



Nebraska REALTORS® Association

The Voice for Real Estate in Nebraska

800 South 13th Street, Suite 200 / Lincoln, Nebraska 68508-3240
(402) 323-6500 / In Nebraska (800) 777-5231 / Fax (402) 323-6501 / Web Site: www.nebraskarealtors.com



Vision: The Nebraska REALTORS® Association is the leading voice for real estate in Nebraska, providing a professional environment for all its members.

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To Whom It May Concern:

In response to your request, a copy of the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS® is enclosed for your review. If, after you have read it, you feel the REALTOR® is in violation of one or more of the Articles, you may direct a written complaint to the attention of the Grievance Committee at the Nebraska REALTORS® Association address shown above.

In writing your complaint, please identify the REALTOR® and what company they are associated with. Also, please state the location of the property in question and attach copies of any documents (purchase agreements, listing contracts, etc.). Further, please state clearly and concisely the nature of your complaint, including which Articles you think the REALTOR® may have violated. Finally, complete the enclosed form and submit it to the Nebraska REALTORS® Association along with your written complaint.

If you choose to proceed with filing a complaint, please submit the complaint either in typed form or printed in black ink as it duplicates well. Also, please be advised the complaint must be filed within one hundred eighty (180) days after the facts constituting the matter complained of could have been known in the exercise of reasonable diligence or within one hundred eighty (180) days after the conclusion of the transaction, whichever is later.

The Nebraska REALTORS® Association is a trade association. All those who are members pledge to adhere to the NATIONAL ASSOCIATION OF REALTORS® Code of Ethics upon joining the Association.

The Nebraska Real Estate Commission is the state licensing agency. You may wish to contact the NREC to file a complaint. Their number in Lincoln is (402) 471-2004.

Please feel free to contact me at (402) 323-6504 if I can be of further assistance to you in this matter.

Sincerely,

Talia Klepper
Administrative Services Manager
Grievance Committee Liaison
enc.

REALTOR® is a registered collective membership mark which may be used only by real estate professionals who are members of the NATIONAL ASSOCIATION OF REALTORS® and subscribe to its strict Code of Ethics.



EQUAL HOUSING
OPPORTUNITY



Nebraska REALTORS® Association

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Lincoln, NE 68508

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COMPLAINT (ETHICS)

To the GRIEVANCE COMMITTEE OF THE NEBRASKA REALTORS® ASSOCIATION

Date Filed _____

Complainant(s)

Respondent(s)

Complainant(s) charge(s):

An alleged violation of Article(s) _____ of the Code of Ethics or other membership duty as set forth in the Bylaws of the Board _____ and alleges that the above charge(s) (is/are) (Article, Section)

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 known in the exercise of reasonable diligence or within one hundred eighty (180) after the conclusion of the transaction, whichever is later.

Under the penalties of perjury, 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 or 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(s) of REALTORS®?

____ Yes ____ No

If so, name of other 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 dismissed notice to appeal the dismissed to the Board of Directors.

COMPLAINANT(S):

(Type/Print)

(Signature)

(Type/Print)

(Signature)

(Type/Print)

(Signature)

Address: _____

Phone: _____

GENERAL INSTRUCTIONS AND INFORMATION FOR FILING AND REPLYING TO COMPLAINTS

1. Complaints must be typewritten and submitted with a sufficient number of copies to enable the Association to provide one to each respondent plus one copy for the Association's records. Any reply must be typewritten and submitted with ten (10) copies to enable the Association to provide one to each complainant plus copies for the Hearing Panel and the Association Office.
2. Complaints will be referred to the Association Secretary (or Chief Executive Officer); and by the Secretary to the Chairman of the Grievance Committee. If the Grievance Committee finds the matter to constitute a proper cause of action, it will be referred to the Association 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 make reply of it. Copy of reply will be sent to complainant and the Professional Standards Hearing Panel. 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 complaint, date and place of hearing will be set and the charges may be taken as true, by default. Complainant, the Association President and Professional Standards Committee Chairman will be advised that no reply has been filed.
5. All parties may be represented by legal counsel or by a REALTOR® of their choosing (or both) provided that notice of intention to be represented is transmitted to all other parties and to the Hearing Panel at least 15 days prior to the hearing. Failure to provide timely notice may result in a continuance of the hearing.
6. In any proceeding where the REALTOR® principal (Broker) is not joined in the complaints as respondent, the REALTOR® principal nonetheless retains the right to be present during the proceeding or may be required by the Hearing Panel to attend the hearing.
7. At the request of the respondent, the REALTOR® principal may consult with or testify on behalf of the respondent.
8. It is the responsibility of each party to arrange for their witnesses to be present at the hearing and to notify the other parties and the Association fifteen (15) days prior to the hearing.
9. The notice of hearing will contain the names of members of the tribunal who will hear the case and should be accompanied by an "Outline of Procedure for Ethics or Arbitration Hearing." Either party may file with the Secretary, not less than ten (10) days prior to date of hearing, written request for disqualification of any member for any of the following reasons:
 - a) Is related by blood or marriage to the complainant, respondent or a REALTOR® acting as counsel for either the complainant or respondent.
 - b) Is an employer, partner, or employee, or in any way associated in business with either complainant, respondent or a REALTOR® acting as counsel for either the 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 reason acceptable to the Hearing Panel or tribunal which may prevent him from rendering an impartial decision.
10. The parties shall not discuss the case with any member of the Hearing Panel or the Association of Directors at any time prior to announcement of a decision in the case.
11. Both parties should be present in person at the hearing.
12. All ethic violators with two violations within a three year period are published in the State Association New & Notes stating their name, article violated and sanction.
13. Be advised that all matters discussed are strictly confidential.