



**DISCIPLINARY COMPLAINT
PACIFIC WEST ASSOCIATION OF REALTORS®**

For Association Use Only

Case # _____ Complaint Received _____

1. I (we), the undersigned complainant(s), hereby allege that the following persons have engaged in conduct subject to disciplinary action by the Association:

RESPONDENT(S)- Parties you are complaining about:

RESPONDENT(S):

Name

Name

DRE # (If known)

DRE # (If known)

Firm

Firm

Street Address

Street Address

City, State, and Zip

City, State, and Zip

Phone Number

Phone Number

Email Address

Email Address

RESPONDENT(S):

RESPONDENT(S):

Name

Name

DRE # (If known)

DRE # (If known)

Firm

Firm

Street Address

Street Address

City, State, and Zip

City, State, and Zip

Phone Number

Phone Number

E-mail Address

E-Mail Address



2. The above-named respondent(s) have violated the following:

Code of Ethics violations:

- Article 1: REALTORS® owe a fiduciary duty to their clients.
- Article 2: REALTORS® must avoid concealment of pertinent facts.
- Article 3: REALTORS® must cooperate with other brokers.
- Article 4: REALTORS® must disclose any interest they have in a property they are buying or selling.
- Article 5: REALTORS® must disclose any contemplated interest they have in property for which they are providing professional services.
- Article 6: REALTORS® cannot accept profit on expenditures made for their client or recommendations to their client without disclosure.
- Article 7: REALTORS® must disclose and obtain consent to accept compensation from more than one party.
- Article 8: REALTORS® must keep a trust account for clients' funds.
- Article 9: REALTORS® must ensure that all agreements are in writing and clear.
- Article 10: REALTORS® must not discriminate in their business on the basis of race, color, religion, sex, disability, familial status, national origin, sexual orientation or gender identity.
- Article 11: REALTORS® must provide competent service.
- Article 12: REALTORS® must be honest in their real estate communications and present a true picture in advertising.
- Article 13: REALTORS® must not engage in the unauthorized practice of law.
- Article 14: REALTORS® must cooperate in professional standards proceedings.
- Article 15: REALTORS® must not knowingly lie or recklessly make false or misleading statements about competitors.
- Article 16: REALTORS® must not interfere with the exclusive representation agreements of other REALTORS®.
- Article 17; REALTORS® must arbitrate contractual disputes and certain non-contractual disputes arising out of the real estate business.
- Section(s) _____ of the MLS Rules and Regulations
- Other membership duty as set forth in the Bylaws of the Association (specify):

3. The facts and circumstances supporting the above **allegation(s) are detailed in the attached statement marked "Exhibit 1,"** which is hereby incorporated by reference and made part of this complaint.
4. I am informed that the named respondent(s) are current REALTOR® members of the Association and/or participants/subscribers in the MLS or that the property at issue is located within the jurisdiction of this Association.
5. Date of knowledge of alleged misconduct is _____. This complaint, meeting all the filing requirements, must be filed within 180 calendar days after the alleged offense and facts relating to it could have



been known by the complainant in the exercise of reasonable diligence or one hundred eighty (180) days after the conclusion of the transaction, or event, whichever is later.

- 6. Are the circumstances giving rise to this complaint, or the respondents in this case, involved in a civil or criminal proceeding or in any proceeding before a governmental agency
YES **NO** If you answered yes, please attach a written statement of explanation.

- 7. Have you filed, or do you plan to file a similar or related complaint with another Association of REALTORS®?
YES **NO** If you answered yes, please attach a written statement of explanation.

- 8. I understand there will be a recording of any full disciplinary hearing. I understand that the recording is subject to the rules of confidentiality and is made solely for the purpose of a Review by the Association Board of Directors, if one is requested.

- 9. I will be represented by an attorney, whose name, address, telephone number and e-mail address are:

- 10. I agree to abide by the rules and procedures used by this Association to conduct disciplinary hearings. I understand that the proceedings regarding this matter will be kept confidential and that I have an obligation to maintain and protect this confidentiality.

Under the penalties of perjury, I declare that to the best of my knowledge and belief my allegations in this complaint are true and correct.

Dated: _____ **at** _____, **California**



COMPLAINANT(S): - Your Information

Signature

Name

Firm (if applicable)

Street Address

City, State, and Zip

Phone Number

Email

DRE # (if applicable)

COMPLAINANT(S):

Signature

Name

Firm (if applicable)

Street Address

City, State, and Zip

Phone Number

Email

DRE # (if applicable)

COMPLAINANT(S):

Signature

Name

Firm (if applicable)

Street Address

City, State, and Zip

Phone Number

E-Mail

DRE # (if applicable)

COMPLAINANT(S):

Signature

Name

Firm (if applicable)

Street Address

City, State, and Zip

Phone Number

E-Mail

DRE # (if applicable)



The Pacific West Association of REALTORS® is a voluntary trade association and has no jurisdiction over an agent's real estate licensing status. If you wish to file a complaint with the state licensing agency, contact the California Department of Real Estate @ (213) 620-2072 or visit www.DRE.ca.gov The filing of this Disciplinary Complaint will not address any money issues you may have with the Respondent(S)

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Return this signed Complaint Form (D-1), with written Summary Marked "Exhibit 1" and additional supporting documents to:

PACIFIC WEST ASSOCIATION OF REALTORS®
Attn: Professional Standards Department
1601 E. Orangewood Avenue, Anaheim, CA 92805
Phone (714) 245-5500
Or E-Mail to: prostandards@pwr.net

PRINT COPY FOR YOUR RECORDS



1601 E. Orangewood Ave, Anaheim, CA 92805

SAMPLE OF HOW TO SUBMIT YOUR SUMMARY

When writing your summary below (Exhibit 1), please provide an overview of the events that occurred and the date order in which they happened. It must be double spaced and typewritten in a simple and understandable format. Please explain the situation and how the REALTOR(s)[®] violated the Code of Ethics articles you cited in the Ethics Complaint form.

An ethics complaint must cite Articles from the Code of Ethics, which you feel the REALTOR(s)[®] violated, since the Code of Ethics is by which a REALTOR(s)[®] conduct is judged. **For example, after your summary, explain why you are charging a violation of Code of Ethics Article 1 & any other Article or M.L.S. Rule.**

An Ethics Complaint meeting all filing requirements must be filed within one hundred and eighty (180) calendar days after the facts constituting the wrongful conduct could have been known in the exercise of reasonable diligence or one hundred eighty (180) days after the conclusion of the transaction, or event, whichever is later.

If you need assistance, please contact the Association, and request an Ethics Advocate.

Please include any legible documentation that supports the allegation(s) including but not limited to:

- Addendum
- Amendment(s)
- Appraisal
- Buyer/Broker Agreement
- Closing Disclosure
- Commission Instructions
- Counteroffer
- Duties Owed
- Emails
- Exclusive Right to Sell
- Inspections
- Offer & Acceptance Agreement
- Phone Calls/Messages
- Pictures/Screen Shots
- Texts (Readable)

The information you submit will be forwarded to the Association's Grievance Committee for review and used to determine if the violation warrants a hearing. The Code of Ethics is the standard by which the Grievance Committee will review the submitted allegation(s) of potential violation(s). The Articles in the Code of Ethics are specific obligations, the violations of which can subject the member to disciplinary action after a due process hearing. The Grievance Committee may make additions or deletions to the alleged violations based on your written summary.

If the Grievance Committee determines a hearing is warranted, you will be notified and asked to attend. Please be aware that the Association is prohibited from awarding monetary damages in the event that your ethics complaint is upheld. If you have any questions about the process, please reach out to the Professional Standard Department at (714) 245-5500.



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EXHIBIT 1
(IMPORTANT: PLEASE DOUBLE SPACE YOUR SUMMARY)

If you are including Exhibits in addition to your summary, each Exhibit page must be numbered and should have a cover sheet with a brief description of the exhibit.