



National Association of Residential Property Managers

Code of Ethics Complaint Review Procedures

Complaint Submission

Anyone who believes that a NARPM member has violated the NARPM Code of Ethics may submit a written complaint (“Complaint”) to NARPM, in accordance with the Instructions for Filing and Replying to a Code of Ethics Complaint. The person submitting the complaint is the “Complainant” and the person against whom the Complaint is alleged is the “Respondent.”

All Complaints shall be submitted to NARPM’s headquarters office. Any proper Complaint, submitted in compliance with the instructions, including the required administrative fee, shall then be forwarded to the NARPM Professional Standards Committee (“Standards Committee” and “Review Panel”) for review.

Complaint Review

The Standards Committee will determine whether the Complaint has merit on its face. This Committee is comprised of three NARPM® members, two of whom shall be from the Professional Standards Committee; and, if feasible, one from the state where the respondent practices real estate. If the Standards Committee determines the Complaint does not have merit, it may dismiss the Complaint at this stage. If it determines the Complaint does have merit, it will appoint a panel (“Review Panel”) to review the Complaint. The Review Panel shall consist of three members of the Professional Standards Committee, who did not serve on the Standards Committee.

The Respondent(s) shall be provided with notice of the Complaint and an opportunity to respond in writing within 20 days of receipt of the notice. If a Respondent fails to respond to the notice in the time allotted, the allegations against the Respondent in the Complaint may be deemed to be fact. Copies of all submissions from the Complainant or Respondent(s) shall be provided to all parties.

If a Complaint alleges violations of multiple Articles of the Code of Ethics, or multiple violations of the same Article in separate instances, each alleged violation shall be considered as a separate count, to be reviewed and ruled upon.

Either the Standards Committee or the Review Panel may amend the Complaint by adding or removing Articles of the Code of Ethics, and/or adding or removing a member as a Respondent to the Complaint. If changes are made to the Complaint after notice has been provided to Respondent(s), notice of the amended Complaint shall be provided to both Complainant and Respondent(s) and the Respondent(s) shall have 20 days from the date of

receipt of such notice to respond to the amended Complaint. Should the Complainant not agree with the amendment, he or she may appeal the amendment, and request that the original Complaint be reviewed.

Should the Review Panel determine that the Complainant needs assistance with understanding the Code of Ethics so as to make the Complaint and review process more productive, the Review Panel may request that the Standards Committee Chair appoint a member of the Standards Committee (who is not serving on the Review Panel) to assist the Complainant in formulating the Complaint. This person does not advocate for the Complainant and does not assist the Complainant in obtaining additional information to substantiate the Complaint, but rather assists the Complainant in understanding the Code of Ethics, the appropriate Article(s) to be cited, and the review process.

It is the responsibility of the Complainant to supply sufficient evidence to show that the Respondent(s) violated the NARPM Code of Ethics. It is not the duty of the Review Panel or any other representative of NARPM to find evidence outside the case presented by the Complainant. NARPM will review the documentation submitted pursuant to the Complaint and response; Where NARPM deems it appropriate, it may also seek to obtain and consider other relevant information or documentation (e.g., leases, management agreements, and move in/out documentation, or records of legal proceedings). A Complainant has the burden of proving that a NARPM member has violated the Code of Ethics or Standards of Professionalism.

The Review Panel will meet in executive session to decide on all counts of the Complaint. For each count, the Review Panel shall decide, based solely on the evidence presented, whether the Respondent has committed a violation of the Code of Ethics. The Review Panel shall prepare a concise written decision stating its conclusions and the basis for its determination. If a violation is found, the decision will also impose sanctions. The decision of the Review Panel, including any specified sanctions, shall be sent to the Respondent(s) and the Complainant within 10 days of its issuing.

Sanctions

The range of potential sanctions for violating the NARPM Code of Ethics is as follows:

- a. Letter of Reprimand with copy to be placed in member's file.
- b. Probation for a stated period of time not less than thirty (30) days or more than one (1) year, with a requirement to complete a NARPM Ethics Course or any other property management courses deemed appropriate. All designation application processes will be suspended until member's probation period ends.
- c. Suspension of membership for a stated period not less than thirty (30) days or more than one (1) year, with automatic reinstatement of membership in good standing at the end of the specified period of suspension and completion of a NARPM Ethics Course or any other property management courses deemed appropriate. A suspended member is not allowed to use his/her designations and cannot vote. All designation application processes will be suspended until the membership suspension period ends.

- d. Suspension of membership with no reinstatement privilege, for a specified period of one (1) to three (3) years. Member must apply for membership to be reinstated after the specified period has ended. Approval of application shall be based on merits of application at the time it is submitted. Completion of a NARPM Ethics Course, or any other property management courses deemed appropriate, is required prior to reinstatement. Designations will be revoked and the member must reapply and be approved by NARPM prior to resuming use of a designation.
- e. Expulsion from membership with no opportunity for reinstatement. Member will permanently lose all rights to use NARPM designations.

Only the sanctions outlined above may be imposed upon a NARPM member for violating the Code of Ethics, and no additional sanctions may be added. The Review Panel's written decision shall clearly articulate the sanctions imposed for any violation found.

Appeals

Both the Complainant and the Respondent shall have the right to appeal any dismissal or amendment of a Complaint, or a decision issued by a Review Panel. An appeal must be submitted to NARPM's headquarters office, within twenty (20) days of receipt of notice of the respective dismissal, amendment or Review Panel decision. The appeal must be submitted on the applicable appeal form provided by NARPM, and must include a statement explaining why the appeal should be considered. It must be accompanied by a \$200 administrative fee.

Neither the Complainant nor the Respondent(s) may be present at any appeals review session, and neither may submit any additional information in support of or against the Complaint, other than what was submitted for the initial review.

An appeal of a dismissal or amendment shall be reviewed by the Standards Committee Chair. Based only on the information available at the time the determination for dismissal or amendment was made, the Standards Committee Chair will either dismiss the appeal, or grant the appeal and submit the original, unamended Complaint for review. If the appeal is granted, the Standards Committee shall form a new Review Panel to review the Complaint.

An appeal of a Review Panel's written decision shall be reviewed by the NARPM President. Based only on the information available to the Review Panel, the NARPM President will either dismiss the appeal or grant the appeal. If the appeal is granted, the NARPM Board of Directors shall form an Appeals Panel, composed of three directors, who will review the appeal. The Appeals Panel will reach a decision to: (i) confirm the Review Panel's decision; (ii) amend the Review Panel's decision, including instituting alternative sanctions; or (iii) overturn the Review Panel's decision and send the Complaint back for a new review. The Appeals Panel will issue a concise, written decision, which shall be sent to all parties, and may not be appealed.

Deliberations

An attorney representing NARPM may be present and offer advice for any deliberations contemplated under these procedures.

Majority vote applies for all actions taken by the Standards Committee, a Review Panel, or an Appeals Panel.

Final Decisions

All final decisions regarding Code of Ethics violations shall be retained in the applicable member's file with NARPM for a period of five (5) years, and may be reviewed and considered in relation to any subsequent Complaint filed against such member during that time period.

Member Resignation

If a NARPM member resigns from membership before a decision is issued on a Complaint against the member, the Complaint review process shall be suspended. If the NARPM member should attempt to rejoin NARPM at any time thereafter, the NARPM Standards Committee may choose to reopen and process the Complaint.