

**DISCIPLINARY COMPLAINT**  
**NORTH SAN DIEGO COUNTY ASSOCIATION OF REALTORS®**

For Association Use Only

Case No. \_\_\_\_\_

Complaint Received: \_\_\_\_\_, 2024

1. I (we), the undersigned complainant(s), hereby allege that the following persons have engaged in conduct subject to disciplinary action by the Association:

**RESPONDENT(S):**

**RESPONDENT(S):**

(1)

\_\_\_\_\_  
Name and DRE Number

\_\_\_\_\_  
Name of Firm

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Email Address

(2)

\_\_\_\_\_  
Name and DRE Number

\_\_\_\_\_  
Name of Firm

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Email Address

(3)

\_\_\_\_\_  
Name of Manager and DRE Number

\_\_\_\_\_  
Name of Firm

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Email Address

(4)

\_\_\_\_\_  
Name and DRE Number

\_\_\_\_\_  
Name of Firm

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Email Address

2. The above-named respondent(s) have violated the following: **(Note: You may also choose not to select any of the options below and instead allow the Grievance Committee to decide the proper allegations.)**

Code of Ethics violations:

- ☐ Article 1: REALTORS® owe a fiduciary duty to their clients.
- ☐ Article 2: REALTORS® must avoid concealment of pertinent facts.
- ☐ Article 3: REALTORS® must cooperate with other brokers.
- ☐ Article 4: REALTORS® must disclose any interest they have in a property they are buying or selling.
- ☐ Article 5: REALTORS® must disclose any contemplated interest they have in property for which they are providing professional services.
- ☐ Article 6: REALTORS® cannot accept profit on expenditures made for their client or recommendations to their client without disclosure.
- ☐ Article 7: REALTORS® must disclose and obtain consent to accept compensation from more than one party.
- ☐ Article 8: REALTORS® must keep a trust account for clients' funds.

- ☐ Article 9: REALTORS® must insure that all agreements are in writing and clear.
- ☐ Article 10: REALTORS® must not discriminate in their business on the basis of race, color, religion, sex, disability, familial status, national origin, sexual orientation, or gender identity.
- ☐ Article 11: REALTORS® must provide competent service.
- ☐ Article 12: REALTORS® must be honest in their real estate communications and present a true picture in advertising.
- ☐ Article 13: REALTORS® must not engage in the unauthorized practice of law.
- ☐ Article 14: REALTORS® must cooperate in professional standards proceedings.
- ☐ Article 15: REALTORS® must not knowingly lie about competitors.
- ☐ Article 16: REALTORS® must not interfere with the exclusive representation agreements of other REALTORS®.
- ☐ Article 17; REALTORS® must arbitrate contractual disputes and certain non-contractual disputes arising out of the real estate business.
- ☐ Section(s) \_\_\_\_\_ of the MLS Rules and Regulations
- ☐ Other membership duty as set forth in the bylaws of the Association (specify): \_\_\_\_\_
3. The facts and circumstances supporting the above allegation(s) are detailed in the attached statement marked "Exhibit 1," which is hereby incorporated by reference and made part of this complaint.
4. I am informed that the named respondent(s) are current REALTOR® members of the Association and/or participants/subscribers in the MLS or that the property at issue is located within the jurisdiction of this Association.
5. Date of knowledge of alleged misconduct is \_\_\_\_\_. This complaint, meeting all filing requirements, must be filed within 180 calendar days after the alleged offense and facts relating to it could have been known by the complainant in the exercise of reasonable diligence or one hundred eighty (180) days after the conclusion of the transaction, or event, whichever is later.
6. Are the circumstances giving rise to this complaint, or the respondents in this case, involved in a civil or criminal proceeding or in any proceeding before a governmental agency?  
YES ☐ NO ☐ If you answered yes, please attach a written statement of explanation.
7. Have you filed, or do you plan to file a similar or related complaint with another Association of REALTORS®?  
YES ☐ NO ☐ If you answered yes, please attach a written statement of explanation.
8. I understand there will be a recording of any full disciplinary hearing. I understand that the recording is subject to the rules of confidentiality and is made solely for the purpose of a Review by the Association Board of Directors, if one is requested.
9. I will be represented by an attorney, whose name, address, telephone number, and email address are:

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_ Email \_\_\_\_\_

10. I agree to abide by the rules and procedures used by this Association to conduct disciplinary hearings. I understand that the proceedings regarding this matter will be kept confidential and that I have an obligation to maintain and protect this confidentiality.

**Under the penalties of perjury, I declare that to the best of my knowledge and belief my allegations in this complaint are true and correct.**

**Dated:** \_\_\_\_\_ **at** \_\_\_\_\_, **California**

**COMPLAINANT(S): COMPLAINANT(S):**

(1)	(3)
Signature	Signature
Name (Type or Print)	Name (Type or Print)
Name of Firm	Name of Firm
Street Address	Street Address
City, State, Zip	City, State, Zip
Phone	Phone
Email Address	Email Address
(2)	(4)
Signature	Signature
Name (Type or Print)	Name (Type or Print)
Name of Firm	Name of Firm
Street Address	Street Address
City, State, Zip	City, State, Zip
Phone	Phone
Email Address	Email Address

Please Email or file complaint to:

**NORTH SAN DIEGO COUNTY ASSOCIATION OF REALTORS®**

**Attn: Jennifer Soto**  
**1903 Wright Place, Suite 120**  
**Carlsbad, CA 92008**

**Email: [ProStands@nsdcrealtors.com](mailto:ProStands@nsdcrealtors.com)**

## **ROLES OF PROFESSIONAL STANDARDS VOLUNTEERS**

There are three groups that enforce professional standards for the local association of REALTORS®. This form explains the role of each of these groups.

### **THE GRIEVANCE COMMITTEE**

The Grievance Committee's function is to:

- Review the complaint for a possible citation for violation of the Code of Ethics, if the association has adopted the Citation Policy;
- Review the complaint to insure the proper articles and sections are cited based on the alleged facts; and
- Screen complaints in order to prevent abuse and harassment through frivolous or unwarranted complaints filed for harassment purposes.

The Grievance Committee considers allegations of unethical conduct but does not determine guilt or innocence. If the Grievance Committee forwards a complaint for a hearing, it does not mean the volunteers on the committee believe the respondent is guilty. It only means that the complaint contains allegations that, if proven at a hearing, would be grounds for a violation.

### **THE PROFESSIONAL STANDARDS COMMITTEE**

The members of the Professional Standards Committee serve as panel members for disciplinary hearings. They are supposed to ensure that the hearing is conducted according to the procedures outlined in the *Manual* and that both sides are given the opportunity to fully present all relevant evidence. After the hearing, the members of the hearing panel will determine: (i) whether the respondent has committed any violations that were alleged in the complaint; and (ii) if the respondent has committed violations, what disciplinary action will be recommended to the Board of Directors.

### **THE BOARD OF DIRECTORS**

The Board of Directors serve as the review body for the association's disciplinary process. Members of the Board of Directors:

- Upon the request of a complainant, review the decision of the Grievance Committee to dismiss a complaint or delete allegations from a complaint;
- Ratify the decision of the hearing panel if no party requests a review of the hearing; and
- Serve as panelists at a review hearing if a party requests a review of the hearing panel's decision.

The Board of Directors does not conduct rehearings. Any review hearing is solely limited to a discussion of the permitted grounds for review that are outlined in the Request for Review. Once the Board of Directors makes a decision in a disciplinary case, it is considered final and binding. The California Association of REALTORS® has no authority to review or overturn the decisions of local association Boards of Directors.