

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 REALTORS® and the NATIONAL ASSOCIATION OF
35 REALTORS®, thereby furthering their own objectives throughout the state and nation,
36 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

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 (6) Member at Large. The current elected president of Maryland
116 REALTORS® shall be non-dues paying member-at-large in good standing for the sole
117 purpose of representing the Harford County Association of REALTORS® in the absence
118 of this association's president, or their designee, represent and cast the number of votes
119 allowed as our NAR Delegate; without any other rights or responsibilities. (Amended 9/17)
120

121 (b) Institute Affiliate Members. Institute Affiliate Members shall be individuals
122 who hold a professional designation awarded by an Institute, Society or Council affiliated
123 with the NATIONAL ASSOCIATION OF REALTORS® that addresses a specialty area
124 other than residential brokerage or individuals who otherwise hold a class of membership
125 in such Institute, Society, or Council that confers the right to hold office. Any such
126 individual, if otherwise eligible, may elect to hold REALTOR® membership, subject to
127 payment of applicable dues for such membership.
128

129 (c) Affiliate Members. Affiliate Members shall be real estate owners and other
130 individuals or firms who, while not engaged in the real estate profession as defined in
131 paragraphs (a) or (b) of this Section, have interests requiring information concerning real
132 estate, and are in sympathy with the objectives of the Association.
133

134 (d) Public Service Members. Public Service Members shall be individuals
135 who are interested in the real estate profession as employees of or affiliated with
136 educational, public utility, governmental or other similar organizations, but are not
137 engaged in the real estate profession on their own account or in association with an
138 established real estate business.
139

140 (e) Honorary Members. Honorary Members shall be individuals not engaged
141 in the real estate profession who have performed notable service for the real estate
142 profession, for the Association, or for the public.

143
144 (f) Student Members. Student Members shall be individuals who are seeking
145 an undergraduate or graduate degree with a specialization or major in real estate at
146 institutions of higher learning, and who have completed at least two years of college and
147 at least one college level course in real estate, but are not engaged in the real estate
148 profession on their own account or not associated with an established real estate office.

149 150 **ARTICLE V - QUALIFICATION AND ELECTION**

151 152 **Section 1. Application.**

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

178 179 **Section 2. Qualification.**

180
181 (a) An applicant for REALTOR® Membership who is a sole proprietor, partner,
182 corporate officer, or branch office manager of a real estate firm shall supply evidence
183 satisfactory to the Board through its membership Committee or otherwise that he is
184 actively engaged in the real estate profession, and maintains a current, valid real estate
185 broker's or salesperson's license or is licensed or certified by an appropriate state
186 regulatory agency to engage in the appraisal of real property, has a place of business

187 within the state or a state contiguous thereto (unless a secondary member), has no record
188 of recent or pending bankruptcy*, has no record of official sanctions involving
189 unprofessional conduct**, agrees to complete a course of instruction covering the Bylaws
190 and Rules and Regulations of the Association, the Bylaws of the State Association, and
191 the Constitution and Bylaws and Code of Ethics of the NATIONAL ASSOCIATION OF
192 REALTORS®, and shall pass such reasonable and nondiscriminatory written
193 examination thereon as may be required by the Committee, and shall agree that if elected
194 to membership, he/she will abide by such Constitution, Bylaws, Rules and Regulations,
195 and Code of Ethics. (Amended 9/25/12)

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

209
210 **No record of official sanctions involving unprofessional conduct is intended to mean that
211 the Board may only consider judgments within the past three (3) years of violations of (1)
212 civil rights laws; (2) real estate license laws; (3) or other laws prohibiting unprofessional
213 conduct against the applicant rendered by the courts or other lawful authorities.

214
215 Note 1: One or more of the requirements for REALTOR® Membership set forth above in
216 Article V; Section 2(a) may be deleted at the Board's discretion. However, Boards may
217 not adopt membership qualifications more rigorous than specified in the Membership
218 Qualifications Criteria for REALTOR® Membership approved by the Board of Directors of
219 the National Association. (Adopted 4/05)

220
221 NOTE 2: Article IV, Section 2, of the NAR Bylaws prohibits Member Boards from
222 knowingly granting REALTOR® membership to any applicant who has an unfulfilled
223 sanction pending which was imposed by another Board or Association of REALTORS®
224 for violation of the Code of Ethics. (Adopted 1/01)

225
226 (b) Individuals who are actively engaged in the real estate profession other
227 than as sole proprietors, partners, corporate officers, or branch office managers in order
228 to qualify for REALTOR® Membership, shall at the time of application, be associated
229 either as an employee or as an independent contractor with a Designated REALTOR®
230 Member of the Association, or a Designated REALTOR® Member of another
231 Board/Association (if a secondary member), and must maintain a current, valid real
232 estate broker's or salesperson's license or be licensed or certified by an appropriate
233 state regulatory agency to engage in the appraisal of real property, shall complete a

234 course of instruction covering the Bylaws and Rules and Regulations of the Association,
235 the Bylaws of the State Association, and the Constitution and Bylaws and Code of
236 Ethics of the NATIONAL ASSOCIATION OF REALTORS® and shall pass such
237 reasonable and nondiscriminatory written examinations thereon as may be required by
238 the Membership Committee and shall agree in writing that if elected to membership he
239 will abide by the Constitution, Bylaws, and Rules and Regulations, and the Code of
240 Ethics.

241
242 (c) The Association will also consider the following in determining an
243 applicant's qualifications for REALTOR® membership:

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

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

270 271 **Section 3. Election**

272 The procedure for election to membership shall be as follows.

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

281 obligations of membership. Provisional membership is granted subject to final
282 review of the application by the board of directors.
283

284 (b) If the board of directors determines that the individual does not meet all of the
285 qualifications for membership as established in the association's Bylaws, or, if the
286 individual does not satisfy all of the requirements of membership (for example,
287 completion of a mandatory orientation program) within ninety (90) days from the
288 association's receipt of their application, membership may, at the discretion of the
289 board of directors, be terminated. In such instances, dues shall be returned to the
290 individual less a prorated amount to cover the number of days that the individual
291 received association services and any application fee. The board of directors
292 shall vote on the applicant's eligibility for membership. If the applicant receives a
293 majority vote of the board of directors, he/she shall be declared elected to
294 membership and shall be advised by written notice.
295

296 (c) The board of directors may not reject an application without providing the
297 applicant with advance notice of the findings, an opportunity to appear before the
298 board of directors, to call witnesses on his/her behalf, to be represented by
299 counsel, and to make such statements as he/she deems relevant. The board of
300 directors may also have counsel present. The board of directors shall require
301 that written minutes be made of any hearing before it or may electronically or
302 mechanically record the proceedings.
303

304 (d) If the board of directors determines that the application should be rejected, it
305 shall record its reasons with the chief staff executive (or duly authorized designee). If the
306 board of directors believes that denial of membership to the applicant may become the
307 basis of litigation and a claim of damage by the applicant, it may specify that denial shall
308 become effective upon entry in a suit by the association for a declaratory judgment by a
309 court of competent jurisdiction of a final judgment declaring that the rejection violates no
310 rights of the applicant. (Adopted 1/98, Amended 1/05, Amended 1/17)
311

312 Section 4. New Member Code of Ethics Orientation. 313

314 Applicants for REALTOR® membership and provisional REALTOR® members
315 (where applicable) shall complete an orientation program and instruction on the Code of
316 Ethics of not less than two hours and thirty minutes of instructional time. This requirement
317 does not apply to applicants for REALTOR® membership or provisional members who
318 have completed comparable orientation in another association, provided that REALTOR®
319 membership has been continuous, so that any break in membership is for one year or
320 less.
321

322 Failure to satisfy this requirement within 90 days of the date of application (or,
323 alternatively, the date that provisional membership was granted), will result in denial of
324 the membership application or termination of provisional membership.
325

326 NOTE: Orientation programs must meet the learning objectives and minimum
327 criteria established from time to time by the NATIONAL ASSOCIATION OF

328 REALTORS®.

329
330 Section 5. Continuing Member Code of Ethics Training.

331
332 Effective January 1, 2017 through December 31, 2018 and for successive two
333 year periods thereafter, each REALTOR® member of the association shall be required
334 to complete ethics training of not less than two hours and thirty minutes of instructional
335 time. This requirement will be satisfied upon presentation of documentation that the
336 member has completed a course of instruction conducted by this or another association,
337 the State Association of REALTORS®, the NATIONAL ASSOCIATION OF
338 REALTORS®, or any other recognized educational institution or provider which meets
339 the learning objectives and minimum criteria established by the NATIONAL
340 ASSOCIATION OF REALTORS® from time to time. REALTOR® members who have
341 completed training as a requirement of membership in another association and
342 REALTOR® members who have completed the New Member Code of Ethics
343 Orientation during any two (2) year cycle shall not be required to complete additional
344 ethics training until a new two (2) year cycle commences.

345
346 Failure to satisfy the required periodic ethics training shall be considered a violation
347 of a membership duty. Failure to meet the requirement in any two (2) year cycle will result
348 in suspension of membership for the first two months (January and February) of the year
349 following the end of any two (2) year cycle or until the requirement is met, whichever
350 occurs sooner. On March 1 of that year, the membership of member who is still
351 suspended as of that date will be automatically terminated. (Adopted 1/01, Amended
352 11/08, Amended 11/2016)

353
354 Section 6. Status Changes.

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

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

375 (The Board of Directors, at its discretion, may waive any qualification
376 which the applicant has already fulfilled in accordance with the Board's Bylaws.)
377

378 (b) Any application fee related to a change in membership status shall be reduced
379 by an amount equal to any application fee previously paid by the applicant.
380

381 **ARTICLE VI - PRIVILEGES AND OBLIGATIONS**

382
383 Section 1. The privileges and obligations of Members, in addition to those
384 otherwise provided in these Bylaws, shall be specified in this Article.
385

386 Section 2. Any member of the Association may be reprimanded, fined, placed
387 on probation, suspended, or expelled by the Board of Directors for a violation of these
388 Bylaws and Association Rules and Regulations consistent with these Bylaws, after a
389 hearing as provided in the Code of Ethics and Arbitration Manual of the Association.
390 Although Members other than REALTORS® are not subject to the Code of Ethics nor its
391 enforcement by the Association, such Members are encouraged to abide by the principles
392 established in the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®
393 and conduct their business and professional practices accordingly. Further, Members
394 other than REALTORS® may, upon recommendation of the Executive Committee, or
395 upon recommendation by a hearing panel of the Professional Standards Committee, be
396 subject to discipline as described above, for any conduct, which in the opinion of the
397 Board of Directors, applied on a nondiscriminatory basis, reflects adversely on the terms
398 REALTOR® or REALTORS®, and the real estate industry, or for conduct that is
399 inconsistent with or adverse to the objectives and purposes of the local Association, the
400 State Association, and the NATIONAL ASSOCIATION OF REALTORS®.
401

402 Section 3. Any REALTOR® member of the Association may be disciplined by
403 the Board of Directors for violations of the Code of Ethics or other duties of membership,
404 after a hearing as described in the Code of Ethics and Arbitration Manual of the
405 Association, provided that the discipline imposed is consistent with the discipline
406 authorized by the Professional Standards Committee of the NATIONAL ASSOCIATION
407 OF REALTORS® as set forth in the Code of Ethics and Arbitration Manual of the National
408 Association. (Amended 4/05)
409

410 Section 4. Resignations of Members shall become effective when received in
411 writing by the Board of Directors, provided, however, that if any Member submitting the
412 resignation is indebted to the Association for dues, fees, fines, or other assessments of
413 the Association or any of its services, departments, divisions, or subsidiaries, the
414 Association may condition the right of the resigning Member to reapply for membership
415 upon payment in full of all such monies owed.
416

417 Section 5. If a Member resigns from the Board or otherwise causes membership
418 to terminate with an ethics complaint pending, the complaint shall be processed until the
419 decision of the association with respect to disposition of the complaint is final by this
420 association (if respondent does not hold membership in any other association) or by any
421 other association in which the respondent continues to hold membership. If an ethics

422 respondent resigns or otherwise causes membership in all Boards to terminate before an
423 ethics complaint is filed alleging unethical conduct occurred while the respondent was a
424 REALTOR®®, the complaint, once filed, shall be processed until the decision of the
425 association with respect to disposition of the complaint is final. In any instance where an
426 ethics hearing is held subsequent to an ethics respondent's resignation or membership
427 termination, any discipline ratified by the Board of Directors shall be held in abeyance
428 until such time as the respondent rejoins an association of REALTORS®. (Amended 5/16)

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

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

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

469 disciplined member shall suspend or terminate during the period of suspension of
470 the disciplined member or until readmission of the disciplined member, or unless
471 connection of the disciplined member with the firm, partnership, or corporation is
472 severed, or management control is relinquished, or unless the REALTOR®
473 member (non-principal) elects to sever his/her connection with the REALTOR®
474 and affiliate with another REALTOR® member in good standing in the
475 association, whichever may apply.
476

477 If a REALTOR® member other than a sole proprietor in a firm, partner in a
478 partnership, or an officer of a corporation is suspended or expelled, the use of the terms
479 REALTOR® or REALTORS® by the firm, partnership or corporation shall not be affected.
480 (Amended 5/14)
481

482 (b) In any action taken against a REALTOR® Member for suspension or
483 expulsion under Section 6(a) hereof, notice of such action shall be given to all
484 REALTORS® employed by or affiliated as independent contractors with such
485 REALTOR® Member and they shall be advised that the provisions in Article VI, Section
486 6(a) shall apply.
487

488 Section 7. Institute Affiliate Members. Institute Affiliate Members shall have
489 rights and privileges and be subject to obligations prescribed by the Board of Directors
490 consistent with the Constitution and Bylaws of the NATIONAL ASSOCIATION OF
491 REALTORS®.
492

493 NOTE: Local associations establish the rights and privileges to be conferred on Institute
494 Affiliate Members except that no Institute Affiliate Member may be granted the right to
495 use the term REALTOR®, REALTOR-ASSOCIATE®, or the REALTOR® logo; to serve
496 as President of the local association; or to be a Participant in the local association's
497 Multiple Listing Service. (Amended 4/05)
498

499 Section 8. Affiliate Members. Affiliate Members shall have rights and
500 privileges and be subject to obligations prescribed by the Board of Directors.
501

502 Section 9. Public Service Members. Public Service Members shall have rights
503 and privileges and be subject to obligations prescribed by the Board of Directors.
504

505 Section 10. Honorary Members. Honorary Membership shall confer only
506 the right to attend meetings and participate in discussions.
507

508 Section 11. Student Members. Student Members shall have rights and
509 privileges and be subject to obligations prescribed by the Board of Directors.
510

511 Section 12. Certification by REALTOR®. "Designated" REALTOR® Members of
512 the Association shall certify to the Association during the month of May on a form provided
513 by the Association, a complete listing of all individuals licensed or certified in the
514 REALTOR®'s office(s) and shall designate a primary Association for each individual who
515 holds membership. Designated REALTORS® shall also identify any non-member

516 licensees in the REALTOR®'s office(s) and if Designated REALTOR® Dues have been
517 paid to another Association based on said non-member licensees, the Designated
518 REALTOR® shall identify the Association to which dues have been remitted. These
519 declarations shall be used for purposes of calculating dues under Article X, Section 2(a)
520 of the Bylaws. "Designated" REALTOR® Members shall also notify the Board of any
521 additional individual(s) licensed or certified with the firm(s) within thirty (30) days of the
522 date of affiliation or severance of the individual.

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

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

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

541
542 NOTE: Any education requirement must comply with Interpretation No. 37 of
543 Article I, Section 2, Bylaws, NATIONAL ASSOCIATION OF REALTORS®.

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

563
564 NOTE: Suggested procedures for processing complaints of harassment are available at
565 <http://www.REALTOR.org>, or from the Member Policy Department. (Amended 2/09)

566
567 **ARTICLE VII - PROFESSIONAL STANDARDS AND ARBITRATION**
568

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

576 Section 2. It shall be the duty and responsibility of every REALTOR® of this
577 Association to abide by the Constitution and Bylaws and the Rules and Regulations of
578 the Association, the Constitution and Bylaws of the State Association, the Constitution
579 and Bylaws of the NATIONAL ASSOCIATION OF REALTORS®, and to abide by the
580 Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®, including the duty to
581 mediate and arbitrate controversies arising out of real estate transactions as specified by
582 Article 17 of the Code of Ethics, and as further defined and in accordance with the
583 procedures set forth in the Code of Ethics and Arbitration Manual of this Association as
584 from time to time amended. (Amended 3/5/13)
585

586 **ARTICLE VIII - USE OF THE TERMS REALTOR® AND REALTORS®**
587

588 Section 1. Use of the terms REALTOR® and REALTORS® by Members shall,
589 at all times, be subject to the provisions of the Constitution and Bylaws of the NATIONAL
590 ASSOCIATION OF REALTORS® and to the Rules and Regulations prescribed by its
591 Board of Directors. The Board shall have the authority to control, jointly and in full
592 cooperation with the NATIONAL ASSOCIATION OF REALTORS®, use of the terms
593 within its jurisdiction. Any misuse of the terms by members is a violation of a membership
594 duty and may subject members to disciplinary action by the Board of Directors after a
595 hearing as provided for in the association's Code of Ethics and Arbitration Manual.
596 (Amended 06/2006)
597

598 Section 2. REALTOR® Members of the Association shall have the privilege of
599 using the terms REALTOR® and REALTORS® in connection with their places of
600 business within the State or a State contiguous thereto so long as they remain
601 REALTOR® Members in good standing. No other class of Members shall have this
602 privilege.
603

604 Section 3. A REALTOR® Member who is a principal of a real estate firm,
605 partnership, or corporation may use the terms REALTOR® and REALTORS® only if all
606 the principals of such firm, partnership, or corporation who are actively engaged in the
607 real estate profession within the State or a State contiguous thereto are REALTOR®
608 Members of the Association or Institute Affiliate Members as described in Section 1(b)
609 of Article IV.
610

611 (a) In the case of a REALTOR® member who is a principal of a real estate firm,
612 partnership, or corporation whose business activity is substantially all commercial, the
613 right to use the term REALTOR® or REALTORS® shall be limited to office locations in
614 which a principal, partner, corporate officer, or branch office manager of the firm,
615 partnership, or corporation holds REALTOR® membership. If a firm, partnership, or

616 corporation operates additional places of business in which no principal, partner,
617 corporate officer, or branch office manager holds REALTOR® membership, the term
618 REALTOR® or REALTORS® may not be used in any reference to those additional places
619 of business. (Amended 1/01)
620

621 Section 4. Institute Affiliate Members shall not use the terms REALTOR® or
622 REALTORS®, nor the imprint of the emblem seal of the NATIONAL ASSOCIATION OF
623 REALTORS®.
624

625 **ARTICLE IX - STATE AND NATIONAL MEMBERSHIPS**

626

627 Section 1. The Association shall be a Member of the NATIONAL
628 ASSOCIATION OF REALTORS® and the MARYLAND REALTORS®. By reason of the
629 Association's Membership, each REALTOR® Member of the Member Association shall
630 be entitled to membership in the NATIONAL ASSOCIATION OF REALTORS® and the
631 MARYLAND REALTORS® without further payment of dues. The Association shall
632 continue as a Member of the State and National Associations, unless by a majority vote
633 of all of its REALTOR® Members, decision is made to withdraw, in which case the State
634 and National Associations shall be notified at least one month in advance of the date
635 designated for the termination of such membership.
636

637 Section 2. The Association recognizes the exclusive property rights of the
638 NATIONAL ASSOCIATION OF REALTORS® in the terms REALTOR® and
639 REALTORS®.
640 The Association shall discontinue use of the terms in any form in its name, upon ceasing
641 to be a Member of the National Association, or upon a determination by the Board of
642 Directors of the National Association that it has violated the conditions imposed upon the
643 terms.
644

645 Section 3. The Association adopts the Code of Ethics of the NATIONAL
646 ASSOCIATION OF REALTORS® and agrees to enforce the Code among its REALTOR®
647 Members. The Association and all of its Members agree to abide by the Constitution,
648 Bylaws, Rules and Regulations, and Policies of the NATIONAL ASSOCIATION and the
649 MARYLAND REALTORS®.
650

651 **ARTICLE X - DUES AND ASSESSMENTS**

652

653 Section 1. Application Fee. The Board of Directors may adopt an application
654 fee for REALTOR® Membership in reasonable amount, not exceeding three times the
655 amount of the annual dues for REALTOR® Membership, which shall be required to
656 accompany each application for REALTOR® Membership and which shall become the
657 property of the Association upon final approval of the application. (Amended 1/02)
658

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

666
667 Section 2. Dues. The annual dues of Members shall be as follows:
668

669 (a) REALTOR® Members. The annual dues of each Designated REALTOR®
670 Member shall be in such amount as established annually by the Board of Directors, plus
671 an additional amount to be established annually by the Board of Directors times the
672 number of real estate salespersons and licensed or certified appraisers who (1) are
673 employed by or affiliated as independent contractors, or who are otherwise directly or
674 indirectly licensed with such REALTOR® Member, and (2) are not REALTOR® Members
675 of any Board/Association in the State or a State contiguous thereto or Institute Affiliate
676 Members of the Association. In calculating the dues payable to the Association by a
677 Designated REALTOR® Member, non-member licensees as defined in (1) and (2) of this
678 paragraph shall not be included in the computation of dues if the Designated REALTOR®
679 has paid dues based on said non-member licensees in another Board/Association in the
680 State, or a State contiguous thereto, provided the Designated REALTOR® notifies the
681 Association in writing of the identity of the Association to which dues have been remitted.
682 In the case of a Designated REALTOR® Member in a firm, partnership, or corporation
683 whose business activity is substantially all commercial, any assessments for non-member
684 licensees shall be limited to licensees affiliated with the Designated REALTOR® (as
685 defined in (1) and (2) of this paragraph) in the office where the Designated REALTOR®
686 holds membership, and any other offices of the firm located within the jurisdiction of this
687 board. (Amended 1/01)
688

689 (1) For the purpose of this Section, a REALTOR® Member of a Member
690 Association shall be held to be any Member who has a place or places of business within
691 the state or a state contiguous thereto and who, as a principal, partner, corporate officer,
692 or branch office manager of a real estate firm, partnership, or corporation, is actively
693 engaged in the real estate profession as defined in Article III, Section 1, of the Constitution
694 of the NATIONAL ASSOCIATION OF REALTORS®. An individual shall be deemed to
695 be licensed with a REALTOR® if the license of the individual is held by the REALTOR®,
696 or by any broker who is licensed with the REALTOR®, or by any entity in which the
697 REALTOR® has a direct or indirect ownership interest and which is engaged in other
698 aspects of the real estate business (except as provided in Section 2 (a) (1) hereof)
699 provided that such licensee is not included in the computation of dues payable by the
700 principal, partner, corporate officer, or branch office manager of the entity
701

702 (a) A REALTOR® with a direct or indirect ownership interest in an entity engaged
703 exclusively in soliciting and/or referring clients and customers to the REALTOR® for
704 consideration on a substantially exclusive basis shall annually file with the association on
705 a form approved by the association a list of the licensees affiliated with that entity and
706 shall certify that all of the licensees affiliated with the entity are solely engaged in referring
707 clients and customers and are not engaged in listing, selling, leasing, managing,
708 counseling or appraising real property. The individuals disclosed on such form shall not
709 be deemed to be licensed with the REALTOR® filing the form for purposes of this Section
710 and shall not be included in calculating the annual dues of the Designated REALTOR®.
711 Designated REALTORS® shall notify the association within three (3) days of any change
712 in status of licensees in a referral firm.
713

714 Membership dues shall be prorated for any licensee included on a certification form
715 submitted to the association who during the same calendar year applies for REALTOR®

716 membership in the association. However, membership dues shall not be prorated if the
717 licensee held REALTOR® membership during the preceding year. (Amended 11/09 and
718 11/14)

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

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

727
728 **NOTE:** *The Institutes, Societies, and Councils of the National Association shall be*
729 *responsible for collecting and remitting dues to the National Association for Institute*
730 *Affiliate members (\$105). The National Association shall credit \$35 to the account of a*
731 *local association for each Institute Affiliate Member whose office address is within the*
732 *assigned territorial jurisdiction of that association, provided, however, if the office location*
733 *is also within the territorial jurisdiction of a Commercial Overlay Board (COB), the \$35*
734 *amount will be credited to the COB, unless the Institute Affiliate member directs that the*
735 *dues be distributed to the other association. The National Association shall also credit*
736 *\$35 to the account of state associations for each Institute Affiliate member whose office*
737 *address is located within the territorial jurisdiction of the state association. Local and state*
738 *associations may not establish any additional entrance, initiation fees or dues for Institute*
739 *Affiliate members, but may provide service packages to which Institute Affiliate members*
740 *may voluntarily subscribe. (Amended 11/2013)*

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

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

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

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

753
754 **Section 3. Dues Payable.** Dues for all members shall be payable annually in advance on
755 the first day of October. Dues payable notices shall be sent during the month of
756 September to each “designated REALTOR®”, by first-class mail, electronic
757 communication, including e-mail, or any other means permitted by law that has been
758 approved by the Board of Directors for sending such notices. Dues shall be paid by
759 individual licensed members associated with the designated REALTOR®, by approved
760 credit card or electronic check through the association’s ecommerce web site or the
761 designated REALTOR® may pay the total collective dues for all licensed members
762 associated with a designated REALTOR®, by corporation check, certified check, money
763 order, or approved credit card directly to the association and not through the ecommerce
764 web site. Dues for new members shall be computed from the date of application and
765 granting of provisional membership and member Dues shall be paid in the form of a

766 corporation, certified or personal check, money order, or approved credit card. No coins
767 accepted. (Amended 5.8.07)

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

775
776 Section 4. Nonpayment of Financial Obligations. If dues, fees, fines, or other
777 assessments, including amounts owed to Association, are not paid within two weeks
778 following the due date, the nonpaying Member shall be required to pay, in addition to the
779 amount of dues, special assessments or other charges for late payment in such amount
780 as shall from time to time be fixed by the Board of Directors; and if such dues, special
781 assessments or other charges together with the aforesaid charge for late payment, are
782 not paid within one month following the due date, the nonpaying Member shall be required
783 to pay, in addition to the amount of dues, special assessments or other charges for late
784 payment in such amount as shall from time to time be fixed by the Board of Directors and
785 may be terminated at the discretion of the Board of Directors. Two (2) months after the
786 due date, membership of the nonpaying Member shall automatically terminate unless
787 within that time the amount, plus assessments and charges due are paid; however, no
788 action shall be taken to suspend or expel a Member for nonpayment of disputed amounts
789 until the accuracy of the amount owed has been confirmed by the Board of Directors. A
790 former Member who has had his membership terminated for nonpayment of dues, fees,
791 fines or other assessments duly levied in accordance with the provisions of these Bylaws
792 or the provisions of other Rules and Regulations of the Association or any of its services,
793 departments, divisions, or subsidiaries may apply for reinstatement in a manner
794 prescribed for new applicants for membership, after making payment in full of all accounts
795 due as of the date of termination. (Amended 9/05)

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

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

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

810
811 The local dues of REALTOR® Members who are members in good standing of

812 this Association and who have reached the age of 70+ years, and have served a
813 minimum of three full years on one or more local committees, may not be obligated to
814 pay local Association dues but would still be responsible for payment of the Maryland
815 and National Association dues. (Amended 9/14)

816
817 **NOTE:** *A Member Board's dues obligation to the National Association is reduced by an*
818 *amount equal to the amount which the association is assessed for a REALTOR®*
819 *member, times the number of REALTOR® Emeriti (as recognized by the National*
820 *Association), past presidents and past treasurers of the National Association, and*
821 *recipients of the Distinguished Service Award of the National Association who are*
822 *REALTOR® members of the association. The dues obligation of such individuals to the*
823 *local association should be reduced to reflect the reduction in the association's dues*
824 *obligation to the National Association. The association may, at its option, choose to*
825 *have no dues requirement for such individuals except as may be required to meet the*
826 *association's obligation to the State Association with respect to such individuals.*
827 *Member Boards should determine whether the dues payable by the association to the*
828 *State Association are reduced with respect to such individuals. It should be noted that*
829 *this does not affect a "designated" REALTOR®'s dues obligation to the association with*
830 *respect to those licensees employed by or affiliated with the "designated" REALTOR®*
831 *who are not members of the local association. (Amended 11/2013)*

832 833 834 **ARTICLE XI - OFFICERS AND DIRECTORS**

835
836 **Section 1. Officers.** The elective officers of the Association shall be: a President,
837 a President-Elect, a Vice President, and Secretary-Treasurer. The President-Elect during
838 the Association's fiscal year, upon completion of his/her term as President-Elect, shall, in
839 the absence of unforeseen events, succeed to the office of the President for the ensuing
840 year, subject to nomination and election thereto. Officers shall be elected for terms of
841 one (1) year. The officers above and the immediate Past President shall encompass the
842 Executive Committee. Only primary REALTOR® members as defined in Article IV
843 Section 4 shall be eligible to hold office as an officer in this association. (Amended 9/17)

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

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

854
855 **Section 4. Board of Directors.** The governing body of the Association shall be
856 a Board of Directors, consisting of the elective officers, and seven (7) REALTOR®
857 Members of the Association, including the immediate Past President. Directors shall be
858 elected to serve for terms of three (3) years, two (2) years, and one (1) year for continuity,

859 except that in the event of vacancies, Directors shall be elected new each year as are
860 required to fill the unexpired terms of the vacancies. In addition, the incoming President
861 shall appoint as ex-officio directors, one Affiliate Member; the current year president of
862 the Harford County Chapter of the Women’s Council; and the current year president of
863 the Harford County Million Dollar Real Estate Association. All members of the Board of
864 Directors shall be active members of this association and in good standing. (Amended
865 11/17).

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

870
871 Section 5. Election of Officers and Directors.

872 a) At least two months before the annual election, a Nominating Committee of not less
873 than seven (7) REALTOR® Members shall be appointed by the President, with the
874 approval of the Board of Directors (five (5) to be in attendance at a meeting to constitute
875 a quorum). The Nominating Committee shall select one candidate for each office and
876 one candidate for each place to be filled on the Board of Directors. The report of the
877 Nominating Committee shall be sent, by first-class mail, electronic communication,
878 including e-mail, or any other means permitted by law that has been approved by the
879 Board of Directors, to each Member eligible to vote at least three weeks preceding the
880 election. Additional candidates for the offices to be filled may be placed in nomination
881 by a petition signed by at least twenty percent (20%) of the REALTOR® Members. The
882 Petition shall be filed with the Chief Executive Officer at least two (2) weeks before the
883 election. The Chief Executive Officer shall send notice of such additional nominations
884 to all Members eligible to vote before the election. (Amended 9/25/12)

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

892
893 (c) The President, with the approval of the Board of Directors, shall appoint an
894 Election Committee of three (3) REALTOR® Members to conduct the election. In case
895 of a tie vote, the issue shall be determined by lot.

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

901
902 Although the President Elect automatically continues to the President position and the
903 current President continues to the Immediate Past President position for the next term,
904 per our bylaws, no other Officer or Director automatically moves to any other position.

905
906 An active member of the Nominating Committee may not be considered for any position
907 on the Board of Directors.
908

909 Required qualifications for nominations by the committee include but are not limited to:
910 Current HCAR REALTOR® in good standing
911 Minimum of three years' experience as a REALTOR® or HCAR Affiliate member
912 Minimum of one full year HCAR membership
913 Minimum of one full year service on one or more HCAR committees or
914 is a graduate of the HCAR Leadership Program
915 Not more than two nominations may be with the same brokerage office
916 Term Limits. No director shall be nominated for more than two (2) consecutive
917 three (3)-year terms. (Amended 9/17)
918

919 Section 6. Vacancies. Vacancies among the Officers and the Board of
920 Directors shall be filled by a simple majority vote of the Board of Directors until the next
921 annual election.
922

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

927 Any Officer or Director may be removed from office with or without cause by
928 the affirmative vote of two-thirds of the Directors; upon ceasing to be a member in good
929 standing. In the case of any vacancy in the Board of Directors through death, resignation,
930 disqualification, removal or other cause, the Board of Directors shall elect a qualified
931 successor to the outgoing Director who shall hold that office for the remainder of the
932 calendar year until the election of his/her successor by the members at the annual meeting.
933 (Amended 9/17)
934

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

941 ARTICLE XII - MEETINGS

942

943 Section 1. Annual Meeting. The Annual Meeting of the Association shall be
944 held during September, or another date as determined by the Board of Directors, each
945 year with the date, place and hour to be designated by the Board of Directors. (Amended
946 9/17)
947

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

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

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

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

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

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

981 **ARTICLE XIII - COMMITTEES**

982
983 Section 1. Standing Committees. The President shall appoint from among the
984 REALTOR® Members subject to confirmation by the Board of Directors, the following
985 standing committees:
986

987 Professional Standards	Education	Finance
988 Strategic Planning	Bylaws	Grievance
989 Nominating	Membership	Policy

990 (Amended 9/25/12)
991

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

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

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

1001
1002 Section 5. Action without Meeting. Any committee may act by unanimous consent
1003 in writing without a meeting. The consent shall be evidenced by one or more written
1004 approvals, each of which sets forth the action taken and bears the signature of one or
1005 more of the members of the committee. (Adopted 4/05)

1006
1007 Section 6. Attendance by Telephone. Members of a committee may participate
1008 in any meeting through the use of a conference telephone or similar communications
1009 equipment by means of which all persons participating in the meeting can hear each
1010 other. Such participation shall be at the discretion of the President and shall constitute
1011 presence at the meeting. (Adopted 4/05)

1012
1013 **ARTICLE XIV - FISCAL AND ELECTIVE YEAR**

1014
1015 Section 1. The fiscal of the Association shall be 1 October to 30 September.
1016 (Amended 4/05)

1017
1018 Section 2. The elective year of the Board shall be 1 October to 30 September.
1019 (Adopted 4/05)

1020
1021 **ARTICLE XV - RULES OF ORDER**

1022
1023 Section 1. Robert's Rules of Order, latest edition, shall be recognized as the
1024 authority governing the meetings of the Association, its Board of Directors, and
1025 committees, in all instances where its provisions do not conflict with these Bylaws.

1026
1027 **ARTICLE XVI - AMENDMENTS**

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1029 Section 1. These Bylaws may be amended by a majority vote of the Members
1030 present and qualified to vote at any meeting at which a quorum is present, provided the
1031 substance of such proposed amendment or amendments shall be plainly stated in the
1032 call for the meeting, except that the Board of Directors may, at any regular or special
1033 meeting of the Board of Directors at which a quorum is present, approve amendments to
1034 the Bylaws which are mandated by NAR policy.

1035
1036 Section 2. Notice of all meetings at which amendments are to be considered,
1037 shall be sent by first-class mail; electronic communication,; including e-mail; or any other
1038 means permitted by law that has been approved by the Board of Directors for sending
1039 such notices; to every member eligible to vote at least one(1) week prior to the meeting.
1040 (Amended 5.8.07)

1041 Section 3. Amendments to these Bylaws affecting the admission or qualification
1042 of REALTORS® and Institute Affiliate Members, the use of the terms REALTOR® and
1043 REALTORS®, or any alteration in the territorial jurisdiction of the Association shall
1044 become effective upon their approval as authorized by the Board of Directors of the
1045 NATIONAL ASSOCIATION OF REALTORS®.

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ARTICLE XVII - DISSOLUTION

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

(Amended September 16, 2015)
(Amended March 23, 2017)
(Amended September 20, 2017)
(Amended November 21, 2017)