

CITATION COMPLAINT

To the Grievance Committee of the MIBOR REALTOR® Association

I/(we), the undersigned complainant(s), hereby allege that the following person(s) have engaged in conduct subject to disciplinary action by the Association. Alternatively, this complaint may be filed anonymously. In either case, **clear, strong and convincing evidence must be attached**. If the complaint is filed anonymously, the complainant will not know the resolution of the complaint.

RESPONDENT(S) (who your complaint is against):

Name	Name
Firm	Firm

The citation complaint is applicable to specific events. The above named respondent(s) have violated the following:

- ┆ **Article 1:** Failure to fully disclose and obtain consent from both parties when representing both the seller/landlord and buyer/tenant in the same transaction.
- ┆ **Article 1:** Failure to submit offers and counteroffers objectively and as quickly as possible.
- ┆ **Article 1:** Failure to advise sellers/landlords of information specified in Standard of Practice 1-12 prior to entering into a listing contract.
- ┆ **Article 1:** Failure to advise buyers/tenants of information specified in Standard of Practice 1-13 prior to entering into a buyer/tenant agreement.
- ┆ **Article 3:** Failure to communicate a change in compensation for cooperative services prior to the time that REALTOR® submits an offer to purchase/lease the property.
- ┆ **Article 3:** As a listing broker, attempting to unilaterally modify the offered compensation with respect to a cooperative transaction after a REALTOR® has submitted an offer to purchase or lease that property.
- ┆ **Article 3:** Failing to disclose existence of dual or variable rate commission arrangements.
- ┆ **Article 3:** Failure to disclose to cooperating brokers differential that would result in dual or variable rate commission arrangement if sale/lease results through efforts of seller/landlord.
- ┆ **Article 3:** Failing to disclose existence of accepted offers, including offers with unresolved contingencies, to cooperating brokers.
- ┆ **Article 3:** Misrepresenting the availability of access to show or inspect a listed property.
- ┆ **Article 4:** Failing to disclose REALTOR®'s ownership or other interest in writing to the purchaser or their representative.
- ┆ **Article 5:** Providing professional services without disclosing REALTOR®'s present interest in property.
- ┆ **Article 6:** Accepting any commission, rebate, or profit on expenditures without client's knowledge or consent.
- ┆ **Article 6:** Failure to disclose to a client or customer REALTOR®'s financial benefits or fees received as a direct result of recommending real estate products or services.
- ┆ **Article 6:** Failure to disclose REALTOR®'s direct interest in an organization or business entity when recommending to a client or customer that they use the services of that organization or business entity.
- ┆ **Article 12:** Failing to present a true picture in real estate communications and advertising.
- ┆ **Article 12:** Failing to disclose status as a real estate professional in advertising and other representations.
- ┆ **Article 12:** Failure to provide all terms governing availability of a "free" product or service in an advertisement or other representation.
- ┆ **Article 12:** Failure to disclose potential to obtain a benefit from a third party when REALTOR® represents their services as "free" or without cost.
- ┆ **Article 12:** Failure to exercise care and candor when communicating the terms and conditions of premiums, prizes, merchandise discounts or other inducements to list, sell, purchase, or lease
- ┆ **Article 12:** Advertising property for sale/lease without authority of owner or listing broker.
- ┆ **Article 12:** Failing to disclose name of firm in advertisement for listed property.
- ┆ **Article 12:** Failing to disclose status as both owner/landlord and REALTOR® or licensee when advertising property in which REALTOR® has ownership interest.
- ┆ **Article 12:** Falsely claiming to have "sold" property.

- ┆ **Article 12:** Failure to take corrective action when it becomes apparent that information on a REALTOR®'s website is no longer current or accurate.
- ┆ **Article 12:** Failure to disclose firm name and state of licensure on REALTOR® firm website.
- ┆ **Article 12:** Misleading consumers through deceptive framing, manipulating content, deceptively diverting internet traffic, or presenting other's content without attribution or permission.
- ┆ **Article 12:** Registering or use of deceptive URL or domain name.
- ┆ **Article 12:** Representing that the REALTOR® has a designation, certification, or other credential they are not entitled to use.
- ┆ **Article 14:** Failing to cooperate in a professional standards proceeding or investigation in circumstances when cooperation has been demanded by the association and association has advised REALTOR® failure to cooperate could result in an allegation of a violation of Article 14.
- ┆ **Article 16:** Conditioning submission of a buyer's offer on additional compensation from a listing broker.
- ┆ **Article 16:** Placing for sale/lease sign on property without permission of seller/landlord.

Clear, strong and convincing evidence must be attached or the complaint won't be processed.

Date of knowledge of alleged misconduct is _____. This complaint must be filed within 180 calendar days after the facts constituting alleged misconduct could have been known in the exercise of reasonable diligence.

Are the circumstances giving rise to this ethics complaint involved in civil or criminal litigation or in any proceeding before the Indiana Real Estate Commission, or any other state or federal regulatory or administrative agency?

Yes____ No____ (If "Yes," please specify: _____)

Have you filed, or do you plan to file a similar or related complaint with another Association of REALTORS®?

Yes__ No____
If "Yes," name of other Association(s) _____ Date(s) filed: _____

*****Leave the remainder of this form blank if filing anonymously. Please note if the complaint is filed anonymously, the complainant will not know the resolution of the complaint.***

COMPLAINANT(S):

Printed Name(s): _____ Address: _____

Phone: _____ Email: _____

(Signature) _____ (Date) _____

(Signature) _____ (Date) _____

Do you prefer documents sent to you via email or mail?

Send completed complaint form and any accompanying documents to: MIBOR, Attn: Professional Standards Dept. 1912 N. Meridian St., Indianapolis, IN 46202; or tracynierste@mibor.com