

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 Board to provide one to each Respondent plus one copy for the Board's records. Any reply must be typewritten and submitted with a sufficient number of copies to enable the Board to provide one to each Complainant plus one copy for the Board's records. Additional copies of the complaint and reply should be furnished by the Complainant and Respondent as requested by the Secretary. If the Complainant is a member of the public, extra copies of the complaint should not be requested.
- (2) Complaints must include a narrative including the date of the closing or the date the lease was executed (arbitration) or date of alleged unethical behavior (ethics). In addition, supply all documents and evidence that support your request for arbitration or ethics complaint.
- (3) Complaints will be referred to the Board Secretary (or Executive Officer); and 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 Board 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.
- (4) If there is to be a hearing, Respondent will have 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 Board President, and the Professional Standards Committee Chairmen. 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.
- (5) If not 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 Board President, and Professional Standards Committee Chairman will be advised that no reply has been filed.
- (6) All parties may be represented by legal counsel provided that notice of intention to be represented is transmitted to all other parties and to the Hearing Panel at least fifteen (15) days prior to the hearing. Failure to provide timely notice may result in a continuance of the hearing.
- (7) It is the responsibility of each party to arrange for their witnesses to be present at the hearing.
- (8) 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 either Complainant or Respondent.
 - (b) Is an employer, partner, or employee, or in any way associated in business with either 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 that may prevent him from rendering an impartial decision.
- (9) The parties shall not discuss the case with any member of the Hearing Panel or the Board of Directors at any time prior to announcement of a decision in the case.
- (10) Both parties should be present in person at the hearing.

