

General Instructions and Information for Filing and Replying to Ethics Complaints

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

ETHICS COMPLAINT

Idaho Association of REALTORS®, Inc.
10116 W. Overland Rd.
Boise, Idaho 83709

Filed _____, 20_____

Complainant(S):

Respondent(s):

Name

Office

Address

City, State, Zip

Email

Phone number

Name

Office

Address

City, State, Zip

Email

Phone number

To the Grievance Committee of the Idaho Association of REALTORS®:

Complainant(s) charge(s):

An alleged violation of Article(s) _____ and Standards of Practice _____ of the Code of Ethics and alleges that the above charge(s) (is/are) supported by the attached statement, which is signed and dated by the complainant(s).

This complaint is true and correct to the best knowledge and belief of the undersigned and is filed within one hundred eighty (180) days after the facts constituting the matter complained of could have been know in the exercise of reasonable diligence or within one hundred eighty (180) days after the conclusion of the transaction, whichever is later.

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

Are the circumstances giving rise to this ethics complaint involved in civil or criminal litigation or in any proceeding before the state real estate licensing authority or any other state federal regulatory or administrative agency?
_____ Yes _____ No

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

Have you filed, or do you intend to file, a similar or related complaint with another Association of REALTORS®?
_____ Yes _____ No

If so, name the Association(s): _____ date(s) filed: _____

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

COMPLAINANT(S):

(Type/Print)

(Signature)

(Type/Print)

(Signature)

Date: _____