and President-Elect and/or Vice President and one member of the Board of Directors
552 selected by the highest ranking officer not named in the complaint, upon consultation
553 with legal counsel for the Association. Disciplinary action may include any sanction
554 authorized in the association's Code of Ethics and Arbitration Manual. If the complaint
555 names the President, President-Elect or Vice President, they may not participate in the
556 proceedings and shall be replaced by the Immediate Past President or, alternatively, by
557 another member of the Board of Directors selected by the highest ranking officer not
558 named in the complaint. (Amended 2/09)
559

560 NOTE: Suggested procedures for processing complaints of harassment are available at
561 <http://www.REALTOR.org>, or from the Member Policy Department. (Amended 2/09)
562

563 **ARTICLE VII - PROFESSIONAL STANDARDS AND ARBITRATION**

564

565 Section 1. The responsibility of the Association and of Association members
566 relating to the enforcement of the Code of Ethics, the disciplining of Members, and the
567 arbitration of disputes, and the organization and procedures incident thereto, shall be
568 governed by the Code of Ethics and Arbitration Manual of the NATIONAL ASSOCIATION
569 OF REALTORS®, as amended from time to time, which is by this reference incorporated
570 into these Bylaws, provided, however, that any provision deemed inconsistent with state
571 law shall be deleted or amended to comply with state law.

572 Section 2. It shall be the duty and responsibility of every REALTOR® of this
573 Association to abide by the Constitution and Bylaws and the Rules and Regulations of
574 the Association, the Constitution and Bylaws of the State Association, the Constitution
575 and Bylaws of the NATIONAL ASSOCIATION OF REALTORS®, and to abide by the
576 Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®, including the duty to
577 mediate and arbitrate controversies arising out of real estate transactions as specified by

578 Article 17 of the Code of Ethics, and as further defined and in accordance with the
579 procedures set forth in the Code of Ethics and Arbitration Manual of this Association as
580 from time to time amended. (Amended 3/5/13)

581
582 **ARTICLE VIII - USE OF THE TERMS REALTOR® AND REALTORS®**

583
584 Section 1. Use of the terms REALTOR® and REALTORS® by Members shall,
585 at all times, be subject to the provisions of the Constitution and Bylaws of the NATIONAL
586 ASSOCIATION OF REALTORS® and to the Rules and Regulations prescribed by its
587 Board of Directors. The Board shall have the authority to control, jointly and in full
588 cooperation with the NATIONAL ASSOCIATION OF REALTORS®, use of the terms
589 within its jurisdiction. Any misuse of the terms by members is a violation of a membership
590 duty and may subject members to disciplinary action by the Board of Directors after a
591 hearing as provided for in the association's Code of Ethics and Arbitration Manual.
592 (Amended 06/2006)

593
594 Section 2. REALTOR® Members of the Association shall have the privilege of
595 using the terms REALTOR® and REALTORS® in connection with their places of
596 business within the State or a State contiguous thereto so long as they remain
597 REALTOR® Members in good standing. No other class of Members shall have this
598 privilege.

599
600 Section 3. A REALTOR® Member who is a principal of a real estate firm,
601 partnership, or corporation may use the terms REALTOR® and REALTORS® only if all
602 the principals of such firm, partnership, or corporation who are actively engaged in the
603 real estate profession within the State or a State contiguous thereto are REALTOR®
604 Members of the Association or Institute Affiliate Members as described in Section 1(b)
605 of Article IV.

606
607 (a) In the case of a REALTOR® member who is a principal of a real estate firm,
608 partnership, or corporation whose business activity is substantially all commercial, the
609 right to use the term REALTOR® or REALTORS® shall be limited to office locations in
610 which a principal, partner, corporate officer, or branch office manager of the firm,
611 partnership, or corporation holds REALTOR® membership. If a firm, partnership, or
612 corporation operates additional places of business in which no principal, partner,
613 corporate officer, or branch office manager holds REALTOR® membership, the term
614 REALTOR® or REALTORS® may not be used in any reference to those additional places
615 of business. (Amended 1/01)

616
617 Section 4. Institute Affiliate Members shall not use the terms REALTOR® or
618 REALTORS®, nor the imprint of the emblem seal of the NATIONAL ASSOCIATION OF
619 REALTORS®.

620
621
622
623 **ARTICLE IX - STATE AND NATIONAL MEMBERSHIPS**

624
625 Section 1. The Association shall be a Member of the NATIONAL
626 ASSOCIATION OF REALTORS® and the MARYLAND ASSOCIATION OF
627 REALTORS®. By reason of the Association's Membership, each REALTOR® Member
628 of the Member Association shall be entitled to membership in the NATIONAL

629 ASSOCIATION OF REALTORS® and the MARYLAND ASSOCIATION OF REALTORS®
630 without further payment of dues. The Association shall continue as a Member of the State
631 and National Associations, unless by a majority vote of all of its REALTOR® Members,
632 decision is made to withdraw, in which case the State and National Associations shall be
633 notified at least one month in advance of the date designated for the termination of such
634 membership.

635
636 Section 2. The Association recognizes the exclusive property rights of the
637 NATIONAL ASSOCIATION OF REALTORS® in the terms REALTOR® and
638 REALTORS®.

639 The Association shall discontinue use of the terms in any form in its name, upon ceasing
640 to be a Member of the National Association, or upon a determination by the Board of
641 Directors of the National Association that it has violated the conditions imposed upon the
642 terms.

643
644 Section 3. The Association adopts the Code of Ethics of the NATIONAL
645 ASSOCIATION OF REALTORS® and agrees to enforce the Code among its REALTOR®
646 Members. The Association and all of its Members agree to abide by the Constitution,
647 Bylaws, Rules and Regulations, and Policies of the NATIONAL ASSOCIATION and the
648 MARYLAND ASSOCIATION OF REALTORS®.

649 ARTICLE X - DUES AND ASSESSMENTS

650
651
652 Section 1. Application Fee. The Board of Directors may adopt an application
653 fee for REALTOR® Membership in reasonable amount, not exceeding three times the
654 amount of the annual dues for REALTOR® Membership, which shall be required to
655 accompany each application for REALTOR® Membership and which shall become the
656 property of the Association upon final approval of the application. (Amended 1/02)

657
658 Application Fee need not be paid by applicant if applicant reapplies for
659 membership within one (1) year of resignation from Association. A reinstatement fee may
660 be established and assessed by the Board of Directors. REALTORS® currently holding
661 membership in another local Board/Association may apply for REALTOR® Membership
662 without paying application fee, after supplying local association in writing that applicant
663 has paid current dues to principal Board/Association. Current Association dues must
664 accompany application.

665
666 Section 2. Dues. The annual dues of Members shall be as follows:

667
668 (a) REALTOR® Members. The annual dues of each Designated REALTOR®
669 Member shall be in such amount as established annually by the Board of Directors, plus
670 an additional amount to be established annually by the Board of Directors times the
671 number of real estate salespersons and licensed or certified appraisers who (1) are
672 employed by or affiliated as independent contractors, or who are otherwise directly or
673 indirectly licensed with such REALTOR® Member, and (2) are not REALTOR® Members
674 of any Board/Association in the State or a State contiguous thereto or Institute Affiliate
675 Members of the Association. In calculating the dues payable to the Association by a
676 Designated REALTOR® Member, non-member licensees as defined in (1) and (2) of this
677 paragraph shall not be included in the computation of dues if the Designated REALTOR®
678 has paid dues based on said non-member licensees in another Board/Association in the
679 State, or a State contiguous thereto, provided the Designated REALTOR® notifies the

680 Association in writing of the identity of the Association to which dues have been remitted.
681 In the case of a Designated REALTOR® Member in a firm, partnership, or corporation
682 whose business activity is substantially all commercial, any assessments for non-member
683 licensees shall be limited to licensees affiliated with the Designated REALTOR® (as
684 defined in (1) and (2) of this paragraph) in the office where the Designated REALTOR®
685 holds membership, and any other offices of the firm located within the jurisdiction of this
686 board. (Amended 1/01)

687
688 (1) For the purpose of this Section, a REALTOR® Member of a Member
689 Association shall be held to be any Member who has a place or places of business within
690 the state or a state contiguous thereto and who, as a principal, partner, corporate officer,
691 or branch office manager of a real estate firm, partnership, or corporation, is actively
692 engaged in the real estate profession as defined in Article III, Section 1, of the Constitution
693 of the NATIONAL ASSOCIATION OF REALTORS®. An individual shall be deemed to
694 be licensed with a REALTOR® if the license of the individual is held by the REALTOR®,
695 or by any broker who is licensed with the REALTOR®, or by any entity in which the
696 REALTOR® has a direct or indirect ownership interest and which is engaged in other
697 aspects of the real estate business (except as provided in Section 2 (a) (1) hereof)
698 provided that such licensee is not included in the computation of dues payable by the
699 principal, partner, corporate officer, or branch office manager of the entity

700
701 (a) A REALTOR® with a direct or indirect ownership interest in an entity engaged
702 exclusively in soliciting and/or referring clients and customers to the REALTOR® for
703 consideration on a substantially exclusive basis shall annually file with the association on
704 a form approved by the association a list of the licensees affiliated with that entity and
705 shall certify that all of the licensees affiliated with the entity are solely engaged in referring
706 clients and customers and are not engaged in listing, selling, leasing, managing,
707 counseling or appraising real property. The individuals disclosed on such form shall not
708 be deemed to be licensed with the REALTOR® filing the form for purposes of this Section
709 and shall not be included in calculating the annual dues of the Designated REALTOR®.
710 Designated REALTORS® shall notify the association within three (3) days of any change
711 in status of licensees in a referral firm.

712
713 Membership dues shall be prorated for any licensee included on a certification form
714 submitted to the association who during the same calendar year applies for REALTOR®
715 membership in the association. However, membership dues shall not be prorated if the
716 licensee held REALTOR® membership during the preceding year. (Amended 9/15)

717
718 (b) REALTOR® Members. The annual dues of REALTOR® Members other
719 than the Designated REALTOR® shall be as established annually by the Board of
720 Directors. (Amended 4/05)

721
722 (c) Institute Affiliate Members. *The annual dues of each Institute Affiliate*
723 *member shall be as established in Article II of the Bylaws of the NATIONAL*
724 *ASSOCIATION OF REALTORS®.*

725
726 **NOTE:** *The Institutes, Societies, and Councils of the National Association shall be*
727 *responsible for collecting and remitting dues to the National Association for Institute*
728 *Affiliate members (\$105). The National Association shall credit \$35 to the account of a*
729 *local association for each Institute Affiliate Member whose office address is within the*
730 *assigned territorial jurisdiction of that association, provided, however, if the office location*

731 *is also within the territorial jurisdiction of a Commercial Overlay Board (COB), the \$35*
732 *amount will be credited to the COB, unless the Institute Affiliate member directs that the*
733 *dues be distributed to the other association. The National Association shall also credit*
734 *\$35 to the account of state associations for each Institute Affiliate member whose office*
735 *address is located within the territorial jurisdiction of the state association. Local and state*
736 *associations may not establish any additional entrance, initiation fees or dues for Institute*
737 *Affiliate members, but may provide service packages to which Institute Affiliate members*
738 *may voluntarily subscribe. (Amended 11/2013)*

739
740 (d) Affiliate Members. The annual dues of each Affiliate Member shall be in
741 such amount as established annually by the Board of Directors.

742
743 (e) Public Service members. The annual dues of each Public Service Member
744 shall be in such amount as established annually by the Board of Directors.

745
746 (f) Honorary Members. Dues Payable, if any, shall be at the discretion of the
747 Board of Directors. (Amended 4/05)

748
749 (g) Student Members Dues Payable, if any, shall be at the discretion of the
750 Board of Directors. (amended 4/05)

751
752 Section 3. Dues Payable. Dues for all members shall be payable annually in advance on
753 the first day of October. Dues payable notices shall be sent during the month of
754 September to each "designated REALTOR®", by first-class mail, electronic
755 communication, including e-mail, or any other means permitted by law that has been
756 approved by the Board of Directors for sending such notices. Dues shall be paid by
757 individual licensed members associated with the designated REALTOR®, by approved
758 credit card or electronic check through the association's ecommerce web site or the
759 designated REALTOR® may pay the total collective dues for all licensed members
760 associated with a designated REALTOR®, by corporation check, certified check, money
761 order, or approved credit card directly to the association and not through the ecommerce
762 web site. Dues for new members shall be computed from the date of application and
763 granting of provisional membership and member Dues shall be paid in the form of a
764 corporation, certified or personal check, money order, or approved credit card. No coins
765 accepted. (Amended 5.8.07)

766
767 (a) In the event a sales licensee or licensed or certified appraiser who holds
768 REALTOR® membership is dropped for nonpayment of Association dues, and the
769 individual remains with the designated REALTOR®'s firm, the dues obligation of the
770 "designated" REALTOR® (as set forth in Article X, Section 2 (a)) will be increased to
771 reflect the addition of a non-member licensee. Dues shall be payable within 30 days of
772 the notice of termination. (Amended 9/05)

773
774 Section 4. Nonpayment of Financial Obligations. If dues, fees, fines, or other
775 assessments, including amounts owed to Association, are not paid within two weeks
776 following the due date, the nonpaying Member shall be required to pay, in addition to the
777 amount of dues, special assessments or other charges for late payment in such amount
778 as shall from time to time be fixed by the Board of Directors; and if such dues, special
779 assessments or other charges together with the aforesaid charge for late payment, are
780 not paid within one month following the due date, the nonpaying Member shall be required
781 to pay, in addition to the amount of dues, special assessments or other charges for late

782 payment in such amount as shall from time to time be fixed by the Board of Directors and
783 may be terminated at the discretion of the Board of Directors. Two (2) months after the
784 due date, membership of the nonpaying Member shall automatically terminate unless
785 within that time the amount, plus assessments and charges due are paid; however, no
786 action shall be taken to suspend or expel a Member for nonpayment of disputed amounts
787 until the accuracy of the amount owed has been confirmed by the Board of Directors. A
788 former Member who has had his membership terminated for nonpayment of dues, fees,
789 fines or other assessments duly levied in accordance with the provisions of these Bylaws
790 or the provisions of other Rules and Regulations of the Association or any of its services,
791 departments, divisions, or subsidiaries may apply for reinstatement in a manner
792 prescribed for new applicants for membership, after making payment in full of all accounts
793 due as of the date of termination. (Amended 9/05)

794
795 Section 5. Deposit. Deposits and Expenditures of funds shall be in accordance
796 with policies established by the Board of Directors. A \$35.00 fee for a check returned
797 from a bank for any reason plus the amount of the check must be paid by cash in person
798 at the Association office within ten (10) days of notification from a bank. (Amended 4/05)

799 Section 6. Notice of Dues, Fees, Fines, Assessments, and Other Financial
800 Obligations of Members. All dues, fees, fines, assessments, or other financial
801 obligations to the Association shall be noticed to the delinquent Association Member in
802 writing setting forth the amount owed and due date. (Amended 4/05)

803
804 Section 7. *The dues of REALTOR® members who are REALTOR® Emeriti (as*
805 *recognized by the National Association), past presidents and past treasurers of the*
806 *National Association or recipients of the Distinguished Service Award shall be as*
807 *determined by the board of directors. (Amended 11/2013)*

808
809 The local dues of REALTOR® Members who are members in good standing of
810 this Association and who have reached the age of 70+ years, and have served a
811 minimum of three full years on one or more local committees, may not be obligated to
812 pay local Association dues but would still be responsible for payment of the Maryland
813 and National Association dues. (Amended 9/14)

814
815 **NOTE:** *A Member Board's dues obligation to the National Association is reduced by an*
816 *amount equal to the amount which the association is assessed for a REALTOR®*
817 *member, times the number of REALTOR® Emeriti (as recognized by the National*
818 *Association), past presidents and past treasurers of the National Association, and*
819 *recipients of the Distinguished Service Award of the National Association who are*
820 *REALTOR® members of the association. The dues obligation of such individuals to the*
821 *local association should be reduced to reflect the reduction in the association's dues*
822 *obligation to the National Association. The association may, at its option, choose to*
823 *have no dues requirement for such individuals except as may be required to meet the*
824 *association's obligation to the State Association with respect to such individuals.*
825 *Member Boards should determine whether the dues payable by the association to the*
826 *State Association are reduced with respect to such individuals. It should be noted that*
827 *this does not affect a "designated" REALTOR®'s dues obligation to the association with*
828 *respect to those licensees employed by or affiliated with the "designated" REALTOR®*

829 *who are not members of the local association. (Amended 11/2013)*
830
831

832 **ARTICLE XI - OFFICERS AND DIRECTORS** 833

834 **Section 1. Officers.** The elective officers of the Association shall be: a President,
835 a President-Elect, a Vice President, and Secretary-Treasurer. The President-Elect during
836 the Association's fiscal year, upon completion of his/her term as President-Elect, shall, in
837 the absence of unforeseen events, succeed to the office of the President for the ensuing
838 year, subject to nomination and election thereto. Officers shall be elected for terms of
839 one (1) year. The officers above and the immediate Past President shall encompass the
840 Executive Committee.

841
842 **Section 2. Duties of Officers.** The duties of the officers shall be such as their
843 titles, by general usage, would indicate and such as may be assigned to them by the
844 Board of Directors.
845

846 **Section 3. Chief Executive Officer.** A Chief Executive Officer shall be employed
847 by contract with the Association; contract terms to be agreed upon between Employee
848 and the Board of Directors. It shall be the particular duty of the Chief Executive Officer to
849 keep the records of the Association and to carry on all necessary correspondence with
850 the NATIONAL ASSOCIATION and MARYLAND ASSOCIATION OF REALTORS®.
851

852 **Section 4. Board of Directors.** The governing body of the Association shall be
853 a Board of Directors, consisting of the elective officers, and seven (7) REALTOR®
854 Members of the Association, including the immediate Past President who shall serve for
855 a term of three (3) months. Directors shall be elected to serve for terms of three (3) years,
856 two (2) years, and one (1) year for continuity, except that in the event of vacancies,
857 Directors shall be elected new each year as are required to fill the unexpired terms of the
858 vacancies. In addition, the incoming President shall appoint as ex-officio directors, one
859 Affiliate Member; the current year president of the Harford County Chapter of the
860 Women's Council; and the current year president of the Harford County Million Dollar
861 Association. (Amended 9/14).
862

863 (a) The Board of Directors are authorized to act on the behalf of the Association to
864 purchase, sell, lease or exchange real property and improvements for use and
865 occupancy by the Association. (Amended 9/05)
866

867 **Section 5. Election of Officers and Directors.**

868 a) At least two months before the annual election, a Nominating Committee of not less
869 than seven (7) REALTOR® Members shall be appointed by the President, with the
870 approval of the Board of Directors (five (5) to be in attendance at a meeting to constitute
871 a quorum). The Nominating Committee shall select one candidate for each office and
872 one candidate for each place to be filled on the Board of Directors. The report of the
873 Nominating Committee shall be sent, by first-class mail, electronic communication,
874 including e-mail, or any other means permitted by law that has been approved by the
875 Board of Directors, to each Member eligible to vote at least three weeks preceding the

876 election. Additional candidates for the offices to be filled may be placed in nomination
877 by a petition signed by at least twenty percent (20%) of the REALTOR® Members. The
878 Petition shall be filed with the Chief Executive Officer at least two (2) weeks before the
879 election. The Chief Executive Officer shall send notice of such additional nominations
880 to all Members eligible to vote before the election. (Amended 9/25/12)

881
882 (b) The election of Officers and Directors shall take place at the Annual Meeting or where
883 permitted by state law, electronically. Election shall be by ballot and all votes shall be cast
884 in person. The ballot shall contain the names of all candidates and the offices for which
885 they are nominated. However, in the event that all of the candidates selected by the
886 Nominating Committee are unopposed, a vote may be taken by voice instead of ballot.
887 (Amended 4/05)

888
889 (c) The President, with the approval of the Board of Directors, shall appoint an
890 Election Committee of three (3) REALTOR® Members to conduct the election. In case
891 of a tie vote, the issue shall be determined by lot.

892
893 (d) All REALTOR® members, Primary and Secondary, will be solicited and are
894 eligible to apply for an Officer or Director open position. The committee should
895 endeavor to assure that the nomination slate represents the diverse geographical,
896 experience, specialties of services and demographics of the membership.

897
898 Although the President Elect automatically continues to the President position and the
899 current President continues to the Immediate Past President position for the next term,
900 per our bylaws, no other Officer or Director automatically moves to any other position.

901
902 An active member of the Nominating Committee may not be considered for any position
903 on the Board of Directors.

904 Required qualifications for nominations by the committee include but are not limited to:

- 905 Current HCAR REALTOR® in good standing
- 906 Minimum of three years' experience as a REALTOR® or HCAR Affiliate member
- 907 Minimum of one full year HCAR membership
- 908 Minimum of one full year service on one or more HCAR committees or
- 909 is a graduate of the HCAR Leadership Program
- 910 Not more than two nominations may be with the same brokerage office

911
912 Section 6. Vacancies. Vacancies among the Officers and the Board of
913 Directors shall be filled by a simple majority vote of the Board of Directors until the next
914 annual election.

915
916 Section 7. Removal of Officers and Directors. In the event that an Officer or
917 Director is deemed to be incapable of fulfilling the duties for which elected, but will not
918 resign from office voluntarily, the Officer or Director may be removed from office under
919 the following procedure:

920 (a) A Petition requiring the removal of an Officer or Director and signed by not
921 less than one-third of the voting membership or a majority of all Directors shall be filed
922 with the President, or if the President is the subject of the Petition, with the next-ranking
923 officer, and shall specifically set forth reasons the individual is deemed to be disqualified

924 from further service.

925
926 (b) Upon receipt of the Petition, and not less than twenty (20) days or more
927 than forty-five (45) days thereafter, a special meeting of the voting membership of the
928 Association shall be held, and the sole business of the meeting shall be to consider the
929 charge against the Officer or Director, and to render a decision on such petition.

930
931 (c) The special meeting shall be noticed to all voting members at least ten (10)
932 days prior to the meeting, and shall be conducted by the President of the Association
933 unless the President's continued service in office is being considered at the meeting. In
934 such case, the next ranking officer will conduct the meeting of the Hearing by the
935 Members.

936
937 Section 9. Chief Executive Officer. There shall be a Chief Executive Officer
938 appointed by the Board of Directors, who shall be the chief administrative officer of the
939 Board. The Chief Executive Officer shall have the authority to hire, supervise, evaluate
940 and terminate other staff, if any, and shall perform such other duties as prescribed by the
941 Board of Directors. (Adopted 4/05)

942 **ARTICLE XII - MEETINGS**

943
944
945 Section 1. Annual Meeting. The Annual Meeting of the Association shall be
946 held during September of each year with the date, place and hour to be designated by
947 the Board of Directors.

948
949 Section 2. Meetings of Directors. The Board of Directors shall designate a regular
950 time and place of meeting. Absence from three (3) regular meetings without an excuse
951 deemed valid by the Board of Directors shall be construed as resignation.

952
953 Section 3. Other Meetings. Meetings of the Members may be held at such
954 other times as the President or the Board of Directors may determine, or upon the written
955 request of at least ten (10) percent of the Members eligible to vote.

956
957 Section 4. Notice of Meetings. Written notice shall be given to every Member
958 entitled to participate in the meeting at least one (1) week preceding all meetings. If a
959 special meeting is called, it shall be accompanied by a statement of the purpose of the
960 meeting.

961
962 Section 5. Quorum. A quorum for the transaction of business shall consist
963 of those REALTOR® members in attendance at such meeting if proper notice has been
964 provided as described in Article XVI Section 2. A majority of the Members of the Board
965 of Directors or any Committee, including the Executive Committee, shall constitute a
966 quorum for the transaction of business. (Amended 5.8.07)

967
968 Section 6. Electronic transaction of Business. To the fullest extent permitted by
969 law, the Board of Directors or membership may conduct business by electronic means.
970 (Adopted 4/05)

972 Section 7. Action without Meeting. Unless specifically prohibited by the articles of
973 incorporation, any action required or permitted to be taken at a meeting of the Board of
974 Directors may be taken without a meeting if consent in writing, setting forth the action so
975 taken, shall be signed by all of the directors. The consent shall be evidenced by one or
976 more written approvals, each of which sets forth the action taken and bears the signature
977 of one or more directors. All the approvals evidencing the consent shall be delivered to
978 the Chief Executive Officer to be filed in the corporate records. The action taken shall be
979 effective when all the directors have approved the consent unless the consent specifies
980 a different effective date. (adopted 4/05)

981
982 **ARTICLE XIII - COMMITTEES**

983
984 Section 1. Standing Committees. The President shall appoint from among the
985 REALTOR® Members subject to confirmation by the Board of Directors, the following
986 standing committees:

987
988 Professional Standards Education Finance
989 Strategic Planning Bylaws Grievance
990 Nominating Membership Policy
991 (Amended 9/25/12)

992
993 Section 2. Special Committees. The President shall appoint, subject to
994 confirmation by the Board of Directors, special committees as deemed necessary.

995
996 Section 3. Organization. All committees shall be of such size and shall have
997 duties, functions, and powers as assigned by the President or the Board of Directors
998 except as otherwise provided in these Bylaws.

999
1000 Section 4. President. The President shall be an ex-officio member of all
1001 standing committees and shall be notified of their meetings.

1002
1003 Section 5. Action without Meeting. Any committee may act by unanimous consent
1004 in writing without a meeting. The consent shall be evidenced by one or more written
1005 approvals, each of which sets forth the action taken and bears the signature of one or
1006 more of the members of the committee. (Adopted 4/05)

1007
1008 Section 6. Attendance by Telephone. Members of a committee may participate
1009 in any meeting through the use of a conference telephone or similar communications
1010 equipment by means of which all persons participating in the meeting can hear each
1011 other. Such participation shall be at the discretion of the President and shall constitute
1012 presence at the meeting. (Adopted 4/05)

1013
1014 **ARTICLE XIV - FISCAL AND ELECTIVE YEAR**

1015
1016 Section 1. The fiscal of the Association shall be 1 October to 30 September.
1017 (Amended 4/05)

1018
1019 Section 2. The elective year of the Board shall be 1 October to 30 September.

1020 (Adopted 4/05)

1021
1022 **ARTICLE XV - RULES OF ORDER**
1023

1024 Section 1. Robert's Rules of Order, latest edition, shall be recognized as the
1025 authority governing the meetings of the Association, its Board of Directors, and
1026 committees, in all instances where its provisions do not conflict with these Bylaws.
1027

1028 **ARTICLE XVI - AMENDMENTS**
1029

1030 Section 1. These Bylaws may be amended by a majority vote of the Members
1031 present and qualified to vote at any meeting at which a quorum is present, provided the
1032 substance of such proposed amendment or amendments shall be plainly stated in the
1033 call for the meeting, except that the Board of Directors may, at any regular or special
1034 meeting of the Board of Directors at which a quorum is present, approve amendments to
1035 the Bylaws which are mandated by NAR policy.
1036

1037 Section 2. Notice of all meetings at which amendments are to be considered,
1038 shall be sent by first-class mail; electronic communication,; including e-mail; or any other
1039 means permitted by law that has been approved by the Board of Directors for sending
1040 such notices; to every member eligible to vote at least one(1) week prior to the meeting.
1041 (Amended 5.8.07)
1042

1043 Section 3. Amendments to these Bylaws affecting the admission or qualification
1044 of REALTORS® and Institute Affiliate Members, the use of the terms REALTOR® and
1045 REALTORS®, or any alteration in the territorial jurisdiction of the Association shall
1046 become effective upon their approval as authorized by the Board of Directors of the
1047 NATIONAL ASSOCIATION OF REALTORS®.
1048

1049 **ARTICLE XVII - DISSOLUTION**
1050

1051 Section 1. Upon the dissolution or of this Association, the Board of Directors,
1052 after providing for the payment of all obligations, shall distribute any remaining assets to
1053 the MARYLAND ASSOCIATION OF REALTORS® or, within its discretion, to any other
1054 non-profit tax exempt organization. (Amended 4/05)

1055 (Amended September 16, 2015)

1056 (Amended March 23, 2017)