

**THE
SCIOTO VALLEY ASSOCIATION
OF REALTORS®**

BYLAWS



Amended February 14, 2014



Association Bylaws

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**Bylaws of the
Scioto Valley Association of REALTORS®, Inc.
Amended February 14, 2014**

ARTICLE I - NAME

Section 1. Name.

The name of this organization shall be the Scioto Valley Association of REALTORS®, Incorporated, hereinafter referred to as the “Association”. (Amended - 9/05)

Section 2. REALTORS®.

Inclusion and retention of the Registered Collective Membership Mark REALTORS® in the name of the Association shall be governed by the Constitution and Bylaws of the National Association of REALTORS® as from time to time amended. (Amended 9/05)

ARTICLE II – OBJECTIVE

The objectives of the Association are:

Section 1.

To unite those engaged in the recognized branches of the real estate profession for the purpose of exerting a beneficial influence upon the profession and related interests.

Section 2.

To promote and maintain high standards of conduct in the real estate profession as expressed in the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®.

Section 3.

To provide a unified medium for real estate owners and those engaged in the real estate profession whereby their interests may be safeguarded and advanced. (Amended 7/07)

Section 4.

To further the interests of home and other real property ownership.

Section 5.

To unite those engaged in the real estate profession in this community with the Ohio Association of REALTORS® and the NATIONAL ASSOCIATION OF REALTORS®, thereby furthering their own objectives throughout the state and nation, and obtaining the benefits and privileges of membership therein.

Section 6.

To designate, for the benefit of the public, individuals authorized to use the terms REALTOR® and REALTORS® as licensed, prescribed, and controlled by the NATIONAL ASSOCIATION OF REALTORS®.

ARTICLE III - JURISDICTION

Section 1.

The territorial jurisdiction of the Association as a Member of the National Association of REALTORS® is: All within the counties of Jackson, Pike, Ross and Vinton in Ohio. (Restored 11/07)

Section 2.

Territorial jurisdiction is defined to mean:

(a) The right and duty to control the use of the terms REALTOR® and REALTORS®, subject to the conditions set forth in these Bylaws and those of the NATIONAL ASSOCIATION OF REALTORS®, in return for which the Association agrees to protect and safeguard the property rights of the National Association in the terms.

ARTICLE IV - MEMBERSHIP

Section 1.

There shall be six classes of members as follows: (a) REALTOR® Members. REALTOR® Members, whether primary or secondary, shall be:

(1) Individuals who, as sole proprietors, partners, corporate officers, or branch office managers, are engaged actively in the real estate profession, including buying, selling, exchanging, renting or leasing, managing, appraising for others for compensation, counseling, building, developing or subdividing real estate, and who maintain or are associated with an established real estate office in the state of Ohio or a state contiguous thereto. All persons who are partners in a partnership, or all officers in a corporation who are actively engaged in the real estate profession within the state or a state contiguous thereto shall qualify for REALTOR® Membership only, and each is required to hold REALTOR® Membership (except as provided in the following paragraph) in a Association of REALTORS® within the state or a state contiguous thereto unless otherwise qualified for Institute Affiliate Membership as described in Section 1(b) of Article IV. (NAR mandated)

In the case of a real estate firm, partnership, or corporation, whose business activity is substantially all commercial, only those principals actively engaged in the real estate business in connection with the same office, or any other offices within the jurisdiction of the board in which one of the firm's principals holds REALTOR® membership, shall be required to hold REALTOR® membership unless otherwise qualified for Institute Affiliate Membership as described in Section 1(b) of Article IV. (NAR Mandate) (Amended 1/05)

NOTE: REALTOR® Members may obtain membership in a "secondary" Association in another state.

(2) Individuals who are engaged in the real estate profession other than as sole proprietors, partners, corporate officers, or branch office managers and are associated with a REALTOR® Member and meet the qualifications set out in Article V.

(3) Franchise REALTOR® Membership. Corporate officers (who may be licensed or unlicensed) of a real estate brokerage franchise organization with at least one hundred fifty (150) franchisees located

with the United States, its insular possessions and the commonwealth of Puerto Rico, elected to membership pursuant to the provisions in the NAR Constitution and Bylaws. Such individuals shall enjoy all of the rights, privileges and obligations of REALTOR® membership (including compliance with the Code of Ethics) except: obligations related to board mandated education, meeting attendance, or indoctrination classes or other similar requirements; the right to use the term REALTOR® in connection with their franchise organization's name; and the right to hold elective office in the local association, state association and National Association. (Adopted 1/96)

(4) Primary and secondary REALTOR® Members. An individual is a primary member if the Association pays state and National dues based on such Member. An individual is a secondary Member if state and National dues remitted through another Association. One of the principals in a real estate firm must be a Designated REALTOR® member of the Association in order for licensees affiliated with the firm to select the Association as their "primary" Association.

(5) Designated REALTOR® Members. Each firm (or office in the case of firms with multiple office locations) shall designate in writing one REALTOR® Member who shall be responsible for all duties and obligations of Membership including the obligation to arbitrate pursuant to article 17 of the Code of Ethics and the payment of Association dues as established in Article X of the Bylaws. The "Designated REALTOR®" must be a sole proprietor, partner, corporate officer, or branch office manager acting on behalf of the firm's principal(s) and must meet all other qualifications for REALTOR® Membership established in Article V, Section 2, of the Bylaws. (Amended 11/11)

(b) Institute Affiliate Members. Institute Affiliate Members shall be individuals who hold a professional designation awarded by an Institute, Society, or Council affiliated with the NATIONAL ASSOCIATION OF REALTORS® that addresses a specialty area other than residential brokerage or individuals who otherwise hold a class of membership in such Institute, Society or Council that confers the right to hold office. Any such individual, if otherwise eligible, may elect to hold REALTOR® membership, subject to payment of applicable dues for such membership. (Amended 1/02)

(c) Affiliate Members. Affiliate Members shall be real estate owners and other individuals or firms who, while not engaged in the real estate profession as defined in paragraphs (a) or (b) of this Section, have interests requiring information concerning real estate, and are in sympathy with the objectives of the Association.

Affiliate Membership shall also be granted to individuals licensed or certified to engage in real estate practice who, if otherwise eligible, do not elect to hold REALTOR® membership in the Association, provided the applicant is engaged exclusively in a specialty of the real estate business other than brokerage of real property.

(d) Public Service Members. Public Service Members shall be individuals who are interested in the real estate profession as employees of or affiliated with educational, public utility, governmental or other similar organizations, but are not engaged in the real estate profession on their own account or in association with an established real estate business.

(e) Honorary Members. Honorary Members shall be individuals not engaged in the real estate profession who have performed notable service for the real estate profession, for the Association, or for the public.

(f) Student Members. Student Members shall be individuals who are seeking an undergraduate or graduate degree with a specialization or major in real estate at institutions of higher learning, and who have completed at least two years of college and at least one college level course in real estate, but are not engaged in the real estate profession on their own account or not associated with an established real estate office.

ARTICLE V - QUALIFICATION & ELECTION

Section 1. Application

(a) An application for membership shall be made in such manner and form as may be prescribed by the Board of Directors and made available to anyone requesting it. The application form shall contain among the statements to be signed by the applicant (1) that the applicant agrees that as a condition to membership to thoroughly familiarize himself/herself with the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®, the Constitutions, Bylaws, and Rules and Regulations of the Association, the State and National Associations, and if elected a member, will abide by the Constitutions and Bylaws and Rules and Regulations of the Association, State and National Associations, and if a REALTOR® Member, will abide by the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS® including the obligation to arbitrate (or to mediate if required by the association) controversies arising out of real estate transactions as specified by Article 17 of the Code of Ethics, as a further specified in the Code of Ethics and Arbitration Manual of the NATIONAL ASSOCIATION OF REALTORS®, as from time to time amended, and (2) that applicant consents that the association, through its membership committee or otherwise, may invite and receive information and comment about applicant from any member or other persons, and that applicant agrees that any information and comment furnished to the association by any person in response to the invitation shall be conclusively deemed to be privileged and not form the basis of any action for slander, libel or defamation of character. The applicant shall, with the form of application, have access to a copy of the Bylaws, Constitution, Rules & Regulations, and Code of Ethics referred to above. (Amended 11/11)

Section 2. Qualification.

(a) An applicant for REALTOR® Membership who is a sole proprietor, partner, corporate officer, or branch office manager of a real estate firm shall supply evidence satisfactory to the Association through its Board of Directors or otherwise that he is actively engaged in the real estate profession, and maintains a current, valid real estate broker's or salesperson's license or is licensed or certified by an appropriate state regulatory agency to engage in the appraisal of real property, has a place of business within the state or a state contiguous thereto (unless a secondary member), has no record of recent or pending bankruptcy*, has no record of official sanctions involving unprofessional conduct**, agrees to complete a course of instruction covering the Bylaws and Rules & Regulations of the Association, the Bylaws of the State Association, and the Constitution and Bylaws and Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®, and shall pass such reasonable and non-discriminatory written examination thereon as may be required by the Committee, and shall agree that if elected to membership, he will abide by such Constitution, Bylaws, and Rules & Regulations, and Code of Ethics. (Revised 11/07)

(b) Individuals who are actively engaged in the real estate profession other than as sole proprietors, partners, corporate officers, or branch office managers in order to qualify for REALTOR® Membership,

shall at the time of application, be associated either as an employee or as an independent contractor with a Designated REALTOR® member of the Association or a Designated REALTOR® member of another Board (Association) (if a secondary member) and must maintain a current, valid real estate broker's or salesperson's license or be licensed or certified by an appropriate state regulatory agency to engage in the appraisal of real property, no record of official sanctions involving unprofessional conduct*, shall complete a course of instruction covering the Bylaws and Rules and Regulations of the Association, the Bylaws of the State Association, and the Constitution and Bylaws and Code of Ethics of the National Association of REALTORS®, and shall pass such reasonable and nondiscriminatory written examinations thereon as may be required by the Board of Directors and shall agree in writing that if elected to membership he will abide by such Constitution, Bylaws, Rules and Regulations, and the Code of Ethics. (NAR mandate 5/07)

*No recent or pending bankruptcy is intended to mean that the applicant or any real estate firm in which the applicant is a sole proprietor, general partner, corporate officer, or branch office manager, is not involved in any pending bankruptcy or insolvency proceedings or, has not been adjudged bankrupt in the past three (3) years. If a bankruptcy proceeding as described above exists, membership may not be rejected unless the Association established that its interest and those of its members and the public could not be adequately protected by requiring that the bankrupt applicant pay cash in advance for Association and MLS fees for up to one (1) year from the date that membership is approved or from the date the applicant is discharged from bankruptcy (whichever is later). In the event that an existing member initiates bankruptcy proceedings, the member may be placed on a "cash basis" from the date that bankruptcy is initiated until one (1) year from the date that the member has been discharged from bankruptcy.

*No record of official sanctions involving unprofessional conduct is intended to mean that the Association may only consider A) judgments against the applicant within the past three (3) years of violations of (1) civil rights laws; (2) real estate license laws; (3) or other laws prohibiting unprofessional conduct against the applicant rendered by the courts of other lawful authorities. B) criminal convictions if (1) the crime was punishable by death or imprisonment in excess of one year under the law under which the applicant was convicted, and (2) no more than ten years have elapsed since the date of the conviction for the release of the applicant from the confinement imposed for that conviction, whichever is the later date. (NAR mandate)

(c) The Association will also consider the following in determining an applicant's qualification for REALTOR® membership:

1. All final findings of Code of Ethics violation and violations of other membership duties in any other association within the past three (3) years.
2. Pending ethics complaints (or hearings).
3. Unsatisfied discipline pending.
4. Pending arbitration requests (or hearings).
5. Unpaid arbitration awards or unpaid financial obligations to any other association or association MLS.
6. Any misuse of the term REALTOR® or REALTORS® in the name of the applicant's firm.
(NAR mandate)

“Provisional” membership may be granted in instances where ethics complaints or arbitration requests (or hearings) are pending in other associations or where the applicant for membership has unsatisfied discipline pending in another association (except for violations of the Code of Ethics; See Article V, Section 2(a) NOTE 2) provided all other qualifications for membership have been satisfied. Associations may reconsider the membership status of such individuals when all pending ethics and arbitration matters (and related discipline) have been resolved or if such matters are not resolved within six (6) months from the date that provisional membership is approved. Provisional members shall be considered REALTORS® and shall be subject to all of the same privileges and obligations of REALTOR® membership. If a member resigns from another association with an ethics complaint or arbitration request pending, the association may condition membership on the applicant’s certification that he/she will submit to the pending ethics or arbitration proceeding (in accordance with the established procedures of the association to which the applicant has made application) and will abide by the decision of the hearing panel. (NAR Amended 11/11)

Section 3. Election.

The procedure for election to membership shall be as follows:

(a) Applicants for REALTOR® membership shall be granted provisional membership immediately upon submission of a completed application form and remittance of applicable association dues and any application fee. Provisional members shall be considered REALTORS® and shall be subject to all of the same privileges and obligations of membership. The Board of Directors grants provisional membership subject to subsequent review of the application and completion of all qualifications and requirements. If the Board of Directors determines that the individual does not meet all of the qualifications for membership as established in the association’s bylaws, or, if the individual does not satisfy all of the requirements of membership (for example, completion of a mandatory orientation program) within 180 days from the association’s receipt of their application, membership may, at the discretion of the Board of Directors, be terminated. (Revised 11/07)

(b) Dues shall be computed from the date of application and shall be non-refundable unless the association’s Board of Directors terminates the individual’s membership in accordance with the subsection (a) above. In such instances, dues shall be returned to the individual less a prorated amount to cover the number of days that the individual received association services and any application fee.

(c) The Board of Directors may not terminate any provisional membership without providing the provisional member with advance notice, an opportunity to appear before the Board of Directors, to call witnesses on his behalf, to be represented by counsel, and to make such statements as he deems relevant. The Board of Directors may also have counsel present. The Board of Directors shall require that written minutes be made of any hearing before it, or may electronically or mechanically record the proceedings. (Revised 11/07)

(d) If the Board of Directors determines that provisional membership should be terminated, it shall record its reasons with the Executive Officer. If the Board of Directors believes that termination of provisional membership may become the basis of litigation and a claim of damage by a provisional member, it may specify that termination shall become effective upon entry in a suit by the Association for a declaratory judgment by a court of competent jurisdiction of a final judgment declaring that the termination violates no rights of the individual. (Amended 1/05)

Section 4. New Member Code of Ethics Orientation.

Applicants for REALTOR® membership shall complete a Scioto Valley Association of REALTORS® New Member Orientation that includes the Code of Ethics of not less than two hours and thirty minutes of instructional time. This requirement does not apply to applicants for REALTOR® membership who have completed comparable orientation in another association, provided that REALTOR® membership has been continuous, or that any break in membership is for one year or less. (Revised 11/07)

Section 4.1: Any REALTOR whose license has been inactive with the state of Ohio for one (1) year or more is required to take a Scioto Valley Association of REALTORS® New Member Orientation class. (Revised 11/07)

Section 4.2: Failure to satisfy this requirement within 180 days of the date of application will result in denial of the membership application and termination of the provisional membership. (Revised 11/07)

NOTE: Orientation programs must meet the learning objectives and minimum criteria established from time to time by the NATIONAL ASSOCIATION OF REALTORS®. (Adopted 1/01)

Section 5. Continuing Member Code of Ethics.

Effective January 1, 2001, through December 31, 2004, and for successive four year periods thereafter, each REALTOR® member of the Association shall be required to complete quadrennial ethics training of not less than two hours and thirty minutes of instructional time. This requirement will be satisfied upon presentation of documentation that the member has completed a course of instruction conducted by this or another association, the State Association of REALTORS®, the NATIONAL ASSOCIATION OF REALTORS®, or any other recognized educational institution or provider which meets the learning objectives and minimum criteria established by the NATIONAL ASSOCIATION OF REALTORS® from time to time. REALTOR® members who have completed training as a requirement of membership in another association and REALTOR® members who have completed the New Member Code of Ethics Orientation during any four-year cycle shall not be required to complete additional ethics training until a new four-year cycle commences.

Failure to satisfy this requirement shall be considered a violation of a membership duty for which REALTOR® membership shall be suspended until such time as the training is completed. (Adopted 1/01)

Members suspended for failing to meet the requirement for the first four (4)-year cycle (2001 through 2004) will have until December 31, 2005 to meet the requirement. Failure to meet the requirement by that time will result in automatic termination of membership.

Failure to meet the requirement for the second (2005 through 2008) cycle and subsequent four (4)-year cycles will result in suspension of membership for the first two months (January and February) of the year following the end of any four (4)-year cycle or until the requirement is met, whichever occurs sooner. On March 1 of that year, the membership of a member who is still suspended as of that date will be automatically terminated. (Amended 11/08)

Section 6. Status Changes.

(a) Any REALTOR® who changes the conditions under which he holds membership shall be required

to provide written notification to the Association within three (3) days. A REALTOR® (Non-principal) who becomes a principal in the firm with which he has been licensed or, alternatively, becomes a principal in a new firm which will be comprised of REALTOR® principals may be required to satisfy any previously unsatisfied membership requirements applicable to REALTOR® (principal).

If the REALTOR® (non-principal) does not satisfy the requirements established in these Bylaws for the category of membership to which they have transferred within thirty (30) days of the date they advised the Association of their change of status, their new membership application would terminate automatically unless otherwise so directed by the Board of Directors.

Transferring. A REALTOR® who is transferring their license from one firm comprised of REALTOR® principals to another firm comprised of REALTOR® principals shall be subject to all of the privileges and obligations of membership during the period of transition. If the transfer is not completed within thirty (30) days of the date the association is advised of the disaffiliation with the current firm, membership will terminate automatically unless otherwise so directed by the Board of Directors. (The Board of Directors, at its discretion, may waive any qualification, which the applicant has already fulfilled in accordance with the Association's Bylaws.)

(b) Any application fee related to a change in membership status shall be reduced by an amount equal to any application fee previously paid by the applicant.

(c) Dues shall be prorated from the first day of the month in which a new member becomes affiliated with a current Scioto Valley Association of REALTORS® broker. Brokerage dues will be prorated from the first day of the month of application with the Scioto Valley Association of REALTORS®. (Revised 11/07)

ARTICLE VI - PRIVILEGES AND OBLIGATIONS

Section 1. The privileges and obligations of Members, in addition to those otherwise provided in these Bylaws, shall be specified in this Article.

Section 2. Reprimanded, fined, probation.

Any Member of the Association may be reprimanded, fined, placed on probation, suspended, or expelled by the Board of Directors for a violation of these Bylaws and Association Rules & Regulations consistent with these Bylaws, after a hearing as provided in the Code of Ethics and Arbitration Manual of the Association. Although Members other than REALTORS® are not subject to the Code of Ethics or its enforcement by the Association, such Members are encouraged to abide by the principles established in the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS® and conduct their business and professional practices accordingly.

Further, Members other than REALTORS® may, upon recommendation of the Membership Committee, or upon recommendation by a hearing panel of the Professional Standards Committee, be subject to discipline as described above, for any conduct, which in the opinion of the Board of Directors, applied on a nondiscriminatory basis, reflects adversely on the terms REALTOR® or REALTORS®, and the real estate industry, or for conduct that is inconsistent with or adverse to the objectives and purposes of the local Association, the State Association, and the NATIONAL ASSOCIATION OF REALTORS®.

Section 3. Violations.

Any REALTOR® Member of the Association may be disciplined by the Board of Directors for violations of the Code of Ethics or other duties of membership, after a hearing as described in the Code of Ethics and Arbitration Manual of the Association, provided that the discipline imposed is consistent with the discipline authorized by the Professional Standards Committee of the NATIONAL ASSOCIATION OF REALTORS® as set forth in the Code of Ethics and Arbitration Manual of the National Association.

Section 4. Resignations of Members.

Resignations of Members shall become effective when received in writing by the Board of Directors, provided, however, that if any Member submitting the resignation is indebted to the Association for dues, fees, fines, or other assessments of the Association or any of its services, departments, divisions, or subsidiaries, the Association may condition the right of the resigning Member to reapply for membership upon payment in full of all such monies owed.

Section 5. Ethics Compliant Pending.

If a Member resigns from the Association or otherwise causes membership to terminate with an ethics complaint pending, that Board of Directors may condition the right of the resigning Member to reapply for membership upon the applicant's certification that he will submit to the pending ethics proceeding and will abide by the decision of the hearing panel. (a) If a member resigns or otherwise causes membership to terminate, the duty to submit to arbitration continues in effect even after membership lapses or is terminated, provided that the dispute arose while the former member was a REALTOR®.

Section 6. REALTOR® Members.

REALTOR® Members, whether primary or secondary, in good standing whose financial obligations to the Association are paid in full shall be entitled to vote and to hold elective office in the Association; may use the terms REALTOR® and REALTORS®, which use shall be subject to the provisions of Article VIII; and have the primary responsibility to safeguard and promote the standards, interests, and welfare of the Association and the real estate profession. (Amended 11/04)

(a) If a REALTOR® Member is a sole proprietor in a firm, a partner in a partnership or an officer in a corporation and is suspended or expelled, the firm, partnership, or corporation shall not use the terms REALTOR® or REALTORS® in connection with its business during the period of suspension, or until readmission to REALTOR® Membership, or unless connection with the firm, partnership, or corporation is severed, whichever may apply.

The membership of all other principals, partners, or corporate officers shall suspend or terminate during the period of suspension of the disciplined Member, or until readmission of the disciplined Member, or unless connection of the disciplined Member with the firm, partnership, or corporation is severed, whichever may apply. Further, the membership of REALTORS® other than principals who are employed by or affiliated as independent contractors with the disciplined Member shall suspend or terminate during the period of suspension of the discipline Member or until re-admission of the disciplined Member or until connection of the disciplined Member with the firm, partnership, or corporation is severed, or unless the REALTOR® Member (non-principal) elects to sever his connection with the REALTOR® and affiliate with another REALTOR® Member in good standing in the

Association, whichever may apply.

If a REALTOR® Member who is other than a principal in a firm, partnership, or corporation is suspended or expelled, the use of the terms REALTOR® or REALTORS® by the firm, partnership, or corporation shall not be affected.

(b) In any action taken against a REALTOR® Member for suspension or expulsion under Section 6(a) hereof, notice of such action shall be given to all REALTORS® employed by or affiliated as independent contractors with such REALTOR® Member and they shall be advised that the provision in Article VI, Section 6(a) shall apply.

Section 7. Institute Affiliate Members.

Institute Affiliate Members shall have rights and privileges and be subject to obligations prescribed by the Board of Directors consistent with the Constitution and Bylaws of the NATIONAL ASSOCIATION OF REALTORS®.

NOTE: The Association establishes the rights and privileges to be conferred on Institute Affiliate Members except that no Institute Affiliate Member may be granted the right to use the term REALTOR® or the REALTOR® logo; to serve as an Officer or Director of the local association; or to be a Participant in the local association's Multiple Listing Service. (Revised 11/07)

Section 8: Affiliate Members.

Affiliate Members shall have the rights and privileges and be subject to obligations prescribed by the Board of Directors.

NOTE: The Association establishes the rights and privileges to be conferred on Affiliate Members except that no Affiliate Member may be granted the right to use the term REALTOR® or the REALTOR® logo; to serve as an Officer or Director of the local association. Only Affiliate Members who are Appraisal Members may be a Participant in the local association's Multiple Listing Service. (Revised 11/07)

Section 9. Public Service Members.

Public Service Members shall have rights and privileges and be subject to obligations prescribed by the Board of Directors.

Section 10. Honorary Members.

Honorary Members shall confer only the right to attend meetings and participate in discussions.

Section 11. Student Members.

Student Members shall have rights and privileges and be subject to obligations prescribed by the Board of Directors.

NOTE: Local associations establish the rights and privileges to be conferred on Public Service Members, Honorary Members and Student Members except that none of these members may be granted the right to use the term REALTOR® or the REALTOR® logo; to serve as Officer or Director of the

local association; or to be a Participant in the local association's Multiple Listing Service. (Revised 11/07)

Section 12. Certification by REALTOR®.

"Designated" REALTOR® Members of the Association shall certify to the Association promptly upon request on a form provided by the Association, a complete listing of all individuals licensed or certified in the REALTORS® office(s) and shall designate a primary board for each individual who holds membership. Designated REALTORS® shall also identify any non-member licensees in the REALTORS® office(s) and if Designated REALTOR® dues have been paid to another Association to which dues have been remitted. These declarations shall be used for purposes of calculation dues under Article X, Section 2(a) of the Bylaws. "Designated" REALTOR® Members shall also notify the Association of any additional individual(s) licensed or certified with the firm(s) within three (3) days of affiliation or severance of the individual. (Revised 11/07)

Section 13. Legal Liability Training.

Within three years of the date of election to membership, and every three years thereafter, each REALTOR® Member of the Association shall be required to demonstrate that they have completed a course of instruction on anti-trust laws, agency laws, civil rights laws and the REALTORS® Code of Ethics, its interpretation and meaning and/or the procedures related to its enforcement. This requirement will be considered satisfied upon presentation of evidence that the member has completed an educational program conducted by another Member Association, the State Association of REALTORS®, the NATIONAL ASSOCIATION OF REALTORS® or any of its affiliated institutes, societies or councils, or any other recognized educational institution which, in the opinion of the Board of Directors, is an adequate substitute for the training programs conducted by the Association. Failure to satisfy this requirement tri-annually will result in membership being suspended from the date it otherwise would be renewed until such time that the member provides evidence of completion of the aforementioned educational requirements.

NOTE: Any education requirement must comply with Interpretation No. 37 of Article 1, Section 2, Bylaws, NATIONAL ASSOCIATION OF REALTORS®.

Section 14. Harassment.

Any member of the Association may be reprimanded, placed on probation, suspended or expelled for harassment of an Association employee or MLS Employee or Association Officer or Director after an investigation in accordance with the procedures of the Association. As used in this Section, harassment means any verbal or physical conduct including threatening or obscene language, unwelcome sexual advances, stalking, actions including strikes, shoves, kicks, or other similar physical contact, or threats to do the same, or any other conduct with the purpose or effect of unreasonably interfering with an individual's work performance by creating a hostile, intimidating or offensive work environment. The decision of the appropriate disciplinary action to be taken shall be made by the investigatory team comprised of the President, President-elect and one member of the Board of Directors selected by the highest ranking officer not named in the complaint, upon consultation with legal counsel for the Association. Disciplinary action may include any sanction authorized in the association's Code of Ethics and Arbitration Manual. If the complaint names the President or President-Elect, they may not participate in the proceedings and shall be replaced by the Immediate Past President or, alternatively, by another member of the Board of Directors selected by the highest ranking officer not named in the

complaint. (Revised, 5/09) (NAR mandated)

NOTE: Suggested procedures for processing complaints of sexual harassment are available online through <http://www.REALTOR.org>, or from the Member Policy Department.

ARTICLE VII - PROFESSIONAL STANDARDS AND ARBITRATION

Section 1.

The responsibility of the Association and of Association members relating to the enforcement of the Code of Ethics, the disciplining of Members, and the arbitration of disputes, and the organization and procedures incident thereto, shall be governed by the Code of Ethics and Arbitration Manual of the NATIONAL ASSOCIATION OF REALTORS®, as amended from time to time, which is by this reference incorporated into these Bylaws, provided, however, that any provision deemed inconsistent with state law shall be deleted or amended to comply with state law.

Section 2.

It shall be the duty and responsibility of every REALTOR® Member of this Association to abide by the Constitution and Bylaws and the Rules and Regulations of the Association, the Constitution and Bylaws of the State Association, the Constitution and Bylaws of the NATIONAL ASSOCIATION OF REALTORS®, and to abide by the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®, including the duty to arbitrate controversies arising out of real estate transactions as specified by Article 17 of the Code of Ethics, and as further defined and in accordance with the procedures set forth in the Code of Ethics and Arbitration Manual of this Association as from time to time amended.

Section 3.

The responsibility of the Association and Association members relating to the enforcement of the Code of Ethics, the disciplining of members, the arbitration of disputes, and the organization and procedures incident thereto, shall be consistent with the cooperative professional standards enforcement agreement entered into by the Association, which by this reference is made a part of these Bylaws.

Section 4.

The Board of Directors is hereby authorized to establish with one or more other REALTOR® associations a cooperative agreement such as may be necessary to fulfill this association's responsibilities as a member board of the National Association of REALTORS® for enforcement of the Code of Ethics and the provision of arbitration and mediation services to members. Further, the Board of Directors shall ensure that appropriate policy is approved and competent administrative support is provided to fully implement and sustain such joint arrangement. (Restored 11-07)

ARTICLE VIII - USE OF THE TERMS REALTOR® AND REALTORS®

Section 1.

Use of the terms REALTOR® and REALTORS® by Members shall, at all times, be subject to the provisions of the Constitution and Bylaws of the NATIONAL ASSOCIATION OF REALTORS® and to the Rules and Regulations prescribed by its Board of Directors. The Board of Directors shall have

authority to control, jointly and in full cooperation with the NATIONAL ASSOCIATION OF REALTORS®, use of the terms within its jurisdiction. Any misuse of the terms by members is a violation of a membership duty and may subject members to disciplinary action by the Board of Directors after a hearing as provided for in the association's Code of Ethics and Arbitration Manual. (Amended 5/06, NAR mandate)

Section 2.

REALTOR® Members of the Association shall have the privilege of using the terms REALTOR® and REALTORS® in connection with their places of business within the state or a state contiguous thereto so long as they remain REALTOR® Members in good standing. No other class of Members shall have this privilege. (Amended 1/96)

Section 3.

A REALTOR® Member who is a principal of a real estate firm, partnership, or corporation may use the terms REALTOR® and REALTORS® only if all the principals of such firm, partnership, or corporation who are actively engaged in the real estate profession within the state or state contiguous thereto are REALTOR® Members of the Association or Institute Affiliate Members as described in Section 1(b) of Article IV.

(a) In the case of a REALTOR® Member who is a principal of a real estate firm, partnership, or corporation whose business activity is substantially all commercial, the right to use the term REALTOR® or REALTORS® shall be limited to office locations in which a principal, partner, corporate officer, or branch manager of the firm, partnership, or corporation holds REALTOR® membership. If a firm, partnership, or corporation operates additional places of business in which no principal, partner, corporate officer, or branch officer or branch office manager holds REALTOR® membership, the term REALTOR® or REALTORS® may not be used in any reference to those additional places of business. (Restored 11/07, NAR mandate)

Section 4.

Institute Affiliate Members shall not use the terms REALTOR® or REALTORS®, or the imprint of the emblem seal of the NATIONAL ASSOCIATION OF REALTORS®.

ARTICLE IX - STATE AND NATIONAL MEMBERSHIPS

Section 1.

The Association shall be a Member of the NATIONAL ASSOCIATION OF REALTORS® and the Ohio Association of REALTORS®. By reason of the Association's Membership, each REALTOR® Member of the Member Association shall be entitled to membership in the NATIONAL ASSOCIATION OF REALTORS® and the Ohio Association of REALTORS® without further payment of dues. The Association shall continue as a Member of the State and National Associations, unless by majority vote of all of its REALTOR® Members, decision is made to withdraw, in which case the State and National Associations shall be notified at least one month in advance of the date designated for the termination of such membership.

Section 2.

The Association recognizes the exclusive property rights of the NATIONAL ASSOCIATION OF REALTORS® in the terms REALTOR® and REALTORS®. The Association shall discontinue use of the terms in any form in its name, upon ceasing to be a Member of the National Association, or upon a determination by the Board of Directors of the National Association that it has violated the conditions imposed upon the terms.

Section 3.

The Association adopts the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS® and agrees to enforce the Code of Ethics among its REALTOR® Members. The Association and all of its Members agree to abide by the Constitution, Bylaws, Rules & Regulations, and policies of the National Association of REALTORS® and the Ohio Association of REALTORS®.

ARTICLE X - DUES AND ASSESSMENTS

Section 1. Application Fee.

The Board of Directors may adopt an application fee for REALTOR® Membership in a reasonable amount, not exceeding three times the amount of the annual dues for REALTOR® Membership, which shall be required to accompany each application for REALTOR® Membership and which shall become the property of the Association upon final approval of the application. (Amended 1/02)

Section 2. Dues.

The annual dues of Member shall be as follows:

(a) Designated REALTOR® Members. The annual dues of each Designated REALTOR® Member shall be in such amount as established annually by the Board of Directors, plus an additional amount to be established annually by the Board of Directors, times the number of real estate salespersons and licensed or certified appraisers who (1) are employed by or affiliated as independent contractors, or who are otherwise directly or indirectly licensed with such REALTOR® Member, and (2) are not REALTOR® Members of any Association in the state or a state contiguous thereto or Institute Affiliate Members of the Association. In calculating the dues payable to the Association by a designated REALTOR® Member, non-member licensees as defined in Section 2(a) (1) and (2) of this Article shall not be included in the computation of dues if the Designated REALTOR® has paid dues based on said non-member licensees in another Association in the state or a state contiguous thereto, provided the Designated REALTOR® notifies the Association in writing of the identity of the Association to which dues have been remitted. In the case of a Designated REALTOR® Member in a firm, partnership, or corporation whose business activity is substantially all commercial, any assessments for non-member licensees shall be limited to licensees affiliated with the Designated REALTOR® (as defined in (1) and (2) of this paragraph) in the office where the Designated REALTOR® holds membership, and any other offices of the firm located within the jurisdiction of this board. (Revised 11/07)

NOTE: The Association will bill members according to Association Policies.

(1) For the purpose of this Section, a REALTOR® Member of a Member Association shall be held to be any Member who has a place or places of business within the state or a state contiguous thereto and who, as a principal, partner, corporate officer, or branch manager of a real estate firm, partnership, or corporation, is actively engaged in the real estate profession as defined in Article III, Section 1, of the

Constitution of the NATIONAL ASSOCIATION OF REALTORS®. An individual shall be deemed to be licensed with a REALTOR® if the license of the individual is held by the REALTOR®, or by any broker who is licensed with the REALTOR®, or by any entity in which the REALTOR®, or any broker who is licensed with the REALTOR®, or by any entity in which the REALTOR® has a direct or indirect ownership interest and which is engaged in other aspects of the real estate business (except as provided for in Section 2 (a) (1) hereof) provided that such licensee is not otherwise included in the computation of dues payable by the principal, partner, corporate officer, or branch office manager of the entity.

A REALTOR® with a direct or indirect ownership interest in an entity engaged exclusively in soliciting and/or referring clients and customers to the REALTOR® for consideration on a substantially exclusive basis shall annually file with the association on a form approved by the association a list of the licensees affiliated with that entity and shall certify that all of the licensees affiliated with the entity are solely engaged in referring clients and customers and are not engaged in listing, selling, leasing, managing, counseling or appraising real property. The individuals disclosed on such form shall not be deemed to be licensed with the REALTOR® filing the form for purposes of this Section and shall not be included in calculating the annual dues of the Designated REALTOR®.

Membership dues shall be prorated for any licensee included on a certification form submitted to the association who during the same calendar year applies for REALTOR® or REALTOR-ASSOCIATE® membership in the association. However, membership dues shall not be prorated if the licensee held REALTOR® or REALTOR-ASSOCIATE® membership during the preceding calendar year.

(b) REALTOR® Members. The annual dues of REALTOR® Members other than the Designated REALTOR® Member shall be as established annually by the Board of Directors.
(Revised 11/07)

Association dues may not be increased by the Board of Directors by more than 10% without approval from the members. (Moved from Section 2, a, 11/07)

c) Institute Affiliate Members. The annual dues of each Institute Affiliate Member shall be as established in Article II of the Bylaws of the NATIONAL ASSOCIATION OF REALTORS®.

NOTE: The Institutes, Societies and Councils of the National Association of REALTORS® shall be responsible for collection and remitting dues to the National Association for Institute Affiliate Members (\$75.00). The National Association shall credit \$25.00 to the account of a local association for each Institute Affiliate Member whose office address is within the assigned territorial jurisdiction of that association, provided, however, if the office location is also within the territorial jurisdiction of a Commercial Overlay Board (COB), the \$24.00 amount will be credited to the COB, unless the Institute Affiliate Member directs that the dues be distributed to the other board. The National Association of REALTORS® shall also credit \$25.00 to the account of state associations for Institute Affiliate Member whose office address is located within the territorial jurisdiction of the state association. Local and state associations may not establish any additional entrance, initiation fees or dues for Institute Affiliate Members, but may provide service packages to which Institute Affiliate Members may voluntarily subscribe. (Amended 1/02)

(d) Affiliate Members. The dues of each Affiliate Member shall be in such amount as established annually by the Board of Directors.

(e) Public Service Members. The dues of each Public Service Member shall be in such amount as established annually by the Board of Directors.

(f) Honorary Members. The dues of each Honorary Member shall be in such amount as established annually by the Board of Directors.

(g) Student Members. The dues of each Honorary Member shall be in such amount as established annually by the Board of Directors.

Section 3. Dues Payable.

Dues for all Members shall be payable annually in advance of the billing period on the first business day of January. (Revised 11-07)

New Member dues shall prorated from the first day of the month in which a new member becomes affiliated with a current Scioto Valley Association of REALTORS® broker. Brokerage dues will be prorated from the first day of the month of application with the Scioto Valley Association of REALTORS®. (Revised 11-07)

NOTE: The billing period shall be determined by the Association Policies. (Revised 11/07)

(a) In the event a sales licensee or licensed or certified appraiser who holds REALTOR® membership is dropped for nonpayment of Association dues, and the individual remains with the designated REALTORS® firm, the dues obligation of the “designated“ REALTOR® (as set forth in Article X, Section 2 (a) will be increased to reflect the addition of a non-member licensee. Dues shall be calculated from the first day of the current billing period and are payable within 30 days of the notice of termination. (Revised 11/07)

Section 4. Nonpayment of Financial Obligations.

Dues, fees, fines, arbitration awards or other assessments including amounts owed to the Association shall be paid in accordance with the Association Policies. (Revised 11/07)

A former Member who has had his membership terminated for nonpayment of dues, fees, fines or other assessments duly levied in accordance with the provisions of these Bylaws or the provisions of other Policies and Regulations of the Association or any of its services, department, divisions or subsidiaries may apply for reinstatement in a manner prescribed for new applicants for membership, after making payment in full of all accounts due as of the date of termination. (Amended 9/05)

Section 5. Deposit.

All monies received by the Association for any purpose shall be deposited to the credit of the Association in a financial institution or institutions selected by resolution of the Board of Directors.

Section 6. Expenditures.

The Board of Directors shall administer the day-to-day finances of the Association. (Revised 11/07)

Capital expenditures in excess of \$5,000 must be approved by the Board of Directors and brought to the membership at a General Membership or Special meeting for membership approval. (Revised 11/07)

In an emergency situation the Board of Directors reserves the right to make emergency expenditures to the extent necessary to assure functional Association daily business. (Revised 11/07)

Section 7. Special Status Dues

The dues of REALTOR® Members who are REALTOR® Emeriti (as recognized by the National Association of REALTORS®), Past Presidents of the National Association of REALTORS® or recipients of the Distinguished Service Award shall be as determined by the Association Policies. (Revised 11/07)

Note: A Member Board's dues obligation to the National Association is reduced by an amount equal to the amount which the association is assessed for the REALTOR® member, times the number of REALTOR® Emeriti (as recognized by the National Association), past presidents of the National Association, and recipients of the Distinguished Service Award of the National Association who are REALTOR® members of the association. The dues obligation of such individuals to the local association should be reduced to reflect the reduction in the association's dues obligation to the National Association. The association may, at its option, choose to have no dues requirement for such individuals except as may be required to meet the association's obligation to the State Association with respect to such individuals. Member Boards should determine whether the dues payable by the association to the State Association are reduced with respect to such individuals. It should be noted that this does not affect a "distinguished" REALTOR®'s dues obligation to the association with respect to those licensees employed by or affiliated with the "designated" REALTOR® who are not members of the local association.

ARTICLE XI - OFFICERS AND DIRECTORS

Section 1. Officers

The officers of the Association are President, President-Elect, Treasurer and Secretary. The President-Elect, whether elected or appointed, shall automatically succeed into the position of President. The Treasurer and the Secretary do not succeed but shall serve a term of one year. (Revised 8/08)

The Immediate Past-President shall serve an additional one-year term, following their presidency, as a voting member of the Board of Directors. (Revised 11/07)

A member cannot be appointed, nominated or elected for an officers' position unless they have:

1. Been a member of the Scioto Valley Association of REALTORS® for a minimum of three (3) consecutive years prior to taking office; or
2. Served one (1) year on the Scioto Valley Association of REALTORS® Board of Directors or:
3. Served on a comparable board in a comparable position. (Revised 8/08)

In the event the Association would need to appoint a President to the Scioto Valley Association of REALTORS® Board of Directors the following criteria would apply:

1. The person would need to have previously served as a Past President; or
2. The person would need to have previously served as a President-Elect; or
3. The person would need to have served a minimum of three (3) years on the Scioto Valley Association of REALTORS® Board of Directors. (Revised 8/08)

Section 2. Duties of Officers.

The duties of the officers of the Board of the Scioto Valley Association of REALTORS® shall be described in the Association Policies. (Revised 11/07)

The officers of the Association shall also serve as the Executive Committee with duties described in the Association Policies. (Revised 8/08)

It shall be the particular duty of the Chief Staff Executive to keep the records of the Association and to carry on all necessary correspondence with the National Association of REALTORS® and the Ohio Association of REALTORS®. (Revised 11/07)

Section 3. Board of Directors.

The governing body of the Association shall be a Board of Directors consisting of the officers, and the Immediate Past President and six (6) Directors. Directors shall be elected to serve for the terms of two (2) years, except that at organization, one-half (1/2) of the elected Directors shall serve for terms of one and two years respectively, or for lesser terms as may be necessary to complete the first fiscal year. Thereafter, as many Directors shall serve each year as are required to fill vacancies. (Revised 11/07)

The duties of the Directors of the Board of the Scioto Valley Association of REALTORS® shall be described in the Association Policies. (Revised 11/07)

Section 4. Election of Officers and Directors.

(a) At least two (2) months before the annual election, the President, with the approval of the Board of Directors, shall appoint a Nominating Committee of five (5) REALTOR® Members. The Nominating Committee shall seek candidates for the open positions for officers and directors for the slate for the annual election. (Revised 11/07)

The report of the Nominating Committee shall be mailed, either by postal or via electronic mail, to each Association Member eligible to vote at least forty-two calendar days (6 weeks) preceding the election. Additional candidates, for the open positions, may be placed in nomination by petition signed by at least 20% of the REALTOR® members eligible to vote. The number of signatures required shall be determined by the National Association of REALTORS® Director Entitlement Count report for the list of the Scioto Valley Association of REALTORS® as of August 1st of the current year. The petition shall be filed with the Nominating Committee at least fourteen calendar days (14 days) before the election. Nominations will be closed at this time. (Revised 11/07)

The Association shall send notice, either by postal or via electronic mail, of such additional nominations to all Members eligible to vote, before the election. (Amended 9/05)

b) The election of Officers and Directors shall take place at the annual meeting at a time and place set by

the Board of Directors. All votes shall be cast in accordance with the Association

Policies. The ballot shall contain the names of all candidates and the offices for which they are nominated. (Revised 11/07)

(c) The President shall appoint an Election Committee of three (3) REALTOR® Members to conduct the election. In case of a tie vote, an announcement will be made, and a re-vote for the tied position(s) shall be held immediately at that meeting by only those present and eligible to vote. (Proposed 11-/07)

Section 5. Vacancies.

If an Officer or Director position becomes vacant during a term of office the Board of Directors, by simple majority vote, will appoint a qualified person from the Scioto Valley Association of REALTORS® for the remainder of that term.

If after the annual election a position is unfilled, the current Board of Directors, by a simple majority vote, will appoint a qualified replacement from the Scioto Valley Association of REALTORS® for that unfilled term. (Revised 11/07)

Section 6. Removal of Officers and Directors.

In the event that an Officer or Director is deemed to be incapable of fulfilling their duties but will not resign from office voluntarily, that Officer or Director may be removed from office under the following procedure: (Revised 11/07)

(a) A petition requiring the removal of an Officer or Director must be signed by not less than one-third of the voting membership or a majority of all Directors shall be filed with the President, or if the President is the subject of the petition, with the next-ranking officer, and shall specifically set forth the reasons the individual is deemed to be disqualified from further service.

(b) Upon receipt of the petition, and not less than twenty (20) days or more than forty-five (45) days thereafter, a special meeting of the voting membership of the Association shall be held, and the sole business of the meeting shall be to consider the charge against the Officer or Director, and to render a decision on such petition.

(c) The special meeting shall be noticed to all voting members at least (10) days prior to the meeting, and shall be conducted by the President of the Association unless the President's continued service in office is being considered at the meeting. In such cases, the next-ranking officer will conduct the meeting of the hearing by the Members. (Amended 9/05)

Provided a quorum is present, a two-thirds (2/3) majority of members present and voting shall be required for removal from office.

(d) Absence from three regular Board of Directors meetings during a calendar year shall be construed as voluntary resignation. (Revised 11/07)

ARTICLE XII - MEETING

Section 1. Annual Meeting.

The annual meeting of the Association shall be held each year, with the date, place and time to be designated by the Board of Directors. (Revised 11/07)

Section 2. Meetings of Directors.

At the beginning of each calendar year a regular time and place for meetings shall be designated by the President and approved by the Board of Directors. (Revised 11/07)

Section 3. Other Meetings.

Meetings of the Members may be held at other times as the President or the Board of Directors may determine, or upon the written request of at least 35% of the Members eligible to vote.

Section 4. Notice of Meetings.

Written notice, either postal or electronic mail, shall be given to every Member entitled to participate in the meeting at least ten (10) days preceding all meetings. If a special meeting is called it shall be accompanied by a statement of the purpose of the meeting.

Section 5. Quorum.

A quorum for the transaction of business at committee and general member meetings, duly called and notified, shall be those members present and eligible to vote. Members are eligible to vote if they are in good standing with the Association. (Amended 9/05)

Section 6. Electronic Transaction of Business

To the fullest extent permitted by law or NAR policy or practice, the Board of Directors or membership may conduct business by electronic means. (Revised 11/07)

Section 7. Action without Meeting

Unless specifically prohibited by the articles of incorporation, any action required or permitted to be taken at a meeting of the Board of Directors may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the directors. The consent shall be evidenced by one or more written approvals, each of which sets forth the action taken and bears the signature of one or more directors. All the approvals evidencing the consent shall be delivered to the Chief Staff Executive to be filed in the corporate records. The action taken shall be effective when all the Directors have approved the consent unless the consent specifies a different effective date. (Revised 11/07)

ARTICLE XIII – COMMITTEES

Section 1. Standing Committees.

The President shall appoint from among the REALTOR® Members, subject to confirmation by the Board of Directors, the following standing committees:

- Community Service
- Equal Opportunity/Fair Housing
- Grievance*

- Legislative
- Professional Standards*
- Education
- RPAC
- Multiple Listing Service

*Appointments to the Professional Standards Committee and Grievance Committee shall be consistent with the cooperative professional standards enforcement agreement of the Association. (Revised 11/07)

Section 2. Special Committees.

The President shall appoint, subject to confirmation by the Board of Directors, special committees as deemed necessary.

Section 3. Organization.

All committees shall be of such size and shall have duties, functions, as described by the Association Policies. (Revised 11/07)

Section 4. President.

The President shall be an ex-officio member of all committees except the Nominating, Professional Standards and Grievance committees and shall be notified of all the meetings by the committee chair at least seven (7) days prior to the meeting. (Amended 9/05)

Section 5. Amendments.

The Board of Directors, as listed above, must approve any committee being added or deleted as a standing committee.

Section 6. Action without a Meeting.

Any committee may act by unanimous consent in writing without a meeting. The consent shall be evidenced by one or more written approvals, each of which sets forth the action taken and bears the signature of all the members of the committee. (Amended 9/05)

Section 7. Attendance by Telephone

Members of a committee may participate in any meeting through the use of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other. Such participation shall be at the discretion of the Chairperson and shall constitute presence at the meeting. (Amended 9/05)

ARTICLE XIV - FISCAL AND ELECTIVE YEAR

Section 1.

The fiscal year of the Association shall be January 1 to December 31. (Amended 9/05)

The elective year of the Association shall be January 1 to December 31. (Amended 9/05)

ARTICLE XV - RULES OF ORDER

Section 1. Robert's Rules of Order, latest edition, shall be recognized as the authority governing the meetings of the Association, its Board of Directors, and committees in all instances wherein its provision do not conflict with these Bylaws.

ARTICLE XVI - AMENDMENTS

Section 1.

These Bylaws may be amended by the majority vote of the Members present and qualified to vote at any meeting, provided the substance of such proposed amendment or amendments shall be plainly stated in the call for the meeting except that the Board of Directors may, at any regular or special meeting of the Board of Directors, approve amendments to the Bylaws which are mandated by National Association of REALTORS® policy. (Amended 9/05)

Section 2.

Notice of all meetings at which amendments need voted on would be mailed, either via postal or electronic, to every member eligible to vote at least ten (10) days prior to the meeting.

Section 3.

Amendments to these Bylaws affecting the admission or qualifications of REALTOR® and Institute Affiliate Members, the use of the terms REALTOR® and REALTORS®, or any alternation in the territorial jurisdiction of the Association shall become effective upon their approval as authorized by the Board of Directors of the NATIONAL ASSOCIATION OF REALTORS®.

ARTICLE XVII - DISSOLUTION

Section 1. Authority.

Upon the dissolution or winding up of affairs of this Association, the Board of Directors, after providing for the payment of all obligations, shall distribute any remaining assets to the OHIO ASSOCIATION OF REALTORS® or, within its discretion, to any other non-profit tax exempt organization. (Amended 1/05)

ARTICLE XVIII - MULTIPLE LISTING

Section 1. Authority

The Association shall maintain for the use of its members a Multiple Listing Service which shall be subject to the bylaws of the Scioto Valley Association of REALTORS® and such Policies and Procedures as may be hereinafter adopted. (Amended 4/05)

Section 2. The Service

The name of the service shall be the Scioto Valley Association of REALTORS® Multiple Listing Service, hereinafter referred to as the Service. (Adopted 9/06)

Section 3. Purpose.

A Multiple Listing Service is a means by which authorized Participants make blanket unilateral offers of

compensation to other Participants (acting as subagents, buyer agents, or in other agency or nonagency capacities defined by law); by which cooperation among participants is enhanced; by which information is accumulated and disseminated to enable authorized Participants to prepare appraisals, analyses, and other valuations of real property for bona fide clients and customers; by which Participants engaging in real estate appraisal contribute to common databases; and is a facility for the orderly correlation and dissemination of listing information so participants may better serve their clients and the public. Entitlement to compensation is determined by the cooperating broker's performance as a procuring cause of the sale (or lease).

Section 4. Participation.

Any REALTOR® Member of the Scioto Valley Association of REALTORS®, or any other Association who is a principal, partner, or corporate officer, or branch manager acting on behalf of the principal, without further qualification, except as otherwise stipulated in these Bylaws, shall be eligible to participate in Multiple Listing upon agreeing in writing to conform to the policies and procedures thereof and to pay the costs incidental thereto. However, under no circumstances is any individual or firm, regardless of membership status, entitled to Multiple Listing Service "membership" or "participation" unless they hold a current, valid real estate broker's license and offer or accept compensation to and from other Participants or are licensed or certified by an appropriate state regulatory agency to engage in the appraisal of real property. Use of information developed by or published by a Board Multiple Listing Service is strictly limited to the activities authorized under a Participant's licensure(s) or certification and unauthorized uses are prohibited. Further, none of the foregoing is intended to convey "participation" or "membership" or any right of access to information developed by or published by an Association Multiple Listing Service where access to such information is prohibited by law.

Note: Mere possession of a broker's license is not sufficient to qualify for MLS participation. Rather, the requirement that an individual or firm 'offers or accepts cooperation and compensation' means that the Participant actively endeavors during the operation of its real estate business to list real property of the type listed on the MLS and/or to accept offers of cooperation and compensation made by listing brokers or agents in the MLS. "Actively" means on a continual and on-going basis during the operation of the Participant's real estate business. The "actively" requirement is not intended to preclude MLS participation by a Participant or potential Participant that operates a real estate business on a part time, seasonal, or similarly time-limited basis or that has its business interrupted by periods of relative inactivity occasioned by market conditions. Similarly, the requirement is not intended to deny MLS participation to a Participant or potential Participant who has not achieved a minimum number of transactions despite good faith efforts. Nor is it intended to permit an MLS to deny participation based on the level of service provided by the Participant or potential Participant as long as the level of service satisfies state law.

The key is that the Participant or potential Participant actively endeavors to make or accept offers of cooperation and compensation with respect to properties of the type that are listed on the MLS in which participation is sought. The requirement does not permit an MLS to deny participation to a Participant or potential Participant that operates a Virtual Office Website ("VOW") (including a VOW that the Participant uses to refer customers to other Participants) if the Participant or potential Participants actively endeavors to make or accept offers of cooperation and compensation. An MLS may evaluate whether a Participant or potential Participant "actively endeavors during the operation of its real estate

business” to “offer or accept cooperation and compensation” only if the MLS has a reasonable basis to believe that the Participant or potential Participant is in fact not doing so. The membership requirement shall be applied on a nondiscriminatory manner to all Participants and potential Participants.

Any qualified individual seeking membership of the Scioto Valley Association of REALTORS® Multiple Listing Service shall understand that as a participant they are agreeing to offer compensation to the other participants in MLS, refusal to do so is a direct violation of these MLS Rules and Regulations.

Section 5. Supervision.

The activity shall be operated under the supervision of the Multiple Listing Committee in accordance with the Policies and Procedures, subject to the approval of the Board of Directors of the Scioto Valley Association of REALTORS®

Section 6. Application for Participation

Application for participation shall be made in such manner and form as may be prescribed by the Board of Directors of the Association and made available to any REALTOR® principal of this or any other Board requesting it. The application form shall contain a signed statement agreeing to abide by these rules and regulations of the Service as from time to time amended or adopted.

Section 7. Appointment of Committee

A Multiple Listing Committee shall be formed, consisting of all active members who are participants (or their designated representative) in the Multiple Listing Service. The committee members may serve continuing terms. Each Designated Broker shall have one vote. (Revised 11/07)

Section 8. Access to Comparable and Statistical Information.

Association Members who are actively engaged in a real estate brokerage, management, mortgage financing, appraising, land development, or building, but who do not participate in MLS, are nonetheless entitled to receive, by purchase or lease, all information other than current listing information that is generated wholly or in part by the MLS including “comparable” information, “sold” information, and statistical reports. This information is provided for the exclusive use of Association Members and individuals affiliated with Association Members who are also engaged in the real estate business and may not be transmitted, re-transmitted, or provided in any manner to any unauthorized individual, office, or firm except as otherwise specified in the MLS Policies and Procedures. Association members who receive such information, either as a Association service or through the Association’s MLS, are subject to the applicable provisions of the MLS Policies and Procedures whether they participate in the MLS or not.

Section 9. Subscribers.

Subscribers (or users) of the MLS include non-principal brokers, sales associates, and licensed and certified appraisers affiliated with Participants. Subscribers also include affiliated unlicensed administrative and clerical staff, personal assistants, and individuals seeking licensure or certification as real estate appraisers whom are under the direct supervision of an MLS Participant licensed designee. (Amended 4/05)