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Board or State Association

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Address

City

State

Zip

**Notice to Respondent (Ethics) and  
Optional Waiver of Right to Hearing**

In the case of \_\_\_\_\_ vs. \_\_\_\_\_  
Complainant Respondent

To \_\_\_\_\_, Respondent:

Attached is a copy of a complaint which names you as Respondent, as filed with this Board and referred to the Grievance Committee for review as a matter of an alleged violation of Article(s) \_\_\_\_\_ of the Code of Ethics or other conduct subject to disciplinary action.

You have a right to a hearing on this matter as provided in the *Code of Ethics and Arbitration Manual*, if you desire.

You may, if certain conditions are met, waive your right to a hearing. If you wish to waive your right to a hearing, please complete and sign the reverse side of this form. If you do not acknowledge the conduct alleged in the complaint and do not waive the right to a hearing within ten (10) days of transmittal of the complaint, you will have the opportunity to reply to the complaint and a hearing will be scheduled in accordance with the *Code of Ethics and Arbitration Manual*.

Respectfully submitted,

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Type/Print

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Signature

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\_\_\_\_\_, Professional Standards Administrator

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Board or State Association

Dated: \_\_\_\_\_, 20\_\_\_\_

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### Waiver of Right to a Hearing

If you wish to waive your right to a hearing, you must affirm as follows:

yes \_\_\_\_\_ (1) I have not been found in violation of the Code of Ethics by any Board or Association of Realtors® in the preceding three (3) years.

Boards or Associations of REALTORS® where I hold or have held membership in the preceding three (3) years:

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yes \_\_\_\_\_ (2) I acknowledge the conduct alleged in the complaint and understand that any response provided cannot contest the facts stated in the complaint but may offer information in mitigation of any discipline that might be imposed.

yes \_\_\_\_\_ (3) I agree to accept discipline which may include only one or more of the following: a letter of warning or reprimand, mandatory attendance at a relevant educational program, suspension for thirty (30) days, or a fine not in excess of \$15,000, should a violation of the Code of Ethics ultimately be determined. I acknowledge that I may also be placed on probation.\*

yes \_\_\_\_\_ (4) I waive the right to a hearing.

### If You Request A Waiver of a Hearing

Your response to question 1 will be verified by the Professional Standards Administrator. If no violation has been found in the last three (3) years, and you answer the above questions in the affirmative, the complaint will be referred to a professional standards Hearing Panel. The panel will meet in executive session; neither the complainant nor the respondent will be present. The panel will determine whether the allegations, as acknowledged by the respondent, support a violation of one or more Articles of the Code of Ethics. The panel will prepare a written decision including findings of fact, conclusions, and a recommendation for discipline if a violation is found.

The decision of the panel will be filed with the Professional Standards Administrator of the Board and disseminated as provided in the *Code of Ethics and Arbitration Manual*. Any appeal of the decision will be in accordance with the *Code of Ethics and Arbitration Manual*.

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\_\_\_\_\_, 20\_\_\_\_\_  
Signature of Respondent Date

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\* In addition to imposing discipline, the Hearing Panel can also recommend to the Board of Directors that the disciplined member be put on probation. Probation is not a form of discipline. When a member is put on probation the discipline recommended by the Hearing Panel is held in abeyance for a stipulated period of time not longer than one (1) year. Any violation of the Code of Ethics which occurs during the probationary period may, at the discretion of the Board of Directors, result in the imposition of the suspended discipline. Absent any violation during the probationary period, both the probationary status and the suspended discipline are considered fulfilled, and the member's record will reflect the fulfillment. The fact that one or more forms of discipline will be held in abeyance during the probationary period does not bar imposition of other forms of discipline which will not be held in abeyance.

(Revised 11/23)