

2016

# Policy Manual

Temple-Belton Board of REALTORS®



*Approved 11/17/16*

# *Table of Contents*

---

## **Section 1: Organization**

Page 3

- 101: Organization
- 102: Services
- 103: Governance
- 104: Mission Statement

## **Section 2: Association Governance Policies**

Page 4-13

- 201: Rules of the Temple-Belton Board of REALTORS® (TBBOR)
- 202: General Definitions
- 203: Definition and Role of Board of Directors
- 204: Standing Rules for the Board of Directors
- 205: Standing Rules for Special Membership Meetings
- 206: Responsibilities and Duties of the President
- 207: Responsibilities and Duties of the President Elect
- 208: Responsibilities and Duties of the of the Secretary
- 209: Responsibilities and Duties of the Treasurer
- 210: Responsibilities and Duties of the Immediate Past President
- 211: Responsibilities and Duties of the Directors and Affiliate Advisors
- 212: Responsibilities and Duties of the TAR Director
- 213: Responsibilities and Duties of the NAR Director
- 214: Responsibilities and Duties of the Association Executive

## **Section 3: Committee/Work Group Policies**

Page 14-20

- 301: Standing Rules of Committees, Sub-Committees and Work Groups
- 302: Responsibilities and Duties of a Committee Chairperson
- 303: Responsibilities and Duties of a Committee Member
- 304: Board of Directors
- 305: Member Services Committee
- 306: Advocacy Committee
- 307: Consumer Outreach Committee
- 308: Professional Development Committee
- 309: MLS Committee

## **Section 4: Financial Policies**

Page 21-29

- 401: Annual Budgeting Process
- 402: General Operating Guidelines
- 403: Contract Guidelines
- 404: Purchase Guidelines
- 405: Capital Expenditure Policy
- 406: Credit Card Usage
- 407: Approved Travel
- 408: Expense Reimbursement Procedures

## **Section 5: General Policies**

Page 29-34

- 501: Privacy Policies
- 502: Discrimination:/Sexual Harassment Policy

503: Do Not Call, Fax or Email Policy  
504: Open/Closed Meeting Policy  
505: Smoking Policy  
506: Record Retention  
507: Employee and Member Volunteer Relations

## **Section 6: Computer/Internet/Email Policies**

Page 34-37

601: Definitions  
602: Computer  
603: Internet and Email

## **Section 7: Credit Card Usage by Member**

Page 38

701: Purpose  
702: Eligibility  
703: Credit Card Authorization Form  
704: Payment of MLS Fees

## **Section 8: TBBOR Memorial Scholarship Program**

Page 38-39

Adopted 11/2007  
Revised/Approved 6/2013  
Revised/Approved 9/2015  
Revised/Draft 2016

## **SECTION 1: ORGANIZATION**

### **101: ORGANIZATION**

The Temple-Belton Board of REALTORS® is a trade organization whose primary members are licensed real estate professionals. As a member of “TBBOR”, each REALTOR® also belongs to the Texas Association of REALTORS® and the National Association of REALTORS®.

Membership in TBBOR is voluntary and is open to active real estate licensees in the state of Texas. In addition, companies which offer services to real estate practitioners are affiliate members of TBBOR. These members may take advantage of many of the programs and services offered to REALTOR® members.

All REALTORS® subscribe to and uphold a strict Code of Ethics that governs their business behavior in all real estate transactions.

The term “REALTOR®” is a licensed collective trademark which may be used only by members of the National Association of REALTORS® and its local associations.

### **102: SERVICES**

At all three levels of the REALTOR® organization a variety of services are provided to members.

General services include:

- Legislative and political advocacy
- Education programs and professional designations
- Risk management programs
- Legal assistance and insurance programs
- Real Estate industry publications and computer database programs
- Service and product discount programs
- Consumer advocacy programs

### **103: GOVERNANCE**

TBBOR is governed by an elected Board of Directors, all of whom are REALTORS®. Two (2) elected Affiliate Advisors also sit on the Board of Directors. Programs are managed by core committees, comprised of REALTOR® and Affiliate members. Please review the attached copy of leadership organization chart for further details.

### **104: MISSION AND VISION STATEMENTS**

**Mission:** The purpose of the Temple-Belton Board of REALTORS® is to enhance the member productivity and professionalism and promote the value of using a REALTOR® to the public.

**Vision:** The Temple-Belton Board of REALTORS®:

- Meets the needs produced by the changing demographics and business practices of its members as defined by our core standards and strategic plan.
- Enhances opportunities for members to fulfill their business goals.
- Communicates information to its members and the public on significant real estate issues.

## **SECTION 2: ASSOCIATION GOVERNANCE POLICIES**

### **201: RULES OF THE TEMPLE-BELTON BOARD OF REALTORS®**

An association may adopt or be issued various kinds of rules. Below is a historical narrative concerning the rules of the Temple-Belton Board of REALTORS®.

TBBOR was established in the State of Texas in 1946. The most current document available in the charter, which was rendered to TBBOR (then known as Temple Board of REALTORS®) in 1985. The charter describes TBBOR's privileges and responsibilities, including the duty to abide by the Constitution and the Bylaws and observe the Code of Ethics of the National Association of REALTORS®.

Additional national association organizational documents of particular significance to TBBOR include the following membership related statements: Code of Ethics (as amended), the Three-Way Agreement and the Membership Criteria (6 and 8 points).

TBBOR was granted tax-exempt, non-profit, 501(c)(6) status by the U.S. Treasury Department, Internal Revenue Service in March 1975 and has since been verified as remaining in effect as of March 1987 from the Austin office of the Department of the Treasury.

TBBOR originally filed Articles of Incorporation (non-profit corporate status) with the State of Texas in May 1968. The latest amendment of those articles was filed in February 1986.

TBBOR bylaws were adopted and are amended by the Board of Directors and ratified by the membership annually, as needed. TBBOR recognizes, in its Bylaws, the latest edition of Robert's Rules of Order as the authority governing all meetings of TBBOR.

In addition, the TBBOR Board of Directors or members in regular or special meetings may adopt special rules of governing their meetings as found necessary to supplement or modify rules provided in Robert's Rules of Order. Special rules supersede any rules in the parliamentary authority with which they may conflict.

Standing rules may also be adopted at any regular or special meeting prescribed above and are rules, which relate to the details of the administration of TBBOR, rather than to parliamentary procedure.

Finally, TBBOR is subject to all provisions of local, state, and national law and regulation applying to professional, trade, tax-exempt, non-profit 501(c)(6) corporations.

The following documents pertaining to the rules of TBBOR are made a part of this manual or are located at the TBBOR office for review.

### **National Association of REALTORS®**

- Constitution and Bylaws of the National Association of REALTORS®
- Code of Ethics of the National Association of REALTORS®
- Charter issued by the National Association of REALTORS®
- Three-Way Agreement among the national, state, and member associations.
- Membership Criteria (6 and 8 points) of the National Association of REALTORS®

## Federal Government

- Tax-exempt, non-profit 501(c)(6) status letter granted by the U.S Treasury Department, Internal Revenue Service

## Texas State Government

- Articles of Incorporation granted by the Texas Secretary of State.

## 202: DEFINITIONS

The following shall serve as definitions for TBBOR concerning the terms used in this policy manual and by TBBOR generally:

**Articles and Bylaws** are rules governing the operation of the Association adopted by membership at large (with the advice and/or recommendations of the Board of Directors).

**Rules of Order and Standing Rules** are rules governing the operation of the Association adopted by the Board of Directors (with the advice and /or recommendation of staff).

**Positions** are descriptive narrative, sometimes including recommendations outlining the concerns and/or views of the Association members on current issues adopted by the Board of Directors in session (with the advice and/or recommendations of staff).

**Policies** are the general or fundamental principles relating to Association involvement adopted by the members of the Board of Directors (with the advice and/or recommendation of staff).

**Procedures** are the detailed explanations, directions or actions to implement adopted articles, bylaws, rules, positions, programs and policies selected and applied by staff with the advice and/or recommendation of the President. They address specific direction telling how, by whom, and when things are to be done.

## 203: DEFINITION AND ROLE OF THE BOARD OF DIRECTORS

The Bylaws of the Association of REALTORS® define the Board of Directors as the governing body of the Association. It is the Association's most important committee. The Board of Directors of the Temple-Belton Board of REALTORS® consists of the following voting members:

President  
President-Elect  
Secretary  
Treasurer  
Immediate Past President  
Directors (7 elected at-large alternating positions)  
MLS Chairperson  
TAR Director

The Association Executive and two (2) Affiliate Advisors serve as non-voting ex-officio members of the Board of Directors.

A basic rule is that the legal entity, rather than the Board of Directors, is the holder of legal power. The powers of the Directors are not inherent in them, but in the organization of such. The principle exists that Directors exercise the powers of the organization, but do not own it. Thus, the Board of Directors

has the power and duty to carry on whatever transactions the corporation or the association itself has the power to carry on. The power of the Board of Directors is superior in ordinary matters, so as long as it is exercised lawfully and in lawful transactions.

In extraordinary matters, the Board of Directors may not govern, and the will of the general membership must rule. In such matters as a radical change of fundamental policy or purpose, amendments to the Articles of Incorporation, dissolution or merger of the corp., or matters of like importance, the power of decision usually rests with the voting members.

Within the purpose and power of the Association, the Directors are free to change the Bylaws (subject to approval, amendment or repeal by the membership at the next annual meeting), policies and short-range purposes, but unless the Bylaws expressly permit, they may not do acts that account to changes in the fundamental purposes or operational methods of the Association.

Members of the Board of Directors shall have the utmost interests of the Temple-Belton Board of REALTORS® in mind at all times. They shall avoid any contact that may serve their personal interests and should never assume any position that brings their personal interest into conflict or competition with the interests of the Association.

Finally, the Directors may be asked to serve as official spokespersons for the entire industry or profession. Such as, every member has the ability to embarrass or enhance the reputation of the group. Each individual member of the Association has an important responsibility to the Association.

#### 204: STANDING RULES OF THE BOARD OF DIRECTORS

1. The composition and the authority of the Board of Directors shall be specified in the Bylaws.
2. Meetings of the Board of Directors shall be at designated times and places, as specified in the Bylaws and set by the directors. Absence from three (3) regular meetings shall be construed as resignation. *(revised 2013, corrected language 2015 to match the Bylaws)*
3. Meetings of the Board of Directors shall be chaired by the President and conducted in accordance with the Bylaws and intent of Standing Rules of the Board of Directors.
4. Agenda are prepared by the Association Executive and the President. Agenda items should be submitted to the Association Executive five days prior to the meeting, if possible.
5. Only the officers and directors of the Board of Directors may vote on issues at their meetings. Visitors may participate in discussion on issues when recognized by the President.
6. Only Board Members and the Association Executive may attend Executive sessions, unless the President or a majority of the Board present and voting grants an exception.
7. Minutes shall be required for all meetings of the Board of Directors.
8. Policies may be adopted, revised, deleted or suspended during any Board of Directors meeting without advanced notice.
9. Adopted rules shall not be in conflict with the Bylaws and shall be included in the Policy Manual.

## 205: STANDING RULES FOR SPECIAL MEMBERSHIP MEETINGS

1. Meetings shall be conducted in accordance with the Bylaws and Standing Rules.
2. Meeting agendas shall be prepared by the Association Executive, President, and/or President-Elect.
3. Notice of special meetings of the membership shall be advertised in the association newsletter, electronic provision or by other appropriate methods, preceding the meeting. If the scheduling of that meeting occurs after the date of publication of the newsletter, a notice will be distributed at each office.
4. The Board of Directors shall call the Annual Business meeting to be held in person or electronically on or before September 30<sup>th</sup> of each year. (*revised 2013*)

## 206: RESPONSIBILITY AND DUTIES OF THE PRESIDENT

### **Responsibility**

Serve as the chief elected official of the Association. Oversee and be responsible for the Committee operations that relate to monitoring fiscal and performance measure for the Association. The President should maintain a visible position and attend as many association functions as possible. (*revised 2013*)

### **Duties**

The President shall:

1. Preside at meetings of the Board of Directors and at all Executive Committee meetings. In the case of a tie vote on any motion before the board, the President may cast the deciding vote.
2. Be an ex-officio member to all committees.
3. Maintain close contact with committee chairs and assists them in setting goals for each committee, offering suggestions and assisting in attaining such goals.
4. Maintain close working relationship with the Association Executive and Association office employees.
5. Signs checks, as required, for goods and services to the Association.
6. Appoints all committee chairs for the approval of the Board of Directors. Approval of appointed Task Force chairs is not subject to approval by the Board.
7. Officially welcomes and inducts new members into the Association at the monthly orientation meeting.
8. Be available to attend NAR, TAR conferences and other such meetings as requested and approved by the Board of Directors.



9. Be the major spokesperson for the Association and must stay informed about association projects, industry related developments, and state and national events.
10. The President and President-Elect shall review all committee year-end reports prior to submission to the Board of Directors at the December board meeting. (*revised 2013*)

### **Qualifications**

1. Must be a primary REALTOR® member in good standing.
2. Must have held the position of President-Elect of the Association.
3. Strongly encouraged to be a contributor to TREPAC.

### **Term**

The President is elected for a term of one (1) year.

### **207: RESPONSIBILITY AND DUTIES OF THE PRESIDENT-ELECT**

#### **Responsibility**

Serve as the replacement for the President if he or she is unable to fulfill any of his or her assigned duties. The President-Elect should maintain a visible position and attend as many association functions as possible.

#### **Duties**

The President-Elect shall:

1. Represent the Board before other organizations when invited and with the approval of the President or the Board of Directors.
2. Be the TREPAC Chairperson and attend TAR TREPAC Orientation.
3. Maintain close contact with committee chairs and assists them and the President in setting goals for each committee, offering suggestions and assisting in attaining such goals.
4. Maintain close working relationship with the Association Executive and the Association office staff.
5. Signs checks, as required, for good and services to the Association.
6. Assist in carrying out the policies and programs at TBBOR as approved by the Board of Directors.
7. Attend as many committee meetings and association functions as possible.
8. Be available to attend NAR, TAR conferences and other such meetings as requested and approved by the Board of Directors.
9. Serve on the TBBOR Executive Committee.

10. The President and President-Elect shall review all committee year-end reports prior to submission to the Board of Directors at the December board meeting. (2013 revised)

### **Qualifications**

1. Must be a Primary REALTOR® member in good standing.
2. Must have served a minimum of one (1) year on the Board of Directors.
3. Must attend Spokesperson Training at TAR.
4. Strongly encouraged to be a contributor to TREPAC.

### **Term**

The President-Elect is elected for a term of one (1) year and succeeds to the office of President.

### **208: RESPONSIBILITY AND DUTIES OF THE SECRETARY**

The Secretary of the Association is sometimes called on to sign certain legal documents and to write and/or approve minutes of Board meetings. The secretary should maintain a visible position and attend as many association functions as possible.

### **Duties**

The Secretary shall:

1. Record minutes of Board of Directors meetings, Broker's meetings, Executive Committee meetings, and Board Luncheons. (Minutes are to be turned in to the Board Office within one week of meeting.)
2. Serve on the TBBOR Executive Committee.
3. Maintain close working relationship with the Association Executive and the Association office staff.
4. Signs checks, as required, for goods and services to the Association.
5. Assist in carrying out the policies and programs at TBBOR as approved by the Board of Directors.

### **Qualifications**

1. Must be a Primary REALTOR® member in good standing.
2. Must have served a minimum of one (1) year on the Board of Directors.
3. Strongly encouraged to be a contributor to TREPAC.

### **Term**

The Secretary is elected for a term of one (1) year.

## 209: RESPONSIBILITY AND DUTIES OF THE TREASURER

### **Responsibility**

The Treasurer presents the Association's financial statements to the Board of Directors. The Treasurer must become familiar with the statement format and content, and should help prepare the Association's annual budget. The Treasurer is chairperson of the association's Budget Committee, which reviews the budget and financial conditions. *(removed 2013, added back 2016)*

The Treasurer should maintain a visible position and attend as many association functions as possible. *(revised 2013)*

### **Duties**

The Treasurer shall:

1. Submit Board financial statements to the Executive Committee and Board of Directors at regular meetings of these groups.
2. Serve on the TBBOR Executive Committee.
3. Maintains close working relationship with the Association Executive and the Association's office staff.
4. Signs checks, as required, for goods and services to the Association.
5. Assist in carrying out the policies and programs at TBBOR as approved by the Board of Directors.

### **Qualification**

1. Must be a Primary REALTOR® member in good standing.
2. Strongly encouraged to be a contributor to TREPAC.

### **Term**

The Treasurer is elected for a term of one (1) year.

## 210: RESPONSIBILITY AND DUTIES OF THE IMMEDIATE PAST-PRESIDENT

### **Responsibility**

Serve as an officer of the Association and as a resource to the succeeding leadership.

### **Duties**

The Immediate Past-President shall:

1. Direct the activities of the following committee and act as chairperson: Nominating Committee. And any other assigned Sub-committees and/or Work groups before the Board of Directors.

2. Assist in carrying out the policies and programs at TBBOR as approved by the Board of Directors.

### **Qualifications**

1. Must be Primary REALTOR® member in good standing.
2. Strongly encouraged to be a contributor to TREPAC.

### **Term**

Serves in this office in the year immediately following the year served as President.

## **211: RESPONSIBILITY AND DUTIES OF A DIRECTOR AND AFFILIATE ADVISOR**

### **Responsibility**

Participate as a member of the governing body of the Association.

### **Duties**

The Director or Advisor shall:

1. Attend every Board of Directors and assigned Committee, Sub-committee or Work group meeting in accordance with the Bylaws of the Association.
2. Keep the members informed of the activities of the Association.
3. Present to the Board of Directors any programs, suggestions, or concerns of the members.
4. Make every attempt to attend all major functions of the Association.
5. Assist in carrying out the policies and programs at TBBOR as approved by the Board of Directors.

### **Qualifications**

1. Directors must be a REALTOR® member in good standing.
2. Advisors must be an Affiliate member in good standing.
3. Strongly encouraged to be a contributor to TREPAC.

### **Term**

Directors are elected for terms of three (3) years.

Advisors are elected for terms of two (2) years.

## **212: RESPONSIBILITY AND DUTIES OF TAR DIRECTOR**

### **Responsibility**

Serve as a member of the governing body of the Texas Association of REALTORS®.

## **Duties**

1. Attend all State Association Board of Directors meetings and the annual convention.
2. Attend the TBBOR Caucus meeting preceding all State Association Board of Directors meetings.
3. Keep TBBOR members informed on the activities of the State Association.
4. Present to the State Association Board of Directors any programs, suggestions, or concerns of TBBOR.
5. Be familiar with TAR's Strategic Plan and assist in its implementation.

## **Qualifications**

1. Must be a REALTOR® member in good standing.
2. Recommended by the TBBOR Board of Directors and elected by the TBBOR Directors.
3. Strongly encouraged to be a contributor to TREPAC.

## **Term**

Terms are for one - three (1-3) years, as specified by TAR and recommended by the TBBOR Board of Directors. A TAR Director cannot serve more than six (6) years or two (2) consecutive terms (whichever is greater) in this office.

## **213: RESPONSIBILITY AND DUTIES OF THE NAR DIRECTOR (If TBBOR member is elected)**

### **Responsibility**

Serve as a member of the governing body of the National Association of REALTORS®.

## **Duties**

1. Attend all NAR and TAR Board of Directors meetings, as well as other required state and national meetings.
2. Report to TBBOR and TAR Board of Directors on each NAR Board of Directors meetings.
3. Seek the opinions and/or advice of the TBBOR and TAR leadership on issues under consideration by the NAR Board of Directors.

## **Qualifications**

1. Must be a REALTOR® member in good standing
2. Nominated by TBBOR to the TAR Directors annually.
3. Strongly encouraged to be a contributor to TREPAC.

**Term**

Terms are for two (2) years, as elected by the TAR Board of Directors annually.

**214: RESPONSIBILITY AND DUTIES OF THE ASSOCIATION EXECUTIVE****Responsibility**

Serves as the Chief Staff Executive for the Association. Develops, recommends, implements, and manages comprehensive Association policies and programs. Provides recommendations to the committees and Board of Directors on courses of action that would achieve the Association's purpose, goals, and policies in these areas. Oversees Association administration, finance, and operations. The AE is solely responsible for all aspects of staff management.

**Duties**

The Association Executive shall:

1. Establish the organizational structure for the association office and the related staffing structure.
2. Recruit, hire, train, promote, and terminate staff and administer an effective personnel program which includes position descriptions, performance standards, and performance appraisals with the approval of the Board of Directors.
3. Develop and maintain publications that are responsive to the needs of the membership.
4. Develop and supervises an effective program of membership development and membership services within the limits and facilities of the budget and staff.
5. Develop and conduct an education program, in cooperation with the membership to advance the professional, technical, and managerial skills of the membership.
6. Conduct research necessary to the association and informs the membership, elected officials and others as appropriate.
7. Maintain effective internal and external public relations.
8. Serve as spokesperson for the Association in conjunction with the President.
9. Manage the finances of the Association, including preparation of an annual budget and long-range forecasts of needs.
10. Ensure the legal integrity of the Association.
11. Plan and coordinate meetings of the Board of Directors and the elected officials of the Association as well as general membership meetings.
12. Monitor and assist committees of the Association and the elected officers.

13. Maintain a strong working relationship with other local associations and the state and national associations.
14. Participate in activities and programs offered by state and national associations, within the limits of the Association's budget.

### **Reporting Relationship**

The AE reports to the Board of Directors through the President and President-Elect. The annual performance evaluation of this position shall be the responsibility of the President and President-Elect. The evaluation will be scheduled for October/November and a final report will be given to the Board of Directors. (*revised 2013*)

## **SECTION 3: COMMITTEE/WORK GROUP POLICIES**

### **301: STANDING RULES OF THE COMMITTEES, SUB-COMMITTEES & WORK GROUPS**

#### **Standing Committees**

1. Chairpersons and members of Standing Committees shall be Association members in good standing.
2. A Standing Committee shall serve to be defined as a group that addresses strategies, programs, and basic capacities through its own direct action or by the creation of Sub-committees or Work groups to get the work accomplished. Standing Committees may authorize sub-committees or work groups.
3. The Standing Committees of the Association of REALTORS® are defined in the Association's Bylaws and can be established or abolished by the Board of Directors, subject to approval amendment or repeal at the next annual membership meeting.
4. Standing Committees receive their charges from the appropriate TBBOR Officer and will carry out duties as specified under the Strategic Plan. They shall report to the Board of Directors.

#### **Sub-committees**

1. Chairpersons and members of Sub-committees shall be association members in good standing.
2. A Sub-committee shall serve to be defined as a group that performs an on-going function with a specific objective or issue in mind. A Sub-committee shall be evaluated annually and is not mentioned in the Association's Bylaws.
3. Sub-committees shall report to the body that authorized them to be formed.

#### **Work groups**

1. Work groups may be authorized by the President or by a Standing Committee, if an issue warrants immediate attention. Any such Work group may be abolished by the Board of Directors.

2. A Work group shall serve to be defined as a group of members and non-members that is called together for a limited period of time to address a specific issue, trend, strategy, or problem of immediate consequence to the members, the Association, or the local industry. The findings of a Work group may include the recommendation of the establishment of a Sub-committee or Standing Committee.
3. Work groups shall report to the body that authorized them to be formed.

### **Committee Reports, Recommendations, and Records**

1. Committees, Sub-committees, and Work groups shall make reports to the Board of Directors as necessary.
2. Committee, Sub-committee, and Work groups reports shall be received and filed or referred back to the Committee, Sub-committee, or Work group. Recommendations may be handled individually or collectively, covering adoption and implementation.
3. Committee, Sub-committee, and Work group reports will not be amended by the ruling body without the approval of the Committee, Sub-committee, and Work group.
4. Final Committee reports recommending a course of action for conveying information to the Board of Directors shall be given by a chairperson, by a substitute chairperson by the Committee chairperson or alternatively, in writing.
5. Each Committee, Sub-committee, or Work group shall keep minutes of all meetings and the Chairperson shall file a copy of the minutes with the Association office.

### **Committee/Sub-committee/Work group Finances**

1. Committee, Sub-committees, and Work group appropriations, with the constraints of the annual budget, may be authorized and adjusted by the Board of Directors.
2. All Committee expenditures are subject to the provisions of the TBBOR Financial Policies as concerns budget and financial administration.
3. The Chairperson of a Committee, Sub-committee or Work group shall be responsible to the Association Executive and President for assuring that the program of the particular Committee or work group is carried out within the constraints of their authorized original or adjusted annual appropriation.
4. No Committee, Sub-committee, or work group shall sign or cause to be signed any contract binding the Temple-Belton Board of REALTORS® as a party without the knowledge of the President and subject to ratification by the Board of Directors. The President, President-Elect, Association Executive, and Secretary shall be given the authority to sign contracts authorized by the Board of Directors, as specified in the approved TBBOR Financial Policies.



## 302: RESPONSIBILITY AND DUTIES OF A COMMITTEE CHAIRPERSON

### **Responsibility**

Be responsible for planning and implementation of Association activities and objectives.

### **Duties**

The Committee, Sub-committee or Work group Chairperson shall:

1. Consult with the President and Association Executive in planning the Committee's, Sub-committee's or Work group's annual objectives and programs. If funds are required to carry out strategic directives, meet with the President and Association Executive to prepare a budget to submit to the Budget Committee as a part of the annual budgeting process.
2. Assist with the recruitment of Committee, Sub-Committee or Work group members. Motivate the members toward the attainment of the Committee, Sub-Committee or Work group objectives and strategies.
3. Plan necessary meetings with Association Executive.
4. Remain informed regarding the progress of Committee, Sub-committee or Work group members' work assignments.
5. Ensure that accurate minutes are kept, motions recorded, necessary reports prepared and a record of Committee work maintained.
6. Review and evaluate their own procedures and the Committee, Sub-committee or Work group's programs and progress with the President.
7. Attend a leadership training and planning session, to be held prior to serving as Chairperson.
8. Make every attempt to attend all major functions of the Association.
9. Have a working knowledge of Robert's Rules of Order.
10. Be familiar with Association's Strategic and Operational Plans and assist in the implementation of the objectives and strategies for their area of responsibility.
11. Be prepared to accept all other duties as requested by the President, and maintain continuous liaison with the Association Executive to ensure proper coordination in the conduct of the Association's business.

### **Qualifications**

1. Must be a REALTOR® member in good standing, except for the Chairman of the MLS Committee must be a REALTOR® member.
2. Strongly encouraged to be a contributor to TREPAC.

**Term**

A Committee, Sub-committee or Work group Chairperson is appointed by the President to this office for the term of one year and cannot serve more than two (2) successive years in this position, except the Chairperson of the MLS Committee who serves a two (2) year term.

**303: RESPONSIBILITY AND DUTIES OF A COMMITTEE MEMBER****Responsibility**

To participate in the implementation of Association activities and objectives.

**Duties**

1. Review any and all pertinent background material and the agenda before coming to meetings.
2. Accept and follow through on assignments as requested by the Chairperson of the Committee or Work group.
3. Actively participate in Committee and/or Work group programs. With the Association and the Committee and or Work group objectives in mind, use his or her personal talents to ensure productive efforts.
4. Be familiar with the Association's Strategic and Operational Plans and assist in the implementation of the objectives and strategies for their area of responsibility

**Qualifications**

1. REALTOR® or Affiliate member in good standing

**Term**

Unless otherwise specified, all terms are for one (1) year.

**304: BOARD OF DIRECTORS****Purpose**

1. Setting strategic direction (to approve the outcomes that TBBOR is to accomplish)
2. Allocating resources effectively and efficiently
3. Evaluating the progress being made to ensure that the desired outcomes are being achieved.

## **Composition**

See Section 203 of this Policy Manual.

**Primary Staff Support:** Association Executive

*NOTE: Association Re-Alignment & Core Standards - In 2015 all/ local, state, and territorial association of REALTORS®, as a condition of membership in the National Association of REALTORS®, must meet NAR's Organizational Alignment Core Standards. A set of requirements that fall into six categories: Code of Ethics, Advocacy, Consumer Outreach, Unification Efforts & Support of the REALTOR® Organization, Technology, and Financial Solvency.*

*To ensure that TBBOR meets the mandatory Core Standards, leadership has re-aligned the committees and their duties to reflect core standards and the TBBOR strategic plan. Out of this realignment four committees were created.*

### **305: MEMBER SERVICES COMMITTEE**

#### **Purpose & Objectives**

The MSC was developed based on TBBOR Strategic Initiative #1: Identify and enhance member services that impact effectiveness, success and meet REALTOR® expectations.

The MSC will accomplish this initiative by providing:

Member Benefits - Explore partnership opportunities with 3rd party business service providers that could give members lower cost benefits. Educate members on the numerous NAR and TAR benefits that are available.

Networking Events -Held quarterly, these events will provide members the opportunity to form and maintain a strong circle of contacts.

Realtor Night Out - Held quarterly, these are family friendly events that give the members and their family the opportunity to relax and have fun.

#### **Composition**

The Membership Service Committee will be composed of the following: Chairperson appointed by the President, Vice-Chair appointed by the President-Elect and at least three (3) members selected by the Chairperson and/or volunteered.

**Primary Staff Support:** Membership Coordinator

## 306: ADVOCACY COMMITTEE

### **Purpose & Objectives**

The AC was developed based on the NAR Core Standard: Advocacy and the TBBOR Strategic Initiative #4: Engage the membership in REALTOR® legislative and political advocacy efforts.

TREPAC - Plan and organize fundraising events to meet TBBOR's TREPAC Quota set by the Texas Association of REALTORS® and to help meet TBBOR's TREPAC Goal set by the Board of Directors. Educate members on TREPAC and how politics affect their business.

Governmental -Affairs - Participate in local government and report on housing or real estate related issues. Hold real estate focused political forums for candidates running for office to address the membership.

Call for Actions - Participate and encourage membership participation in NAR and TAR Call for Actions.

### **Composition**

The Advocacy Committee will be composed of the following: Chairperson (President-Elect), Vice-Chair appointed by the President and at least three (3) members selected by the Chairperson and/or volunteered.

**Primary Staff Support:** Association Executive

## 307: CONSUMER OUTREACH COMMITTEE

### **Purpose & Objectives**

The COC was developed based on the NAR Core Standard: Consumer Outreach and the TBBOR Strategic Initiative #3: Enhance REALTOR® Relevancy and Value.

The COC will accomplish this initiative by providing:

The Voice for Real Estate - Assist leadership and staff on building relationships with local media outlets. Promote local real estate market trends with the media outlets.

Community Involvement - Explore community and charitable events for TBBOR to participate. (i.e. Home/Garden shows, park clean ups, golf tournaments, blood drives, 5k's etc.)

Community Investment - Organize fundraisers for charitable organizations as set forth by the Board of Directors each year. Organize and facilitate TBBOR scholarship opportunities as set forth by the Board of Directors.

### **Composition**

The Consumer Outreach Committee will be composed of the following Chairperson appointed by the President, Vice-Chair appointed by the President-Elect and at least three (3) members selected by the Chairperson and/or volunteered.

**Primary Staff Support:** Association Executive

### 308: PROFESSIONAL DEVELOPMENT COMMITTEE

#### **Purpose**

The PDC was developed based on TBBOR Strategic Initiative #2: Provide relevant and timely education/professional development opportunities for the membership.

The PDC will accomplish this initiative by providing:

Professional Development Luncheons - Held quarterly, these luncheons will provide high quality dynamic speakers and programs related to improving member's business and personal goals.

Community Brunches - Held quarterly, these brunches will provide local speakers from the community to inform the members of the amenities and opportunities the local communities have to offer.

Mandatory Continuing Education (MCE) - The PDC will provide MCE courses to the membership throughout the year. Platforms will include live broadcast classes, instructor based classes, etc.

Educational Workshops - The PDC will work with local affiliate members and organizations to bring timely and informative workshops to the membership to help enhance their knowledge.

#### **Composition**

The Professional Development Committee will be composed of the following: Chairperson appointed by the President and six (6) members selected by the Chairperson/President/ Association Executive and approved by the Board of Directors.

**Primary Staff Support:** Association Executive & Membership Coordinator

### 309: MLS COMMITTEE

#### **Purpose**

The MLS Committee is the governing body for the Multiple Listing Service (MLS) under the supervision of the Board of Directors.

MLS Rules & Regs. - The MLSC is responsible for enforcing/updating/changing the MLS Rules and Regulations and MLS Policies with final approval by the Board of Directors.

Lock Boxes - The MLSC is responsible for enforcing/updating/changing the Lockbox Policies and Procedures.

MLS Complaints - The MLSC is responsible for dealing with MLS Complaints in accordance with the TBBOR MLS Policies.

#### **Composition**

The MLS Committee will be composed of the following: Chairperson appointed by the President and eight (8) members selected by the Chairperson/President/ Association Executive and approved by the Board of Directors.

**Primary Staff Support:** MLS Coordinator

## **SECTION 4: FINANCIAL POLICIES**

### **401: ANNUAL BUDGETING PROCESS**

Budgeting is one of the most important sub-functions of financial management and guides many of the operations of the Association. The process is continuous, as once the budget is approved it is subject to constant review and change when necessary.

The Executive Committee, Association Executive and Immediate Past President are responsible for preparing the Budget. (*revised 2013*)

An annual budget will be prepared for each fiscal year. A budget call will be sent to all officers, committee chairs, staff and others who might have input. All committees and staff will review their needs for the next year and will submit their proposed budgets to the appropriate Officer for approval.

The final draft is then presented to the Board of Directors no later than the December meeting for their approval.

### **402: GENERAL OPERATING GUIDELINES**

The following shall serve as guidelines concerning financial management:

#### **Strategic Plan**

The Board of Directors or an appointed subgroup will develop a strategic plan. The President shall have the option of appointing persons outside of the Board of Directors to the strategic planning committee.

The strategic plan shall reaffirm the Associations mission, vision statements and set goals and strategies to achieve the goals.

The Board of Directors shall govern strategically. To do so requires that the strategic plan be updated at least every five (5) years.

1. Committee charges shall be made in accordance with plan to advance the mission and goals of the strategic plan.
2. The annual budget shall reflect the goals and priorities of the strategic plan.
3. The Board of Directors will review the strategic plan's progress and relevance at least annually in January. (*revised 2013*)

#### **Business Plan**

The Board of Directors shall develop from the Strategic Plan a Business Plan, which will expand upon the general objectives and strategic recommendations contained in the Strategic Plan. This plan will contain specific, measurable goals for completion in the coming year. The Business Plan will be the basis upon which all recommendations are made regarding the annual budget are made.

## **Administrators**

The following individuals shall have certain financial management responsibilities:

President (*see Bylaws, Responsibilities and Duties*)

President-Elect (*see Bylaws, Responsibilities and Duties*)

Treasurer (*see Bylaws, Responsibilities and Duties*)

Secretary (*see Bylaws, Responsibilities and Duties*) (*added 2013*)

Association Executive (*see Bylaws, Responsibilities and Duties, and Employee Handbook*)

## **Fiscal Year**

The fiscal year of the Association shall be the calendar year.

## **Records**

The following records shall be maintained at the board office relating to finances: (*revised 2013*)

1. Balance Sheet Record and Income Statement
2. Cash Receipts Record
3. Cash Disbursement Record (*check register, statements*)
4. Investment Record (*interest earning statement*)
5. Savings Record (*monthly statements*)
6. Payroll Record (*amount of salary, withholding, etc.*)
7. Office Equipment and Furniture Record (*inventory and purchase record*)
8. Financial Report Record (*annual financial review, compilations, and/or audits*)
9. Tax Records

## **Reports**

The Treasurer shall present a monthly financial status report, a budget status report, and such other reports as deemed appropriate to the Board of Directors at each scheduled meeting.

The President shall present a financial audit annually to the Board of Directors at the conclusion of each fiscal year. The scope of the audit shall be the responsibility of the Auditor(s) to embrace areas of special interest or concern.

## **Dues/Assessments**

The level of dues and any assessments shall be established as described in the bylaws and/or policy guidelines. Dues will be prorated for new members on a monthly basis. The Association Executive shall determine the method of collecting, processing and recording dues and assessments. Dues and any other assessments shall not be refundable unless otherwise approved by the Board of Directors.

## **Fidelity Bond**

The Association Executive and all employees shall be bonded by the position. The Treasurer shall review the bonding limits annually. The Association Executive shall recommend to the Board of Directors any necessary changes in the bond. (*removed 2013, added back 2016*)

## **Insurance**

The levels and limits of all association insurance protection plans/bonding shall be reviewed by the Association Executive and Executive Committee annually, and approved by the Board of Directors. (*revised 2013*)

## **Accounting/Bookkeeping**

The Association Executive shall determine the accounting and bookkeeping procedures with board approval. (*revised 2013*)

## **Cash and investment Management**

### Cash Depositories

Cash depositories (checking and savings accounts) shall be authorized by the Board of Directors' corporate resolution of authority with the completion of appropriate signature cards. The Executive Committee may authorize short-term savings investment depositories.

Checking accounts will require two (2) authorized signatures. The authorized check signers are the President, President-Elect, Secretary, Treasurer, and *\*Immediate Past President*. The signature cards will be updated January of each year to reflect the current authorized signers. (*Revised 2016*)

*\*The addition of Immediate Past President was approved by BOD on 4/21/2016, and was accidentally omitted when the policies were retyped on 11/17/2016.*

### Cash Management

The Executive Committee may authorize checking account transfers to savings or other interest earning accounts.

The Executive Committee may authorize savings or other interest earning account transfers to checking.

Saving account withdrawals shall require two (2) authorized signatures.

All account transfers and withdrawals shall require two (2) authorized signatures. (*revised 2013*)

A record of all cash depositories made shall be provided for the Association Executive and appropriate office file.

The Executive Committee is authorized to obtain the services of an Investment Professional. Prior to investing any funds, the Investment Professional's suitable references will be reviewed and a background check will be made with the appropriate governing body, such as the NASD (National Association of Securities Dealers.)

### Investment Evaluations

The performance of the investment portfolio shall be reviewed quarterly with a more in-depth review and adjustment or balancing of the portfolio to be done annually. The annual review shall include analysis of why a particular investment or fund did or did not perform well and an evaluation of whether the allocation of funds between different investments should be adjusted.

### Authorized Investment Instruments

Investments shall be made in insured accounts, government obligations or instruments, securities



backed by government obligations, corporate bonds with an A or better rating by Standard & Poors or a similar rating agency as well as mutual funds that invest in stocks, bonds, etc. The exposure of the portfolio to any one issuer, other than securities of the U.S. government or agencies, shall not exceed 25 percent of the market value of the investment portfolio.

Any investment in mutual funds must be done with the approval of the President, President-Elect and Association Executive. The mutual funds portfolio shall include investments in at least three different styles of funds with no more than 50% of the total mutual fund investment in one style of fund. The styles of funds, as defined by Morningstar, are based on capitalization (large, medium and small) and style (value, growth, and blend).

#### Discussion and Movement of Investment Funds

The Association Executive (AE) has authority to discuss the investment portfolio with the financial advisor and will present quarterly updates to the Board of Directors. (*Adopted 2016*)

Based on the advice of the financial advisor, the AE has authority to shift funds within the investment portfolio and is required to notify the Executive Committee within 24 hours of the shift of funds. (*Adopted 2016*)

The AE and one (1) Executive Committee member, or in case the AE is not available, two (2) Executive Committee members have the authority to withdraw funds based on the advice of the financial advisor or at the request of the Board of Directors. (*Adopted 2016*)

#### **Lending/Borrowing**

The Board of Directors shall have the sole authority to authorize the lending or borrowing of funds.

#### **Staff Compensation**

All staff compensation shall be determined by the Executive Committee and will be based on experience, skill, responsibilities and seniority with the approval of the Board of Directors. Periodically, the Executive Committee may choose to compare compensations with boards of a similar size and experience. (*revised 2013*)

#### **Budget Disbursement/Adjustments**

Budget appropriation adjustments among Accounts may be authorized by the Association Executive with the approval of the Executive Committee as long as such adjustments are reported to the Board of Directors and do not affect the amount of the total budget appropriation. (*revised 2013*)

#### **Unexpended Funds Balances**

Fiscal year-end balances shall be handled in the following manner:

Fiscal year-end restricted fund balance shall be carried over from one year to the next in accordance with established policies. Unexpended operation funds at the end of the fiscal year will be placed in designated restricted funds, as determined by the Board of Directors.

#### **Committee Budgets**

Budget allocations for individual committee programs will be considered as part of the annual budgeting program of the Association. Committees should initially review the following year's budget and submit an initial request to the Association Executive.

### **Operating Reserve Restricted Fund**

The purpose of the Operating Reserve Restricted Fund is to establish and maintain a reserve account, which would provide funds sufficient to sustain the association operations for a minimum of six (6) months.

The fund balance shall be such amount as identified by the Board of Directors necessary to provide a six-month operating reserve which shall be held in cash and cash equivalents. The six-month operating reserve will be based on continuing the existing programs at a minimum level.

At the beginning of each fiscal year, the Executive Committee shall recommend the amount of any additional funds necessary, which funds shall be allocated from the previous year's carry-over of any income over expenses not designated to any other restricted funds.

Use of the Operating Reserve Restricted Fund, may be authorized by the Board of Directors upon recommendation of the Executive Committee.

Interest on the Operating Reserve Restricted Fund account shall be recorded as income to the current year's operating budget.

### **Restricted Funds**

From time to time it may be necessary to establish special funds for various purposes. Funds established for periods of two (2) years or less will be by motion of the Board of Directors. Funds established for longer periods will necessitate an amendment to the policy manual of the association. In the creation of any fund the Board of Directors shall specify; 1) source of funds, 2) purpose of fund, 3) authorized use of funds, 4) accrual of interest, 5) fund minimum or maximum balance, and 6) other items as necessary.

### **403: CONTRACT GUIDELINES**

All contracts to be developed or considered for signature must be reviewed by the Association Executive, President and/or TBBOR general counsel.

The Association Executive may sign contracts for budgeted items, provided said contract does not exceed a term of one (1) year and are to be processed in accordance with the provisions of the procedure. Either the President or President-Elect and Secretary shall sign all other contracts.

### **Elements**

The specific terms of contracts covered by this procedure may vary depending on such factors as the goods or services to be provided, the particular contractor, the risk to the Association, etc.

Therefore, it is not possible to specify a model contract. There are, however, basic elements, which should be included in all contracts.

These are:

- The parties to the contract must be specifically named.
- Scope of work or services should adequately specify the work to be performed
- Cost and payment schedule (specifying that payments will not exceed the percentage of the work performed).
- Term of contract
- Frequency and type of reports to be provided.

Depending on the subject of the contract and other factors, other clauses may be added on an individual basis.

In order to avoid problems, which will impede the negotiation process, requests for proposals should include a list of those clauses the Association will require in a given contract. In order to assure the inclusion of all appropriate clauses, the Association Executive should be consulted prior to the release of request for proposals.

Copies of draft or final contracts shall not be disseminated outside the Association without prior review by the Association Executive and/or legal counsel. Further, no employee, officer or member other than those specifically authorized to do so, shall make oral commitments on behalf of the Association.

### **Processing Procedures**

The originator shall submit proposed contract documents to the Association Executive for signature, if the contract is for more than one (1) year or is for an approved unbudgeted item, these documents should also be submitted to the President for approval and signature. (*revised 2013*)

Normally, only two (2) copies of a contract are signed. Exceptions will be made only when there are more than two parties to the contract or where some other requirements (such as with government) must be met. Exceptions are to be noted on covering memorandum.

An original of the completed contract is to be returned to the Association Executive for retention and filing. No payments will be made to any contractor until the Association Executive has received an executed copy of the contract.

### **404: PURCHASE GUIDELINES**

The following shall serve as guidelines concerning purchases:

1. All purchases shall require prior authorization by the Executive Committee unless the necessary funds were appropriated in the annual operating budget
2. All purchases authorized by the Board of Directors through appropriations in the annual operating budget and the restricted funds shall be in accordance with the following:
  - a) **Definitions**
    1. A Check Request is a form supplied by staff and used by the requesting individual unit to initiate the preparation of a purchase.
  - b) **Purchases under \$1,000**
    1. A Check Request shall be prepared for all purchases and are approved by the President.
  - c) **Purchases over \$2,000**
    1. All purchases in excess of two thousand (\$2,000) dollars will be on a competitive written bid or comparison of sales price basis. If a competitive bid is required, either the Check Request will have attached the name of at least three (3) vendors who can be contracted for bids or the Association Executive will obtain bids. The order will be

issued to the low bidder, provided he/she is consistent with quality and service.  
(Revised 6/2013)

3. The Association Executive may authorize non-competitive bid purchases where there is a compelling reason to use a negotiated price method.
4. Emergency purchases may be verbally authorized by the President.

#### 405: CAPITAL EXPENDITURES POLICY

The following shall serve as guidelines concerning capital expenditures:

Capital expenditures below \$5000 may be made by the Association Executive, as long as:

- a) Funds were appropriated in the annual operating budget, otherwise requires Board of Directors approval
- b) Expenditure will not exceed the current operating budget, otherwise requires Board of Directors approval

Capital expenditures in excess of \$5000 must be authorized by the Board of Directors.

Capital expenditures in excess of \$50,000 must be authorized by 30% of the membership eligible to vote.

(Approved 9/2015)

*NOTE: This section was added by BOD with NAR mandate to remove the capital expenditure from the bylaws.*

#### 406: CREDIT CARD USAGE

Any credit card provided by the association for business use by an employee is for association business use only. Cardholders may not use the credit card for personal purchases nor for guaranteeing any type of personal reservations (hotel, rental cars, etc.) nor for any other non-association business use.

Any personal use of an association business credit card will be grounds for disciplinary action.

Association credit cards are generally to be used for business travel. Because of lack of documentation, it is always preferable to request a check in advance for your purchases as it provides a better audit trail. During business travel it may be necessary to use the association credit card to purchase airline tickets, meals, etc. for spouses/guests. In which case the charge will be subtracted from the member's expense report or invoiced to the member.

For business purchases made, a receipt must be acquired from the seller and attached to the monthly statement.

When the credit card is used to pay for meals, staff must indicate on the receipt who was in attendance and the purpose of the meal. The receipt should be attached to the monthly statement.

The monthly statement must be reconciled by the AE/staff and reviewed by authorized check signers and registered in the appropriate account. Failure to reconcile statements promptly may result in late

payment charges. Repeated failure to reconcile statements in a timely manner may result in forfeiture of the association's credit card. (*revised 2013*)

#### 407: APPROVED TRAVEL

The following shall serve as guidelines for approved meetings and approved attendees.

##### **National Association of REALTORS® Meetings/Conventions**

Association Executive Institute -Association Executive

Mid-Year Legislative Meeting - President, President-Elect, and Association Executive Leadership

Summit - President-Elect and Association Executive

Annual Convention - President, President-Elect, and Association Executive

##### **Texas Association of REALTORS® Meetings/Conventions**

Winter Meetings - President, President-Elect, TAR Director, Association Executive and/or staff.

Association Executive Seminar -Association Executive and/or Staff.

Annual Convention - President, President-Elect, TAR Director, and Association Executive.

TREPAC Orientation - President-Elect/TREPAC Chair and Association Executive.

BOLC - President, President-Elect, Secretary, Treasurer and Association Executive

Regional Meeting - Officers, Directors, and Staff. (*No per diem allowance*)

##### **Other Meetings/Conventions**

FNIS MLS User Group - MLS Coordinator and/or MLS Chairman

CTXMLS – Board of Governors (*added 2016*)

Any deviation from the above must be approved by the Executive Committee and/or Board of Directors.

Additional meetings/conventions will be on a case by case basis with approval of the Board of Directors.

#### 408: EXPENSE REIMBURSEMENT PROCEDURES

The following shall serve as guidelines concerning expense reimbursements:

##### **Expense Reimbursement Approval**

Only expenses related to authorize Association business budgeted for through the Board of Directors adopted annual budgets and other policies shall be reimbursable. The President shall authorize the reimbursement of the Association Executive expenses and the Treasurer and/or President shall authorize the reimbursement of the expenses of others in accordance with Board of Directors adopted policies.

##### **Expense Recipients**

The following shall be authorized expense reimbursement recipients:

- A. Staff Members;
- B. Committee Members (as authorized by policy action);
- C. Officers (as authorized by policy action);
- D. Others (as authorized by policy action).

##### **Expense Reporting and Documentation**

Expenses shall be reported on prescribed expense report forms and documented with receipts (per

current IRS receipt guidelines) whenever possible before being reimbursed. All expense reimbursement requests for a particular fiscal year must be received prior to December 31 of that fiscal year.

### **Reimbursable Transportation Expenses**

Reimbursable modes of transportation shall be economy or tourist airfare, where available; automobile mileage at the rate allowed by the IRS (for driver only); airport limousine, bus or taxi.

Committee member expenses related to authorize committee business shall be in accordance with adopted policy and budget if prior approval for such reimbursements is received by the Committee Chairperson from the President.

### **Reimbursable General Expenses**

Reimbursable expenses shall be Transportation (specified in the previous paragraph); Parking; lodging; gratuities; registration fees and other normally accepted business related expenses authorized by the Association Executive in accordance with the adopted policies and the annual budgets. Approved per diem may be issued in advance within 48 hours prior to travel. Dollar amount of per diem to be reviewed annually. (*revised 2013*)

Per Diem allowance; \$125 per day for food on approved travel unless otherwise stated.  
(*Adopted 2013; Revised 3/2015*)

### **Non-Reimbursable General Expenses**

These items are generally excluded unless authorized by the Executive Committee.

- A. Personal entertainment (i.e.: movies, health clubs, airline headphones, etc.)
- B. Purchase of books and magazines
- C. Barber, hair stylist or beautifying fees
- D. Baby-sitting
- E. Kennel
- F. Laundry and dry cleaning
- G. Mini-bars and in-room safes
- H. Alcoholic beverages

## **SECTION 5: GENERAL POLICIES**

### **501: PRIVACY POLICY**

The Temple-Belton Board of REALTORS® is committed to privacy of personal information of its members.

### **Personal Information**

An individual's first name or initial and last name in combination with any of the following:

- a) Birth date;
- b) Social Security number or other government issued identification number;
- c) Mother's maiden name;
- d) Unique electronic identification number or routing code;
- e) Financial institution account or information.

### **Collection of Personal Information**

TBBOR obtains personal information in the following ways:

- a) In Membership Applications
- b) In Lock Box Key Lease Agreements

When completing the forms required above, the customer or client may send the information to TBBOR by mail, fax, personal delivery, or by e-mail. Customers or clients may occasionally provide personal information to TBBOR or its agents by other means such as telephone calls, fax messages, or e-mail messages in order to expedite a transaction in which the customer or client is involved.

### **Use of Personal Information**

Personal information from members and prospective members is used to set up their membership file and grant access to the MLS system. Portions of their name and social security number are used to set up their ID and Password for the MLS system.

### **Ways Personal Information is protected**

Written files in TBBOR are protected under lock and key.

Electronic records are protected under an access name and password assigned to persons in TBBOR.

TBBOR and its staff exercise reasonable discretion when discussing any personal information with others and releases personal information to other only as described by this policy.

### **Access to Personal Information**

The following persons have access to personal information in this company's files:

- a) Association Executive and staff
- b) Grievance and Professional Standards Committee (*removed 2013, added back 2016*)
- c) Executive Committee

### **Personal Information Disposal**

TBBOR uses reasonable measures to dispose of personal information. Personal information is usually disposed of by shredding or burning documents, erasing electronic files by means that make the files unreadable or undecipherable, or by eradicating personal information from documents or electronic files in ways that make the personal information unreadable.

TBBOR employs a document and record destruction policy under the Record Retention section of this manual.

### **Erroneous Records**

If TBBOR erroneously reports information, TBBOR will act to correct the information in the company's records and all other records promptly after the company has learned and determined that the report was in error.

*Notice: TBBOR asks any person who provides personal information to identify the information at that time as "personal information. "*

### **502: DISCRIMINATION AND SEXUAL HARASSMENT POLICY**

The Temple-Belton Board of REALTORS® is strongly committed to a policy of equal opportunity for all individuals regardless of race, color, religion, sex, handicap, familial status, national origin or age. The policy of equal opportunity applies to all aspects of Association activities and programs, including employment practices, membership policies and committee appointments.

The laws prohibiting discrimination on account of sex include sexual harassment as illegal conduct. Each and every Association employee and member involved in Association activities and program is responsible for assuring that they do not engage in sexual harassment or any conduct which could be viewed as sexual harassment.

Sexual harassment includes:

1. Unwelcome sexual advances;
2. Unwelcome requests for sexual acts or favors;
3. Other verbal or physical conduct that has the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile or offensive working environment.

The Association has established complaint procedures for any member or employee who believes he/she has suffered sexual harassment by any other employee, guest or member of the Association. Please contact the Association Executive for more information.

### 503: DO NOT CALL AND DO NOT FAX POLICY

#### **Do Not Call**

Association staff should never make an unsolicited phone call seeking to sell any goods or services to anyone not a member of the Board, unless the Board has an "existing business relationship" with the person being called. "Established Business Relationship" means that the person the Board is calling has had a transaction or purchase with the Board in the last eighteen (18) months or the person the Board is calling has made a commercial inquiry of the Board in the last three (3) months. If the person being called requests that no further calls be made, the Board must cease from making further unsolicited marketing calls to that person.

TBBOR should never authorize a telemarketing company to make unsolicited phone calls seeking to sell goods or services to anyone not a member of the Board, unless the Board has an "existing business relationship" with the person being called.

TBBOR should ask all affinity marketing partners if they are in compliance with the Federal Communications Commission (FCC) Do Not Call regulations.

#### **Do Not Fax**

Current FCC Rules allow Associations to send an unsolicited, commercial fax to someone with whom the sender has an "existing business relationship" (defined the same as under the Do Not Call Policy) or from whom the Board has received prior express consent. Because a local Board will always have an existing business relationship with the Board's members, the Board will be able to send unsolicited, commercial faxes to its members.

### 504: OPEN/CLOSED MEETING POLICY

The policy of the Association is clear. Unless there are exceptional reasons for confidentiality, all meetings of the Association are open to any members. The following committees are authorized on a limited basis to conduct closed meetings: Board of Directors, MLS Committee, Awards Sub-committee, Nominating Sub-committee

Guests are not invited to participate in any discussions unless called upon.

### 505: SMOKING POLICY



It is the policy of the Association that this property is a smoke free zone in accordance with the City of Temple smoking ordinance. *(revised 2013)*

## 506: RECORD RETENTION

Type of Record .....	Recommended Period
Annual Financial Reports .....	Permanently
Articles of Incorporation .....	Permanently
Audit Reports .....	Permanently
Bank Deposit Slips .....	3 Years
Bank Reconciliations .....	3 Years
Bank Statements .....	7 Years
Budgets .....	3 Years
Cash & Charge Sales .....	7 Years
Check Register .....	10 Years
Checks (Paid & Canceled) .....	7 Years
CORRESPONDENCE:	
Accounting .....	5 Years
Credit & Collection .....	7 Years
General .....	3 Years
Deeds .....	Permanently
Deposit Slip Copies .....	3 Years
Depreciation Schedules .....	7 Years
Equipment Leases (After Expiration) .....	6 Years
Equipment Repair Records .....	3 Years
Expense Reports .....	5 Years
FINANCIAL REPORTS	
Audited .....	Permanently
Annual .....	Permanently
Fire Damage Reports .....	6 Years
Fixed Asset Records .....	7 Years
Insurance Policies (After Expiration) .....	3 Years
Invoices (issued or received) .....	7 Years
LABOR RECORDS	
Applications (Employees) .....	7 Years
Earnings Records .....	7 Years
Pay Check .....	7 Years
Personnel Files .....	7 Years
Salary and Wage Rate Changes .....	7 Years
Unemployment Claims .....	7 Years
Withholding Exemption Certificates .....	7 Years
Worker's Compensation Reports .....	10 Years
W-2 Forms .....	7 Years
Leases .....	7 Years
LEDGERS & JOURNALS	
Accounts Payable Ledger .....	7 Years
Accounts Receivable Ledgers .....	7 Years
Cash Journal .....	10 Years
Customer Ledger .....	7 Years

General Journal .....	10 Years
General Ledger .....	Permanently
Journal Entries – Year End .....	Permanently
Payroll Journal .....	10 Years
Notes (canceled) .....	7 Years
<b>PROPERTY RECORDS</b>	
Appraisals .....	Permanently
Damage Reports .....	7 Years
Deeds and Titles .....	Permanently
Depreciation .....	7 Years
Plans & Specifications .....	Permanently
Purchases .....	Permanently
Sales .....	Permanently
Taxes .....	10 Years
Tax Records ( <i>including worksheets, bills/statements, &amp; agent's reports</i> ) .....	10 Years
<b>TAX RETURNS (<i>copies</i>)</b>	
Income .....	Permanently
Payroll .....	7 Years
Personal Property .....	10 Years
Sales & Use.....	10 Years
Social Security .....	10 Years
Title Papers .....	Permanently

#### **507: EMPLOYEE AND MEMBER/VOLUNTEER RELATIONS**

The Temple-Belton Board of REALTORS® establishes the following TBBOR Employee and Member/Volunteer Relations policy in order to promote a cordial, pleasant and legally compliant working environment between TBBOR employees and its members.

Since TBBOR is a member services organization with revolving tenancies in the Board of Directors and TBBOR Committees, this policy is established to preserve continuity of authority and responsibility within the work environment.

#### **Policies, Programs and Services**

The Board of Directors shall establish the scope of TBBOR policies, programs and services. TBBOR staff is responsible to carry out the policies, programs and services established by the Board of Directors.

No member shall be provided with services beyond the scope of services provided to all members. Any request by a member for services outside the scope of an employee's authorization must be forwarded to the Association Executive. This request must contain information on the unique circumstances of the situation, which prompted the member to request that extraordinary measures be considered for their benefit. The Association Executive may then determine if an exception should be made, with input from the President, or if the request should be brought to the attention of the Board of Directors for resolution.

#### **Committee Support**

1. A TBBOR employee should render all possible technical and administrative assistance to the committees and work groups to which he/she is assigned, but should never assume the committee's prerogative. The TBBOR employee is involved so as to answer questions, offer suggestions or raise questions, when appropriate.

2. A TBBOR employee is expected to be knowledgeable on TBBOR policy, committee scope and the subject under discussion.

### **Staff & Member Volunteer Relations**

1. The Association Executive is responsible to and takes his/her instructions from the Board of Directors (as a collective body). All other TBBOR employees are responsible to and take instruction from the Association Executive.
2. Interaction between TBBOR employees and members/volunteers shall be maintained at a professional level characterized by mutual respect, courtesy, effort and cooperation to resolve issues. Under no circumstance should TBBOR employees or members/volunteers engage in discourteous or unprofessional behavior (i.e. use of profanity, disparagement of another employee or member, use of physical force, etc.).
3. Any behavior by a member/volunteer, which interferes with or compromises a TBBOR employee's job performance or satisfaction, is not acceptable. A TBBOR employee may, at their sole discretion, terminate any conversation with a member/volunteer that is considered to be offensive. All such incidents should be reported to the Association Executive or President for appropriate action.
4. Members/volunteers are not responsible for and may not discipline a TBBOR employee. Any unprofessional behavior or unacceptable performance by a TBBOR employee, which is observed by a member/volunteer, should be reported to the Association Executive or President for appropriate action.

## **SECTION 6: COMPUTER, INTERNET AND E-MAIL POLICIES**

To maximize the benefits of TBBOR's resources and minimize potential liability, this policy will explain how to use e-mail and social media appropriately and professionally. It will define the obligations and duties for each user and emphasize the degree of care needed as with any written business communication. (*revised 2013*)

### **601: DEFINITIONS**

#### **Computer System**

Any computer hardware located on the premises of the Association office, including without limitation computers, monitors, printers, keyboards, mouse, and other peripheral equipment, and any portable hardware, such as overhead projector or laptop.

#### **Users**

Any employee of the Association and any volunteer with access to the Computer System.

### **602: COMPUTER**

#### **Allowed Use of Computer System**

The computer system is the property of the Temple-Belton Board of REALTORS® (Association) and may be used only for legitimate business purposes. Users are permitted access to the computer system to assist them in the performance of their jobs. All users have the responsibility to use computer resources in a professional, ethical and lawful manner. Use of the computer system is a

privilege that may be revoked at any time.

### **No Expectation of Privacy**

The computers and computer e-mail accounts given to users are to assist them in the performance of their jobs. Users should not have an expectation of privacy in anything they create, store, or receive on the computer system. The computer system belongs to the company and may only be used for business purposes.

### **Passwords Do Not Imply Privacy**

Use of passwords to gain access to the computer system or to encode particular files or messages does not imply that users should have an expectation of privacy in the material they create or receive on the computer system. The Association has the right to inspect, without prior notice, all material stored on its computer system.

### **Use of Encryption Software**

Apart from login passwords, users may not use passwords or other encryption keys to prevent access to their work on the computer system. Users found to possess encrypted files are subject to disciplinary action and possible termination.

### **Waiver of Privacy Rights**

Users expressly waive any right of privacy in anything they create, store, send or receive on the computer or through the Internet or any other computer network. Users consent to allowing personnel of the company to access and review all materials users create store, send, or receive on the computer or through the Internet or any other computer network.

### **Accessing other Computers and Networks**

A user's ability to connect to other computer systems through the network or by a modem does not imply a right to connect to those systems or to make use of those systems unless specifically authorized by the operators of those systems.

### **Computer Security**

Each user is responsible for ensuring that his or her use of outside computers and networks, such as the Internet, does not compromise the security of the Association's computer network. This duty includes taking reasonable precautions to prevent intruders from accessing the company's network without authorization and to prevent introduction and spread of viruses.

### **Monitoring of Computer Usage**

The Association has the right, but not the duty, to monitor any or all aspects of its computer system, including, but not limited to, monitoring sites visited by users on the Internet, monitoring chat groups and news groups, reviewing material downloaded or uploaded to the Internet, and reviewing e-mail sent and received by users.

### **Misuse of Software**

Without prior written authorization from the Association Executive, users may not do any of the following:

1. Copy software for use on their home computers;
2. Provide copies of software to any independent contractors or clients of the Association or to any third person;
3. Install software on any Association work stations or servers;
4. Download any software from the Internet or other online service to any Association work

stations or servers;

5. Modify, revise, transform, recast or adapt any software; Reverse-engineer, disassemble, or compile any software.

All employees will adhere to the license requirements for all software purchase. Employees who become aware of any misuse of software or violation of copyright law should immediately report the incident to their supervisors.

### **Communication of Trade Secrets**

Unless expressly authorized by the Association Board of Directors, sending, transmitting, or otherwise disseminating proprietary data, trade secrets, or other confidential information of the company is strictly prohibited. Unauthorized dissemination of this information is strictly prohibited. Unauthorized dissemination of this information may result in substantial civil liability as well as severe criminal penalties under the Economic Espionage Act of 1996.

### **Installation of Software**

Users may not install software onto their individual computers or the network without first receiving express permission from their supervisors.

### **Virus Detection**

Viruses can cause substantial damage to computer systems. Each user is responsible for taking reasonable precautions to avoid introducing viruses into the Association network. To that end, all material received on floppy disk or other magnetic or optical media and all material downloaded from the Internet or other computers or networks that do not belong to the Association **MUST** be scanned for viruses and other destructive programs before being placed onto our computer system. Users should understand that their home computers and laptops might contain viruses. All disks transferred from these computers to the Association's network **MUST** be scanned for viruses. If a user suspects that a virus has been introduced to the company's network, he or she should notify the Association Executive immediately.

### **Duty Not to Waste Computer Resources**

Users must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, sending mass mailings or chain letters, subscribing to non-business-related list servers and mailing lists, spending excessive amounts of time on the Internet, playing games, engaging in online chat groups, printing multiple copies of documents, or otherwise creating unnecessary network traffic. Chain e-mail is a message sent to a number of people asking each recipient to send copies with the same request to a specified number of others. Mass e-mail is a message sent to a large number of recipients without any legitimate business purpose. Employees should delete all chain e-mail and all non-business-related mass e-mail immediately upon receipt and refrain from forwarding them to other employees. Employees found to be involved in sending chain e-mail or non-business-related mass e-mail may be subject to disciplinary action, including revocation of e-mail privileges. Repeated violations of this policy may result in termination.

### **Large File Transfers**

Users should schedule communications-intensive activities such as large file transfers, mass e-mailings, and streaming audio or video for off-peak times (that is before, 9:00am and after 4:00pm, Monday through Friday). Because audio, video, and picture files require significant storage space, files of this sort may not be downloaded unless they are business-related. All files that are downloaded must be scanned for viruses and other destructive programs.

### 603: INTERNET AND E-MAIL

The Internet can be a valuable source of information and research. In addition, e-mail can provide excellent means of communicating with other employees, our customers and clients, outside vendors, and other businesses. Use of the Internet, however, must be tempered with common sense and good judgment.

#### **User's Duty of Care**

Users should endeavor to make each electronic communication truthful and accurate. Users should use the same care in drafting e-mail and other electronic documents as they would for any other written communication. The quality of writing reflects on the company. Users should always strive to use good grammar and correct punctuation, and keep in mind that anything created or stored on the computer system may, and likely will, be reviewed by others.

#### **Prohibited Activities**

Material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful or inappropriate may not be sent by e-mail or other form of electronic communications (such as bulletin board systems, news group, or chat groups) or displayed on or stored in the Association computers. Users encountering or receiving this kind of material should immediately report the incident to their supervisors.

Harassment and/or Discrimination: Employees are not to transmit e-mails, or visit Internet sites, which display or make comments on pornographic material. Employees may not send or subscribe to e-mails, or visit Internet sites, which transmit defamatory messages including, but not limited to, inappropriate jokes, racially defamatory language, hate groups, or other transmissions, which would normally be considered inappropriate in the workplace.

Copyright infringement: Because it is relatively easy to cut-and-paste material from the Internet, as well as download software, employees are required to obtain property copyright permission. The Association does not accept responsibility for copyright infringements, and the employee may be held personally liable for any such abuses.

Excessive Personal Uses: Employees shall limit personal use to an absolute minimum. An employee who is downloading files for personal use, or excessively using the Internet or e-mail for personal use will be subject to disciplinary action.

Chat Rooms: Employees are not to participate in chat rooms that are not directly work related.

Other prohibited usage can include sending chain letters, illegal activity, exchanging sensitive information of any nature, personal commercial activities and/or promotion of political positions or actions, or solicitation of any type, except for Association sanctioned activities.

#### **Disclaimer of Liability for Use of the Internet**

The Association is not responsible for material viewed or downloaded by users from the Internet. The Internet is a worldwide network of computers that contains millions of pages of information. Users are cautioned that many of these pages include offensive, sexually explicit, and inappropriate material. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocent search requests may lead to sites with highly offensive content. In addition, having an e-mail address on the Internet may lead to receipt of unsolicited e-mail containing offensive content. Users accessing the Internet do so at their own risk.

The Association will not be responsible for employees' action through e-mail, or Internet usage, which violates the law or this policy. The Association will fully cooperate with law enforcement officials, regulatory and licensing authorities, and parties to a civil suit, in retrieving an employee's e-mail communications and/or web sites visited. If a lawsuit or investigation should take place, disposal of electronic information must cease immediately. Each employee is advised that use of the Associations Internet service and e-mail waives the right to privacy in regards to such use.

#### **Sending Unsolicited E-mail**

TBBOR shall not send unsolicited, commercial e-mail to non-members unless "ADV:" is typed as the first four characters in the subject line of the e-mail.

### **SECTION 7: CREDIT CARD USAGE BY MEMBERS**

#### **701: PURPOSE**

Establish written guidelines concerning members using Credit Cards to pay and/or purchase Association events, products, and/or services.

#### **702: ELIGIBILITY**

The use of a Credit Card at TBBOR is a benefit, therefore only current members of TBBOR or participants and subscribers of its MLS in good standing are eligible to use credit cards as a method of payment. New members, participants, and/or subscribers will not be able to use credit card for payment when joining TBBOR.

#### **703: CREDIT CARD AUTHORIZATION FORM**

All credit card payments that are not conducted through the online payment system will require the completion of the TBBOR Credit Card Authorization form. TBBOR will only accept one credit card per invoice. (*revised 2013*)

#### **704: PAYMENT OF MLS FEES**

TBBOR will only accept payment from the Participant (Broker of Record) per MLS Rules & Regulations. Therefore, if the Participant wants to pay MLS fees with a credit card it must be their credit card and they must pay the entire amount of the invoice.

### **SECTION 8: TBBOR MEMORIAL SCHOLARSHIP PROGRAM**

#### **801: SCHOLARSHIP PURPOSE**

Temple Belton Board of REALTORS® will sponsor three (3) annual scholarships awarded through Temple Education Foundation, Belton Education Foundation, & Salado Education Foundation. (*Adopted 9/2016*)

#### **802: SCHOLARSHIP CRITERIA**

The scholarships will be based upon community involvement, financial need and attendance. (*Adopted 9/2016*)

#### **802: SCHOLARSHIP TASK FORCE**

Scholarship Task force will be made up of six (6) members: Chaired by the Immediate Past President; two (2) members of the TBBOR Board of Directors, and three (3) TBBOR members. (Appointed by the President in January of each year) *(Adopted 9/2016)*

Task force will meet in August of each year to review the scholarship fund and make recommendations to the Board of Directors concerning the scholarships. *(Adopted 9/2016)*

The details of the scholarships will be communicated to the Education Foundations, by the Association Executive, the Scholarship Task Force Chair, or another member of the Task Force, no later than October of the scholastic year. *(Adopted 9/2016)*

#### 803: SCHOLARSHIP AMOUNT AND PRINCIPAL

The amount of each scholarship will be \$1000. Amount of scholarships awarded will not affect the principal balance of the Scholarship Fund. In the event the income from the Fund is insufficient, the Task Force will inform the Board of Directors of the shortage and request that the Association fund the difference from the general fund. If funds in the general budget are not sufficient to make the scholarship total reach \$1000 each, the Task Force will make a recommendation to the Board of Directors as to the amount that should be awarded. *(Adopted 9/2016)*

If the Scholarship Fund has earned income in excess of \$3000, the Scholarship task force will choose whether to add the additional income back into the principal account, increase the scholarship amount, or add a teacher grant for that year and make recommendations to the Board of Directors. Any decrease or increase in the amounts awarded will be shared equally between the three (3) scholarships. *(Adopted 9/2016)*

#### 804: ADDITIONAL FUNDS

In any given calendar year that the profit earned by the Temple Belton Board of REALTORS® Association is equal to or in excess of \$50,000, up to 3% of the profit will be added to Scholarship Fund in the following academic year scholarship to increase the principal balance of the Scholarship fund or increase the amount the scholarships awarded. *(Adopted 9/2016)*

The Scholarship Task Force may recommend to the Board of Directors that the Association hold fund raising events benefiting the principal balance of the Scholarship Fund or benefitting the scholarship amount. *(Adopted 9/2016)*