Ethics Complaint Instructions

The Professional Standards Office assists the Board of Directors of the New Mexico Association of REALTORS® (NMAR) in enforcing the National Association of REALTORS® (NAR) Code of Ethics and Standards of Practice and other membership duties as set forth in the NMAR Bylaws.

Anyone alleging violation(s) of NAR's Code of Ethics by one of our REALTOR® members may submit an Ethics Complaint to NMAR. There is no fee to file an Ethics Complaint. To initiate an Ethics Complaint, an Ethics Complaint (Form E-1) must be completed and submitted to the NMAR Professional Standards Office with any supporting documentation that may substantiate the alleged violations. NAR's Code of Ethics and Standards of Practice are available for use in determining which Articles may have been violated in the real estate transaction or in interactions with a REALTOR® member. Please note that Ethics Complaints must be filed with the Association within one hundred eighty (180) days after the facts constituting the matter complained of could have been known in the exercise of reasonable diligence or within one hundred eighty (180) days after the conclusion of the transaction, whichever is later.

The REALTORS® Code of Ethics consists of seventeen (17) Articles. The duties imposed by many of the Articles are explained in the Standards of Practice. A complaint must cite one or more of the Articles that may have been violated and should include a narrative description of the circumstances that led the complainant to believe the violation occurred. If assistance is needed in determining which articles may apply, a Grievance Committee member may be assigned to assist a nonmember complainant in filing a proper Complaint.

In any ethics hearing, the ultimate burden of proving that the Code of Ethics was violated is at all times on the complainant. "Clear, strong, and convincing" is the standard of proof by which violations of the Code of Ethics are determined.

NAR's *Code of Ethics and Arbitration Manual* and the *Code of Ethics and Standards of Practice* are the source material and governing documents for NMAR's ethics complaint policies and procedures. Both documents can be accessed at the NAR website: https://www.nar.realtor/code-of-ethics-and-arbitration-manual.

Ombudsman and mediation services are also available as more informal and timely means of resolving ethics concerns. To obtain additional information regarding these services or the ethics complaints procedures, please contact the NMAR Professional Standards Administrator at 505.596.1818 or ombuds@nmrealtor.com.