



# ADVOCACY

## RESOURCE GUIDE

# INTRODUCTION

The local, state and national REALTOR® associations are similar—they provide support that will allow our members to prosper. They also exist to promote the profession and to protect the members from unfair practices and laws.

This guide is designed to provide information to the local association presidents, presidents elect, RPAC chairs, legislative or public affair members, and association executives. If the information you seek cannot be found here, NMAR is always available to answer your questions or assist you. Also, all governing documents (bylaws and policies) can be found at NMAR's website at [www.nmrealtor.com](http://www.nmrealtor.com) under "Membership" and additional information under "Advocacy".

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# ADVOCACY

# The Funds

## ISSUES ADVOCACY FUND (IAF)

The purpose of NMAR's Issues Advocacy Fund is to "promote and mobilize public support for the REALTOR® position on public policy issues by educating the public about the impact and consequences of real estate-related legislation or regulations, and by conducting public advocacy campaigns". Under NMAR's bylaws and policies, "funds may be used to support or oppose measures or actions proposed or under consideration by government bodies which concern the preservation of private property rights, real estate brokerage, and the legal and economic rights of individual engaged in the real estate industry."

IAF dollars are available to contest or support local or statewide issues. In the case of statewide issues, NMAR may seek support from NAR which requires the state association to also contribute dollars to the campaign. In the case of local associations seeking funding via the IAF, local associations will be asked to also provide "skin in the game" (dollars), if possible. IAF funds cannot be used for legal fees (see Legal Action Fund).

This fund and the committee that oversees it (IAFC), was created in 2005 and is funded by an assessment of NMAR's membership. Under NMAR policies, the "IAF shall maintain a minimum balance of \$1 million annually."

The IAFC operating policies and Funding

Application Form can be found on NMAR's website under "Advocacy", "Issues Advocacy Fund".

## EXAMPLES OF HOW OTHERS USED IAF DOLLARS

- In 2019 the Las Cruces Association of REALTORS® (LCAR) requested money to fight a proposed county ordinance that would have allowed PACE (property assessed clean energy financing) loans. This controversial solar energy loan program has been long opposed by NAR. LCAR used IAF dollars to create and conduct an advertising campaign, and along with other groups opposed to the measure, saw the measure voted down by the Dona Ana County Commission.
- GAAR used IAF dollars to fight against a controversial and anti-business sick leave proposal. Extensive advertising and public relations campaigns were developed and, combined with the efforts of other Albuquerque interest groups that had formed a coalition, saw the measure defeated at the polls by a small margin.
- IAF dollars were used to join the Coalition to Save Seller Financing, a national effort to ensure seller financing, an important financing instrument in New Mexico, would remain viable.

## HOW TO REQUEST DOLLARS FROM THE IAF COMMITTEE (IAFC)

A local association's governing board will need to vote to request the dollars. A formal application needs to be submitted to NMAR which will set into motion a meeting of the

IAFC. The IAFC will meet as soon as possible to decide the merits of funding or partially funding the request. Local associations will need to be available to make a formal presentation before the IAFC and to answer questions. The association making the request should be prepared to provide local dollars to assist in the campaign.

The application can be found on NMAR's website, or contact the NMAR Government Affairs Director (GAD). The local association will need to do one's homework and fill out the application in detail. NMAR will help you as needed, but again, the association making the request should have a handle on what is involved.

If funded or partially funded, the receiving local organization will need to provide follow up reports on the progress and/or end result of the effort.

## THE LEGAL ACTION FUND

If an issue of concern to NMAR and/or your local association's membership comes up that involves or requires legal action, there may be dollars available through NMAR's Legal Action Fund.

A request must be made in writing and be initiated or supported by a member and their member board. Requests must be received at least 15 days prior to the next scheduled meeting of NMAR's Executive Committee.

For more information, refer to the Legal Action Fund governing documents (Policy Attachments) available on NMAR's website.

# RPAC

## THE REALTORS® POLITICAL ACTION COMMITTEE (RPAC AND RPAC-NM)

RPAC is the REALTORS® most vital asset when it comes to advocating on behalf of the industry. The dollars that members voluntarily contribute to RPAC are essential in impacting policy at the national, state and local levels.

RPAC is NAR's political action committee. RPAC-New Mexico (RPAC-NM) is a separate political action committee under NMAR. Both PACs are non-partisan.

The RPAC-NM bylaws and policies & Funding Request Form can be found on NMAR's website under "Advocacy" \ "REALTORS® Political Action Committee".

## WHAT IS A POLITICAL ACTION COMMITTEE (PAC)?

A political action committee is a tax exempt 527-organization that generates contributions from members and makes campaign contributions to candidates and political organizations.

## HOW ARE RPAC FUNDRAISING GOALS SET?

Each year at the national level, NAR determines the amount each state should raise that is designated for NAR's political action committee for use at the national level. The dollar amount of NAR's goal is divided by

the number of members in each state and assessed accordingly. NAR also sets a Major Investor goal (\$1,000+ contributors) and a goal for President's Circle contributors (\$1,000 + additional contributions of at least \$2,000) for each state.

At the state level, RPAC-NM uses the same formula (number of members) to establish the dollar amount each local association should generate for NAR and adds the "challenge goal" (dollars to be used by the state and local associations for political contributions) to the NAR total for each local association. Based on NAR's statewide goals, RPAC-NM uses the member totals of each local association to determine the Major Investors and President's Circle goals. Note that RPAC-NM may opt to increase NAR's goals for participation, by changing the number of major investors and other categories.

## RECOGNITION

### NAR's Triple Crown & President's Cup

Each state association is asked to meet the RPAC and advocacy goals set by NAR. They include:

- Meeting the NAR fundraising goal
- Meeting the state fundraising goal
- Meeting the Major Investor and President's Circle goals
- Achieving a minimum amount of participation (currently set at 37 percent) in RPAC (a member currently must give \$15 or more to become an official contributor and only those members who have contributed that minimum amount count in the participation totals)
- Must have at least 20 percent of their members respond on Calls for Action

- Have at least one or two other advocacy efforts, like holding a voter registration campaign, for example.

NAR recognizes those local associations who meet the Triple Crown and President's Cup. NAR also recognizes all the state associations that also meet these goals. NMAR and RPAC-NM has been committed to achieving President's Cup status every year.

### NMAR Awards

NMAR recognizes those associations that meet the state goals including fundraising and participation goals. The "Special Recognition" award is given to the associations that achieves the highest percentages in fundraising, participation and calls for action. Local associations are recognized if they meet the NMAR fundraising and participation goals, with the "Strive of Excellence" award being given to the associations with the highest overall combined ranking in the fundraising, participation, and calls for action goals.





## HOW ARE THE DOLLARS SPLIT AND HOW ARE THEY USED?

After each local association meets their share of the state's commitment to NAR, all subsequent dollars raised are split between the local organization (35 percent) and the state organization (65 percent).

Local associations have two years to utilize their share of the RPAC-NM dollars generated that year. Any unspent dollars will revert to NMAR for statewide use as determined by the RPAC-NM Trustees.

## HOW CAN LOCAL RPAC DOLLARS BE USED?

### Candidates for Office

Local Associations are encouraged to use their share of RPAC dollars to contribute to candidates for local races (village/county/city councils and commissions and county commissions and local county races such as assessor, treasurer, etc.). Local funds have also been used to support school board candidates.

Local Associations also can contribute to their area's legislators, but with some caveats. RPAC-NM Trustees must already have voted to contribute to that legislative candidate in the current election cycle (either the primary or general election). It is important that the state and local organizations are on the same page and not contributing to competing

candidates. Also, under state law, there is a limit to what each political action committee can contribute to an individual candidate. NMAR tracks that amount to ensure compliance.

In making contributions to candidates the RPAC-NM Trustees follow the same basic guidelines as NAR and recommends the same criteria for local candidate contributions including:

- Contributing to incumbents in good standing (have supported REALTOR® issues)
- Contributing to only one candidate in each race
- Contributing to candidates that are in a winnable race

Local association cannot use their RPAC dollars to support candidates for executive positions in New Mexico (Governor, Lt. Governor, Attorney General, Treasurer, Auditor, Land Commissioner, Secretary of State), as RPAC-NM Trustees determine those contributions.

The local or state associations cannot contribute directly to a member of the U.S. Senator or House of Representatives. NAR makes that recommendation to RPAC-NM and the Trustees vote to accept or reject NAR's recommendations.

### Candidate Forums/Education

Local RPAC dollars can be used to sponsor candidate forums or "meet-and-greet" events for REALTOR® Members, including facility rentals, refreshments, printing costs, etc.

### Events to Generate RPAC Contributions

Local associations meet their RPAC fundraising goals in a variety of ways. Some associations include an RPAC contribution in their dues billing. Others have fundraising

events. The local association can utilize some of their share of RPAC dollars to help offset expenses. Grants also are available from NAR (see NAR Resources below), but require that the event raise three times (3x) the amount of dollars requested from the fundraising grant.

Remember, only REALTORS® can be solicited for RPAC contributions and all contributions are voluntary. Fundraising activities such as raffles, in which tickets are sold, or in which a contribution to RPAC generates an entry for a prize, are prohibited.

NMAR's legal counsel has indicated that e-mails encouraging members to participate in an RPAC fundraising effort need to include the solicitation disclaimer. Also, any follow up emails or mailed solicitation forms collecting pledged RPAC investments need to have the disclaimer, as well. Also, a good idea to remind the participants of the disclaimer at the event itself.

### RPAC Disclaimer

*Contributions to RPAC are not deductible for federal income tax purposes. Contributions are voluntary and are used for political purposes. The amounts indicated are merely guidelines and you may contribute more or less than the suggested amounts. The National Association of REALTORS® and its state and local associations will not favor or disadvantage any member because of the amount contributed or decision not to contribute. You may refuse to contribute without reprisal. \_\_\_% of each contribution is allocated to your state or local PAC efforts to support state and local political candidates; \_\_\_% is sent to National RPAC to support federal candidates and is charged against your limits under 52 U.S.C. 30116. \_\_\_% Contributions received from corporate entities shall be forwarded to the National Association of REALTORS® Political Advocacy Fund.*

## HOW RPAC-NM DETERMINES CANDIDATE CONTRIBUTIONS

RPAC-NM is a voluntary, non-profit, unincorporated committee of the New Mexico Association of REALTORS®. The Committee is not affiliated with any political party. It is an independent, autonomous organization and is not a branch or subsidiary of any national or other political committee. RPAC-NM is overseen by Trustees, appointed by NMAR's leadership, who serve staggered three-year terms with at least two Trustees from each of the five NMAR districts in New Mexico (northwest, northeast, central, southeast and southwest) with additional Trustees for each 1,000 members.

Again, RPAC-NM provides contributions to legislative candidates who serve in the New Mexico House of Representatives and the New Mexico Senate in Santa Fe. Contributions also can be made to candidates in statewide races including Governor, Lt. Governor, Secretary of State, Attorney General, State Auditor, and State Treasurer. RPAC-NM can also provide contributions to the major political parties and each year contributes to political party events in association with the start of the New Mexico Legislature.

In determining candidate contributions the Trustees meet in executive session with contributions based on much of the same criteria mentioned earlier.

- Incumbency (in most case incumbents have a greater chance at being reelected)
- Candidates in good standing with NMAR (have supported NMAR positions)
- Contributions to only one candidate per race
- Electability (Is it a race they can win?)
- Leadership positions
- Key committee chairs

RPAC-NM files reports with the New Mexico Secretary of State's office per the schedule and all NMAR contributions can be found on the Secretary of State's web site or there is a link on the NMAR's website in the REALTORS® Political Action Committee page (RPAC-NM Campaign Finance Reports).



# LEGISLATIVE COMMITTEE

## NMAR'S LEGISLATIVE COMMITTEE

The Legislative Committee is made up of members appointed to staggered three-year terms by NMAR's leadership.

The Policy Attachments spelling out the functions of the Legislative Committee can be found on NMAR's website.

Beginning each April, the Legislative Committee meets and begins the process of establishing the legislative priorities for the New Mexico Legislative session that begins in January. Steering the Legislative Committee's legislative priority process are the principles spelled out in NMAR's Quality of Life Statement which can be found on the NMAR website.

The Legislative Committee creates various task force groups consisting of committee members and they meet to delve deeper into the various issues and/or proposed legislation. They make recommendations to the committee as a whole and once the priorities have been determined, they are forwarded to NMAR's Executive Committee for their approval.

The Legislative Committee will meet several times prior to and during the legislative session. NMAR staff reviews all bills as they are introduced and determines the bill's impact to NMAR's membership. The Legislative Committee reviews all relevant legislation and determines whether to support, oppose or to monitor the bill as it works its way through the session.

NMAR's Executive Director, the GAD and staff attorney are all lobbyists for NMAR. NMAR may also choose to have contract lobbyists.



Quality of Life



# POLITICAL COORDINATORS

## **FPC PROGRAM**

Each member of New Mexico's delegation to Washington, D.C. has a Federal Political Coordinator assigned to them and they assist NAR in their lobbying efforts. In the event there is a newly-elected congressman, congresswoman, or senator, NMAR will send out a notice to the membership seeking applicants. NMAR will forward its choice to NAR, who makes the final decision.

## **SPC PROGRAM**

NMAR created the State Political Coordinator Program (SPC) in which REALTORS® are assigned to legislators for the purpose of establishing person-to-person relationships with the elected officials. SPCs provide another layer of lobbying in NMAR's efforts to ensure the member's interests are represented in Santa Fe.

There are 112 New Mexico legislators and recruiting efforts take place in the weeks prior to the start of the legislative session.

NMAR members interested in becoming an SPC may contact NMAR's GAD or visit the NMAR website at [www.nmrealtor.com](http://www.nmrealtor.com) for more information.

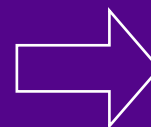
# CALLS FOR ACTION

## CALLS FOR ACTION

Calls for Action are initiated by NAR or NMAR, and this service also is available to local associations (contact the GAD if interested in conducting a local call to action of city or county commissioners, etc).

At the national level e-mails or text messages are sent to NAR members asking them to take action. This is normally done by clicking a link that sends a message to their U.S. Senator or House member asking them to support or oppose a measure as determined by NAR. Responding to texts has become very efficient and NAR uses the REALTOR® Party Mobile Alerts (RPMA) to notify members, as well as e-mails.

At the state level, most calls for action take place during the 30-day or 60-day New Mexico Legislative session. Sometimes a call for action may only go to the constituents of members of a committee that is considering legislation of interest to NMAR. It may also go to the constituents of the members of the New Mexico House of Representatives or the New Mexico Senate. In most cases, the message you send goes to the legislator in your district. NAR and NMAR are looking for at least 20 percent of our members to respond to calls for action. Meeting the 20 percent threshold is one of the criterium used for achieving President's Cup status.



To get calls for action via text simply text the word **"REALTORS"** to **30644**. The next time NAR has a call for action you will receive the notice on your phone.

# REALTOR PARTY

## REALTOR® PARTY RESOURCE GUIDE

The REALTOR® Party Resource Guide is a complete catalog of what NAR offers to all associations. All local REALTOR® associations should have a copy and be aware of the information in this document, which is updated yearly. The guide is available at [www.realtorparty.realtor](http://www.realtorparty.realtor).

The REALTOR® Party Resource Guide spells out the numerous resources available local (and state) associations and also includes contact information. The resources include:

### Advocacy Issues Information

Information is available on federal, state and local issues including affordable rental housing, broadband access, FHA condo rule, first time home buyer savings accounts, flood insurance, homelessness, marijuana legalization, PACE loans, rent control, and rural housing loans.

### Community Outreach

- Fair Housing Grant
- Housing Opportunity Grant
- Workforce Housing Forum Guide
- Smart Grown Action Grant - Supports REALTOR® engagement in land use or transportation-related issues
- State & Local Growth Polling Program (to help formulate land use policies)
- Rural Outreach Program

## RPAC Fundraising

- RPAC Fundraising Grants
- RPAC Online Fundraising Program
- RPAC Fundraising Brochures
- RPAC Fundraising Webinars

## Campaign Services

- Candidate Independent Expenditures\*
- Issues Mobilization Program\*
- Candidate Training Academy
- Candidate & Issue Campaign Training
- Voter Registration Program

\*consult with NMAR

## Member and Consumer Involvement

- Consumer Advocacy Outreach Program
- Consumer Advocacy Outreach Grant

## Online Resources

- REALTOR® Party Website
- REALTOR® Party Tracker
- Federal & Commercial Issues Tracker
- State Legislative Monitor
- Hot Topic Alerts



The REALTOR® Party is a powerful alliance of REALTORS® and REALTOR® Associations working to advance public policies and candidates that build strong communities, protect property interest, and promote a vibrant business environment.



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