

02/13/06 POLICIES AND PROCEDURES

**Yamhill County Association of Realtors®
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For purposes of simplification, the following abbreviations will be used throughout this Policies and Procedures Manual: YCAR-Yamhill County Association of REALTORS®; OAR-Oregon Association of REALTORS®, NAR-National Association of REALTORS®, EO-Executive Officer

AUTHORIZATION: These Policies and procedures are authorized by the YCAR Directors and may be changed by a majority vote of YCAR Directors. In the event that a policy or procedure conflicts in some way with the By-laws of YCAR, OAR, or NAR, those By-laws shall take precedent with regard to that individual policy or procedure; however, all other policies and procedures herein shall remain in effect until changed by YCAR Directors.

Policy #1: Policy Purpose and Formulation (10/94)

Policy statements serve the purpose of developing guidelines and standards for the internal Association operations. Policy statements may be approved by the YCAR Directors on a continuing basis as needed and must be re-approved each year by the new Directors. Policy recommendations may be made by staff, committee chairpersons, or YCAR Directors. A new policy or policy change passed by the YCAR Directors shall be added to these Policy and Procedures documents forthwith and become policy at the time indicated in the passed motion. If no time is indicated, the new or changed policy shall be effective upon “passage” by YCAR Directors.

Policy #2: Authorized Spokesperson (10/94)

The President and the Executive Officer shall be the authorized spokespersons for YCAR. No other individual shall speak for YCAR on matters affecting YCAR or it’s membership as a whole without prior approval of the President. Officers, Directors and staff shall not respond to any verbal or telephone surveys, but will respond only to written surveys.

Policy #3: Communications Policy (10/94, 05/09/05)

Open and complete communication is the key to the success of the REALTOR® organization and to fulfilling our mission statement on behalf of our members. Because of the critical importance of good communication, the following practices are essential:

1. Copies of all substantive communications between YCAR and NAR should be sent to OAR.
2. YCAR will keep on file in the YCAR office, copies of all current governing documents, including the By-laws, Policies and Procedures, and a list of current fees. These items will also be on file with OAR.

Policy #4: Contract Between Principal Broker and Brokers (03/03, 05/09/05)

YCAR strongly recommends that Principal Brokers maintain a written contract with each Broker setting forth their rights and obligations and that an office policy and procedure guide be provided to each Broker, with acknowledgement that he/she has read and accepted it.

Policy #5: Commissions and Fees (10/94)

YCAR does not and will not establish or maintain fixed or recommended rates of commission. Commissions are a matter of negotiation between the parties (the principal and the agent) and YCAR will not interfere in those negotiations nor inhibit in any way the freedom of the parties to negotiate by By-law provisions, recommended schedules, or sanctions imposed on REALTORS® based upon their individual business practices.

Policy #6: Endorsement of Candidates for Public Office (10/94)

Political endorsements are made solely by YCAR Directors. Committees interviewing candidates, ballot measures, etc. shall pass their recommendations to YCAR Directors.

Policy #7: Solicitation (10/94, 02/00, 05/09/05)

All solicitation of funds, financing of projects and endorsements must be submitted in writing to YCAR Directors for approval prior to implementation. In addition, a budget must be submitted for approval wherein YCAR finances will be pledged against losses or advance payments of costs. Costs exceeding approved budgeted items shall be the financial responsibility of the committee chairperson unless approved by the YCAR Board of Directors. YCAR requisitions for payments shall be pre-approved by YCAR Directors.

Policy #8: Donations (03/03, 05/09/05)

No expenditure or donation of YCAR funds whatsoever shall be made to religious, philanthropic, or civic organizations without the approval of YCAR Directors.

Policy #9: Capital Expenditures Authorization (03/03, 05/09/05)

YCAR Directors shall be authorized to make such capital expenditures as are required. The General Membership, as defined in Article XI, Section 3 of the YCAR By-laws, shall approve any capital expenditure in excess of \$1,000.

Policy #10: YCAR Investment Responsibility (10/94)

YCAR Directors shall be responsible for and have the authority to invest YCAR monies, over and above those needed for operations, pursuant to guidelines established by the Finance Committee and approved by YCAR Directors.

Policy #11: Operating Funds and Investment Policy (03/03, 05/09/05)

All operating funds not immediately required and all special funds shall be invested in interest-bearing accounts through federally insured or SPIC insured financial institutions. Total balance in any such institution, not including Federal Government securities, shall not exceed the total amount insurable, with the exception of YCAR's main operating account where limits shall not apply for operational purposes. Transfers from interest-bearing accounts to YCAR's checking account for operational purposes shall be approved by the Board of Directors. Primary investment oversight shall be the responsibility of the Treasurer.

Policy #12: Contracts and Encumbrances (10/94)

The President, with input from any appropriate committee(s) and the approval of YCAR Directors and legal counsel, when needed, shall be the only individual authorized to enter into contracts or agreements that incur financial or other liabilities to YCAR.

Policy #13: Amendments to Increase Annual Proposed or Approved Budget (10/94)

Any amendments or proposals to increase expenditures in the YCAR proposed or approved annual budget or in any line item must be approved by YCAR Directors.

Policy #14: Fair Housing and Equal Opportunity (10/94, 05/09/05)

It is the policy of YCAR to abide by the Federal Fair Housing Law and the National Association of REALTOR® Code for Equal Opportunity. YCAR employees and members shall not discriminate against any person because of race, religion, color, sex, sexual orientation, pregnancy, childbirth, national origin, ancestry, marital status, handicap or age, or on any other basis prohibited by local, state or federal law.

Policy #15: Sexual Harassment (10/94)

Sexual Harassment is unlawful; it also creates a work environment that is intimidating and offensive to employees and members. Sexual harassment may substantially interfere with an individual's work performance and the effectiveness of the organization. YCAR has a strict policy prohibiting all forms of sexual harassment. The policy applies to all employees when they are acting within the scope of their employment and to all employees and members when in connection with any YCAR

function. No employee or member shall engage in any conduct constituting sexual harassment. No employee or member against whom a charge of sexual harassment has been made shall in any manner seek reprisal against the employee or member making the charge. An employee or member who observes an act of sexual harassment shall report the act to YCAR Directors.

Definition:

Sexual harassment is defined for purposes of this policy as any unwelcome sexual advance, request for sexual favors or other verbal or physical conduct of a sexual nature or with sexual overtones.

It includes, but is not limited to:

1. Offensive comments
2. Jokes or suggestions about the gender or gender-related physical attributes of another.
3. Sexually suggestive jokes, profanity or euphemisms.
4. Obscene or lewd gestures.
5. Unwanted physical contact.
6. The display of sexually explicit or suggestive pictures, drawings or written materials.
7. A social invitation accompanied by a discussion of performance reviews, evaluation or merit considerations.

Enforcement:

All charges that a YCAR employee has sexually harassed a member, or another employee, shall be referred to the YCAR Directors for investigation and appropriate action in accordance with YCAR personnel policies. All charges that a member of the YCAR Board of Directors has sexually harassed a YCAR employee shall be referred to YCAR Directors for appropriate action, which may include, without limitation, counseling, oral or written reprimand or expulsion from YCAR.

Policy #16: Professional Standards Guideline as Contracted With OAR (03/03, 05/09/05, 02/13/06)

Grievance:

YCAR shall have a standing Grievance Committee with a minimum of five (5) members. Members shall be appointed for a 3-year staggered term by the YCAR President, subject to approval by the Board of Directors. The Grievance Committee shall conduct itself in compliance with the NAR Code of Ethics and Arbitration Manual: sections 18, 19, 41 and 42.

Policy #17: Mediation and Arbitration (03/03, 05/09/05, 02/13/06)

YCAR is recommending Arbitration Service of Portland for disputes arising under the Home Sellers/Home Buyers Dispute Resolution Agreement.

Arbitration Service of Portland
620 SW 5th Avenue
Suite 1010
Portland, OR 97204

Tel: (503) 226-3109
1-800-423-1216
Fax: (503) 226-3072
Web: www.arbserve.com

Policy #18: REALTOR®-of-the-Year Committee (02/00, 05/09/05)

1. The REALTOR®-of-the-Year Committee shall consist of 5 members in good standing and immediate past REALTOR® of the Year. Nominee shall be an active REALTOR® in good standing, have been actively involved in YCAR and/or community functions. Committee shall be set by June 1, chaired by past REALTOR®-of-the-Year. Nominee shall be available to Executive Officer no later than August 1.
2. AFFILIATE-of –the-year to be chosen by Directors and announced at the December Meeting

Policy #19: Travel (02/00, 05/09/05)

All claims for travel reimbursements from individuals prior authorized to receive reimbursement must be submitted to YCAR within 30 days from the time the expense was incurred. Authorized travel shall be reimbursed on the basis of coach airfare or round-trip mileage as determined allowable according to IRS Business Standards. In-state expense reimbursement shall be based on actual expenses incurred. Authorized expense for state and national meetings shall be as approved for in the annual budget. YCAR shall pay admittance charge for the President to any official REALTOR® function requiring his/her attendance as deemed necessary by the Board of Directors. Additionally, YCAR shall pay room and tax charges for a standard rate sleeping room at all OAR meetings and conventions requiring overnight stay. Authorized expense for state and national meeting shall be as approved for in the annual budget.

YCAR officers shall be reimbursed for authorized travel pursuant to the budget. State Directors shall be reimbursed for their travel expenses to OAR business meetings. In order to receive the budgeted reimbursements, State Directors must attend at least two OAR committee meetings per day. YCAR will reimburse YCAR officers for overnight stays provided the one-way mileage exceeds 50 miles, excluding Portland meetings. Directors shall give a report on all meetings attended within 30 days.

Policy #20: Membership Processing Procedures (03/03, 05/09/05)

The following procedures shall be followed in regards to new member applicants:

1. Prospective member shall be given the following information: Membership Application; Information of Membership Procedures, Association By-Laws; Information on Current Fees, Charges and/or Dues.
2. Prospective member shall submit the completed membership application and application fee to the Executive Officer as soon as activation of real estate license at a YCAR member office.
3. Applicant shall be required to complete NAR Ethics Orientation program and YCAR Orientation program prior to induction for membership.
4. Failure of the applicant to complete the application process shall result in forfeiture of the application fee and the Principal Broker will be billed a non-member assessment for said applicant.

Policy #21: Application Fees/Mandatory New Member Orientation (03/03)

New members shall be assessed an application fee of \$50 to be paid at the time of application. The purpose of the application fee is to underwrite the costs incurred by YCAR in the processing of membership. YCAR members exempt from application fees and mandatory Orientation programs are: a dual member, inter-board transfers, affiliates, and institute affiliates.

Policy #22: Membership Records/Change Procedure (10/94)

All information regarding YCAR members shall be processed at the YCAR office by the EO. No member shall communicate directly to OAR any status changes.

Policy #23: Member Records (03/03)

The YCAR office shall maintain a database of all active members. Said information shall be retained solely for the use of YCAR Directors and committee chairpersons. In no case shall the membership list be accessible to any other person, group or organization.

The YCAR office shall also maintain a current list of committees, committee chairpersons, and current data on committee activity. This information, with the exception of confidential Ethics Committee activity, shall be available to any YCAR member upon request.

Policy #24: Membership Notification (10/94, 05/09/05)

In all instances where advance notice to the membership is required to conduct the official business of YCAR, such notice shall be deemed given as printed in the YCAR Newsletter and printed/emailed or otherwise distributed to all members in good standing on file at the time of the distribution.

Policy #25: Dues Structure and Prorations (03/03, 05/09/05)

1. As set forth in Article 5, Sections 1-4 of the By-Laws
2. Annual dues are due and payable on January 1st of the calendar year. If not paid by March 1st, a late payment fee of \$25.00 to YCAR may be assessed at the discretion of the Board upon consideration of the reasons for late payment. If not paid by March 1st, the member shall be dropped from the membership roster. Reinstatement may be obtained upon full payment of the amount due plus a \$50.00 reinstatement fee.
3. No refund of paid YCAR dues shall be made for any reason.

Policy #26: Annual Meeting (03/03)

The General Membership meeting held in October of each year shall be deemed the annual membership meeting as required by Article XIII, Section 1 of the YCAR By-laws.

Policy #27: Meeting Planning (03/03, 05/09/05)

The Executive Officer shall be responsible for all communication, correspondence and logistics between YCAR and the General Board meeting facilities and hotels relative to YCAR meetings and functions. The E.O. shall be responsible for collecting fees and for the sign-in sheet at General Board meetings. The E.O. must be notified by 12:00 noon on the Thursday prior to the meeting if canceling the reservation. Failure to cancel without notification will result in the member being charged for the full amount of the fee. The E.O. shall contact non-attendees for payment.

Policy #28: Association Records Management (03/03, 05/09/05)

The E.O. shall be charged with ensuring that YCAR records to be maintained in the YCAR office, in an accurate, ongoing and updated manner, consisting of, but not limited to:

1. Financial information; prepared tax returns as required by law and YCAR audits.
2. Statistics; membership information, current and comparative.
3. Monthly financial statements, as prepared by the Treasurer, including income, expenses, and current fund balances.
4. Master copy of minutes for YCAR Executive Board meetings, as prepared by Secretary.
5. Monthly comparison of OAR to YCAR membership records.
6. YCAR financial record will be available to membership on request.

Policy #29: Monthly Payment of Bills (03/03)

Recurring monthly expenses, including, but not limited to, such items as electricity, telephone expense, rent, facilities rent, may be paid by the Executive Officer or the Treasurer without prior approval by YCAR Directors, provided the balance owed is not out of the ordinary for what has been the historical monthly amount due. Any standard monthly expense that has a balance due that exceeds a normal average shall be submitted to YCAR Directors for approval prior to payment. All other requests for payment or reimbursement shall be submitted to YCAR Directors for approval prior to payment.

Policy #30: Standing Committees (03/03, 05/09/05)

As required by YCAR Bylaws, there are nine (9) standing committees. The chairpersons for each committee are to be appointed by the incoming President. All the chairpersons and the committee members are to be in place by December 1st. The names of each committee and its members are to be on file in the EO office. Committees to be as follows: Grievance, Membership, Finance/Budget, Legislative, REALTOR® Protection, Public Relations, Education, Equal Opportunity and RMLS. Other committees may be added as deemed necessary by a majority vote of a quorum of Directors.

Policy # 31: Committee Correspondence (02/00)

The chairperson of each committee shall notify the President prior to any and all meetings. All correspondence from the committee shall be initiated by the chairperson or at the direction of the chairperson. All meetings of the committee shall have minutes as to the activity of the meeting, those in attendance, the place the meeting was held and the date. It is the responsibility of the Chairperson to either take the minutes or appoint another member present at the meeting. All written minutes and correspondence of the committee are to be filed in the YCAR office.

Policy #32: Committee Meetings and Reports (02/00)

With the exception of the Grievance Committee, all YCAR committee meetings shall be open to any members who wish to attend.

Policy #33: Employer/Employee Guidelines (10/94, 05/09/05)

By reference hereto, the Employer/ Employee Guidelines distributed by the NAR and adopted by YCAR shall become a part of these policy statements.

Policy #34: Executive Officer Absence (03/03)

In the event of illness or family emergencies when the Executive Officer will not be able to report to work as scheduled, the E/O should call the President or Secretary to notify him/her of the absence.

Policy #35: YCAR Newsletter (10/94)

Articles and information should be submitted to the Executive Officer by the 1st of each month so that the newsletter can be distributed in a timely manner.

Policy #36: Flowers, Cards, Donations (03/03, 05/09/05)

Upon notification of a birth, death, illness or accident, the E.O. will send, flowers, a card, or a charitable donation in lieu of flowers, of an amount not to exceed \$50.00, based on the following criteria:

Flowers or donation:

1. Member accident and/or illness requiring hospitalization
2. Member death
3. Member immediate family death; immediate family defined as husband, wife, children, mother, father, brother, sister.

Card:

1. Death of a member's non-immediate family member.
2. Birth of a child to a member's immediate family member; immediate family is defined as husband, wife, and children.

Policy #37: Bank Account Signatures (03/03, 05/09/05)

The President, Treasurer, Executive Officer and such other officer as designated by the Board, shall be deemed authorized signatories on each YCAR bank account. Two signatures of non-related persons will be required on all checks. Safety deposit box key for YCAR is available to President and Treasurer and is located in the YCAR office. Key is to be signed out and in by the Executive Officer for each use and to be returned promptly.

Policy #38: Copying (10/94)

All copying of materials for all YCAR sponsored events shall be done at a board-approved vendor or on the YCAR copier in the YCAR office.

Policy #39: Tour Participation (03/03, 05/09/05)

RMLS Tour meetings are YCAR sanctioned events held at the discretion of the respective area members. Any person attending the YCAR weekly property tours must be a Realtor® or Affiliate member in good standing of Board/Association in the state of Oregon.

Policy #40: YCAR Annual Events (03/03)

YCAR annual event chairpersons shall establish an annual budget to be submitted for approval by a majority vote of a quorum of Directors. Upon approval, each event chairperson shall be responsible for all communication, correspondence and logistics for his/her event.

Policy #41: Access to YCAR Mail (03/03)

The Executive Officer shall be responsible for retrieving the YCAR mail from the Post Office in a timely manner and distributing such mail. The Key to the Post Office box to be in the possession of the E.O.

Policy #42: Actions by Fax Vote (02/00, 05/09/05)

YCAR, a non-profit corporation, is governed by its directors and statutory provisions that limit and control the manner of governance. Ordinarily action by the Directors is taken through decisions made by a majority vote of a quorum of directors at a duly called meeting of the Board of Directors. Pursuant to Oregon law, these meetings shall be face-to-face or through means of communication by which all directors can simultaneously hear each other during the meeting. Oregon law further provides, however, that unless the articles or bylaws provide otherwise, action required or permitted by Oregon law to be taken at the board of director's meeting, may be taken without a meeting if the action is taken by all members of the board of directors and evidenced by one or more written consents describing the action taken, signed by each director and included in the minutes or filed with the corporate records reflecting the action taken.

Policy #43 Gambling & Raffles (03/03)

It shall be the policy of YCAR to conduct no activity that is inconsistent with federal, state, or local law or in conflict with OAR and/or NAR By-laws.

Dated: 02/13/06