The Bylaws of East Tennessee REALTORS®

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ARTICLE I NAME

Section 1. Name. The name of this organization shall be the East Tennessee REALTORS® Incorporated, hereafter 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.

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.

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

Section 5. To unite those engaged in the real estate profession in this community with the Tennessee REALTORS® and the National Association of REALTORS®, thereby furthering their own objectives throughout the state 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 include the Tennessee counties of Anderson, Blount, Campbell, Cumberland, Fentress, Knox, Loudon, Monroe, Morgan, Roane, Scott, and Union.

Section 2. Territorial jurisdiction is defined to mean:

(a) 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. There shall be six classes of members as follows:

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

(1) Individuals who, as sole proprietors, partners, corporate officers, or branch office managers, are

engaged actively in the real estate profession, including buying, selling, exchanging, renting or leasing, managing, appraising for others, counseling, building, developing or subdividing real estate, and who maintain or are associated with an established real estate office in the state of Tennessee 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 within the state 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 or a state contiguous thereto unless otherwise qualified for Institute Affiliate Membership as described in Section 1(b) of Article IV.

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 Section 1(b) of Article IV.

(2) Individuals who are engaged in the real estate profession other than as sole proprietors, partners, or 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 NAR *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 association-mandated education, meeting attendance, or indoctrination 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 local association, state association, and National Association.

(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 dues are remitted through another association. One of the principals in a real estate firm must be a Designated REALTOR® member 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 (or to mediate if required by the Association) 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 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.** Affiliate members shall be real estate owners and other individuals or 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.

(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 their own account or in association with an established real estate business.

(e) **Honorary Members**. Honorary members shall be individuals 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 their own account or not associated with an established real estate office.

ARTICLE V QUALIFICATION AND ELECTION

Section 1. Application.

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 application form shall contain among the statements to be signed by the applicant (1) that applicant agrees as a condition to membership to thoroughly familiarize himself with the Code of Ethics of the National Association of REALTORS®, the Constitution, Bylaws, and Rules and Regulations of the East Tennessee REALTORS®, the Tennessee REALTORS® and the National Association, and if elected a member, will abide by the Constitution and Bylaws and Rules and Regulations of the East Tennessee REALTORS®, the Tennessee REALTORS® and the National Association, and if a REALTOR® will abide by the Code of Ethics of the National Association of REALTORS®, including the obligation to arbitrate (or to mediate if required by the Association) 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, through its Membership Committee or otherwise, 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.

(a) An applicant for REALTOR® membership who is a sole proprietor, partner, or corporate officer, or a branch office manager of a real estate firm shall supply evidence satisfactory to the Association through its membership secretary that he/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, has no record of recent or pending bankruptcy*****, has no record of official sanctions involving unprofessional conduct******, agrees to complete a course of instruction covering the Bylaws and Rules and Regulations of the Association, the Bylaws of the Tennessee REALTORS®, 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 committee, and shall agree that if elected to membership, he/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, or 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 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 (10) 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.

NOTE: Article IV, Section 2, of the NAR Bylaws prohibits the Association from knowingly granting REALTOR® membership to any applicant who has an unfulfilled sanction pending which ws imposed by another Board of Association of REALTORS® for violation of the Code of Ethics.

(b) 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, affiliate broker's or appraiser's license, shall complete a course of instruction covering the Bylaws and Rules and Regulations of the Association, the Bylaws of the Tennessee REALTORS®, and the Constitution and Bylaws and Code of Ethics of the National Association of REALTORS®, shall pass such reasonable and nondiscriminatory written examinations thereon as may be required by the committee, and shall agree in writing that if elected to membership he/she will abide by the Code of Ethics of the National Association of REALTORS®, and by the Constitution, Bylaws, and Rules and Regulations of the East Tennessee REALTORS®, the Tennessee REALTORS®, and the National Association.

(c) 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 this or any other REALTOR® 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's 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 (provided all other qualifications for membership have been satisfied). Associations 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 (6) 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/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 procedure for election to membership shall be as follows:

(a) Applications for membership shall be submitted to the Membership Secretary. The Membership Secretary shall determine whether the applicant is applying for the appropriate class of membership. The Membership Secretary shall give written notice to the Executive Vice President of the applicants meeting all of the application requirements.

(b) The Executive Vice President shall make a written report to the Board of Directors of the applicants meeting the requirements for membership in the Association.

(c) The Board of Directors shall review the recommended applicant and then vote on the applicant's eligibility for membership. If applicant receives a majority vote of the Board of Directors, he/she shall be declared elected to membership and shall be advised by written notice.

(d) The Board of Directors may not reject an application without providing the applicant with advance notice of their findings and recommendations. The applicant will be given an opportunity to appear before the Board of Directors, to call witnesses on his behalf, to be represented by counsel, and to take such statements as he/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.

Section 4. Status Changes.

(a) A REALTOR® who changes the conditions under which he 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 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 they have transferred within thirty (30) days of the date they advised the Association of their change in status, their new membership application will terminate automatically unless otherwise so directed by the Board of Directors.

A REALTOR® who is transferring their license from one firm comprised of REALTOR® principals to another firm comprised of REALTOR® principals shall be subject to all of the privileges and obligations of membership during the period of transition. If the transfer is not completed within thirty (30) days of the date the Association is advised of the disaffiliation with the current firm, membership will terminate automatically unless otherwise so directed by the Board of Directors.

(The Board of Directors, at its discretion, *may* waive any qualification which the applicant has already fulfilled in accordance with the Association's Bylaws.)

(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 month in which the member is notified of election by the Board of Directors and shall be based on the new membership status for the remainder of the year.

Section 5. 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 within 30 days of the date of application (or, alternatively, the date that provisional membership was granted), will result in denial of the membership application or termination of provisional membership.

Section 6. Continuing REALTOR® Code of Ethics Training. Effective January 1, 2019, through December 31, 2021 and for successive three-year periods thereafter, each REALTOR® member of the association (with the exception of REALTOR® members granted REALTOR® Emeritus status by the National Association) shall be required to complete ethics training of not less than two (2) hours and thirty (30) 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 REALTOR® association, the Tennessee REALTORS®, or the NATIONAL ASSOCIATION OF REALTORS®, 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 three-year cycle shall not be required to complete additional ethics training until a new three-year cycle commences.

Failure to satisfy the required periodic ethics training shall be considered a violation of a membership duty. Failure to meet the requirement in any three-year cycle will result in suspension of membership for the first two months (January and February) of the year following the end of any three-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.

ARTICLE VI PRIVILEGES AND OBLIGATIONS

Section 1. The privileges and obligations of members, in addition to those otherwise provided in these Bylaws, shall be specified in this Article.

Section 2. Any member of the Association may be reprimanded, fined, placed on probation, suspended, or expelled by the Board of Directors for a violation of these Bylaws and board Rules and Regulations consistent

with these Bylaws, after a hearing as provided in the Code of Ethics and Arbitration Manual of the Association. Although members other than REALTORS® are not 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 NATIONAL ASSOCIATION OF REALTORS® and conduct their business and professional practices accordingly. Further, members other than REALTORS® may, 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 nondiscriminatory 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 Association, the Tennessee REALTORS®, and the NATIONAL ASSOCIATION OF REALTORS®.

Section 3. 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 Manua*l of the National Association.

Section 4. 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 5. If a member resigns from the Association or otherwise causes membership to terminate with an ethics complaint pending, that Board of Directors may condition the right of the resigning member to reapply for membership upon the applicant's certification that he/she will submit to the pending ethics proceeding and will abide by the decision of the hearing panel.

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 6. 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 terms REALTOR® and REALTORS®; 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 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 by 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 REALTOR® member (non-principal) elects to sever his connection with the REALTOR® and affiliate with another REALTOR® member in good standing in the Association, whichever may apply.

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.

(a) 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 7. 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 8. Other Memberships. All other members shall have the rights and privileges of the association, except they shall not have the right to vote, to use the terms “REALTOR®” or “REALTORS®”, to hold elective office in the Association, or to participate in the Multiple Listing Service of the Association. Such members may attend membership meetings and luncheons, education sessions, and any social functions of the Association, and participate in discussions at such meetings or events. Although members other than REALTOR® members are not 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 National Association of REALTORS® and conduct their business and professional practices accordingly. Members, may, 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 East Tennessee REALTORS®, the Tennessee REALTORS® and the National Association of REALTORS®. Affiliate Members shall have rights and privileges and be subject to obligations prescribed by the Board of Directors.

Section 9. Certification By Designated REALTOR®. "Designated" REALTOR®
Members of the Association shall certify to the Association during the first quarter of the fiscal year 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 sixty days of the date of affiliation or severance of

the individual.

Section 10. From time to time and as the need arises, the Board of Directors may require that all REALTOR® members as a condition of continued membership in the Association, complete education programs approved by the Association for satisfaction of this requirement. The Directors may require such education for Designated REALTORS® only. The Board of Directors may require education comprised of no more than six cumulative hours of instruction every two years. Dates and times for programs will be determined by the Board of Directors. Association members will be notified at least 30 days in advance of the scheduled program. Failure to satisfy this requirement may result in suspension or expulsion at the discretion of the Board of Directors. Members who have been suspended or expelled for failure to satisfy this requirement may be reinstated in good standing by completing the required programs or other comparable programs as approved by the Board of Directors within one year of the effective date of suspension or expulsion.

ARTICLE VII PROFESSIONAL STANDARDS AND ARBITRATION

Section 1. 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 amended from time to time, which is by this reference incorporated into these Bylaws, provided, however, that any provision deemed inconsistent with state law shall be deleted or amended to comply with state law.

Section 2. It shall be the duty and responsibility of every REALTOR® member of this Association to abide by the Constitution and Bylaws and the rules and regulations of the Association, the Constitution and Bylaws of the State Association, 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 this Association, as from time to time amended.

Every REALTOR® member shall maintain a high level of integrity and adhere to the Association's membership criteria. Any violent act or threat of violence to person or property, hateful conduct, or acts of moral turpitude impacting the public shall not be tolerated and may be cause for disciplinary action, up to and including termination of membership.

Section 3. The responsibility of the Association and of Association members relating to the enforcement of the Code of Ethics, the disciplining of members, the arbitration of disputes, and the organization and procedures incident thereto, shall be consistent with the cooperative professional standards agreement entered into by the Association which by this reference is made part of these Bylaws.

ARTICLE VIII USE OF THE TERMS "REALTOR®" AND "REALTORS®"

Section 1. 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. 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 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. A REALTOR® principal member may use the terms REALTOR® and REALTORS®, only if all of the principals of such firm, partnership, or corporation who are actively engaged in the real estate profession within the state or a state contiguous thereto are REALTOR® members or Institute Affiliate members.

(a) In the case of a REALTOR® principal member 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 holds REALTOR® membership. If a firm, partnership, or corporation operates additional places of business in which no principal 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 members shall not use the terms REALTOR® or REALTORS®, nor the imprint of the emblem seal of the National Association of REALTORS®.

ARTICLE IX STATE AND NATIONAL MEMBERSHIPS

Section 1. The Association shall be a member of the National Association of REALTORS® and the Tennessee REALTORS®. By reason of the Association's membership, each REALTOR® member of the East Tennessee REALTORS® shall be entitled to membership in the National Association of REALTORS® and the Tennessee REALTORS® without further payment of dues. The Association shall continue as a member of the Tennessee and National Associations, unless by a majority vote of all its REALTOR® members, decision is made to withdraw, in which case the Tennessee and National Associations shall be notified at least one month in advance of the date designated for the termination of such membership.

Section 2. 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. The Association adopts the Code of Ethics of the National Association of REALTORS® and agrees to enforce that 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 National Association.

ARTICLE X DUES AND ASSESSMENTS

Section 1. Application Fee. The Board of Directors may adopt an application fee for REALTOR® membership in a reasonable amount, not exceeding three (3) times the amount of the annual dues for REALTOR® membership, which shall be required to accompany each application for REALTOR® membership and which shall become the property of the Association upon final approval of the application.

Section 2. Dues.

(a) The annual dues of each Designated REALTOR® member shall be in such amount as established annually by the Board of Directors plus an amount equal to the Association’s assessment from the Tennessee REALTORS® and the National Association plus an amount equal to that total amount 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 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 (1) and (2) of this paragraph 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 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 and such payment is verified. 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.

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 or a state contiguous thereto and who, as a principal is actively engaged in the real estate profession as defined in Article III, Section 1, of the Constitution of the NATIONAL ASSOCIATION OF 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 provided that such licensee is not otherwise included in the computation of dues payable by the principal 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, renting, 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®. Designated REALTORS® shall notify the association within three (3) days of any change in status of licensees in a referral firm.

The exemption for any licensee included on the certification form shall automatically be revoked upon the individual being engaged in real estate licensed activities (listing, selling, leasing, renting, managing, counseling, or appraising real property) other than referrals, and dues for the current fiscal year shall be payable. 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® or REALTOR-ASSOCIATE® membership in the Association. However, membership dues shall not be prorated if the licensee held REALTOR® or REALTOR-ASSOCIATE® membership during the preceding calendar year.

(a) **REALTOR® Member Dues**. The annual dues of REALTOR® members other than the Designated REALTOR® shall be established annually by the Board of Directors plus an amount equal to the Association's assessment from Tennessee REALTORS® and the National Association for each member. The annual dues of each secondary REALTOR® member shall be the same as local dues for REALTOR® members.

(b) **Institute Affiliate Member Dues**. The annual dues of each Institute Affiliate Member shall be established in Article II of the Bylaws of the NATIONAL ASSOCIATION OF REALTORS®.

(c) **Affiliate Members**. The dues of each Affiliate Member shall be in such amount as established annually by the Board of Directors.

(d) **Public Service Members**. The dues of each Public Service Member shall be in such amount as established annually by the Board of Directors.

(e) **Honorary Members**. The dues of each Honorary Member shall be in such amount as established

annually by the Board of Directors.

(f) **Student Members**. The dues of each Student Member shall be in such amount as established annually by the Board of Directors.

Section 3. Dues Payable. Dues for all members shall be payable annually in advance on December 31. Dues for new members shall be computed from the first day of the month in which a member is notified of election and shall be prorated for the remainder of the year. No refund or proration of dues will be made for reasons of termination of membership.

Upon death of any member and receipt of a request from the deceased member's family, local association dues shall be refunded in a monthly prorated amount based on the date of death.

In the event a sales licensee or licensed or certified appraiser who holds REALTOR® membership is dropped for nonpayment of Association dues, and the individual remains with the firm of the Designated REALTOR®, the dues obligation of the "Designated" REALTOR® (as set forth in Article X, Section 2, a) will be increased to reflect the addition of a non- member licensee. Dues shall be calculated from the first day of the current fiscal year and are payable within 30 days of the notice of termination.

Section 4. Non-payment Of Financial Obligations. If dues, fees, fines, or other assessments including amounts owed to the Association or the Association's Multiple Listing Services are not paid within one (1) month after the due date, the non-paying member is subject to suspension at the discretion of the Board of Directors. Two (2) months after the due date, membership of the non-paying member may be terminated at the discretion of the Board of Directors. Three (3) months after the due date membership of the non-paying member shall automatically terminate unless within that time the amount due is paid. However, no action shall be taken to suspend or expel a member for nonpayment of disputed amounts until the accuracy of the amount owed has been confirmed by the Board of Directors. A former member who has had his membership terminated for nonpayment of dues, fees, fines, 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 5. Deposit. All monies received by the Association for any purpose shall be deposited to the credit of the Association in a financial institution or institutions selected by resolution of the Board of Directors.

Section 6. Expenditures. The Board of Directors shall administer the finances of the association but shall not incur an obligation in excess of $25,000 on non- budgeted items without authorization by 2/3 vote of the total number of the Board of Directors.

Section 7. Notice of Dues, Fees, Fines, Assessments, and Other Financial Obligations of Members. All dues, fees, fines, assessments, or other financial obligations to the Association or Association Multiple Listing Service shall be noticed to the delinquent association member in writing setting forth the amount owed and due date.

ARTICLE XI OFFICERS AND DIRECTORS

Section 1. Officers. The Officers of the Association shall be: the President, President-Elect, First Vice President, immediate Past President and Treasurer. They shall each serve a one-year term, with the exception of the Treasurer, beginning January 1 of each year. The Treasurer shall serve a two-year

term. The First Vice President shall be elected annually by the association membership. The Treasurer shall be elected every other year. Following a year as First Vice President, the elected individual shall serve a year as President-Elect, subsequently followed by a year as President. The Officers of the association shall be known as the Leadership Team.

Section 2. Duties of Officers. The duties of the Officers shall be such as their titles, by general usage, would indicate and such as may be assigned to them by the Board of Directors**.**

Section 3. Board of Directors. The governing body of the Association shall be a Board of Directors consisting of the President, President-Elect, First Vice President, Treasurer, immediate past President, seven (7) general REALTOR® members of the Association, and two (2) REALTOR® members whose licenses are with firms outside Knox County, with the exception of any county with membership in excess of 500. Two (2) general Directors shall be elected each year to serve a term of three (3) years. In addition, every third year three (3) general Directors shall be elected to serve a term of three (3) years. In addition, every third year two (2) Directors with firms outside Knox County in counties with fewer than 500 members shall be elected. Commercial members with a Moody's subscription shall elect one (1) Director every third year to serve a term of three (3) years. Primary Members of the East Tennessee REALTORS® serving as a member of the Executive Committee of the Tennessee REALTORS® shall be encouraged to attend the Board of Directors meetings, as needed in a non-voting capacity, to give reports and updates of state association matters. There shall be no more than two (2) of the elected seven (7) general Directors from the same company or firm serving at any given time on the Board of Directors.

If any of the seven (7) elected Directors change their affiliated company during their term on the Board of Directors and this creates more than two Directors from the same company or firm serving at the same time, that Director shall be asked to resign from the Board of Directors and will forfeit the remainder of their term on the Board of Directors.

Section 4. Nominating Committee. A Nominating Committee of three (3) recent past Presidents or two (2) past Presidents and one (1) former Director, and two (2) REALTOR® members at large shall be appointed by the current President-Elect and approved by the Board of Directors. The two (2) or three (3) recent past Presidents need not be the most recent past Presidents. The President-Elect shall appoint one of the approved committee members as chair, except in no case shall a committee member serve as chair for two successive years. By accepting appointment to the committee, each committee member shall be ineligible for candidacy for the immediate election of Association Officer or Director.

The committee shall annually solicit written applications from REALTOR® members interested in serving on the Board of Directors as an Officer or Director. Following consideration and interviews of interested applicants, the committee shall strive to nominate two (2) or more REALTOR® members for the office of First Vice President, two (2) or more REALTOR® members for the office of Treasurer (every other year), and two (2) or more REALTOR® members for each of the available Director positions.

Section 4. Election of Officers and Directors. All elections shall be by electronic voting. The candidate for each office who shall receive a plurality of all votes cast shall be declared elected. Only REALTOR® members in good standing, having paid all dues and charges, shall be entitled to vote at such elections. No one shall be a candidate for office unless he is a member in good standing with all dues paid and has met the candidate requirements for office set out in Section 5 of the Bylaws.

Section 5. Candidate Requirements For Office. All candidates for Association Office shall have been a REALTOR® member of the Association for a minimum of two (2) years; shall have served on two (2) committees of the Association, one of which must have been within the preceding four (4) years; shall make a commitment to attend all possible official functions of the Association; and be willing to represent the Association at civic and community functions.

(a) Candidates for Treasurer and First Vice President shall have completed at least two (2) years on the Board of Directors.

Section 6, Re-election. Any person serving a full term or part term as a Director shall not be eligible for re-election as a Director for one (1) year after expiration of his or her term. Any person serving a full term or part term as Treasurer shall not be eligible for re-election as a Director or Treasurer for one (1) year after expiration of his or her term. Any person serving a full term or part term as immediate past President shall not be eligible for re-election as a Director, Treasurer or First Vice President for one (1) year after expiration of his or her term. In no instance shall a person serve more than two full terms as a Director, Treasurer, or other Officer.

Section 7. Vacancies. Vacancies among the Officers and the Board of Directors, other than the President, shall be filled by a simple majority vote of the Board of Directors until the next annual election. This shall be deemed an appointment and not an election.

In the event of death, disability, resignation or removal from office of the President on or before April 30th of any year, the President-Elect will fill the unexpired term of the President. In this occurrence, the First Vice President will advance to President-Elect. An election will be held as soon as possible to fill the vacancy of the First Vice President. In the event of death, disability, resignation or removal from office of the President following April 30th of any year, the President-Elect will fill the remaining term of the President and serve the full following year as President.

Section 8. 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) Upon receipt of written notice specifically setting forth the reason(s) the Officer or Director is believed to be disqualified from further service, the Leadership Team shall meet to consider the charge against the Officer or Director to determine if the matter should be considered by the Board of Directors.

(b) If the determination is made that the matters should be considered by the Board of Directors, the Officer or Director involved shall be noticed and allowed 10 days to respond with a written statement to be considered by the Board of Directors.

(c) The Board of Directors shall meet to consider the matter, including any written statement provided by the subject Officer or Director. Following consideration, the Board of Directors shall vote on removal. A three-fourths vote of the Board of Directors shall be required for removal.

(d) The Officer or Director named in the charge does not attend the Board of Directors meeting.

Section 9. Executive Vice President. There shall be an Executive Vice President, employed by the Board of Directors, who shall be the chief administrative officer of the Association. At the discretion of the Board of Directors the Executive Vice President shall be named the Association's Chief Executive Officer. The Executive Vice President shall have the authority to hire, supervise, evaluate and terminate other staff, if any, and shall perform such other duties as prescribed by the board of directors. It shall be the particular duty of the Executive Vice President to keep records of the Association and to carry on all necessary correspondence with the National Association of REALTORS® and Tennessee REALTORS®.

Section 10. No elective Officer or Director will receive any compensation for his services as such.

ARTICLE XII MEETINGS

Section 1. Annual Meeting. The annual meeting of the association shall be held each year, the date, the place and hour to be designated by the Board of Directors.

Section 2. Meetings of Directors. The Board of Directors shall designate a regular time and place

of meetings. Absence from three (3) regular meetings during a calendar year without an excuse deemed valid by the Board of Directors shall be construed as resignation.

Section 3. Action Without Meeting. Unless specifically prohibited by the Articles of Incorporation, any action required or permitted to be taken at a meeting of the Board of Directors may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all Directors. The consent shall be evidenced by one or more written approvals, each of which sets forth the action taken and bears the signature of one or more Directors. All the approvals evidencing the consent shall be delivered to the Executive Vice President to be filed in the Association's corporate records. The action taken shall be effective when all the Directors have approved the consent unless the consent specifies a different effective date.

Section 4. Electronic Transaction of Business. To the fullest extent permitted by law, the Board of Directors or membership may conduct business by electronic means.

Section 5. Regular Membership Meetings. The dates for regular membership meetings of the association shall be designated by the Board of Directors.

Section 6. Other Meetings. Meetings of the members may be held at other times as the President or the Board of Directors may determine, or upon the written request of at least (1 0%) ten percent of the Members eligible to vote.

Section 7. Notice of Meetings. Written notice shall be given to every member entitled to participate in the meeting at least one (1) week preceding all meetings. If a special meeting is called, it shall be accompanied by a statement of the purpose of the meeting.

Section 8. Quorum. A quorum for the transaction of business shall consist of (10%) ten percent of the members eligible to vote.

ARTICLE XIII FISCAL AND ELECTIVE YEAR

The fiscal and elective year of the association shall be January through December.

ARTICLE XIV RULES OF ORDER

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 XV AMENDMENTS

Section 1. These Bylaws may be amended by the majority of an electronic vote of the members qualified to vote in which a quorum of members participate, provided the substance of such proposed amendment or amendments shall be plainly stated in the notice and call for the vote, 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 NAR policy.

Section 2. Notice by e-mail of all such amendments to be considered shall be given to REALTOR® members at least one (1) week prior to the time of the meeting.

Section 3. Amendments to these Bylaws affecting the admission or qualification of REALTOR® and Institute Affiliate Members and the use of the term 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 XVI DISSOLUTION

Upon the dissolution or winding up of the affairs of this association, the Board of Directors, after providing for the payment of all obligations, shall distribute any remaining assets to the Tennessee REALTORS® or, within its discretion, to any other non-profit tax-exempt organization.

ARTICLE XVIII MULTIPLE LISTING SERVICE

Section 1. AUTHORITY. The East Tennessee REALTORS@ shall maintain for the use of its REALTOR® Members, both a Residential and a Commercial
Multiple Listing Service, which shall be subject to the Bylaws of the Association and such rules and regulations as may be hereinafter adopted.

Section 2. PURPOSE. A multiple listing service is a means by which cooperation among Participants is enhanced; by which information is accumulated and disseminated to enable authorized Participants to prepare appraisals, analyses, and other valuations of real property for bona fide clients and customers; by which Participants engaging in real estate appraisal contribute to common databases; and is a facility for the orderly correlation and dissemination of listing information so Participants may better serve their clients and the public.

Section 3. PARTICIPATION. Any REALTOR® Member of this or any other local REALTOR® Association who is a principal, partner, or corporate officer or branch manager acting on behalf of the principal, without further qualification, shall be eligible to participate in Multiple Listing upon agreeing in writing to conform to the Rules and Regulations thereof and to pay the costs incidental thereto and shall complete an orientation program of no more thaneight (8) classroom hours devoted to the MLS rules and regulations within thirty (30) days after access has been provided. However, under no circumstances is any individual or firm, regardless of Membership status, entitled to Multiple Listing or "Participation" unless they hold a current, valid real estate broker's license and offer or accept to and from other Participants or are licensed or certified by an appropriate state regulatory agency to engage in the appraisal of real property.

Use of information developed by or published by an Association Multiple Listing Service is strictly limited to the activities authorized under a Participant's licensure(s) or certification and unauthorized uses are prohibited. Further, none of the foregoing is intended to convey "Participation", or "Membership" or any right of access to information developed or published by an Association Multiple Listing Service where access to such information is prohibited by law.

Mere possession of a broker’s license is not sufficient to qualify for MLS participation. Rather, the requirement that an individual or firm cooperates means that the Participant actively endeavors during the operation of its real estate business to list real property of the type listed on the MLS, share information on listed property and make property available to other brokers for showing to prospective purchasers and tenants when it is in the best interests of their client(s). “Actively” means on a continual and ongoing basis during the operation of the Participant’s real estate business. The “actively” requirement is not intended to preclude MLS participation by a Participant or potential Participant that operates a real estate business on a part-time, seasonal, or similarly time-limited basis or that has its business interrupted by periods of relative inactivity occasioned by market conditions. Similarly, the requirement is not intended to deny MLS participation to a Participant or potential Participant who has not achieved a minimum number of transactions despite good faith efforts. Nor is it intended to permit an MLS to deny participation based on the level of service provided by the Participant or potential Participant as long as the level of service

satisfies state law. *Optional qualifications which may be adopted at the local association's discretion: Any applicant for MLS participation and any licensee (including licensed or certified appraisers) affiliated with an MLS Participant who has access to and use of MLS-generated information shall complete an orientation program of no more than eight (8) classroom hours devoted to the MLS rules and regulations and computer training related to MLS information entry and retrieval within thirty (30) days after access has been provided.

Associations are not required to establish prerequisites for MLS participation beyond holding REALTOR® (principal) membership in an association. However, if the association wishes to establish these requirements for MLS participation or for access to MLS-generated information, the requirement of attendance at an orientation program is the most rigorous requirement that may be established.
The key is that the Participant or potential Participant actively endeavors to cooperate with respect to properties of the type that are listed on the MLS in which participation is sought. Cooperation is the obligation to share information on listed property and to make property available to other brokers for showing to prospective purchasers and tenants when it is in the best interest of their clients. This requirement does not permit an MLS to deny participation to a Participant or potential Participant that operates a "Virtual Office Website" (VOW) (including a VOW that the Participant uses to refer customers to other Participants) if the Participant or potential Participant actively endeavors to cooperate. An MLS may evaluate whether a Participant or potential Participant actively endeavors during the operation of its real estate business to cooperate only if the MLS has a reasonable basis to believe that the Participant or potential Participant is in fact not doing so. The membership requirement shall be applied in a nondiscriminatory manner to all Participants and potential Participants.

Section 4. SUPERVISION. The activity shall be operated under the supervision of the Multiple Listing Committee for both services in accordance with the Rules and Regulations, subject to the approval of the Board of Directors.

Section 5. APPOINTMENT OF COMMITTEE. The President shall appoint, subject to confirmation by the Board of Directors, a Multiple Listing Committee of not less than (5) five nor more than (9) nine Designated REALTORS® and not more than (7) seven nor less than (3) three REALTORS®. The Committee shall also include an elected member representative from each of the Association's Chapters. All Members of the committee shall be Participants or REALTORS® affiliated with Participants in the Multiple Listing Service. The committee Members so named shall serve two (2) year terms. One of the committee Members appointeby the President shall be a Member of the Board of Directors. The Chairman of the Committee shall be designated by the President.

ARTICLE XIII REALTOR® CHAPTERS

Section 1. Chapters. To ensure that every REALTOR® member within the territorial jurisdiction of the East Tennessee REALTORS® and members practicing commercial real estate are involved and confident of his or her significance in the Association, the Association will establish Chapters for their participation and support.

When requested, Chapters will be formed in those counties outside of Knox County with one hundred or more Primary REALTOR® Members.

REALTOR® participation in a Chapter of the East Tennessee REALTORS® is voluntary and is not a condition of REALTOR® membership in the association.

The Chapter will give the REALTORS® outside of Knox County and REALTORS® practicing commercial real estate identity in their respective counties and field of practice to allow for community involvement and recognition.

The Chapter will ensure a unified voice on matters of importance to the REALTORS® within their communities, counties, and field of practice.

The Chapter will help the association determine and coordinate programs, activities and policies for all members.

The primary purpose of the East Tennessee REALTORS® is to unite and serve all of its members and to enhance the ability and opportunity of its members to conduct their business ethically, professionally, and successfully.

Section 2. Name. A Chapter may use the name " _____ County Chapter of the East Tennessee REALTORS®".

Section 3. Structure. The Chapter members will elect a Chairperson to serve a three year term as the official spokesperson for the Chapter. The Chairperson will be the presiding officer at all Chapter meetings. The Chapter members may elect a Secretary to keep official minutes of Chapter meetings.

Section 4. Meetings. A Chapter may have local meetings to stimulate participation and actions in programs of interest to the REALTORS® within their communities and counties. The Association will assist the Chapter in planning, promoting and presenting Chapter Meetings.

Section 5. Rules of Order. As with all meetings of the Association, the latest edition of Robert's Rules of Order shall be recognized as the authority governing the Chapter meetings.

Section 6. Actions Affecting Finance and Policy. The Chapter Chairperson must submit all recommendations affecting the Association's finances and policies to the board of directors before the Chapter takes any action.

Section 7. Chapter Dissolution. Any chapter determined to have a membership count below one hundred (100) Primary REALTOR® members based on the membership count as of the first day of January each year shall be deemed dissolved. A Chapter may only be formed or dissolved based on its membership count the first day of January each year.

Section 8. All chapters shall comply with the Standing Rules for Chapters of the East Tennessee REALTORS®. The Rules and operation of the chapter shall be in accordance with the applicable rules, regulations, and bylaws of the National Association of REALTORS®, Tennessee REALTORS®, and the East Tennessee REALTORS®.