



General Information Regarding Ethics Complaint

1. Any person having reason to believe that a MAAR member is guilty of any conduct subject to disciplinary action, may file a complaint in writing with the Association. The complaint should state the facts on which it is based and 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.
2. Complaints must be typewritten (i.e., typewriter, computer, word processor) or in legible handwriting.
3. Complaints must name the individual(s) that are believed to have acted in an unethical manner and must cite the Article(s) alleged to have been violated. In addition to the Article(s), a Standard(s) of Practice may be cited in support of the Article(s) alleged to have been violated. **Each Article should be cited separately**, along with a narrative to support the allegation. In completing the complaint form, please refer to the REALTOR® Code of Ethics (enclosed).
4. MAAR does not have authority to suspend or revoke a real estate license. Only the Tennessee Real Estate Commission has such authority.
5. MAAR does not have jurisdiction over licensees who are not members of the Association, and, therefore, cannot take disciplinary action against non-members. However, MAAR does have jurisdiction over a REALTOR® who employs or with whom a non-member is affiliated, for any act of any non-member who is employed or affiliated with a REALTOR®, and who provide real estate-related services within the scope of their or another's license. Lack of knowledge by the REALTOR® of such person's conduct shall go only to mitigation of discipline imposed.
6. MAAR does not have the authority to award damages, refund earnest money, or "try" a member as to any alleged violation of the state real estate license law or any other alleged violation of law.
7. MAAR does have the authority to discipline a member who has been found in violation of the REALTOR® Code of Ethics. Violations may result in a member's receiving a Letter of Warning or Reprimand; being fined up to \$15,000 (payable to the Association); being required to complete educational courses; being placed on probation of membership; or, in severe cases, being suspended or expelled from membership in the Association.
8. If the member is involved in civil litigation or in any proceeding before the Tennessee Real Estate Commission or any other state or federal regulatory or administrative agency in a matter arising out of the same facts and circumstances giving rise to the complaint alleging unethical conduct, the Association, at its discretion, will determine whether to proceed to a hearing or hold the complaint in abeyance pending conclusion of the civil litigation or other proceeding. If the other proceeding is criminal litigation, the Association must hold the complaint in abeyance pending conclusion of the criminal litigation.
9. The Grievance Committee, which meets monthly to review complaints/responses may ask for additional information from the Complainant, dismiss the complaint, or forward the complaint to a hearing before the Professional Standards Committee. If the matter is forwarded for a hearing, both Complainant and Respondent will be asked to appear at the hearing.

Questions? Contact [Ken Scroggs](#), 901.818.2423.



Ethics Complaint Form

To the Grievance Committee of the Memphis Area Association of REALTORS®:

Complainant(s)

Respondent(s)

Name of Person(s) Filing Complaint

Name of MAAR Member/MLS Subscriber

Address

Firm Name

City/State/Zip

Phone

By filing this complaint, I (we) allege the above-named Respondent has violated the REALTOR® Code of Ethics or other membership duty as set forth in the Bylaws of the Memphis Area Association of REALTORS®. *NOTE: Give a complete statement of the facts, specifying only one Article per narrative, with documentation supporting your allegations. Use additional sheets if necessary.*

I (we) allege violation of Article _____ of the REALTOR® Code of Ethics.

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