

Filing an Application Ethics Complaint

Any SIOR member who believes that an applicant should be refused admission to SIOR because of ethical misconduct may file a complaint with the Professional Standards Committee.

What are the grounds for denying admission to SIOR?

The SIOR Bylaws state that “Applicants for Active membership must have a satisfactory real estate-related business reputation,” and specify that an application will be denied under this standard only for serious offenses, such as falsifying information on the application, conviction of a felony, revocation of professional license, or a pattern of professional misconduct that would result in suspension or expulsion of an SIOR member. See the attached SIOR Bylaws and Policy Manual excerpts for specific reasons for denying an application.

How do I file an application ethics complaint?

- A completed Application Ethics Complaint Form (see attached), along with a statement outlining specific allegations of misconduct by the Applicant, should be submitted to the Chair of SIOR’s Professional Standards Committee.

Where do I send a completed complaint form?

The completed form, and accompanying documentation, should be sent to SIOR Headquarters, 1201 New York Avenue NW, Ste. 350, Washington, DC, 20005, Att: Professional Standards Staff Liaison, who will transmit it to the Chair of the SIOR Professional Standards Committee

What happens to the membership application after a complaint is submitted?

- Once a formal complaint or multiple complaints have been filed, the membership application is put on hold and remains on hold until the matter is resolved.
- The Professional Standards Committee Chair forms an inquiry panel to determine if the alleged conduct would, if proven, warrant suspension or expulsion if engaged in by an Active member.
- The Applicant is notified of the complaint(s) and provided an opportunity to respond.
- If, after reviewing the complaint(s) and information provided by the Applicant, the inquiry panel concludes that a hearing is warranted, the Applicant is given the option of either participating in a hearing to determine the facts or withdrawing his/her application. If the panel concludes that a hearing is not warranted, the application is returned to Admissions for continued processing in accordance with the usual procedures.

What are my obligations if I file a complaint?

Any member(s) who file(s) an ethics complaint against an Applicant should be prepared to attend and participate in a hearing in the presence of the Applicant if one is scheduled. Hearings are scheduled at the time of SIOR’s semi-annual conferences (and held at a private location on-site).

Case # _____

SIOR-PS Form

SOCIETY OF INDUSTRIAL AND OFFICE REALTORS®
Professional Standards Process
1307 New York Ave., NW, Ste 703
Washington, DC 20005 USA
202-449-8200 phone— 202-216-9325 fax

APPLICATION ETHICS COMPLAINT

Please review the attached excerpts from the SIOR Bylaws and Policy Manual before completing this form. Statements as outlined below should be on company letterhead and submitted as attachments to this form.

To the Professional Standards Committee of the Society of Industrial and Office REALTORS®:

Date Submitted: _____ Date Received by SIOR: _____

Complainant: _____ Chapter _____
SIOR Member making the complaint.

Member's Firm _____

Applicant: _____
Subject(s) of the complaint.

Applicant's Firm: _____ Designation Applied for: _____

Basis of Complaint:

Attach a statement on company letterhead outlining the date(s) and details of specific allegations of professional misconduct on the part of the Applicant, along with any available documentation that the Complainant believes should be considered in determining whether the individual should be denied admission to SIOR. Also, please specify which SIOR Ethics Code Principle(s) and/or Standard(s) of Practice pertain to the alleged misconduct. The Code may be accessed on the SIOR Web site: See [www.sior.com/Resources/Ethics and Professional Standards](http://www.sior.com/Resources/Ethics%20and%20Professional%20Standards). Please call SIOR Headquarters at 202.449.8200 and ask to speak with SIOR's Professional Standards staff liaison if you have any questions.

I have read the attached excerpts from the SIOR Bylaws and Policy Manual, and understand that if there is a hearing, I will be expected to attend and to respond to questions from the Hearing Panel in the presence of the Applicant.

Signature: _____

Note: Any complaints that are submitted will be treated as confidential and will not be shared with the applicant unless and until a Professional Standards inquiry panel has convened and concluded that a hearing is warranted to determine the facts. If the applicant opts for a hearing, the complainant(s) should be prepared to attend and participate in the hearing process.

Please submit this form and documentation directly and only to SIOR Headquarters, 1307 New York Ave., NW, Ste 703, Washington, DC, 20005, Att: Professional Standards Staff Liaison, who will direct it to the Chair of the SIOR Professional Standards Committee.

SIOR Bylaws (Excerpts from Article III, IV, and V)

Article III, Section 2. Applicants for Active membership must have a satisfactory real estate-related business reputation. An application will be denied under this standard only where one or more of the following is found:

- A. The application contains materially false or misleading information or representations;
- B. The applicant has been convicted of or pleaded guilty or nolo contendere to a felony within the preceding ten (10) years;
- C. The applicant has had a professional license suspended or revoked for professional misconduct within the preceding ten (10) years;
- D. The applicant has been suspended or expelled from a Board of REALTORS or other professional association for professional misconduct within the preceding ten (10) years.
- E. The applicant has been involved in arbitration, litigation or other judicial proceedings in which the findings of fact and/or conclusions of law demonstrate conduct by the applicant within the ten (10) years preceding application, that if the applicant was a member of SIOR, could result in suspension or expulsion from SIOR;
- F. The applicant has engaged in conduct during the preceding ten (10) years for which a duly constituted government administrative body, such as a licensing authority, or an independent non-governmental authority, such as another professional association, has issued findings which, if applied to an Active member of SIOR, could result in suspension or expulsion under SIOR's *Code of Ethical Principles and Standards of Professional Practice*; or
- G. The applicant has engaged in a pattern of professional misconduct within the preceding ten (10) years which, if applied to an Active member of SIOR, could result in suspension or expulsion under SIOR's *Code of Ethical Principles and Standards of Professional Practice*.

Article IV, Section 4. Any application file containing one or more allegations that the applicant is disqualified from membership under Article III, Section 2. will be transmitted to the Chair of the Professional Standards Committee. The Chair will form a panel of inquiry to review the application file, pointing toward a determination of whether the conduct asserted (or some part of it) would be sufficient, if proven, to warrant suspension or expulsion if engaged in by a member, which determination will be made pursuant to the procedures specified in the SIOR Policy Manual.

Article V, Section 1. Any Active or Associate member of SIOR may be reprimanded, suspended or have membership status terminated for sufficient cause by the Board of Directors.

Article V, Section 2. Sufficient cause is hereby declared to be any of the following:

- A. Any conviction by a court of competent jurisdiction of insanity, incompetence, felony or fraud;
- B. Revocation of a member's real estate brokerage license;
- C. Violation of the Bylaws or policies of SIOR;
- D. Violations of the Code of Ethical Principles and Standards of Professional Practice of SIOR, or any action or conduct considered by the Board of Directors to be discreditable to SIOR or the profession;
- E. Refusal or willful neglect to comply with any order or decision of the Board of Directors;
- F. No longer meets the criteria for Active or Associate membership;
- G. Nonpayment of national or Chapter dues.

SIOR Policy Manual (Section 2.2.6 B)

B. Complaint Procedures

Any application file containing one or more allegations that the applicant is disqualified from membership under Bylaws Article III, Part I, Section 2 will be transmitted to the Chair of the Professional Standards Committee. The Chair will form a panel of inquiry to review the application file, pointing toward a determination of whether the conduct asserted (or some part of it) would be sufficient, if proven, to warrant suspension or expulsion if engaged in by a member.

This panel of inquiry review will be conducted in a manner consistent with the rules and procedures for ethics complaint review specified in SIOR's *Ethics, Mediation and Arbitration Procedures Manual*. Where a panel of inquiry concludes that the conduct described would not be sufficient to warrant suspension or expulsion, the chair will so indicate in the admissions file. The file will then be presented to the Admissions Committee for its assessment of other aspects of the application, in accordance with the Committee's normal procedures.

Where a panel of inquiry concludes that some of the alleged conduct, or all of the alleged conduct taken together, would warrant suspension or expulsion under SIOR's guidelines if the conduct were that of a member, then further processing of the application will be deferred pending a hearing to determine the facts. The applicant will be notified and given the option of participation in the hearing process. If the applicant declines, the application will be deemed withdrawn.

The hearing to determine the validity of the facts alleged will be conducted before an impartial panel having appropriate professional standards credentials that will be designated by the Chair of the Professional Standards Committee. The procedures governing the hearing will be those described in SIOR's *Ethics, Mediation and Arbitration Procedures Manual*. The applicant and others will be entitled to the rights and subject to the responsibilities described in those procedures.

The hearing panel will make findings as to what conduct had been proven to have occurred and whether that conduct (as distinct from the alleged conduct assessed by the panel of inquiry) would warrant suspension or expulsion of a member under the applicable suspension/expulsion guidelines. The rights of appeal provided by the Manual will be available.

When the hearing process has produced a conclusion, a written memorandum stating that conclusion will be transmitted to the application file, which then will be evaluated by the Admissions Committee following customary procedures, except that the results of the hearing process will be conclusive as to the issues addressed and the matters found.

In the event of a complaint that an application has not been acted upon in a timely fashion, a procedural review board will be constituted to include the Membership Standards Committee Chairman, the appropriate Regional Director and two Members from the Chapter having jurisdiction over the application. The board will promptly investigate the complaint and attempt to resolve informally any discrepancy in compliance with the established admissions procedures. In the event the board identifies a discrepancy that cannot be resolved informally, the Chairman of the Committee will submit a written report to the President and Chairman of the Board and Speaker of the Council of Chapter Presidents, who will initiate such formal remedial action as may prove necessary.