

2010 BYLAWS

OF THE

COLLIN COUNTY ASSOCIATION OF REALTORS®

As Approved by the General Membership on January 5, 2010
(Includes NAR required changes)



**BYLAWS OF THE
COLLIN COUNTY ASSOCIATION OF REALTORS® , INCORPORATED**

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**BYLAWS OF THE
COLLIN COUNTY ASSOCIATION OF REALTORS® , INCORPORATED**
As Approved by the Membership 1/5/10

ARTICLE I - NAME

Section 1. NAME: The name of this organization shall be the COLLIN COUNTY ASSOCIATION OF REALTORS®, INCORPORATED, hereinafter referred to as the “Association.”

Section 2. REALTORS®: Inclusion and retention of the Registered Collective Membership Mark REALTORS® in the name of the Association shall be governed by the Constitution and Bylaws of the NATIONAL ASSOCIATION OF REALTORS® as from time to time amended.

Section 3. DEFINITIONS:

- (a) Member – “Member” shall mean an individual who qualifies and is approved to any class of membership in the Association as defined in these Bylaws and who pays applicable membership fees.
- (b) Designated REALTOR® Member – “Designated REALTOR® Member” shall mean one or more of the following:
 - (1) Individual REALTOR® Member licensed by the State of Texas under whose real estate broker’s license a firm’s licensees are sponsored; or,
 - (2) Individual REALTOR® Member who is licensed or certified by the Texas Real Estate Commission to engage in the appraisal of real property; or,
 - (3) The Designated REALTOR® Member is responsible for payment of annual dues based on all real estate licensees sponsored and licensed or certified appraisers, Association fees and any other financial commitments owed to the Association by the firm and its licensees.
- (c) Quorum – The minimum number of members necessary to conduct business.
- (d) Executive Committee – The Executive Committee is composed of and authorized as set forth in Section 1 of Article XI. The Executive Committee operates on behalf of the total membership but is responsible to the Board of Directors. (See XI.2.e)
- (e) Standing Committee – Standing Committees are permanent and are assigned certain areas of responsibility of continuing basis. Standing Committees carry out functions necessary to preserve and operate the organization subject to approval of the Board of Directors.
- (f) Task Force – Considers subjects of a particular category arising during a stated period. Consists of a group of Members appointed by the President subject to the approval of the Board of Directors and is charged with addressing a particular matter. Task Forces deal with organizational and operational procedures or with specific, permanent aspects of the Association.
- (g) NOTICE: Definitions may interact with other appropriate sections of these bylaws.

ARTICLE II - OBJECTIVES

The objectives of the Association are:

Section 1. To unite those engaged in the recognized branches of the real estate profession for the purpose of exerting a beneficial influence upon the profession and related interests.

Section 2. To promote and maintain high standards of conduct in the real estate profession as expressed in the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®.

Section 3. To provide a unified medium for real estate owners and those engaged in the real estate profession whereby their interests may be safeguarded and advanced.

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Section 4. To further the interests of home and other real property ownership.

Section 5. To unite those engaged in the real estate profession in this region with the TEXAS ASSOCIATION OF REALTORS® and the NATIONAL ASSOCIATION OF REALTORS®, thereby furthering their own objectives throughout the State of Texas and nation, and obtaining the benefits and privileges of membership therein.

Section 6. To designate, for the benefit of the public, individuals authorized to use the terms REALTOR® and REALTORS® as licensed, prescribed and controlled by the NATIONAL ASSOCIATION OF REALTORS®.

ARTICLE III - JURISDICTION

Section 1. The territorial jurisdiction of the Association as a Member of the NATIONAL ASSOCIATION OF REALTORS® shall be inclusive of the County of Collin in the State of Texas.

Section 2. Territorial jurisdiction is defined to mean: The right and duty to control the use of the terms REALTOR® and REALTORS®, subject to the conditions set forth in these Bylaws and those of the NATIONAL ASSOCIATION OF REALTORS®, in return for which the Association agrees to protect and safeguard the property rights of the National Association in the terms.

ARTICLE IV - MEMBERSHIP

Section 1. CLASSES: There shall be seven (7) classes of Members as follows:

(a) REALTOR® MEMBERS: REALTOR® Members, whether primary or secondary shall be:

(1) Individuals having a currently issued Texas real estate broker's license, a salesperson's license or are licensed or certified appraisers who, as sole proprietors, partners, corporate officers, or branch office managers, are engaged actively in the real estate profession, including buying, selling, exchanging, renting, leasing, managing, appraising for others for compensation, counseling, building, developing or subdividing real estate, and who maintain or are associated with an established real estate office located within the State of Texas or a state contiguous thereto. All persons who are partners in a partnership, or all officers in a corporation who are actively engaged in the real estate profession located within the State of Texas or a state contiguous thereto shall qualify for REALTOR® Membership only, and each is required to hold REALTOR® Membership (except as provided in the following paragraph) in an Association of REALTORS® within the State of Texas or a state contiguous thereto unless otherwise qualified for Institute Affiliate Membership.

In the case of a real estate firm, partnership, or corporation, whose business activity is substantially all commercial, only those principals actively engaged in the real estate business in connection with the same office, or any other offices within the jurisdiction of the association in which one of the firm's principals holds REALTOR® membership, shall be required to hold REALTOR® membership unless otherwise qualified for Institute Affiliate Membership as described in Article IV, Section 1, b.

NOTE: REALTOR® Members may obtain membership in a "secondary" association in another state.

(2) Individuals who are engaged in the real estate profession other than as sole proprietors, partners, corporate officers, or branch office managers and are associated with a REALTOR® Member and meet the qualifications set out in Article V.

(3) Franchise REALTOR® Membership: Corporate officers (who may be licensed or unlicensed) of a real estate brokerage franchise organization with at least one hundred fifty (150) franchisees located within the United States, its insular possessions and the commonwealth of Puerto Rico, elected to membership pursuant to the provisions in the NATIONAL ASSOCIATION OF REALTORS® Constitution and Bylaws. Such individuals shall enjoy all of the rights, privileges and obligations of REALTOR® membership (including compliance with the Code of Ethics) except: obligations related to the Association's mandated education, meeting attendance, or orientation classes or other similar requirements; the right to use the term REALTOR® in connection with their franchise organization's name; and, the right to hold elective office in The COLLIN COUNTY ASSOCIATION OF REALTORS® , TEXAS ASSOCIATION OF REALTORS® and NATIONAL ASSOCIATION OF REALTORS®.

(4) Primary and Secondary REALTOR® Members: An individual is a Primary Member if the Association pays State and National dues based on such Member. An individual is a Secondary Member if State and National

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ARTICLE V - QUALIFICATION AND ELECTION

dues are remitted through another Association. One of the principals in a real estate firm must be a Designated REALTOR® of the Association in order for licensees affiliated with the firm to select the Association as their "primary" association.

- (5) Designated REALTOR® Members: Each firm (or office in the case of firms with multiple office locations) shall designate in writing one REALTOR® Member who shall be responsible for all duties and obligations of Membership including the obligation to arbitrate pursuant to Article 17 of the Code of Ethics and the payment of the Association dues as established in Article X 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 V, Section 2, of the Bylaws.
- (b) INSTITUTE AFFILIATE MEMBERS: Institute Affiliate Members shall 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® membership, subject to payment of applicable dues for such membership
- (c) AFFILIATE MEMBERS:
- (1) Affiliate Members shall be real estate owners and other individuals of 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 objectives of the Association.
- (2) Associate Affiliate Members shall be employees of or associated with Affiliate Members and shall be employed by or associated with the same firm as the Affiliate Member. The Affiliate Member shall be a Member in good standing of the Association in order for an Associate Affiliate Member to apply for and maintain membership.
- (d) 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 his or her own account or in association with an established real estate business.
- (e) HONORARY MEMBERS: Honorary Members shall be individuals approved by the Board of Directors who are not engaged in the real estate profession who have performed notable service for the real estate profession, for the Association, or for the public.
- (f) 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 his or her own account or not associated with an established real estate office.
- (g) LIFE MEMBERS: A Life Member shall be an individual who has been a REALTOR® Member of the Association for at least forty (40) consecutive years, and who, at the time of application, has retired from the real estate profession.

Section 2. TRANSFER OF MEMBERSHIP: Memberships are not transferable.

ARTICLE V - QUALIFICATION AND ELECTION

Section 1. APPLICATION:

- (a) An application for membership shall be made in such manner and form as may be prescribed by the Board of Directors and made available to anyone requesting it. The applicant shall successfully complete the orientation course and examination, if applicable. The application form shall contain among the statements to be signed by the applicant (1) that applicant agrees as a condition of membership to thoroughly familiarize himself or herself with the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®, the Constitutions, Bylaws, and Rules and Regulations of the Association, the Texas Association and National Association, and if elected a Member, will abide by the Constitutions and Bylaws and Rules and Regulations of the Association, Texas Association and National Association, and if a REALTOR® Member will abide by the Code of Ethics of the NATIONAL

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ASSOCIATION OF REALTORS® including the obligation to arbitrate controversies arising out of real estate transactions as specified by Article 17 of the Code of Ethics, and as further specified in the Code of Ethics and Arbitration Manual of the NATIONAL ASSOCIATION OF REALTORS®, as from time to time amended; and (2) that applicant consents that the Association may invite and receive information and comment about applicant from any Member or other persons, and that applicant agrees that any information and comment furnished to the Association by any person in response to the invitation shall be conclusively deemed to be privileged and not form the basis of any action for slander, libel, or defamation of character. The applicant shall, with the form of application, have access to a copy of the Bylaws, Constitution, Rules and Regulations, and Code of Ethics referred to above.

Section 2. QUALIFICATION FOR REALTOR:

- (a) DESIGNATED REALTOR®: An applicant for REALTOR® Membership who is a sole proprietor, partner, corporate officer, or branch office manager of a real estate firm shall supply evidence satisfactory to the Association that he or 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, if applicable, covering the Bylaws and Rules and Regulations of the Association, the Bylaws of the Texas Association, and the Constitution and Bylaws and Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®, and shall pass such reasonable and nondiscriminatory written examination thereon as may be required by the Association, and shall agree that if elected to membership, he or she will abide by such Constitution, Bylaws, Rules and Regulations, and Code of Ethics.

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

*** No record of official sanctions involving unprofessional conduct is intended to mean that the 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 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) NON-DESIGNATED REALTORS®: Individuals who are actively engaged in the real estate profession other than as sole proprietors, partners, corporate officers, or branch office managers in order to qualify for REALTOR® Membership, shall at the time of application, be associated either as an employee or as an independent contractor with a Designated REALTOR® Member of the 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*, shall complete a course of instruction, if applicable, covering the Bylaws and Rules and Regulations of the Association, the Bylaws of the Texas Association, and the Constitution and Bylaws and Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®, and shall pass such reasonable and nondiscriminatory written examinations thereon as may be required by the Association and shall agree in writing that if elected to membership he or she will abide by such Constitution, Bylaws, Rules and Regulations, and the Code of Ethics.

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** No record of official sanctions involving unprofessional conduct is intended to mean that the 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 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) **ADDITIONAL QUALIFICATIONS:** The 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 any other 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 any other association or association MLS
 - (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 V, Section 2 (a) NOTE 2) provided all other qualifications for membership have been satisfied. The Association 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 that provisional membership is approved. Provisional members shall be considered REALTORS® and shall 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 Association may condition membership on the applicant's certification that he or she will submit to the pending ethics or arbitration proceeding (in accordance with the established procedures of the association to which the applicant has made application) and will abide by the decision of the hearing panel.

Section 3. ELECTION: The election to membership shall be as follows:

- (a) Applicants for REALTOR® membership shall be granted provisional membership immediately upon submission of a completed application form and remittance of applicable Association dues and any application fee. Provisional Members shall be considered REALTORS® and shall be subject to all of the same privileges and obligations of membership. Provisional membership is granted subject to subsequent review of the application by the Association. Dues shall be computed from the date of application and shall be non-refundable unless the Association's Board of Directors terminates the individual's membership in accordance with Subsection (a) above. In such instances, dues shall be returned to the individual, less a prorated amount to cover the number of days that the individual received Association services and any application fee.
- (b) The Board of Directors may not terminate any provisional membership without providing the provisional Member with advance notice, an opportunity to appear before the Board of Directors, to call witnesses on his or her behalf, to be represented by counsel, and to make such statements, as he or she deems relevant. The Board of Directors may also have counsel present. The Board of Directors shall require that written minutes be made of any hearing before it or may electronically or mechanically record the proceedings.
- (c) If the Board of Directors determines that provisional membership should be terminated, it shall record its reasons with the Chief Executive Officer. If the Board of Directors believes that termination of provisional membership may become the basis of litigation and a claim of damage by a provisional Member, it may specify that termination

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shall become effective upon entry in a suit by the Association for a declaratory judgment by a court of competent jurisdiction of a final judgment declaring that the termination violates no rights of the individual.

Section 4. NEW MEMBER CODE OF ETHICS ORIENTATION:

Applicants for REALTOR® membership and provisional REALTOR® Members (where applicable) shall complete an orientation program on the Code of Ethics of not less than two (2) hours and thirty (30) minutes of instructional 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, as set out in the Policies and Procedures Manual of the Association will result in denial of the membership application or termination of provisional membership.

Section 5. CONTINUING MEMBER CODE OF ETHICS TRAINING:

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 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 TEXAS 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 this requirement shall be considered a violation of a membership duty.

Failure to meet the requirement for the second (2005 through 2008) cycle and subsequent four (4)-year cycles will result in suspension of membership for the first two months (January and February) of the year following the end of any four (4)-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. STATUS CHANGES:

- (a) A REALTOR® who changes the conditions under which he or she holds membership shall be required to provide written notification to the Association within thirty (30) days. A REALTOR® (non-principal) who becomes a principal in the firm with which he or she has been licensed or, alternatively, becomes a principal in a new firm which will be comprised of REALTOR® principals may be required to satisfy any previously unsatisfied membership requirements applicable to REALTOR® (principal) Members but shall, during the period of transition from one status of membership to another, be subject to all of the privileges and obligations of a REALTOR® (principal). If the REALTOR® (non-principal) does not satisfy the requirements established in these Bylaws for the category of membership to which said REALTOR® (non-principal) has transferred within seventy (70) days of the date he or she advised the Association of such change in status, his or her new membership application will terminate automatically unless otherwise so directed by the Board of Directors.
- (b) Any application fee related to a change in membership status shall be reduced by an amount equal to any application fee previously paid by the applicant.
- (c) Dues shall be prorated from the first day of the quarter in which the Member is notified of election and shall be based on the new membership status for the remainder of the year.

ARTICLE VI - PRIVILEGES AND OBLIGATIONS

The privileges and obligations of Members, in addition to those otherwise provided in these Bylaws, shall be specified in this Article.

Section 1. PRIVILEGES OF MEMBERSHIP: Any member of the Association may be reprimanded, fined, placed on probation, suspended, or expelled by the Board of Directors for violation of these Bylaws and Association Rules and Regulations consistent with these Bylaws, after a hearing as provided in the Code of Ethics Manual of the Association. Although Members other than REALTORS® are neither subject to the Code of Ethics nor its enforcement by the Association, such Members are encouraged to abide by the principles established in the Code of Ethics of the

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NATIONAL ASSOCIATION OF REALTORS® and conduct his or her business and professional practices accordingly. Further, Members other than REALTORS® may, upon recommendation of the Executive Committee, or upon recommendation by a hearing panel of the Professional Standards Committee, be subject to discipline as described above, for any conduct, which in the opinion of the Board of Directors, applied on a non-discriminatory basis, reflects adversely on the terms REALTOR® or REALTORS®, and the real estate industry, or for conduct that is inconsistent with or adverse to the objectives and purposes of the COLLIN COUNTY ASSOCIATION OF REALTORS®, the TEXAS ASSOCIATION OF REALTORS® and the NATIONAL ASSOCIATION OF REALTORS®.

Section 2. AUTHORIZED DISCIPLINE OF MEMBERS: Any REALTOR® Member of the Association may be disciplined by the Board of Directors for violations of the Code of Ethics or other duties of membership, after a hearing as described in the Code of Ethics and Arbitration Manual of the Association provided that 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.

Section 3. RESIGNATION OF MEMBERS: Resignations of Members shall become effective when received in writing by the Board of Directors, provided, however, that if any Member submitting the resignation is indebted to the Association for dues, fees, fines, or other assessments of the Association or any of its services, departments, divisions, or subsidiaries, the Association may condition the right of the resigning Member to reapply for membership upon payment in full of all such monies owed.

Section 4. REAPPLICATION CONDITIONS: If a Member resigns from the Association or otherwise causes membership to terminate with an ethics complaint pending, the Board of Directors may condition the right of the resigning Member to reapply for membership upon the applicant's certification that he or she will submit to the pending ethics proceeding and will abide by the decision of the hearing panel.

- (a) If a Member resigns or otherwise causes membership to terminate, the duty to submit to arbitration continues in effect even after membership lapses or is terminated, provided that the dispute arose while the former Member was a REALTOR®.

Section 5. REALTOR® MEMBERS: REALTOR® Members, whether primary or secondary, in good standing whose financial obligations to the Association are paid in full shall be entitled to vote and to hold elective office in the Association; may use the terms REALTOR® and REALTORS®, which use shall be subject to the provisions of Article VIII; and have the primary responsibility to safeguard and promote the standards, interests, and welfare of the Association and the real estate profession.

- (a) 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 shall 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 shall 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 or herself 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 Association of 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 shall 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 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 shall 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 non-designated REALTOR® elects to sever his or her connection with the REALTOR® and affiliate with another REALTOR® Member in good standing in the Association, which ever may apply.

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- (b) 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 shall not be affected.
- (c) In any action taken against a REALTOR® Member for suspension or expulsion under Section 6, a. hereof, notice of such action shall be given to all REALTORS® employed by or affiliated as independent contractors with such REALTOR® Member and they shall be advised that the provisions in Article VI, Section 6, (a) shall apply.

Section 6. INSTITUTE AFFILIATE MEMBERS: Institute Affiliate Members shall have rights and privileges and be subject to obligations prescribed by the Board of Directors consistent with the Constitution and Bylaws of the NATIONAL ASSOCIATION OF REALTORS®.

Section 7. AFFILIATE MEMBERS: Affiliate and Associate Affiliate Members shall have rights and privileges and be subject to obligations prescribed by the Board of Directors except the right to vote and hold office. Affiliate and Associate Affiliate Members may vote on committees.

Section 8. SECONDARY MEMBERS: Secondary Members shall have all the rights and privileges and be subject to all the obligations of REALTOR® Members, including the right to vote and to hold office.

Section 9. PUBLIC SERVICE MEMBERS: Public Service Members shall have rights and privileges and be subject to obligations prescribed by the Board of Directors except the right to vote and hold office.

Section 10. HONORARY MEMBERS: Honorary Membership shall have only the right to attend meetings and participate in discussions.

Section 11. STUDENT MEMBERS: Student Members shall have rights and privileges and be subject to obligations prescribed by the Board of Directors except the right to vote and hold elective office.

Section 12. LIFE MEMBERS Life Members shall have the privileges and rights to attend meetings and participate in discussions, but shall impose no obligations and shall not vote nor hold elective office.

Section 13. CERTIFICATION BY REALTOR®: DESIGNATED REALTOR® Members of the Association shall certify to the Association during the month of December, on a form provided by the Association, a complete listing of all individuals licensed or certified in the REALTOR'S® office(s) and shall designate a primary Association for each individual who holds membership. DESIGNATED REALTORS® shall also identify any non-Member licensees in the REALTOR'S® office(s) and if DESIGNATED REALTOR® dues have been paid to another Association based on said non-member licensees, the DESIGNATED REALTOR® shall identify the Association to which dues have been remitted. These declarations shall be used for purposes of calculating dues under Article X, Section 2, A. of the Bylaws. DESIGNATED REALTOR® Members shall also notify the Association of any additional individual(s) licensed or certified with the firm(s) within thirty (30) days of the date of affiliation or severance of the individual.

Section 14. HARASSMENT: 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 or president-elect 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 any sanction authorized in the association's Code of Ethics and Arbitration Manual. If the complaint names the president or president-elect, 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.

NOTE: Suggested procedures for processing complaints of harassment are available on line at <http://www.REALTOR.org>, or from the Member Policy Department. (Amended 5/08)

BYLAWS OF THE COLLIN COUNTY ASSOCIATION OF REALTORS® , INC.
ARTICLE VII - PROFESSIONAL STANDARDS AND ARBITRATION

ARTICLE VII - PROFESSIONAL STANDARDS AND ARBITRATION

Section 1. GOVERNANCE: The responsibility of the Association and of Association Members relating to the enforcement of the Code of Ethics, the disciplining of Members, and the arbitration of disputes, and the organization and procedures incident thereto, shall be governed by the Code of Ethics and Arbitration Manual of the NATIONAL ASSOCIATION OF REALTORS®, as from time to time amended, which is by this reference incorporated into these Bylaws provided, however, that any provision deemed inconsistent with Texas Law shall be deleted or amended to comply with Texas Law.

Section 2. COMPLIANCE: It shall be the duty and responsibility of every REALTOR® Member of this Association to abide by the Bylaws and the Rules and Regulations of the Association, the Constitution and Bylaws of the TEXAS ASSOCIATION OF REALTORS®, the Constitution and Bylaws of the NATIONAL ASSOCIATION OF REALTORS®, and to abide by the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®, including the duty to arbitrate controversies arising out of real estate transactions as specified by Article 17 of the Code of Ethics, and as further defined and in accordance with the procedures set forth in the Code of Ethics and Arbitration Manual of the NATIONAL ASSOCIATION OF REALTORS®, as from time to time amended.

Section 3. ENFORCEMENT: The Association and Association members are responsible for the enforcement of the Code of Ethics, the disciplining of members, the arbitration of disputes, and the organization and procedures incident thereto, consistent with the cooperative Professional Standards Enforcement Agreement entered into by the COLLIN COUNTY ASSOCIATION OF REALTORS and the TEXAS ASSOCIATION OF REALTORS®, which by this reference is made a part of these Bylaws.

ARTICLE VIII - USE OF THE TERM REALTOR® AND REALTORS®

Section 1. AUTHORIZATION OF USE: Use of the terms REALTOR® and REALTORS® by Members shall, at all times, be subject to the provisions of the Constitution and Bylaws of the NATIONAL ASSOCIATION OF REALTORS® and to the Rules and Regulations prescribed by its Board of Directors. The Association shall have the authority to control, jointly and in full cooperation with the NATIONAL ASSOCIATION OF REALTORS®, use of the terms within its jurisdiction. 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 Association's Code of Ethics and Arbitration Manual.

Section 2. LIMITATION OF USE: REALTOR® Members of the Association shall have the privilege of using the terms REALTOR® and REALTORS® in connection with their places of business within the State of Texas or a state contiguous thereto so long as they remain REALTOR® Members in good standing. No other class of Members shall have this privilege.

Section 3. QUALIFICATION OF USE: A REALTOR® Member who is a principal of a real estate firm, partnership, or corporation may use the terms REALTOR® and REALTORS® only if all the principals of such firm, partnership, or corporation who are actively engaged in the real estate profession within the State of Texas or a state contiguous thereto are REALTOR® Members of the Association or Institute Affiliate Members as described in Article IV, Section 1, (b).

(a) In the case of a REALTOR® member who is a principal of a real estate firm, partnership, or corporation whose business activity is substantially all commercial, the right to use the term REALTOR® or REALTORS® shall be limited to office locations in which a principal, partner, corporate officer, or branch office manager of the firm, partnership, or corporation holds REALTOR® membership. If a firm, partnership, or corporation operates additional places of business in which no principal, partner, corporate officer, or branch office manager holds REALTOR® membership, the term REALTOR® or REALTORS® may not be used in any reference to those additional places of business.

Section 4. INSTITUTE AFFILIATE PROHIBITION: Institute Affiliate Members shall not use the terms REALTOR® or REALTORS®, or the imprint of the emblem seal of the NATIONAL ASSOCIATION OF REALTORS®.

BYLAWS OF THE COLLIN COUNTY ASSOCIATION OF REALTORS® , INC.
ARTICLE IX - STATE AND NATIONAL MEMBERSHIPS

ARTICLE IX - STATE AND NATIONAL MEMBERSHIPS

Section 1. STATE AND NATIONAL ASSOCIATION: The Association shall be a Member of the NATIONAL ASSOCIATION OF REALTORS® and the TEXAS ASSOCIATION OF REALTORS®. By reason of the Association's Membership, each REALTOR® Member of the Member Association shall be entitled to membership in the NATIONAL ASSOCIATION OF REALTORS® and the TEXAS ASSOCIATION OF REALTORS® without further payment of dues. The Association shall continue as a Member of the TEXAS ASSOCIATION OF REALTORS® and the NATIONAL ASSOCIATION OF REALTORS®, unless by a majority vote of all of its REALTOR® Members, decision is made to withdraw, in which case the State and National Associations shall be notified at least one (1) month in advance of the date designated for the termination of such membership.

Section 2. OWNERSHIP OF SERVICE MARKS: The Association recognizes the exclusive property rights of the NATIONAL ASSOCIATION OF REALTORS® in the terms REALTOR® and REALTORS®. The Association shall discontinue use of the terms in any form in its name, upon ceasing to be a Member of the National Association, or upon a determination by the Board of Directors of the National Association that it has violated the conditions imposed upon the terms.

Section 3. ADOPTION OF CODE: The Association adopts the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS® and agrees to enforce the Code among its REALTOR® Members. The Association and all of its Members agree to abide by the constitution, Bylaws, Rules and Regulations, and policies of the Texas Association and the National Association.

ARTICLE X- DUES AND ASSESSMENTS

Section 1. APPLICATION FEE: The Board of Directors may adopt an application and orientation fee for each class of membership in a reasonable amount, not exceeding three (3) times the amount of the annual dues for membership, including the Texas Association and the NATIONAL ASSOCIATION OF REALTORS® allocations, which shall be required to accompany each application for REALTOR®, and Affiliate Membership, and which shall become the property of the Association upon receipt and is non-refundable. After seventy (70) days of non-attendance of orientation, the original application will be voided. Should any applicant not complete all of the requirements for membership, the Association shall retain the total application fee and refund other dues and fees on a pro-rata basis.

Section 2. DUES: The Annual non-refundable dues of Members shall be as follows:

(a) Annual dues for all membership classifications shall be determined each year by the Board of Directors at or prior to their October Meeting; such dues to be effective for the ensuing year only.

The annual dues of each DESIGNATED REALTOR® Member shall be in such amount as established annually by the Board of Directors plus an additional amount to be established annually by the Board of Directors times the number of real estate salespersons and licensed or certified appraisers who

- (1) are employed by or affiliated as independent contractors, or who are otherwise directly or indirectly licensed with such REALTOR® Member, and
- (2) are not REALTOR® Members of any Association in the State of Texas or a state contiguous thereto or Institute Affiliate Members of the Association. In calculating the dues payable to the Association by a DESIGNATED REALTOR® Member, non-Member licensees as defined in Section 2, a. and b. (1) and (2) of this Article shall not be included in the computation of dues if the DESIGNATED REALTOR® has paid dues based on said non-Member licensees in another Association in the State of Texas or a state contiguous thereto, provided the DESIGNATED REALTOR® notifies the Association in writing of the identity of the Association to which dues have been remitted.
- (3) In the case of a Designated REALTOR® Member in a firm, partnership, or corporation whose business activity is substantially all commercial, any assessments for non-Member licensees shall be limited to licensees affiliated with the Designated REALTOR® (as defined in (1) and (2) of this paragraph) in the office where the Designated REALTOR® holds membership, and any other offices of the firm located within the jurisdiction of this Association.

For the purpose of this Section, a REALTOR® Member of a Member Association shall be held to be any Member who has a place or places of business within the State Texas or a state contiguous thereto, and who, as a principal, partner, corporate officer or branch manager of a real estate firm, partnership or corporation, is actively engaged in the real estate profession as defined in Article III, Section 1 of the Constitution of the NATIONAL ASSOCIATION OF

BYLAWS OF THE COLLIN COUNTY ASSOCIATION OF REALTORS® , INC.
ARTICLE XI - OFFICERS AND DIRECTORS

REALTORS®. An individual shall be deemed to be licensed with a REALTOR® if the license of the individual is held by the REALTOR®, or by 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 this Section 2, c. (1) hereof) provided that such licensee is not otherwise included in the computation of dues payable by the principal, partner, or corporate officer of the entity.

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 shall annually file with the Association on a form approved by the Association a list of the licensees affiliated with that entity and shall certify that all of the licensees affiliated with the entity are solely engaged in referring clients and customers and are not engaged in listing, selling, leasing, managing, counseling or appraising real property. The individuals disclosed on such form shall not be deemed to be licensed with the REALTOR® filing the form for purposes of this Section and shall not be included in calculating the annual dues of the Designated REALTOR®.

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

Section 3. NONPAYMENT OF FINANCIAL OBLIGATIONS:

- (a) If renewal dues are not paid in accordance with Section 4, a. the non-paying Member's services shall be automatically terminated on December 31st.

If any other dues, fees, fines, or other assessments including amounts owed to the Association or the Association's Multiple Listing Service are not paid within one (1) month after the due date, membership of the nonpaying Member shall terminate unless within that time the amount due is paid. However, no action shall be taken to terminate a Member for nonpayment of disputed amounts other than renewal dues until the accuracy of the amount owed has been confirmed by the Board of Directors.

A former Member who has had his or her membership terminated for nonpayment of dues, fees, or other assessments duly levied in accordance with the provisions of these Bylaws or the provisions of other Rules and Regulations of the Association or any of its services, departments, divisions or subsidiaries may apply for reinstatement in a manner prescribed for new applicants for membership, after making payment in full of all accounts due as of the date of termination.

Section 4. NOTICE OF DUES, FEES, FINES, ASSESSMENTS AND OTHER FINANCIAL OBLIGATIONS OF

MEMBERS: All dues, fees, fines, assessments, or other financial obligations to the Association shall be noticed to the delinquent Association Member in writing setting forth the amount owed and due date.

- (a) The dues of REALTOR® Members who are REALTOR® Emeriti (as recognized by the NATIONAL ASSOCIATION OF REALTORS®), Past Presidents of the National Association or recipients of the Distinguished Service Award shall be as determined by the Board of Directors.

ARTICLE XI - OFFICERS AND DIRECTORS

Section 1. OFFICERS: The elected Officers of the Association shall be: the President, the President-Elect, the Secretary/Treasurer and the Immediate Past President, and shall constitute the Executive Committee.

Section 2. DUTIES OF THE OFFICERS: The duties of the Officers shall be such as his or her titles, by general usage, would indicate and such as may be assigned by the Board of Directors. The duties are as follows:

- (a) **PRESIDENT** - The President shall be the Principal officer of the Association and shall, in general, supervise all of the business and affairs of the Association through the Chief Executive Officer and the Board of Directors.
- (b) **PRESIDENT-ELECT** - The President-Elect shall perform the duties of the President in the event of a temporary absence or disability.
- (c) **SECRETARY/TREASURER** - The Secretary/Treasurer shall review and approve, to the best of his/her knowledge, the minutes of the meetings of the Membership and of the Board of Directors; be responsible for ensuring proper accounting and financial procedures for all funds and securities of the Association; and, perform such other duties as from time to time may be assigned by the President or by the Board of Directors.

BYLAWS OF THE COLLIN COUNTY ASSOCIATION OF REALTORS® , INC.
ARTICLE XI - OFFICERS AND DIRECTORS

- (d) IMMEDIATE PAST PRESIDENT – The Immediate Past President shall be an Officer of the Association and a full voting member of the Executive Committee, the Board of Directors, and shall serve as Chair of the Nominating Committee.
- (e) EXECUTIVE COMMITTEE – The role of the Executive Committee is consultative, but may be authorized to negotiate contracts or take direct administrative action on internal issues of the Association. The elected Officers shall constitute the Executive Committee, with the authority to take action on time-sensitive matters that may arise between regular meetings of the Directors, and with the duty to recommend to the Directors appropriate action in regard to policy decisions and general executive decisions that the Directors must make from time to time. A quorum for the Executive Committee shall be 51%. They shall present all committee and task force action items to the Board of Directors with their recommendations. Any action taken by the Executive Committee between regular meetings of the Directors must be ratified by the Directors at their next meeting, unless specifically advised not to do so by Association legal counsel.

Section 3. CHIEF EXECUTIVE OFFICER: The Chief Executive Officer shall perform such duties as prescribed by the Board of Directors.

Section 4. BOARD OF DIRECTORS: The governing body of the Association shall be the Board of Directors of the COLLIN COUNTY ASSOCIATION OF REALTORS®.

- (a) COMPOSITION: The composition of the Board of Directors shall be: elected Officers, fourteen (14) elected REALTOR® members, the WCR President, REALTOR® members of the Association serving as TEXAS ASSOCIATION OF REALTORS® Directors or NATIONAL ASSOCIATION OF REALTORS® Directors, and appointees from the following: Designated REALTOR® appointees by brand name, Independent Broker Network appointees, an Affiliate appointee, a Past President appointee, and, at the President's discretion, up to two additional members may be appointed.
- (b) TERMS. The elected Officers of the Association shall be Directors for one (1) year. Each elected Director shall a term of two (2) years. Officer and Director terms begin January 1 following their election.
- (c) VOTING DIRECTORS: Voting Directors shall be all REALTOR® Directors.
- (d) NON-VOTING DIRECTORS: Non-Voting Directors shall be any Affiliate Member, or any non-REALTOR® appointee.

Section 5. DUTIES OF THE BOARD OF DIRECTORS: The duties of the Board of Directors shall be to set policy for the Association, to approve the annual budget and financial audit, to hire the Chief Executive Officer, and to perform other duties as required by the operations of the Association.

Section 6. QUALIFICATION OF ELECTED OFFICERS AND DIRECTORS:

- (a) Officers of the Association shall have served as a Voting Director of the Association a minimum of twelve (12) months during the two (2) years immediately preceding their term of office.
- (b) Directors of the Association shall have been an active, REALTOR® Member of the Association in good standing for the two (2) years immediately preceding their term of office, and shall have served as a Chairman, Vice Chair and/or active Member of a local, state, or national REALTOR® committee or task force within the two (2) years immediately preceding their term of office.
- (c) After a Director, which shall include all officers, has served three (3) consecutive full terms as such, he or she will not be eligible to serve again as a Director until he or she has been out of office for two (2) years; provided however, that this provision does not prevent the election to an Officer position of a currently serving Director or Officer whose term on the Board of Directors is expiring.
- (d) Officers and Voting Directors are required to attend a prescribed, one (1)-day Professional Standards training session each year. Training must be completed between October of the prior year and March of the current year of service. Failure to meet this requirement shall result in dismissal from the Board of Directors. This training must be completed prior to serving on any Professional Standards panel.
- (e) All Directors shall be members of the Association with all dues current for the year.

Section 7. ELECTION OF OFFICERS AND DIRECTORS:

- (a) The Nominating Committee shall be elected and perform the duties prescribed for the Nominating Committee in accordance with this Article.

BYLAWS OF THE COLLIN COUNTY ASSOCIATION OF REALTORS® , INC.
ARTICLE XI - OFFICERS AND DIRECTORS

- (b) Election of Nominating Committee Members: The Directors shall designate at the February Board of Directors meeting a list of candidates to be considered for service on the Nominating Committee in the following manner:
- (1) Each Director 's list shall contain no more than twenty (20) candidates, all of whom shall be REALTOR® Members of COLLIN COUNTY ASSOCIATION OF REALTORS®. The Directors shall submit such list of candidates promptly to the Executive Committee immediately following the February Directors' meeting.
 - (2) The Executive Committee shall select at least twenty (20) REALTORS® from the Director's lists to be nominees for the Nominating Committee.
 - (3) The list of nominees shall be submitted to the Board of Directors for their approval at the March Board of Directors meeting or at a special called meeting of the Directors prior to the April ballot delivery deadline.
 - (4) Such nominees shall then be listed by the Chief Executive Officer on a ballot, which shall be promptly distributed (no later than the 15th day of April) to all REALTOR® Members of COLLIN COUNTY ASSOCIATION OF REALTORS® entitled to vote under the provisions of the Article IV. A description of the election process and solicitation of qualified Members to interview with the Nominating Committee will be included with the delivery of this ballot.
 - (5) Signed ballots of Members, including those electronically signed, must be received in the Association's office no later than 5:00 p.m. on the 30th day of April to be verified by the Chief Executive Officer and counted under the supervision of the Executive Committee.
 - (6) Each REALTOR® Member shall vote for eight (8) of the nominees. The top 8 vote recipients shall be elected nominees, plus the two (2) nominees serving a second year term, and the Immediate Past President, who shall be Chair and not a voting Member except in case of a tie, shall constitute the 11 member Nominating Committee. Four (4) alternates will be selected based on the next highest number of votes in succession.
 - (7) Nominating Committee members must attend all meetings of the committee held for the purpose of interviewing officer and director candidates in order to vote for any candidates, including the Organizational Meeting.
 - (8) No REALTOR® Member may serve on the Nominating Committee for more than two (2) consecutive years. Time served as an alternate shall not be counted as time served by a member of the committee for the purpose of this paragraph.
 - (9) Each year the Nominating Committee, at its final meeting, shall choose two (2) of its Members to serve an additional one-year term. The term of the Nominating Committee ends when the new Nominating Committee is elected in April of the next year.
- (c) DUTIES OF NOMINATING COMMITTEE REGARDING NOMINATION OF OFFICERS AND DIRECTORS:
- (1) The Nominating Committee will receive interview requests from qualified candidates who seek the position of Director or Officer of the Association.
 - (2) The Nominating Committee shall propose the appropriate number of nominees for Director and Officers positions according to the process outlined in the Association's Policies and Procedures Manual. Such proposed nominees shall be deemed to be the Nominees.
 - (4) The Nominating Committee shall deliver the list of Nominees for the Association's Officers and Directorships to the Chief Executive Officer no later than the 10th day of August of the current year. The CEO shall notify the Board of Directors prior to the posting and distribution of the list of nominees to REALTOR® Members.
 - (5) The Chief Executive Officer shall post the list of proposed Nominees in the Association's office and shall distribute a list of said proposed Nominees to the REALTOR® members no later than September 1.
- (d) MEMBER NOMINATIONS: After notification to the REALTOR® Members of the list of proposed Nominees, additional nominations of qualified Members, who have been through the interview process, may be made to the Chief Executive Officer no later than fifteen (15) days after the Posting Date, provided that each nomination shall be in writing and signed by not less than three percent (3%) of the REALTOR® Members of the Association as of August 1 of the current year.
- (e) ELECTION PROCEDURE – IF NO ADDITIONAL NOMINATIONS: In the event there is no contest for an office of this Association, proposed Nominees shall be declared elected at the Annual Membership Meeting.
- (f) ELECTION PROCEDURE – IF ADDITIONAL NOMINATIONS:

BYLAWS OF THE COLLIN COUNTY ASSOCIATION OF REALTORS® , INC.
ARTICLE XII - MEETINGS

- (1) The Chief Executive Officer will distribute, no later than the 25th day of September, to each REALTOR® Member qualified to vote, a ballot listing the proposed Nominees and the additional Nominee(s), together with notification that said ballot must be received in the Association's office no later than 5:00 p.m. on the 5th day of October to be counted.
- (2) The President shall appoint a Ballot Canvassing Committee of three (3) REALTOR® Members to canvass the ballots. The Ballot Canvassing Committee shall convene in the Association's office at least seven (7) days prior to the Annual Membership Meeting.
- (3) In case of a tie, Nominees involved in the tie shall be posted in the Association's office and electronically distributed to the REALTOR® members. Signed ballots of Members, including those electronically signed, must be received in the Association's office no later than five (5) days prior to the Annual Membership Meeting. The candidate having the most votes is deemed elected.

Section 8. VACANCIES: Vacancies among the Officers and Directors shall be filled as prescribed in the Policies and Procedures Manual of the Association.

Section 9. REMOVAL OF OFFICERS AND DIRECTORS: In the event that an Officer or Director is deemed to be incapable of fulfilling the duties for which elected, but will not resign from office voluntarily, the Officer or Director may be removed from office under the following procedure:

- (a) A petition requiring the removal of an Officer or Director and signed by a majority of all Directors shall be filed with the President, or if the President is the subject of the petition, with the next ranking officer, and shall specifically set forth the reasons the individual is deemed to be disqualified from further service.

Upon receipt of the petition, and not less than twenty (20) days or more than forty five (45) days thereafter, a special meeting of the voting membership of the Association shall be held, and the sole business of the meeting shall be to consider the charge against the Officer or Director, and to render a decision on such petition.

The special membership meeting shall be called in accordance with the provisions of ARTICLE XII, Section 2, and shall be conducted by the President of the Association unless the President's continued service in office is being considered at the meeting. In such case, the next ranking officer will conduct the meeting of the hearing by the Members.

ARTICLE XII - MEETINGS

Section 1. ANNUAL MEMBERSHIP: The Annual Membership Meeting of the Association shall be conducted during the fourth quarter of each year. The date, time and place shall be designated by the Board of Directors. Notice shall be given at least two (2) weeks preceding the meeting. A quorum shall consist of three percent (3%) of the REALTOR® Membership as of the date of notice.

Section 2. SPECIAL MEMBERSHIP: Special Meetings of the Members may be conducted at other times as the President or the Board of Directors may determine, or upon the written request of at least three percent (3%) of the REALTOR® Membership as of the date of notice. The date, time, and place shall be designated by the Board of Directors. The provisions for a quorum, and notice, which must include the purpose of the meeting, shall be in accordance with the provisions for the Annual Membership Meeting above.

Section 3. BOARD OF DIRECTORS: The President shall designate date, time, and location of the Board of Director's regular business meetings, which will be conducted each month or less often at the discretion of the Executive Committee. Notice shall be given one (1) week preceding the meeting.

- (a) ATTENDANCE: Directors, including all Officers, shall attend, in accordance with standards established by the Directors, all regularly scheduled or called special meetings of the Board of Directors. Absence of a Director from three (3) regularly scheduled Directors meetings during any calendar year shall automatically terminate the Director's tenure of office. If the Director's absence from a regularly scheduled Directors meeting is due to his performance of duties for the Association, such as attendance at TEXAS ASSOCIATION OF REALTORS®, NATIONAL ASSOCIATION OF REALTORS®, or TEXAS REAL ESTATE COMMISSION meetings, the attendance requirement for that meeting may be waived if approved in advance by the Executive Committee.
- (b) SPECIAL MEETINGS: A special meeting may be called at the discretion of the President or the Executive Committee. Notice shall be given at least forty eight (48) hours preceding the Meeting.

BYLAWS OF THE COLLIN COUNTY ASSOCIATION OF REALTORS® , INC.
ARTICLE XIII - COMMITTEES

QUORUM: A quorum for the transaction of business at any Board of Directors meeting shall consist of fifty-one percent (51%) of the elected Directors as described in Section 3 above.

Section 4. ELECTRONIC TRANSACTION OF BUSINESS: To the fullest extent permitted by law, the Association or membership may conduct business by electronic means.

Section 5. ACTION WITHOUT MEETING: Action may be taken by use of signed written consents by the number of members, Directors, or committee members whose vote would be necessary to take action at a meeting at which all such persons entitled to vote were present and voted. Each written consent must bear the date of signature of each person signing it. A consent signed by less than all of the members, Directors, or committee members is not effective to take the intended action unless consents, signed by the required number of persons, are delivered to the Association within 10 calendar days of the earliest dated consent delivered to the Association. Delivery must be made by hand, fax, electronic mail, or by certified or registered mail, return receipt requested. The delivery may be made to the Association's office, addressed to the President. The Association will give prompt notice of the action taken to persons who do not sign consents. If the action taken requires documents to be filed with the secretary of state, the filed documents will indicate that the written consent procedures have been properly followed. A telegram, telex, cablegram, electronic mail or similar transmission by a member, Director, or committee member, or photographic, facsimile, or similar reproduction of a signed writing is to be regarded as being signed by the member, Director, or committee member.

ARTICLE XIII - COMMITTEES

Section 1. STANDING COMMITTEES: Standing Committees of the Association shall be:

- Budget and Finance
- Bylaws
- Education
- Professional Standards
- Government Affairs
- TREPAC

NOTE: Information concerning the Nominating Committee is contained in ARTICLE XI, Section 5.

Section 2. OTHER COMMITTEES AND TASK FORCES: The President shall designate additional committees or task forces as deemed necessary, subject to confirmation by the Board of Directors.

Section 3. APPOINTMENTS: The President shall appoint the committee Chairs and the President-Elect shall appoint the committee Vice Chairs, as prescribed in the Policies and Procedures Manual of the Association.

Section 4. ORGANIZATION: All committees and task forces shall have duties, functions and powers as assigned by the President and/or the Board of Directors, except as otherwise provided in these Bylaws. The number of members constituting each committee shall be as prescribed in the Policies and Procedures Manual of the Association.

Section 5. PRESIDENT: The President or any other Officer of the Association appointed by the President shall be a voting member of the Budget and Finance Committee and any other committee to which so appointed and an ex-officio Member of all committees (with voting rights) and shall be notified of all committee meetings.

Section 6. QUORUM: A quorum for the transaction of business at any committee meeting shall consist of fifty-one percent (51%) of the committee members.

Section 7. ATTENDANCE: A committee Member who fails to attend three (3) meetings in a calendar year will be removed as a voting member of the committee. A replacement may be appointed by the committee Chair.

Section 8. APPROVAL OF ACTION: The action of all committees shall be subject to approval of the Board of Directors.

ARTICLE XIV - FISCAL AND ELECTIVE YEAR

Section 1. The fiscal and elective year of the Association shall be January 1 to December 31.

BYLAWS OF THE COLLIN COUNTY ASSOCIATION OF REALTORS® , INC.
ARTICLE XV - RULES OF ORDER

ARTICLE XV - RULES OF ORDER

Section 1. Robert's Rules of Order, latest edition, shall be recognized as the authority governing the meetings of the Association, its Board of Directors and committees, in all instances wherein its provisions do not conflict with these Bylaws.

ARTICLE XVI - AMENDMENTS

Section 1. These Bylaws may be amended by a two-thirds (66.7%) vote of the members of the Board of Directors who are present and qualified to vote at a duly called meeting of the Board of Directors, provided the substance of such proposed amendment or amendments shall be plainly stated in the call for the meeting, except that the Board of Directors may, at any regular or special meeting of the Board of Directors at which a quorum is present, approve amendments to the Bylaws which are mandated by NATIONAL ASSOCIATION OF REALTORS® policy.

Any REALTOR® Member may initiate a petition to call a special meeting to address a Bylaws issue provided they have petition signatures from ten percent (10%) of the REALTOR® Members qualified to vote. This petition shall be presented to the Association Executive for meeting notification to the Board of Directors and the General Membership.

The effective date of the amended Bylaws shall be January 1 of the following year after the date approved by the Board of Directors. All changes to the Association Bylaws must be approved by the NATIONAL ASSOCIATION OF REALTORS® prior to becoming effective. If National Association approval is received after January 1 of the following year after Board of Director approval, the National Association approval dates shall be the effective date of the Bylaws revision(s).

Section 2. Notice of meeting at which amendments are to be considered shall be submitted to the REALTOR® Members eligible to vote at least two (2) weeks prior to the meeting.

- (a) Amendments to these Bylaws affecting the admission or qualification of REALTOR® and Institute Affiliate Members, the use of the terms REALTOR® and REALTORS® or any alteration in the territorial jurisdiction of the Association shall become effective upon their approval as authorized by the Board of Directors of the NATIONAL ASSOCIATION OF REALTORS®.

ARTICLE XVII - DISSOLUTION

Section 1. Upon the dissolution or winding up of affairs of this Association, the Board of Directors, after providing for the payment of all obligations, shall distribute any remaining assets of the COLLIN COUNTY ASSOCIATION OF REALTORS® to the TEXAS ASSOCIATION OF REALTORS® or, within its discretion, to any other non-profit tax exempt organization.

ARTICLE XVIII - MULTIPLE LISTING SERVICE

Section 1. The COLLIN COUNTY ASSOCIATION OF REALTORS®, INC. is a shareholder Member of the NORTH TEXAS REAL ESTATE INFORMATION SYSTEMS, INC., a Multiple Listing Service. ASSOCIATION TECHNOLOGY SERVICES, INC., a wholly owned subsidiary of the COLLIN COUNTY ASSOCIATION OF REALTORS®, INC., is a Multiple Listing Service provider

ARTICLE XIX - KEYCARD SERVICE

Section 1. The Association may, at the discretion of its Board of Directors, operate a Keycard Service, the purpose of which shall be for Association Members to gain access to property for which a member has an agreement with the owner of the property to use the service.

Section 2. The Board of Directors shall approve the Rules and Regulations of the Keycard Service, which shall conform to Statement 7.31 of the National Association of REALTORS® Handbook on Multiple Listing Policy.

REVISION HISTORY

2009: Revision approved by membership on 1/5/10, and approved by NAR on 10/27/09 and 12/10/09.

2008: Revisions approved by membership on 12/10/08, and approved by NAR on 10/27/08.

2007: Revisions approved by membership on 10/09/07, and approved by NAR on 9/24/07. Incorporated NAR suggested changes approved by CCAR Directors on 8/30/07.

2006: Revisions approved by membership on 12/12/06, and approved by NAR on 2/23/07. Incorporated NAR required changes approved by CCAR Directors on 3/22/07.

2005: Revisions approved by membership on 10/18/05, and approved by NAR on 11/14/05. Incorporated NAR required changes approved by CCAR Directors on 11/17/05.

2004: Revisions approved by membership on 10/12/04 and approved by NAR on 11/11/04.

2003: Revisions approved by membership on 10/28/03 and approved by NAR on 10/30/03.

2003: NAR prescribed change to Article XI, Sec. 4 regarding qualification of officers and directors deleting the word "primary" adopted by Board of Directors on 6/26/03.

2002: Adopted by the Membership on 10/15/02. Approved with prescribed changes obtained from the National Association of REALTORS® on 11/02/02. Changes approved by CCAR Directors on DATE 11/21/02

2001: Adopted by the Membership 8/21/01; Approval obtained from the National Association of REALTORS® on 7/31/01

Previously revised: May 1999