



National Association of Residential Property Managers

Antitrust Policy

Policy. It is the undeviating policy of the National Association of Residential Property Managers (“Association”) to comply strictly with the letter and spirit of all federal and state antitrust laws. Any activities of the Association or Association-related actions of its officers, directors, committee chairs, members, or staff that violate these laws are detrimental to the interests of the Association and are unequivocally contrary to Association policy.

Implementation. Implementation of the antitrust policy of the Association includes, but is not limited to, the following:

- A. **Meetings.** Association membership meetings, and those of the Board of Directors, the Executive Committee, and other committees, are to be conducted pursuant to agendas distributed in advance to attendees; discussions should be limited to agenda items; there should be no substantive discussions of Association matters other than at official meetings; minutes shall be distributed to attendees promptly.
- B. **Prohibited Subjects.** All Association activities or discussions shall be avoided that might be construed as tending to (1) raise, lower, or stabilize prices; (2) regulate production; (3) allocate markets; (4) encourage boycotts; (5) foster unfair trade practices; (6) assist in monopolization; or (7) in any way violate federal or state antitrust laws, or other applicable regulations.
- C. **Authorization.** No officer, director, or member of the Association shall make any representation in public or in private, orally or in writing, that states, or appears to state, an official policy or position of the Association without specific authorization to do so.
- D. **General Counsel.** General Counsel is available to consult whenever potential antitrust issues arise. General Counsel attends Association meetings at the discretion of the Antitrust Compliance Officer and/or the Board of Directors.
- E. **Examples.** The attached Guidelines may be referred to as examples of what Association members, officers, directors and employees should and should not do to comply with this policy and the antitrust laws generally.

Reporting. The Association encourages complaints, reports or inquiries about violations of this policy or the antitrust laws. They should be directed to the Association’s Antitrust Compliance Officer -- the President Elect of the Association. Complaints, reports or inquiries may be made under this policy on a confidential or anonymous basis. They should describe in detail the specific facts demonstrating the bases for the complaints, reports or inquiries. The Association will conduct a prompt, discreet, and objective review or investigation. The Association prohibits retaliation by or on behalf of the Association against those making good faith complaints, reports or inquiries under this policy or for participating in a review or investigation under this policy.

Sanctions. Association members, officers, directors, or employees who participate in conduct that the Board of Directors, by a two-thirds majority vote, determines to be contrary to this policy or the antitrust laws, are subject to disciplinary measures up to and including termination.

ANTITRUST COMPLIANCE DO'S AND DON'T'S

- **DO NOT** discuss your prices or competitors' prices with a competitor (except when buying from or selling to that competitor) or anything, which might affect prices such as costs, discounts, terms of sale, or profit margins.
- **DO NOT** agree with competitors to uniform terms of sale, warranties, or contract provisions.
- **DO NOT** agree with competitors to divide customers or territories.
- **DO NOT** act jointly with one or more competitors to put another competitor at a disadvantage.
- **DO NOT** try to prevent your supplier from selling to your competitor.
- **DO NOT** discuss your future pricing, marketing, or policy plans with competitors.
- **DO NOT** discuss your customers with your competitors.
- **DO NOT** make statements about your future plans regarding pricing, expansion, or other policies with anti-competitive overtones. Do not participate in discussions where other members do.
- **DO NOT** propose or agree to any standardization, the purpose of which is anti-competitive, e.g., to injure your competitor.
- **DO NOT** attend or stay at any informal association meeting where there is no agenda, no minutes are taken, and no association staff member is present.
- **DO NOT** do anything before or after association meetings, or at social events, which would be improper at a formal association meeting.
- **DO NOT** interpret or enforce the association's Code of Ethics without direction from the leadership.
- **DO NOT** regard compliance with the association's Code of Ethics as justification for anti-competitive communications or actions.
- **DO NOT** represent that the association prohibits or limits advertising, marketing or solicitation other than as the law authorizes prohibitions or limitations.
- **DO NOT** issue any document or communication on behalf of the association unless with proper authorization.

- **DO** send copies to an association staff member of any communications or documents sent, received, or developed by you when acting for the association.
- **DO** alert every employee in your company who deals with the association to these guidelines.
- **DO** alert association staff and legal counsel to anything improper.
- **DO** be conservative. If you feel an activity might be improper, ask for guidance from association staff or legal counsel in advance.