PROPOSED BYLAW AMENDMENTS

AMENDMENT #1

Article IV - Membership, Section 1

This section is currently not itemized corrected.

- Currently itemized as:
  (a), (b), (2), (3), (4), (5), (b), (c), (d), (e), (f)
- Proposed to be itemized as:
  (a), (b), (c), (d), (e), (f), (g)

AMENDMENT #2

Article IV - Membership, Section 1

It is proposed that “Affiliate Membership” be listed as Section 2 under Article IV - Membership, rather than under REALTOR® Members. Currently, there is no Section 2. Section 2 would read:

SECTION 2
Affiliate Membership (Revised 12/11)

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

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

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

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

(c) Student Members. Student Members shall be individuals who are seeking an undergraduate or graduate degree with a specialization or major in real estate at institutions of higher learning, and who have completed at least two years of college and at least one college level course in real estate, but are not engaged in the real estate profession on their own account or not associated with an established real estate office.
AMENDMENT #3

Article XI - Officers and Directors, Section 3(c)

To correct the imbalance of elections, the following is proposed:

- Currently Reads:
  (c) Directors shall be elected to serve for staggered terms of two years. Each year forward, at least two new Directors will be elected to fill vacancies. If a replacement for an unfilled Director term is needed, a REALTOR® member shall be appointed by the Board of Directors.

- Proposed to Read:
  (c) **Except as provided below**, Directors shall be elected to serve for staggered terms of two years. Each year forward, at least two new Directors will be elected to fill vacancies. If a replacement for an unfilled Director term is needed, a REALTOR® member shall be appointed by the Board of Directors to complete the unexpired term of the replaced Director.

In the event more than 60% of the Directors are to be replaced during the next election, the sitting Board of Directors may impose a 1 year term on any applicable Director position as deemed necessary by the Board in order to correct any directorship election imbalance. In such event, prior to any election and prior to receiving any Director applications, the Board shall provide 30 days’ notice of the shortened Director term(s) to the membership. (Revised 12/11)

AMENDMENT #4

Article XIII - Committees, Section 2

It is proposed that the Affiliate and Awards committees be placed in sections that allow for REALTOR® and Affiliate participation. It is also proposed that the currently named “Community Service” committee be changed to “Good Neighbor” Committee and that all group are identified as “committees” and not “task forces.” Section 2 would read:

SECTION 2
Standing Committees (Revised 12/11)

(a) The President and President-Elect shall appoint from among the REALTOR® and Affiliated Members, subject to confirmation by the Board of Directors, the following standing Committees including a Chairman and a Vice-Chairman:

  Affiliate, Equal Opportunity, Legislative & Political Affairs, Membership, Risk Reduction, RPAC,

(b) The President and President-Elect shall appoint from among the REALTOR® and Affiliated Members, subject to confirmation by the Board of Directors, the following standing Committees, including a Committee Chairman and Vice-Chairman, and these committees may have up to 50% Affiliate Members:

  Awards, Good Neighbor, Education, Orientation, Programs & Business Mtgs., Zoning and Land Use

(c) The President and President-Elect shall appoint from among the REALTOR® Members, subject to confirmation by the Board of Directors, the following committees including a Chairman and a Vice-Chairman:

  Budget & Finance, Bylaws, Member Services, Nominations, Strategic Planning, Web page
AMENDMENT #5

Article XV - Fiscal and Elective Year/Financial Statements, Section 2 and 3

- Currently Reads:
  Section 2. The elective year of the Association shall be September through August.

  Section 3. The President and the Board of Directors shall submit a reviewed, or at the option of the Board of Directors, an audited annual financial statement to the Members of the Association within 60 days after the beginning of the fiscal year.

- Proposed to Read:
  SECTION 2
  The elective year of the Association shall begin the Monday after the National Association of REALTORS® National Convention in November and shall run to the Monday following the National Association of REALTORS® National Convention the following year. (Revised 12/11)

  SECTION 3
  The Treasurer shall submit to the Board of Directors a reviewed financial statement for their approval within 60 days following the beginning of the fiscal year. A copy of the reviewed statement shall be made available for members upon request. (Revised 12/11)

AMENDMENT #6

Article XVIII - MLS Related Services

Since UtahRealEstate.com no longer allows for Associations to participate on their board, it is proposed that we remove the entire MLS Related Services section, with the exception of Section 1, which reads:

  SECTION 1
  The Association President with the approval of the Board of Directors, may choose to develop, maintain or contract with a provider of a Multiple Listing Service at the appointed time as deemed necessary, subject to the Bylaws of the Cache-Rich Association of REALTORS®, and adopt such MLS Rules and Regulations as may be necessary. (Revised 12/11)

AMENDMENT #7

It is proposed that we revise the format (look) of the Bylaws to include a Table of Contents.
AMENDMENT #8

The National Association of REALTORS®, after having read our current Bylaws on August 8, 2011, requests the following changes:

Article V - Qualification and Election, Section 5
Continuing Member Code of Ethics Training

- Currently Reads:
  Effective January 1, 2001 through December 31, 2004 and for successive four (4) year periods thereafter, each REALTOR® member of the Association shall be required to complete quadrennial ethics training of not less than two hours and thirty minutes (2 1/2 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 Association, the State Association of REALTORS®, the NATIONAL ASSOCIATION OF REALTORS®, or any other recognized educational institution or provider which meets the learning objectives and minimum criteria established by the NATIONAL ASSOCIATION OF REALTORS® from time to time. REALTOR® members who have completed training as a requirement of membership in another Association and REALTOR® members who have completed the New Member Code of Ethics Orientation during any four-year cycle shall not be required to complete additional ethics training until a new four-year cycle commences.

  Failure to satisfy this requirement shall be considered a violation of membership duty for which REALTOR membership shall be suspended until such time as the training is completed. Failure to meet the requirement for the second (2005-2008) cycle and subsequent (4) year cycle will result in suspension of membership for the first two months (January & February) of the year following the end of any (4) year cycle or until the requirement is met, whichever occurs sooner. On March 1 of that year, the membership of member who is still suspended as of that date will be automatically terminated. (Adopted 1/01, revised 12/11)

- Proposed to Read:
  Effective January 1, 2001 through December 31, 2004 and for successive four 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 quadrennial ethics training of not less than two (2) hours and thirty minutes (30) of instructional time. This requirement will be satisfied upon presentation of documentation that the member has completed a course of instruction conducted by this or another Association, the State Association of REALTORS®, the NATIONAL ASSOCIATION OF REALTORS®, or any other recognized educational institution or provider which meets the learning objectives and minimum criteria established by the NATIONAL ASSOCIATION OF REALTORS® from time to time. REALTOR® members who have completed training as a requirement of membership in another Association and REALTOR® members who have completed the New Member Code of Ethics Orientation during any four (4) year cycle shall not be required to complete additional ethics training until a new four (4) year cycle commences.

  Failure to satisfy the required periodic ethics training shall be considered a violation of membership duty. Failure to meet the requirement will result in suspension of membership for the first two months (January & February) of the year following the end of any (4) year cycle or until the requirement is met, whichever occurs sooner. On March 1 of that year, the membership of member who is still suspended as of that date will be automatically terminated. (Adopted 1/01, Revised 12/11)
AMENDMENT #9

The National Association of REALTORS®, after having read our current Bylaws on August 8, 2011, requests the following changes:

Article VI - Privileges and Obligations, Section 13
Harassment

● Currently Reads:

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

● Proposed to Read:

Any member of the Association may be reprimanded, placed on probation, suspended or expelled for harassment of an association or MLS employee or Association Officer or Director after an investigation in accordance with the procedures of the association. As used in this Section, harassment means any verbal or physical conduct including threatening or obscene language, unwelcome sexual advances, stalking, actions including strikes, shoves, kicks, or other similar physical contact, or threats to do the same, or any other conduct with the purpose or effect of unreasonably interfering with an individual’s work performance by creating a hostile, intimidating or offensive work environment. The decision of the appropriate disciplinary action to be taken shall be made by the investigatory team comprised of the President, and President-Elect and/or Vice President and one member of the Board of Directors selected by the highest ranking officer not named in the complaint, upon consultation with legal counsel for the association. Disciplinary action may include an sanction authorized in the Association’s Code of Ethics and Arbitration Manual. If the complaint names the President, President-Elect or Vice President, they may not participate in the proceedings and shall be replaced by the Immediate Past President or, alternatively, by another member of the Board of Directors selected by the highest ranking officer not named in the complaint. (Revised 12/11)