



National Association of Residential Property Managers Initiating a Complaint against a member of NARPM

Anyone who believes that a NARPM member may be guilty of any action subject to NARPM Code of Ethics, may file a complaint in writing with NARPM Headquarters on a dated and signed complaint form, stating the facts on which their complaint is based. Complaints must be filed within one hundred eighty (180) days (six months) after the incident. A \$100 administrative fee must be submitted with all complaints. If the member is found in violation of the NARPM Code of Ethics the \$100 Administrative Fee will be refunded to the Complainant.

Headquarters will promptly refer any filed complaints to the current Chairperson of the Professional Standards Committee. The Chair will assign two or more members of the Committee to review the complaint. These members will report their findings to the Professional Standards Committee Chair. Their findings shall include a determination as to whether to dismiss the complaint as not relating to the NARPM Code of Ethics, or refer it to the Executive Director and Chair to schedule a complaint review. The Executive Director will send a copy of the complaint to the NARPM member named in the complaint requiring the member to furnish the Professional Standards Committee, within 20 days, a written response before making its decision. Failure by a member to respond to the Professional Standards Committee's request may result in an automatic complaint review which may result in a violation of the NARPM Code of Ethics. Any written information/documentation received by NARPM on the complaint will be sent to all parties.

If the complaint lists several allegations of unethical conduct and the Professional Standards Committee decides that one or more of the allegations would not be a violation of the NARPM Code of Ethics, that portion of the complaint may be dismissed, while the balance of the complaint will be forwarded for a Professional Standards Complaint Review Session. If there are several allegations of unethical behavior in the complaint, each will be reviewed and decided on separately by the Professional Standards Committee. Any action to dismiss any part of the complaint would be subject to appeal to the Board of Directors and follow the same procedures as described in other areas of these procedures.

Standard of Proof: The Complainant has the burden of proving the charges to the Professional Standards Committee. The Complainant must prove with clear and convincing evidence that the NARPM member has violated the Code of Ethics beyond a reasonable doubt. It is the responsibility of the Complainant to supply a preponderance of evidence to the Professional Standards Committee.

The Professional Standards Committee may amend the complaint by removing any inappropriate cited Article(s) of the NARPM Code of Ethics or add any appropriate Article(s) to the complaint. The Committee may also amend the members who are named in the complaint.

- a. If the person filing the complaint does not agree with the amendment, they may appeal the decision to the Board of Directors requesting that the original complaint be forwarded for a complaint review in the same procedures as outlined above. All parties to the complaint will be notified of any amendments to the complaint by the Committee prior to the Professional Standard Complaint Review session and final determination.

Should the Professional Standards Committee determine the complaint should go forward to a complaint review session a new Committee will meet in executive session to make determination. The committee will be comprised of two (2) members of the Professional Standards committee and one from the state where the members practices real estate. Neither the person filing the complaint nor the NARPM member may be present. The primary question to be determined by the panel will be whether the complaint supports a violation of one or more of the Articles of the NARPM Code of Ethics. The panel shall prepare a concise written decision that will include a basis on how they reached their decision. If a violation is found, the decision will include a conclusion and a recommendation for discipline.

Range of Penalties: The ranges of sanctions available to the Professional Standards Committee in disciplining its members are as follows:

- a. Letter of Reprimand with copy to be placed in member's file.
- b. Placed on probation for a stated period of time not less than thirty (30) days nor more than one (1) year and completion of a NARPM Ethics Course. All designation application processes will cease until member's probation period ends.
- c. Individual suspended for a stated period not less than thirty (30) days nor 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. A suspended member is not allowed to use his/her designations and cannot vote. All designation application processes will cease until member's suspension period ends.
- d. Membership Suspension 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. The decision shall be written clearly articulating all intended consequences. Completion of a NARPM Ethics class is required prior to reinstatement. Designations will be revoked and the member must reapply and be approved for designations prior to member using the designation.

- e. Member is expelled from membership and shall not be entitled to reinstatement and will permanently lose all rights to use NARPM designations.

If a NARPM member resigns before final action is taken by the NARPM Board of Directors, the complaint review shall be suspended. After three (3) years the case will be permanently closed at which time the complainant will be notified of this action. Should member rejoin NARPM before the 3 year period ends NARPM may choose to reopen and process the complaint.

Appeal Process:

If the Professional Standards Committee dismisses the complaint as not applicable to the NARPM Code of Ethics, this decision may be appealed to the Professional Standards Chair within twenty (20) days from receipt of the dismissal notice by the complainant. The only information that will be supplied to the Chair will be those materials and information that were made available to the Professional Standards Committee when the decision was made. This information will be presented to the full Professional Standards Committee and considered with the appeal. The person filing the complaint, nor the member, will be permitted to appear before the Committee. If the Committee determines that the complaint was improperly dismissed by the Professional Standards Committee, they will forward it for a new complaint review and the Executive Director shall coordinate a time for the complaint review with the Professional Standards Committee Chair.

Immediately following the conclusion of the complaint review, the panel's decision will be filed with the Executive Director. The decision will then be forwarded to the complainant and member. The complainant and member has a right to appeal the decision prior to it being submitted to, and voted on by the NARPM Board of Directors

The Complainant and/or Respondent(s) must submit an Appeal of the Professional Standards Committee Decision of Ethics Compliant form along with a \$200 fee within 20 days of receiving the decision to the Executive Director, who will forward it to the President of The Association. The Appeal Panel will be appointed by the President from the Board of Directors, and will be made up of 3 directors. The panel will review the complaint and the committee's decision within a minimum of 20 days or longer and notify the respondent and complainant of the outcome. Additional information and evidence may not be submitted and will not be considered.

NARPM's Board of Directors makes the final determination if the decision should stand, institute alternative discipline, or send the complaint back for a new complaint review session.

A copy of the final decision will be sent to all parties involved in the proceedings. Decisions are to remain confidential with a copy placed in the members file at Headquarters.