


THE VOICE OF REAL ESTATE IN ALASKA

# BYLAWS

Approved August 2025

# BYLAWS

of the
ALASKA ASSOCIATION OF REALTORS®, INCORPORATED DBA "Alaska REALTORS®"
Adopted date: July 2022

## Article I
## NAME AND OBJECTIVES

Section 1. The name of this organization will be Alaska REALTORS®, Incorporated, hereinafter referred to as the State Association.

Section 2. The objectives of the State Association will be to unite local associations of REALTORS® hereinafter referred to as local associations*, their members, and REALTOR® and REALTOR-ASSOCIATE® members in the state of Alaska for the purpose of effectively exerting a combined influence upon matters affecting real estate, to elevate the standards of the real estate business throughout the state and the professional conduct of persons engaged therein.

*As used herein, the term "local association(s)" refers to local/member boards and associations.

## Article II
## MEMBERSHIP

Section 1. The members of the State Association will consist of six classes: (1) Member Boards, (2) Association members, (3) REALTOR® members, (4) Institute Affiliate members, (5) Affiliate members, and (6) Honorary members.

Section 2. A Member Board will be a local association chartered by the National Association of REALTORS® within the state of Alaska. All REALTOR® and REALTOR-ASSOCIATE® members who hold primary membership in the local association will hold membership in the State Association and the NATIONAL ASSOCIATION OF REALTORS®.

Section 3. State Association members will be either REALTOR®, REALTOR-ASSOCIATE®, or Institute Affiliate members of a Member Board in good standing.

Section 4. A REALTOR® member will be any individual engaged in the real estate profession as a principal, partner, corporate officer, or branch office manager acting on behalf of the firm's principal(s), and licensed or certified individuals affiliated with said REALTOR® member whose place of business is located in an area outside the jurisdiction of any Member Board (also known as "Member At Large") who meets the qualifications for REALTOR® membership established in subsection (a) below. Secondary REALTOR® membership will also be available to individuals who hold primary membership in an association in another state and who desire to obtain direct membership in the State Association without holding membership in a local association in the state.

(a) An applicant for REALTOR® membership who is a sole proprietor, partner, corporate officer or branch office manager of a real estate firm will supply evidence satisfactory to the State Association through its membership committee or otherwise that he/she 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 of the State Association, the Policy and Procedure Manual of the State Association, and the *Constitution and Bylaws* and Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®, and will pass such reasonable and nondiscriminatory written examination thereon as may be required by the committee, and will agree that if elected to membership, he/she will abide by such, Constitution, Bylaws, Rules and Regulations and Code of Ethics.

*No recent or pending bankruptcy is intended to mean 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 State Association establishes its interests and those of its members and the public could not be adequately protected by requiring the bankrupt applicant pay cash in advance for association fees for up to one (1) year from the date membership is approved or from the date the applicant is discharged from bankruptcy (whichever is later). If an existing member initiates bankruptcy proceeding, the member may be placed on a "cash basis" from the date the bankruptcy is initiated until one (1) year from the date the member has been discharged from bankruptcy.

**No record of official sanctions involving unprofessional conduct is intended to mean the State 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, and (3) or other laws prohibiting unprofessional conduct against the applicant rendered by the courts or 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 (10) years have elapsed since the date of the conviction or the release of the applicant from the confinement imposed for that conviction, whichever is the later date.

(b) Individuals who are actively engaged in the real estate profession other than as sole proprietors, partners, corporate officers, or branch office managers, to qualify for REALTOR® membership, will at the time of application, be associated either as an employee or as an independent contractor with a designated REALTOR® member of the State Association or a designated REALTOR® member of another 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 has no record of official sanctions involving unprofessional conduct (as described in Section 4(a) A & B above), will complete a course of instruction covering the Bylaws of

the State Association, the Policy and Procedure Manual of the State Association, and the *Constitution and Bylaws* and Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®, and will pass such reasonable and nondiscriminatory written examinations thereon as may be required by the membership committee and will agree in writing that if elected to membership he/she will abide by such Bylaws, Policies and Procedures, *Constitution and Bylaws*, and Code of Ethics.

**No record of official sanctions involving unprofessional conduct is intended to mean the State 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, and (3) or other laws prohibiting unprofessional conduct against the applicant rendered by the courts or 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 (10) years have elapsed since the date of the conviction or the release of the applicant from the confinement imposed for that conviction, whichever is the later date.

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

1. All final findings of Code of Ethics violations and violations of other membership duties in this or any other REALTOR® 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 this or any other REALTOR® association or REALTOR® association Multiple Listing Service; and
6. Any misuse of the term REALTOR® or REALTORS® in the name of the applicant's Firm.

"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 II, Section 4(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 months from the date the provisional membership is approved.

Provisional members will be considered REALTORS® and will 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 State 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 State Association to which the applicant has made application) and will abide by the decision of the hearing panel.

(d) The board of directors (or its appointed designee) will review and act on all applications for membership. An application may not be rejected without providing the applicant with an opportunity to appear before the board of directors to make such statements as he/she deems relevant. If the board of directors determines the application should be rejected, it will record its reasons with the secretary/treasurer. If the board of directors believes that denial of membership to the applicant may become the basis of litigation and a claim of damage by the applicant, it may specify that denial will become effective upon entry in a suit by the State Association for a declaratory judgment by a court of competent jurisdiction of a final judgment declaring the rejection violates no rights of the applicant.

(e) 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 will be required to accompany each application for REALTOR® membership and which will become the property of the State Association upon final approval of the application.

(f) Designated REALTOR® members. Each firm (or office in the case of firms with multiple office locations) will designate in writing one REALTOR® member who will be responsible for all duties and obligations of membership, including the obligation to arbitrate (or to mediate if required by the State Association) pursuant to Article 17 of the Code of Ethics and the payment of association dues as established in Article II 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 II, Section 4 of the Bylaws.

(g) Any REALTOR® member of the State Association may be disciplined by the board of directors for violations of these Bylaws, the Code of Ethics, or other duties of membership, after a hearing as described in the *Code of Ethics and Arbitration Manual* of the State Association provided 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.

(h) 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 will 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, or management control is relinquished, whichever may apply. The membership of all other principals, partners, or corporate officers will 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, or unless the REALTOR® who is suspended or expelled removes himself from any form or degree of management control of the firm for the term of the suspension or until readmission to membership, whichever may apply. Removal of an individual from any form or degree of management, control must be certified to the State Association by the member who is being suspended or expelled and by the individual who is assuming management control, and the signatures of such certification must be notarized. In the event the suspended or expelled member is so

certified to have relinquished all form or degree of management control of the firm, the membership of other partners, corporate officers, or other individuals affiliated with the firm will not be affected, and the firm, partnership or corporation may continue to use the terms REALTOR® and REALTORS® in connection with its business during the period of suspension or until the former member is admitted to membership in the State Association. The foregoing is not intended to preclude a suspended or expelled member from functioning as an employee or independent contractor, providing no management control is exercised. Further, the membership of REALTORS® other than principals who are employed or affiliated as independent contractors with the disciplined member will 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, or management control is relinquished, or unless the REALTOR® Member (non-principal) elects to sever his/her connection with the REALTOR® and affiliate with another REALTOR® member in good standing in the State Association, whichever may apply. If a REALTOR® member other than a sole proprietor in a firm, partner in a partnership, or an officer of a corporation is suspended or expelled, the use of the terms REALTOR® or REALTORS® by the firm, partnership or corporation will not be affected.

(i) In any action taken against a REALTOR® member for suspension or expulsion under Section 4(h) hereof, notice of such action will be given to all REALTORS® employed by or affiliated as independent contractors with such REALTOR® member and they will be advised that the provisions in Article II, Section 4(h), will apply.

Section 5. Institute Affiliate members will 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® or REALTOR-ASSOCIATE® membership, subject to payment of applicable dues for such membership.

Section 6. Affiliate members will be real estate owners and other individuals or firms who are Affiliate members of Member Boards. Individuals or organizations located within the jurisdiction of the State Association, but outside of any Member Board jurisdiction may be an Affiliate member directly of the State Association. All must be involved in an industry complementary to real estate.

Section 7. Honorary members will be individuals other than those engaged in the real estate business who have contributed notably to the State Association.

Section 8. REALTOR® Emeritus The criteria for becoming a REALTOR® Emeritus (as recognized by the NATIONAL ASSOCIATION OF REALTORS®) is listed on Nar.Realtor

Section 9. Alaska REALTORS® Emeritus The criteria for becoming an ALASKA REALTOR® Emeritus with the State Association requires association membership for a period of forty or more years.

## Article III
## DUES AND FEES

Section 1. The annual dues of each Member Board will be (1) an amount as established by the board of directors times the number of REALTOR® and REALTOR-ASSOCIATE® members who hold primary membership in the State Association, plus (2) an amount as established by the board of directors times the number of real estate licensees and licensed or certified appraisers employed by or affiliated as independent contractors with REALTOR® members of the State Association who are not themselves REALTOR®, REALTOR-ASSOCIATE®, or Institute Affiliate members. In calculating the dues payable by a Member Board, nonmembers, as defined in the preceding sentence, will not be included in the computation of dues if dues have been paid in another association in the state provided the local association notifies the State Association in writing of the identity of the local association to which dues have been remitted.

Section 2. The annual dues of each designated REALTOR® member actively engaged in the real estate business from areas not within the jurisdiction of a Member Board will be (1) an amount as established by the board of directors plus (2) an amount as established by the board of directors times the number of real estate licensees and licensed or certified appraisers who (a) are employed by or affiliated as independent contractors, or who are otherwise directly or indirectly licensed with such REALTOR® member, and (b) are not REALTOR®, REALTOR-ASSOCIATE® or Institute Affiliate members. An individual will be deemed to be licensed with a REALTOR® if the license of the individual is held by 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) hereof) provided the 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) 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 will annually file with the State Association on a form approved by the State Association a list of the licensees affiliated with that entity and will certify all of the licensees affiliated with the entity are solely engaged in referring clients and customers and are not engaged in listing, selling, leasing, renting, managing, counseling, or appraising real property. The individuals disclosed on such form will not be deemed to be licensed with the REALTOR® filing the form for purposes of this section and will not be included in calculating the annual dues of the designated REALTOR®. Designated REALTORS® will notify the State Association within three (3) days of any change in the status of licensees in a referral firm.

The exemption for any licensee included on the certification form will automatically be revoked upon the individual being engaged in real estate licensed activities (listing, selling, leasing, renting, managing, counseling, or appraising real property) other than referrals, and dues for the current fiscal year will be payable.

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

Section 3. The annual dues of REALTOR® members other than designated REALTORS® will be determined annually by the board of directors.

Section 4. The annual dues of each Institute Affiliate member will be as established in Article II of the Bylaws of the NATIONAL ASSOCIATION OF REALTORS®.

Section 5. The annual dues of each Affiliate member will be determined annually by the board of directors.

Section 6. No later than February 15, or the following business day, of each year, each Member Board will file with the State Association, in such format as will be determined by the State Association; a list of its REALTOR®, REALTOR-ASSOCIATE®, and Institute Affiliate members and the number of real estate licensees and licensed or certified appraisers employed by or affiliated as independent contractors with such REALTOR® members, certified by the president and secretary of the State Association. At the time such list is filed, each Member Board will pay dues for the current fiscal year based on such list, which dues will be adjusted each month to reflect any net increase in the number of individuals licensed with REALTOR® members of the State Association who are not themselves REALTOR®, REALTOR-ASSOCIATE®, or Institute Affiliate members. Member Board dues will also be adjusted for new members enrolled by the State Association who were not previously licensed with a REALTOR® member of the State Association during the current fiscal year. Adjustments for new members will be prorated monthly and be due and payable within thirty (30) days after the new member's enrollment. Any Member Board or other member delinquent in payment of dues may be assessed a late fee in an amount determined by the board of directors. Any Member Board or other member delinquent in payment of dues by more than thirty (30) days may be dropped from membership in the State Association by the board of directors.

Section 7. Any increase in REALTOR® or REALTOR-ASSOCIATE® member dues greater than five percent (5%) of the current year's dues must be presented to the general membership for approval and will require a 2/3 positive vote of the members present and voting. Dues established by the board of directors will become effective January 1 of the succeeding year.

## Article IV
## OFFICERS

Section 1. The elective officers of the State Association will be a president, president-elect, and secretary/treasurer. All officers will serve for one (1) year. Officers' terms will begin January 1 of the year following their election. The president is not eligible to serve as a director or officer of a local association or member board during their term as president. The president will not be eligible to be elected to serve a second successive term. Elected officers will not be eligible to serve a third successive term in the same office.

Section 2. Duties of the officers will be such as their titles, by general usage, would indicate and such as may be assigned to them respectively by the board of directors from time to time, and as required by law. The President will serve as a NATIONAL ASSOCIATION OF REALTORS® director. The president-elect's duties and responsibilities will include those of a vice-president and performing the duties of the president in the absence thereof. The president-elect will serve as president for the following year. The secretary/treasurer's duties will include those of secretary and treasurer.

Section 3. The Secretary/Treasurer and the Association Executive (AE) will provide a surety bond in such amount as the board of directors may determine the cost to be paid by the State Association.

Section 4. Only REALTOR® members will be eligible to be officers of the State Association. All candidates will have been REALTOR® members in good standing of the State Association for the two (2) years immediately preceding the start of their term and must have served at least one (1) year as an officer or director of a local Member Board prior to taking office in the State Association.

Section 5. The board of directors may employ an Association Executive (AE) and prescribe the function and duties of that office. The president of the State Association will be the AE's direct supervisor.

Section 6. The board of directors may retain legal and other professional counsel and fix the terms of compensation thereof.

## Article V
## BOARD OF DIRECTORS

Section 1. The government of the State Association will be vested in a board of directors, elected for terms of one year, excepting elected NAR Directors, consisting of the following: (1) the president of each Member Board~~s~~ during their term of office, (2) one director for each 300 association members or major fraction thereof above the first 300 in each Member Board as of the prior June 30 membership count, (3) the immediate past president of the State Association (4) all elected officers of the State Association, (5) Distinguished Service Award (DSA) recipients and (6) the members temporarily appointed or elected to serve as National Association of Realtors directors as voting members.

Section 2. The board of directors will administer the finances of the State Association, have sole authority to appropriate money, and will approve the annual budget. The accounts of the State Association will be reviewed annually by a certified public accountant. A full audit will be conducted every five (5) years in lieu of the review. The results of any review or audit

will be reported at the next board of directors meeting.

Section 3. The board of directors will meet a minimum of two (2) times each year at a date, time, and place to be determined. A minimum of two (2) additional meetings will be called by the president. Meetings may be conducted by electronic means to the fullest extent of the law.

Section 4. There will be an executive committee of the board of directors, composed of the State Association's president, president-elect, and secretary/treasurer, and the presidents of the Member Boards who have one or more additional directors under Section 1 of this article. This committee will make recommendations to the board of directors, transact business of an emergency nature between meetings of the board of directors, and report such actions in full to the board of directors at its next meeting.

Section 5. Special meetings of the board of directors may be called at any time upon three (3) days' written notice by the president or by any three (3) directors.

Section 6. A majority of the directors will constitute a quorum of the board of directors.

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 consent, in writing, setting forth the action so taken, will be signed by all of the directors. The consent will 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 approvals evidencing the consent will be delivered to the secretary/treasurer to be filed in the corporate records. The action taken will be effective when all the directors have approved the consent unless the consent specifies a different effective date.

Section 8. Vacancies on the board of directors will be filled by appointment by the board of directors. Appointees will serve until the next regular membership meeting; at which time the election of directors will take place in accordance with these bylaws.

## Article VI
## MEMBER MEETINGS

Section 1. The State Association will hold an annual membership meeting, the date, time, and place to be approved by the board of directors. The members will elect directors, officers, and conduct all other business that may come before the State Association. Association members and REALTOR® and REALTOR-ASSOCIATE® members present at any meeting of the State Association will be delegates, entitled to participate in all discussions and deliberations.

Section 2. Other meetings may be called by the board of directors. Any call for a meeting will state the purpose, date, time, and place of the meeting, and will be issued in writing at least fifteen (15) days in advance.

Section 3. The presence of at least ten percent (10%) of the members of the State Association entitled to vote will constitute a quorum at any membership meeting. Presence will include those members present at the membership meeting and those members represented by proxy.

Section 4. Electronic Transaction of Business. To the fullest extent permitted by law, the board of directors or membership may conduct business by electronic means. A meeting of the members of a nonprofit corporation organized under AS 10.20, including meeting notice and determination of a quorum, may be held by telecommunication to the extent the association's board adopts or amends bylaws to allow for an electronic meeting.

## Article VII
## COMMITTEES

Section 1. The president, subject to the approval of the board of directors, will appoint the following standing committees and key work groups, the members of which will serve for one year, or until their successors are appointed and qualified:

- Finance (standing committee)
- ARPAC Trustees (standing committee)
- Grievance (standing committee)
- Professional Standards (standing committee)
- Convention (standing committee)
- Leadership Development (standing committee)
- REALTOR® of the Year (standing committee)
- Advocacy Key Work Group
- Assets and Investments Key Work Group
- Association Operations Key Work Group
- Commitment to Excellence Key Work Group
- Engagement Key Work Group

Section 2. The president, with the approval of the board of directors, may appoint such other committees, task forces, or advisory groups as he/she deems advisable. The president will be an *ex officio* member of all committees and key work groups.

Section 3. Committees will have such duties as their titles indicate, and as the board of directors may assign. All actions of committees will be subject to the approval of the board of directors.

Section 4. At least fifty percent (50%) of the key work group, committee, or task force members will constitute a quorum.

Section 5. Action without Meeting. Any committee may act by unanimous consent in writing without a meeting. The consent will be evidenced by one or more written approvals, each of which sets forth the action taken and bears the signature of one or more of the members of the committee.

Section 6. Attendance by Telephone. Members of a committee may participate in any meeting through the use of a conference telephone or similar communications equipment through which all committee members participating in the meeting can hear and speak with each other. Such participation will be at the discretion of the committee chair and will constitute presence at the meeting.

Section 7. Alaska RPAC Trustees will be governed by its bylaws.

## Article VIII
## ELECTION OF DIRECTORS AND OFFICERS

Section 1. The election of officers and directors will be held at the annual membership meeting of the association or if deemed necessary by the board of directors, where permitted by state law, electronically. Election of the NATIONAL ASSOCIATION OF REALTORS® director(s) is to be held one (1) year in advance of his/her term. One Small Board Representative and one Medium Board Representative to be voted on by the membership and ratified after the General Membership meeting by the board of directors.
Section 2. No less than two months before the annual membership meeting, the president, with the approval of the board of directors, will appoint a nominating committee composed of the current presidents of the local Member Boards. The immediate past president of the State Association will serve *ex officio* as chairman with the right to vote in the event of a tie.

Section 3. Each interested member will nominate themselves through the NATIONAL ASSOCIATION OF REALTORS® self-certification form for the NAR Director positions at least forty-five days (45) days in advance of the date of the annual meeting. The nominating committee will place officer nominations on the ballot so long as the nominees satisfy the requirements for office set forth in these bylaws. The small board representative shall be a Primary Member of a small board and the medium board representative shall be a Primary Member of a medium board, as set out by NAR.

Additionally, the nominating committee should nominate additional qualified members of the State Association and will minimally ensure there is at least one candidate for each vacancy on the ballot.

Section 4. Not less than thirty (30) days before the annual membership meeting, the C committee will conspicuously display on its website and electronically transmit to all members entitled to vote the ballot listing the candidates and a proxy form.

Section 5. Members entitled to vote may do so in person or by proxy. To vote by proxy, association members must complete the proxy form in accordance with the procedures established by the board of directors. Where permitted by state law, and in accordance with applicable state requirements, election of officers may be conducted by electronic means, in accordance with procedures established by the board of directors.

Section 6. The association members will vote for the president, president-elect and secretary/treasurer. For each officer to be elected, each association member entitled to vote may cast one vote. The member receiving the most votes for each office will be submitted to the board of directors to be confirmed thereby. The board of directors will then

elect the officers submitted thereto by vote.

Section 7. There will be no cumulative voting.

## Article IX
## FISCAL YEAR

Section 1. The fiscal year of the State Association will be the calendar year.

## Article X
## CODE OF ETHICS

Section 1. The Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS® is adopted as the Code of Ethics of the State Association and will be considered a part of its Rules and Regulations. The Code of Ethics and the Rules and Regulations of the State Association will, in the future, be deemed to be amended and changed whenever said Code of Ethics is amended or changed by the National Association.

## Article XI
## PROFESSIONAL STANDARDS

A local association, prior to referring an ethics complaint or arbitration request for review to the State Association should exhaust all efforts to impanel an impartial tribunal to conduct either the original hearing or the appeal or procedural review. These efforts may include the appointment of trained and knowledgeable members of the association on an ad hoc basis to serve on either a hearing panel or on behalf of the board of directors. If, because of notoriety, etc., the local association cannot impanel an impartial tribunal, the association may refer the matter to the State Association, and the State Association may delegate to another association or a regional enforcement facility the authority to hear the case on behalf of the State Association. No association or regional enforcement facility, however, may be required to accept this delegation of authority. If no other entity is amenable to conducting the review, the State Association will be responsible for conducting the hearing.

Section 1. Allegations of ethical violations and contractual disputes (and specific non-contractual dispute, as defined in Standard of Practice 17-4) between REALTORS® and between REALTORS® and their customers or clients may be submitted to an ethics or arbitration panel at the State Association level under the following circumstances:

(a) Allegations of unethical conduct made against a REALTOR® or REALTOR-ASSOCIATE® who is directly a member of the State Association and not a member of any local association.

(b) Allegations of unethical conduct made against a REALTOR® or REALTOR-ASSOCIATE® in the instance in which the local association, because of size or other valid reason determines that it cannot provide a due process hearing of the matter and petitions the State Association to conduct a hearing.

(c) Contractual disputes (and specific non-contractual disputes as defined in Standard of Practice 17-4) between REALTORS® who are not members of the same association where

the matter has been referred to the State Association by both local associations.

(d) Contractual disputes (and specific non-contractual disputes as defined in Standard of Practice 17-4) between REALTORS® who are directly members of the State Association and are not members of any association.

(e) Contractual disputes (and specific non-contractual disputes as defined in Standard of Practice 17-4) between a REALTOR® who does not hold membership in any association, but is directly a member of the State Association, and a REALTOR® who is a member of an association.

(f) Contractual disputes (and specific non-contractual disputes as defined in Standard of Practice 17-4) between REALTOR® members of the same association where the State Association with good and sufficient reason is unable to arbitrate the controversy. (Explanation: This provision is not designed to relieve a local association of its primary responsibility to resolve differences arising between members of the same association. The section recognizes that in some associations with limited membership, usual arbitration procedures may be impossible.)

(g) Contractual disputes between a customer or a client and a REALTOR® where the State Association with good and sufficient reason is unable to arbitrate the dispute or the REALTOR® is a direct member of the State Association

Section 2. The responsibility of the State Association and the members of the local associations relating to the enforcement of the Code of Ethics, the disciplining of members, the arbitration of disputes, and the organization and procedures incident thereto will be governed by the *NATIONAL ASSOCIATION OF REALTORS®' Code of Ethics and Arbitration Manual*, as from time to time amended, which by this reference is made a part of these Bylaws.

Section 3. If a member (as defined in these bylaws) resigns from the State Association or otherwise causes membership to terminate with an ethics complaint pending, the complaint will be processed until the decision of the State Association with respect to the disposition of the complaint is final by this association (if the respondent does not hold membership in any other association) or by any other association in which the respondent continues to hold membership. If an ethics respondent resigns or otherwise causes membership in all boards to terminate before an ethics complaint is filed alleging unethical conduct occurred while the respondent was a REALTOR®, the complaint, once filed, will be processed until the decision of the State Association with respect to disposition of the complaint is final. In any instance where an ethics hearing is held after an ethics respondent's resignation or membership termination, any discipline ratified by the Board of Directors will be held in abeyance until the respondent rejoins an association of REALTORS®.

Section 4. New Member Code of Ethics Orientation. Applicants for REALTOR® and REALTOR-ASSOCIATE® membership will complete an orientation program on the Code of Ethics as established by the NATIONAL ASSOCIATION OF REALTORS® of not less than two (2) hours and thirty (30) minutes of instructional time. This requirement does not apply to applicants who have completed comparable orientation in another association, provided membership has been continuous, or that any break in membership is for one year or less.

Failure to satisfy this requirement within sixty (60) days of the date of application will result in

denial of the membership application.

Section 5. REALTOR® Code of Ethics Training. Effective January 1, 2019, through December 31, 2021, and for successive three year periods thereafter, each REALTOR® member of the State Association (with the exception of REALTOR® members granted REALTOR® Emeritus status by the National Association) will be required to complete ethics training of not less than two (2) hours and thirty (30) 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 REALTOR® association, the State Association of REALTORS®, or the NATIONAL ASSOCIATION OF REALTORS®, 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 three year cycle will not be required to complete additional ethics training until a new three year cycle commences.

Failure to satisfy the required periodic ethics training will be considered a violation of a membership duty. Failure to meet the requirement in any three-year cycle will result in suspension of membership for the first two months (January and February) of the year following the end of any three-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.

Section 6. New Member Fair Housing Orientation. Applicants for REALTOR® membership and provisional REALTOR® members (where applicable) shall complete Fair Housing training of not less than two (2) hours 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 REALTOR® association, the State Association of REALTORS®, the NATIONAL ASSOCIATION OF REALTORS®, or the Institutes, Societies, and Councils, which meets the learning objectives and minimum criteria established by the NATIONAL ASSOCIATION OF REALTORS® from time to time. Fair Housing training approved by a state licensing authority for an existing Fair Housing requirement to gain or maintain licensure shall also fulfill this requirement, provided it also meets the learning objectives and minimum criteria established by the NATIONAL ASSOCIATION OF REALTORS® from time to time. This requirement does not apply to applicants for REALTOR® membership or provisional members who have completed comparable orientation in another association, provided that REALTOR® membership has been continuous, or that any break in membership is for one (1) year or less.

Failure to satisfy this requirement within sixty (60) days of the date of application (or, alternatively, the date that provisional membership was granted), will result in denial of the membership application or termination of provisional membership.

Section 7. REALTOR® Fair Housing Training. Effective January 1, 2025, through December 31, 2027 and for successive three year periods thereafter, each REALTOR® member of the association (with the exception of REALTOR® members granted REALTOR® Emeritus status by the National Association) shall be required to complete Fair Housing training of not less than two (2) hours 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 REALTOR® association, the State Association of REALTORS®, the NATIONAL ASSOCIATION OF REALTORS®, or the Institutes, Societies, and Councils, which meets the

learning objectives and minimum criteria established by the NATIONAL ASSOCIATION OF REALTORS® from time to time. Fair Housing training approved by a state licensing authority for an existing Fair Housing requirement to maintain licensure shall also fulfill this requirement, provided it also meets the learning objectives and minimum criteria established by the NATIONAL ASSOCIATION OF REALTORS® from time to time. REALTOR® members who have completed Fair Housing training as a requirement of membership in another association shall not be required to complete additional Fair Housing training until a new three year cycle commences.

Failure to satisfy the required periodic Fair Housing training shall be considered a violation of a membership duty. Failure to meet the requirement in any three year cycle will result in suspension of membership for the first two months (January and February) of the year following the end of any three 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.

## Article XII

## USE OF THE TERMS REALTOR®, REALTORS®, AND REALTOR-ASSOCIATE®

Section 1. Use the terms REALTOR®, REALTORS®, or REALTOR-ASSOCIATE® by members will, at all times, be subject to the provisions of the *Constitution and Bylaws of the NATIONAL ASSOCIATION OF REALTOR®* and to the Rules and Regulations prescribed by its board of directors. The State Association will have authority to control, jointly and in full cooperation with the NATIONAL ASSOCIATION OF REALTORS®, use of the terms within those areas of the state of Alaska, not within the jurisdiction of a Member Board. 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 NATIONAL ASSOCIATION OF REALTORS® *Code of Ethics and Arbitration Manual*.

Section 2. REALTOR® members of the State Association will have the privilege of using the terms REALTOR® and REALTORS® in connection with their business so long as they remain REALTOR® Members in good standing. No other class of members will have this privilege.

Section 3. A REALTOR® member who is a principal of a real estate firm, partnership or corporation may use the terms REALTOR® or 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 a state contiguous thereto are REALTOR® or Institute Affiliate members.

Section 4. REALTOR-ASSOCIATE® members of the State Association will have the right to use the term REALTOR-ASSOCIATE®, so long as they remain REALTOR-ASSOCIATE® members in good standing and the REALTOR® member with whom they are associated or by whom they are employed is also a REALTOR® member in good standing.

Section 5. An Institute Affiliate member will not use the terms REALTOR®, REALTORS®, or REALTOR-ASSOCIATE® and will not use the imprint of the emblem seal of the NATIONAL ASSOCIATION OF REALTORS®.

## Article XIII
## RULES OF ORDER

Section 1. *Robert's Rules of Order*, latest edition, will be recognized as the authority governing all meetings and conferences when not in conflict with the Bylaws of the State Association.

## Article XIV
## AMENDMENTS

Section 1. These Bylaws may be amended by a majority vote of the members present and qualified to vote at any meeting at which ~~a~~ quorum is present, provided the substance of such proposed amendment or amendments will be plainly stated in the call for the meeting, and notice is delivered to the membership at least thirty (30) days in advance. The board of directors may, at a regular or special meeting of the board of directors at which quorum is present, approve amendments to the Bylaws mandated by the NATIONAL ASSOCIATION OF REALTORS® policy without a vote of the membership.

Section 2. Amendments to these Bylaws affecting the admission or qualifications of REALTOR®, REALTOR-ASSOCIATE®, and Institute Affiliate members, the use of the terms REALTOR®, REALTORS®, or REALTOR-ASSOCIATE® or any alteration in the territorial jurisdiction of an association will become effective upon the approval of the board of directors of the National Association.

Section 3. All bylaws changes and revisions will be certified through the NATIONAL ASSOCIATION OF REALTORS® core standards.

## Article XV
## DISSOLUTION

Section 1. Upon the dissolution of the State Association, the board of directors, after providing for payment of all obligations, will distribute any remaining assets according to state and federal laws and regulations existing at that time.