

**Colorado Association of REALTORS®**

**Citation Schedule of Fines**

	<b>Applicable Article and Standard of Practice</b>	<b>Fine</b>	<b>Ethics Training available in lieu of or in addition to fine?</b>
<b>Article 1</b>			
Failure to fully disclose and obtain consent from both parties when representing both the seller/landlord and buyer/tenant in the same transaction	Article 1, supported by Standard of Practice 1-5	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Failure to submit offers and counter-offers objectively and as quickly as possible	Article 1, supported by Standard of Practice 1-6	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Failure on the part of a listing broker to provide, as soon as practical, written affirmation that an offer was presented or written notification that the seller/landlord has waived the obligation to have the offer presented, upon written request of a cooperating broker submitting an offer.	Article 1, supported by Standard of Practice 1-7	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Failure on the part of a buyer’s/tenant’s broker to provide, as soon as practical, a written affirmation to the listing broker stating that the counter-offer has been submitted to the buyers/tenants, or a written notification that the buyers/tenants have waived the obligation to have the counter-offer presented.	Article 1, supported by Standard of Practice 1-8	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Failure to advise sellers/landlords of information specified in Standard of Practice 1-12 prior to entering into a listing contract	Article 1, supported by Standard of Practice 1-12	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Failure to advise buyers/tenants of information specified in Standard of Practice 1-13 prior to entering into a buyer/tenant agreement	Article 1, supported by Standard of Practice 1-13	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Accessing or using, or allowing others to access or use, a property managed or listed on terms other than those authorized by the owner or seller	Article 1, supported by Standard of Practice 1-16	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation

<b>Article 3</b>			
Failure to communicate a change in compensation for cooperative services prior to the time that REALTOR® submits an offer to purchase/lease the property	Article 3, supported by Standard of Practice 3-2	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
As a listing broker, attempting to unilaterally modify the offered compensation with respect to a cooperative transaction after a REALTOR® has submitted an offer to purchase or lease that property	Article 3, supported by Standard of Practice 3-2	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Failing to disclose existence of dual or variable rate commission arrangements	Article 3, supported by Standard of Practice 3-4	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Failure to disclose to cooperating brokers differential that would result in dual or variable rate commission arrangement if sale/lease results through efforts of seller/landlord	Article 3, supported by Standard of Practice 3-4	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Failing to disclose existence of accepted offers, including offers with unresolved contingencies, to cooperating brokers	Article 3, supported by Standard of Practice 3-6	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Misrepresenting the availability of access to show or inspect a listed property	Article 3, supported by Standard of Practice 3-8	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Providing access to listed property on terms other than those established by the owner or the seller	Article 3, supported by Standard of Practice 3-9	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
<b>Article 4</b>			
Failing to disclose REALTOR®'s ownership or other interest in writing to the purchaser or their representative	Article 4 (second sentence)	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
<b>Article 5</b>			
Providing professional services without disclosing REALTOR®'s present interest in property	Article 5 (limited to present interest, not contemplated)	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation

<b>Article 6</b>			
Accepting any commission, rebate, or profit on expenditures without client's knowledge or consent	Article 6 (first paragraph)	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Failure to disclose to a client or customer REALTOR®'s financial benefits or fees received as a direct result of recommending real estate products or services	Article 6 (second paragraph)	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Failure to disclose REALTOR®'s direct interest in an organization or business entity when recommending to a client or customer that they use the services of that organization or business entity	Article 6, supported by Standard of Practice 6-1	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
<b>Article 12</b>			
Failing to present a true picture in real estate communications and advertising	Article 12	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Failing to disclose status as real estate professional in advertising and other representations	Article 12	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Representing brokerage services to a client or customer as free or available at no cost when the REALTOR® receives compensation from any source for those services	Article 12, supported by Standard of Practice 12-1	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Failure to exercise care and candor when communicating the terms and conditions of premiums, prizes, merchandise discounts or other inducements to list, sell, purchase, or lease	Article 12, supported by Standard of Practice 12-3	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Advertising property for sale/lease without authority of owner or listing broker	Article 12, supported by Standard of Practice 12-4	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Failing to disclose name of firm in advertisement for listed property	Article 12, supported by Standard of Practice 12-5	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Failing to disclose status as both owner/landlord and REALTOR® or licensee when advertising property in which REALTOR® has ownership interest	Article 12, supported by Standard of Practice 12-6	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation

Falsely claiming to have “sold” property	Article 12, supported by Standard of Practice 12-7	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Failure to take corrective action when it becomes apparent that information on a REALTOR®’s website is no longer current or accurate	Article 12, supported by second sentence of Standard of Practice 12-8	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Failure to disclose firm name and state of licensure on REALTOR® firm website	Article 12, supported by Standard of Practice 12-9	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Misleading consumers through deceptive framing, manipulating content, deceptively diverting internet traffic, presenting other’s content without attribution or permission, or using misleading images	Article 12, supported by Standard of Practice 12-10	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Registering or using of deceptive URL or domain name	Article 12, supported by Standard of Practice 12-12	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Representing that the REALTOR® has a designation, certification, or other credential they are not entitled to use	Article 12, supported by Standard of Practice 12-13	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
<b>Article 14</b>			
Failing to cooperate in a professional standards proceeding or investigation in circumstances when cooperation has been demanded by the association and association has advised REALTOR® failure to cooperate could result in an allegation of a violation of Article 14	Article 14	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
<b>Article 16</b>			
Conditioning submission of a buyer’s offer on additional compensation from a listing broker	Article 16, supported by Standard of Practice 16-16	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation
Placing for sale/lease sign on property without permission of seller/landlord	Article 16, supported by Standard of Practice 16-19	\$400 – First Offense plus Ethics Training \$1,000 – 2 <sup>nd</sup> Offense \$1,500 – 3 <sup>rd</sup> Offense	In addition to fine for first offense must complete NAR Code of Ethics within 90 days of citation

**NOTE:** Associations may adopt all or some of the above citations. No additional citations may be added. Fines for each citable offense, as well as any possible training requirements, must be established in advance and should be followed consistently.

Associations, at their discretion, may adopt an escalating fine schedule for repeat citations and also may impose a training requirement in addition to or as an alternative to payment of a fine for any of the citable offenses adopted. If an escalating fine schedule is adopted, it may only be used in circumstances where citations are issued by the same association.

The amount of fine for any citation is at the option of the association, but aggregated fines levied against any member may not exceed \$5,000 in any three (3) year period.

*(Amended 5/22)*