GRIEVANCE COMMITTEE CHECKLIST

_____ Association of REALTORS®

Case No. _____

_____ vs._____
Complainant(s) Respondent(s)

_____ vs._____
Complainant(s) Respondent(s)

This checklist is designed to assist the Grievance Committee when reviewing disciplinary complaints filed with the Association. While this checklist covers many issues that commonly arise when reviewing complaints, it is not meant to be exhaustive of all the factors the Grievance Committee may need to consider when reviewing a complaint. Before any Grievance Committee member participates in the review of a complaint, the Chairperson should make sure that each member is qualified to participate in the review and that each member signs Form D-7, which certifies that there is no reason for his or her disqualification.

Note: The function of the Grievance Committee is to make a preliminary review and evaluation of the complaint to determine whether the complaint warrants a hearing for further consideration by the Professional Standards Committee. The Grievance Committee does not conduct outside investigations or hearings nor does it determine guilt or innocence. Instead, the Grievance Committee assumes the facts stated are true and screens out any complaints that are frivolous or that otherwise fail to support an alleged violation of an association and/or MLS duty.

Check List of Major Considerations

- ☐ Are the persons named in the complaint members of the Association and/or participants/subscribers of the Association's MLS? The Association does not have jurisdiction to process complaints against nonmembers.
- ☐ Is the complaint in proper form? Is it submitted on Form D-1? Does it include an exhibit which describes in sufficient detail the conduct that occurred and how that conduct violated the cited association and/or MLS duties? If not, the complaint should be returned to the complainant(s) with directions to resubmit it accordingly.
- ☐ Assuming the facts alleged are true, does the conduct violate the Code of Ethics, MLS rule(s), and or membership duties cited by the complainant? If not, the complaint should be dismissed. If so, the complaint should be forwarded for hearing before the Professional Standards Committee.
- ☐ Should any Articles, MLS rules, or membership duties be DELETED?
- ☐ Should any Articles, MLS rules, or membership duties be ADDED?
- ☐ Should additional respondents be named? Should the designated REALTOR® or the MLS participant be named, if not already? Note: If the Grievance Committee adds additional respondents and the complainant does not agree the Grievance Committee will have to join as a co-complainant and proceed against such respondents.
- ☐ Should any respondents be dismissed from the complaint?
- ☐ Are there any other complaints involving the same set of facts and circumstances with the Association? If so, should this complaint be combined with the other complaints?
- ☐ Does this complaint qualify for a Citation?

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