**Background Information**

Article 10 of the Code of Ethics reads as follows:

*REALTORS® shall not deny equal professional services to any person for reasons of race, color, religion, sex, disability, familial status, national origin, sexual orientation, or gender identity. REALTORS® shall not be parties to any plan or agreement to discriminate against a person or persons on the basis of race, color, religion, sex, disability, familial status, national origin, sexual orientation, or gender identity. (Amended 1/23)*

*REALTORS®, in their real estate employment practices, shall not discriminate against any person or persons on the basis of race, color, religion, sex, disability, familial status, national origin, sexual orientation, or gender identity. (Amended 1/23)*

Standard of Practice 10-5 effective January 1, 2025 reads as follows:

*REALTORS® must not use harassing speech, hate speech, epithets, or slurs based on race, color, religion, sex, disability, familial status, national origin, sexual orientation, or gender identity. (Adopted and effective November 13, 2020, Amended 1/23)*

PS Policy Statement 29 as of January 1, 2025 reads as follows:

*A REALTOR® shall be subject to disciplinary action under the Code of Ethics with respect to all of their activities. (Revised and effective November 13, 2020)*

At their November 2020 meeting, the Board of Directors approved amendments to Standard of Practice 10-5 prohibiting REALTORS® from using harassing speech, hate speech, epithets, or slurs and amendments to Professional Standards Policy Statement 29 that made the Code of Ethics applicable to all of a REALTOR®’s activities.

At a series of Spring 2025 meetings, the Professional Standards Interpretations and Procedures Advisory Board, in collaboration with counsel, carefully considered amendments to Standard of Practice 10-5 and Professional Standards Policy Statement 29. The changes that became effective June 5, 2025 create a more specific definition of “harassment,” aligning with the definition in the NAR Member Code of Conduct, and focus Article 10’s application, along with the entire Code of Ethics, on instances in which REALTORS® are operating in their professional capacity. These amendments are intended to reduce risk to state and local associations and their volunteer leadership who administer and enforce Article 10 while preserving and re-enforcing the obligations of Standard of Practice 10-5. Additionally, the proposed changes provide clarity to members so that they can better understand and comply with Article 10.

**Final Versions Approved and Effective June 5, 2025 for Standard of Practice 10-5 and PS Policy Statement #29**

1. Standard of Practice 10-5 (SOP 10-5), (underscoring indicates additions, strikeouts indicate deletions):

*REALTORS®, in their capacity as real estate professionals, in association with their real estate businesses, or in their real estate-related activities, ~~must~~ shall not ~~use harassing speech, hate speech, epithets, or slurs~~ harass any person or persons based on race, color, religion, sex, disability, familial status, national origin, sexual orientation, or gender identity.*

*As used in this Code of Ethics, harassment is unwelcome behavior directed at an individual or group based on one or more of the above protected characteristics where the purpose or effect of the behavior is to create a hostile, abusive, or intimidating environment which adversely affects their ability to access equal professional services or employment opportunity.*

1. PS Policy Statement 29, (underscoring indicates additions, strikeouts indicate deletions):

*29. Applicability of the Code of Ethics*

While REALTORS® are encouraged to follow the principles of the Code of Ethics in all of their activities, ~~A~~a REALTOR® shall be subject to disciplinary action under the Code of Ethics only with respect to ~~all of their~~ their capacity as real estate professionals, in association with their real estate businesses, or in their real estate-related activities.

**Important Notes Regarding Enforcement:**

One of the goals of the amendments is to create additional clarity for state and local associations as they continue to enforce the Code of Ethics. In that spirit:

* The changes do not override prior enforcement actions that were reviewed and rendered prior to June 5.
* For ongoing cases related to SOP 10-5 on which a decision has not yet been rendered, state and local associations are to use discretion when deciding to apply the amended language—or not—based on the individual circumstances of the case. For instance, a case that concluded the grievance process using the original SOP 10-5 and policy statement language prior to June 5th should continue using them to address the Article 10 complaint. A case that arose prior to June 5th but the review and grievance process occurred after June 5th will apply the newly amended language to the Article 10 complaint. To help clarify by way of example, an association could use discretion in an instance where the Grievance Committee dismissed an ethics complaint prior to June 5 but an appeal of that dismissal wasn’t determined by the Directors until after June 5.

NAR is available to provide additional information and assistance related to individual cases as needed. Should you have questions or a specific case you would like to discuss, please reach out to Dan Doepke at [narpolicyquestions@nar.realtor](mailto:narpolicyquestions@nar.realtor).

Created 6/12/2025 dmn; Revised 6/24 dmn