

St. Louis REALTORS®

Citation Policy

Revised January 2019, December 4, 2020, February 19, 2026

In order to facilitate a more efficient and streamlined process to handle certain ethics violations, St. Louis REALTORS® has adopted the Ethics Citation Program which includes the following benefits:

- A respondent electing to accept a citation avoids an uncomfortable and often time-consuming hearing process. However, respecting the right for due process, a respondent may instead elect to request a hearing. The Ethics Citation Program is as confidential as the hearing process.
- A Complainant may have less time involved, yet justice will still be served, thereby protecting the industry from unethical behavior. If the respondent elects to have a hearing, the complainant may need to attend.

The Ethics Citation Program shall establish an Ethics Citation Panel, comprised of at least three (3) individuals, who will review complaints to determine eligibility for the citation program and the appropriate citations. The Ethics Citation Panel is made up of individuals who have a high level of experience in hearing professional standards cases.

Complaints 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 or event, whichever is later.

The citation policy cannot cite violations based on Articles or Standards of Practice other than those spelled out in this policy, cannot impose fines in excess of those provided for in this policy, cannot require education in excess of that provided for in this policy, and cannot be utilized more frequently than provided for in this policy.

Initial Review by Grievance Committee and Citation Panel

- I. When the Grievance Committee receives a written ethics complaint, it will review the complaint consistent with Sections 19 and 20 of the current NAR *Code of Ethics and Arbitration Manual*. The Grievance Committee may add or delete articles or respondents at this stage in the proceedings.
- II. If the Grievance Committee determines that the complaint should be forwarded for a hearing, the Grievance Committee will first forward the complaint to the Citation Panel to determine if it includes allegations covered by the Citation Schedule, i.e., if it is a “citable offense”.
 - A. If the complaint does not include alleged violations included in the Citation Schedule, or it includes some covered by the Citation Schedule and some that are not, the complaint shall be referred directly to the Professional Standards Committee for hearing consistent with the policies and procedures set forth in the *Code of Ethics and Arbitration Manual*. for ethics hearings.
 - B. If the complaint includes only allegations of violations included in the Citation

Schedule, the Citation Panel may issue a citation (see below “Citation Schedule of Fines”) and impose discipline consistent with the Citation Schedule. Any particular training or education course, and the time permitted within which to complete the same, shall be as specified by the Citation Panel.

C. If the Ethics Citation Panel believes a violation has occurred, they will issue a citation and impose discipline consistent with the association’s Citation Schedule. If the members of the Citation Panel determine the conduct described in the complaint is sufficiently egregious to warrant a hearing rather than a citation, the complaint shall be referred to the Professional Standards Committee for hearing consistent with the policies and procedures set forth in the *Code of Ethics and Arbitration Manual*. for ethics hearings.

III. When an ethics complaint/ethics citation complaint and an arbitration request arising out of the same facts and circumstances are filed at the same time, the arbitration hearing shall be held first, and the citation(s) issued or ethics hearing held after the conclusion of the arbitration hearing consistent with Professional Standards Policy Statement #35, Separation of Ethics Complaint and Arbitration Request, *Code of Ethics and Arbitration Manual*.

Issuance of citations

- I. Citations will be sent to the respondent(s) with an explanation of the violation cited. A copy of the citation shall also be sent ~~and~~ to the REALTOR® principal of respondents’ office with a copy of the citation. If the respondent changes firms before or after the complaint is filed but before the citation is issued, both the former and current REALTOR® principal will receive a copy of the citation.
- II. The respondent will have twenty (20) days from the date of the citation notice of the citation (“Deadline”) to request a full due process hearing on the complaint before a panel of the Professional Standards Committee.
 - A. If the respondent does not reply within ten (10) days of notice of the citation, a follow up notice shall be issued to the respondent reminding the respondent of the Deadline for requesting a hearing. This follow up notice shall also include a reminder regarding the due date for payment of the fine and completion of the required education course, if applicable, as well as consequences for failure to comply with the citation requirements.
 - B. If the respondent accepts the citation, or if the respondent does not request a hearing, on or before the Deadline (in which case the respondent shall be deemed to have accepted the citation), this shall constitute a waiver of respondent’s right to a hearing and will be deemed to be a final resolution of the complaint, which shall not be appealable or subject to any further review. Acceptance of the Citation is an acknowledgement of the behavior alleged in the complaint.
 - C. Acceptance of the citation includes the completion of required education, at the expense of the respondent, to include one of the following:
 1. Education:
Optional: For a first offense if the respondent successfully completes the NAR Online Ethics Course within thirty (30) days of the Deadline the citation fee will be reduced by

50 percent. In such instances proof of completion shall be submitted along with the required citation fee.

Required: Second offense: NAR Code of Ethics (online course)

Third offense: NAR Code of Ethics Course (online course)

2. Certificate of Completion of any required Ethics course must be presented to Association Staff within (30) days of the Deadline for the case to be closed.
 3. Only (1) of the courses listed are required to be completed per complaint, regardless of the number of Articles or Standards of Practice cited
- III. If the respondent accepts the citation, or if the respondent does not request a hearing on or before the Deadline, payment must be received by the association no later than thirty (30) days after the Deadline has elapsed.
- IV. The case will be deemed to be closed upon receipt of payment of the citation fine and completion of education required by the specific citation, and notice will be provided to the complainant that a citation has been issued and complied with.
- V. Failure to pay the citation amount or failure to complete and present fulfillment of education requirements in the time allotted, will result in the automatic suspension of membership services (including but not limited to MARIS, Supra Keybox Services, contracts & forms library, etc.) until the citation has been paid and any required education has been completed. However, such suspension of membership shall be for no longer than one (1) year, after which time the member shall be terminated from membership.
- VI. If the respondent requests a hearing on or before the Deadline, the complaint shall be referred to Professional Standards for a hearing. The complainant who initially filed the complaint shall be given the option to proceed as the complainant for the purposes of the hearing, and will be afforded all due process rights provided for in the *Code of Ethics and Arbitration Manual*. Should the complainant be a member of the public who refuses or is unable to participate in the hearing, or should the complainant be a REALTOR® member who refuses or is unable to participate in the hearing, the provisions of Section 21(f)(3) in the *NAR Code of Ethics and Arbitration Manual* shall apply.
- VII. Once the citation Deadline has passed, the respondent cannot change from Due Process Hearing back to Citation or vice versa.
- VIII. Anonymous Complaints. The identity of the complainant, at the complainant's option, may be kept confidential and unavailable to the Grievance Panel and respondent(s). Anonymous Complaints will only be considered for those violations outlined under the citation program.
- A. Anonymous complaints will follow the same procedures as outlined above except for the following procedures, which will only apply to anonymous complaints:
1. A citation may only be issued if the Grievance Panel determines there is sufficient evidential documentation (i.e. clear, strong, and convincing evidence) to support the alleged violation. If the Grievance Panel determines there is insufficient evidential documentation, the panel shall dismiss the anonymous complaint. However, if the complaint is otherwise eligible for a hearing, the complaint may continue to be processed if the complainant has agreed to continue as a named complainant.

2. The complainant will be advised when requesting to remain confidential that the complainant's identity may not remain confidential in accordance with the following procedures:
 - i. In the event the respondent, after being issued a citation, requests the complaint be heard at a hearing, the Grievance Panel will determine if the anonymous complainant's appearance at the hearing is essential to ensure due process. If the complainant is "essential", the complaint will only be forwarded to a hearing if the complainant has agreed to participate at a hearing as a named complainant. If the complainant has refused to proceed as a named complainant, the complaint will be dismissed.
 - ii. If the Grievance Panel determines that the complainant's appearance is not essential for due process, the Grievance Panel will become the complainant and a member of that Panel would present the case at the hearing.
3. Mediation will not be offered to the parties in an anonymous citation complaint.
4. Anonymous complainants will not be provided with updates or notified of the outcome of the complaint unless their appearance at a hearing is necessary in accordance with these policies.

Limitations to the Citation

- I. Any REALTOR® is limited in the number and type of citations that he/she may receive, according to the following rules:
 - A. No more than two (2) citations will be issued to a member within a consecutive twelve (12) month period, starting on the date the first complaint was filed.
 - B. No more than three (3) citations will be issued to a member within a consecutive thirty-six (36) month period, starting on the date the first complaint was filed.
 - C. No additional citations are permitted where the cumulative fine for the citations issued would be more than \$5000 in any three (3) year period.
 - D. An escalating fine schedule is in place for repeat citations, however, the Ethics Citation Panel may only consider the past citations for the particular conduct alleged in the complaint.
- II. The fact that a respondent has previously been issued a citation for any violation – whether or not it was paid – shall not be admissible in any ethics or arbitration hearing, including a hearing to consider a complaint where the respondent rejected a citation and requested a hearing. A hearing panel may consider citations previously issued to the respondent for the purpose of determining appropriate discipline as provided in Subsection IV below.
- III. Citations will not be considered in any publication of violations should such rules be adopted by the association.
- IV. Where a hearing panel finds a violation of the Code of Ethics, after a hearing, it may consider past citations in determining an appropriate sanction only if the citation was issued for the

same violation at issue in the hearing. By way of example, if a citation was issued for failure to disclose a dual or variable rate commission under Standard of Practice 3-4, that citation could not be considered if a hearing panel later found a violation of Article 3 on some other grounds. Hearing panels will not be informed of past citations for other violations.

- V. Association staff will track the number of citations issued, the number of citations paid, and the violations for which citations were issued. This information may be provided in the aggregate to the Board of Directors, but will not include details about the complaints, nor identify the complainants or respondents.
- VI. The allegations, discussions and decisions made in the citation process are confidential and shall not be reported or published by the association, any member of a tribunal, or any party under any circumstances except those established in Limitations, Section V of this policy and the *Code of Ethics and Arbitration Manual* of the National Association as from time to time amended.

Schedule of Fines

	Applicable Article and Standard of Practice	Fine	Optional and Mandatory Ethics Training in addition to fine?
Article 1			
Failure to fully disclose and obtain consent from both parties when representing both the seller/landlord and buyer/tenant in the same transaction	Article 1, supported by Standard of Practice 1-5	1st Offense - \$500 2nd Offense - \$750 3rd Offense - \$1,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Failure to submit offers and counter-offers objectively and as quickly as possible	Article 1, supported by Standard of Practice 1-6	1st Offense - \$500 2nd Offense - \$750 3rd Offense - \$1,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Failure on the part of a listing broker to provide, as soon as practical, written affirmation that an offer was presented or written notification that the seller/landlord has waived the obligation to have the offer presented, upon written request of a cooperating broker submitting an offer	Article 1, supported by Standard of Practice 1-7	1st Offense - \$500 2nd Offense - \$750 3rd Offense - \$1,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Failure to advise sellers/landlords of information specified in Standard of Practice 1-12 prior to entering into a listing contract	Article 1, supported by Standard of Practice 1-12	1st Offense - \$500 2nd Offense - \$750 3rd Offense - \$1,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Failure to advise buyers/tenants of information specified in Standard of Practice 1-13 prior to entering into a buyer/tenant agreement	Article 1, supported by Standard of Practice 1-13	1st Offense - \$500 2nd Offense - \$750 3rd Offense - \$1,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Accessing or using, or allowing others to access or use, a property managed or listed on terms other than those authorized by the owner or seller	Article 1, supported by Standard of Practice 1-16	1st Offense - \$1,000 2nd Offense - \$1,500 3rd Offense - \$2,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course

Article 3			
As a listing broker, attempting to unilaterally modify the offered compensation with respect to a cooperative transaction after a REALTOR® has submitted an offer to purchase or lease that property	Article 3, supported by Standard of Practice 3-2	1st Offense - \$500 2nd Offense - \$750 3rd Offense - \$1,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Failing to disclose existence of accepted offers, including offers with unresolved contingencies, to cooperating brokers	Article 3, supported by Standard of Practice 3-6	1st Offense - \$500 2nd Offense - \$750 3rd Offense - \$1,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Misrepresenting the availability of access to show or inspect a listed property	Article 3, supported by Standard of Practice 3-8	1st Offense - \$500 2nd Offense - \$750 3rd Offense - \$1,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Providing access to listed property on terms other than those established by the owner or the listing broker	Article 3, supported by Standard of Practice 3-9	1st Offense - \$1,000 2nd Offense - \$1,500 3rd Offense - \$2,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Article 4			
Failing to disclose REALTOR®'s ownership or other interest in writing to the purchaser or their representative prior to a party signing any agreement.	Article 4 (second sentence)	1st Offense - \$500 2nd Offense - \$750 3rd Offense - \$1,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Article 5			
Providing professional services without disclosing REALTOR®'s present interest in property	Article 5 (limited to present interest, not contemplated)	1st Offense - \$500 2nd Offense - \$750 3rd Offense - \$1,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Article 6			
Accepting any commission, rebate, or profit on expenditures without client's knowledge or consent	Article 6 (first paragraph)	1st Offense - \$500 2nd Offense - \$750 3rd Offense - \$1,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course

Failure to disclose to a client or customer REALTOR®'s financial benefits or fees received as a direct result of recommending real estate products or services	Article 6 (second paragraph)	1st Offense - \$500 2nd Offense - \$750 3rd Offense - \$1,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Failure to disclose REALTOR®'s direct interest in an organization or business entity when recommending to a client or customer that they use the services of that organization or business entity	Article 6, supported by Standard of Practice 6-1	1st Offense - \$500 2nd Offense - \$750 3rd Offense - \$1,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Article 12			
Failing to present a true picture in real estate communications and advertising	Article 12	1st Offense - \$250 2nd Offense - \$500 3rd Offense - \$750	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Failing to disclose status as real estate professional in advertising and other representations	Article 12	1st Offense - \$250 2nd Offense - \$500 3rd Offense - \$750	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Representing that their brokerage services are free or available at no cost to their clients, if a REALTOR® is to receive financial compensation from any source for those services.	Article 12, supported by Standard of Practice 12-1	1st Offense - \$250 2nd Offense - \$500 3rd Offense - \$750	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Failure to exercise care and candor when communicating the terms and conditions of premiums, prizes, merchandise discounts or other inducements to list, sell, purchase, or lease	Article 12, supported by Standard of Practice 12-3	1st Offense - \$250 2nd Offense - \$500 3rd Offense - \$750	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Advertising property for sale/lease without authority of owner or listing broker	Article 12, supported by Standard of Practice 12-4	1st Offense - \$500 2nd Offense - \$750 3rd Offense - \$1,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Failing to disclose name of firm in advertisement for listed property	Article 12, supported by Standard of Practice 12-5		*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course

Failing to disclose status as both owner/landlord and REALTOR® or licensee when advertising property in which REALTOR® has ownership interest	Article 12, supported by Standard of Practice 12-6	1 st Offense - \$500 2 nd Offense - \$750 3 rd Offense - \$1,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Falsely claiming to have “sold” property	Article 12, supported by Standard of Practice 12-7	1 st Offense - \$250 2 nd Offense - \$500 3 rd Offense - \$750	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Failure to take corrective action when it becomes apparent that information on a REALTOR®’s website is no longer current or accurate	Article 12, supported by second sentence of Standard of Practice 12-8	1 st Offense - \$250 2 nd Offense - \$500 3 rd Offense - \$750	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Failure to disclose firm name and state of licensure on REALTOR® firm website	Article 12, supported by Standard of Practice 12-9	1 st Offense - \$250 2 nd Offense - \$500 3 rd Offense - \$750	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Misleading consumers through deceptive framing, manipulating content, deceptively diverting internet traffic, presenting other’s content without attribution or permission, or using misleading images	Article 12, supported by Standard of Practice 12-10	1 st Offense - \$500 2 nd Offense - \$750 3 rd Offense - \$1,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Registering or using of deceptive URL or domain name	Article 12, supported by Standard of Practice 12-12	1 st Offense - \$500 2 nd Offense - \$750 3 rd Offense - \$1,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Representing that the REALTOR® has a designation, certification, or other credential they are not entitled to use	Article 12, supported by Standard of Practice 12-13	1 st Offense - \$500 2 nd Offense - \$750 3 rd Offense - \$1,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Article 14			
Failing to cooperate in a professional standards proceeding or investigation in circumstances when cooperation has been demanded by the association and association has advised REALTOR® failure to cooperate	Article 14	1 st Offense - \$500 2 nd Offense - \$750 3 rd Offense - \$1,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course

could result in an allegation of a violation of Article 14			
Article 16			
Conditioning submission of a buyer's offer on additional compensation from a listing broker	Article 16, supported by Standard of Practice 16-16	1st Offense - \$500 2nd Offense - \$750 3rd Offense - \$1,000	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course
Placing for sale/lease sign on property without permission of seller/landlord	Article 16, supported by Standard of Practice 16-19	1st Offense - \$250 2nd Offense - \$500 3rd Offense - \$750	*Optional NAR Online Ethics Course NAR Online Ethics Course NAR Online Ethics Course

* For first offenses, if an individual successfully completes the NAR Online Ethics Course within the required timeframe the citation fee will be reduced by 50 percent.