

1 **New Hampshire Association of REALTORS®, Inc.**  
2 **POLICY MANUAL**

3  
4 **This Policy Manual supersedes previously issued manuals, or any inconsistent policy**  
5 **statement or memoranda. No oral statements or representations can change the**  
6 **provisions of this Policy Manual.**

7  
8 **Approved by the NHAR Board of Directors**  
9 **December 18, 2002**

10  
11 **Amended and Approved by the NHAR Board of Directors**

12  
13 **June 23, 2004**

14  
15 **March 30, 2005**

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17 **June 22, 2005**

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## SECTION 1: ORGANIZATION

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### 1.1 ORGANIZATION

The New Hampshire Association of REALTORS®, Inc. (“NHAR”) is a non-profit trade organization whose primary members are licensed real estate professionals. As a member of NHAR, each REALTOR® also belongs to one of the local member boards and to the National Association of REALTORS® (“NAR”). Membership in NHAR is voluntary and is open to active real estate licensees in the State of New Hampshire.

All REALTORS® subscribe to and uphold a strict Code of Ethics that governs their business behavior in all real estate transactions.

The term "REALTOR®" is a licensed collective trademark which may be used only by members of the National Association of REALTORS® and its local associations.

### 1.2 SERVICES

At all three levels of the REALTOR® organization, local, state, and national, a variety of services are provided to members. General services include:

- Legislative and political advocacy
- Education programs and professional designations
- Risk management programs
- Legal assistance and insurance programs
- Real estate industry publications
- Information technology products and services
- Service and product discount programs
- Consumer advocacy programs

### 1.3 GOVERNANCE

A Board of Directors, all of whom are REALTORS®, governs NHAR. (*Bylaws, Article V, Section 1*). Programs are managed by core committees, comprised of REALTOR® and affiliate members.

### 1.4 MISSION STATEMENT

#### Mission Statement

“The NH Association of REALTORS® works in conjunction with the National Association of REALTORS® and the Local Boards of REALTORS® to provide its members with support and resources to serve consumers in an efficient, effective and ethical manner; and to advocate for private property rights.” *Approved June 10, 2015, by the Board of Directors*

### 1.5 CHANGES TO BYLAWS

Proposed Bylaws changes, other than changes mandated by the National Association of REALTORS®, shall only be acted upon after review by the Bylaws Working Group and the CEO.

Pursuant to Article XVIII of the NHAR Bylaws, the Bylaws may be amended by a majority vote of the Members present and qualified to vote at any meeting at which a quorum is present, provided the substance of such proposed amendment or amendments shall be plainly stated in the call for the meeting, 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.

Amendments to these Bylaws affecting the admission or qualifications of Active Members and Institute Affiliate Members, the use of the terms, REALTOR® or REALTORS® or any alteration in the territorial jurisdiction of the Board shall become effective upon the approval of the Board of Directors of the National Association.

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**1.6 CHANGES TO POLICY MANUAL**

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6

Proposed Policy Manual changes shall only be acted upon after review by the Bylaws Working Group and the CEO.

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## SECTION 2: ASSOCIATION GOVERNANCE POLICIES

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### 2.1 RULES OF THE NEW HAMPSHIRE ASSOCIATION OF REALTORS®

An association may adopt or be issued various kinds of rules. Below is a historical narrative concerning the rules of the New Hampshire Association of REALTORS®.

NHAR was originally chartered and organized in the State of New Hampshire in 1933 as “The New Hampshire Real Estate Association.” Articles of Agreement were drawn on April 4, 1941, for “The New Hampshire Board of REALTORS,” the successor to the New Hampshire Real Estate Association, with the following object statement, *“To have a service organization in this State with membership in the National Association of Real Estate Boards. To promote better methods and practices of conducting the real estate business of our members. To promote education.”*

The most current document available is the “Charter for the New Hampshire Board of REALTORS,” issued on April 23, 1941, by the National Association of Real Estate Boards. The charter prescribes privileges and responsibilities, including the duty to abide by the constitution and bylaws and observe the Code of Ethics of the National Association of REALTORS®.

NHAR was granted tax-exempt, non-profit 501c(6) status by the U.S. Treasury Department, Internal Revenue Service on June 26, 1945, and has since been verified as remaining in effect as of December 2, 1992 from the Internal Revenue Service.

The NHAR Bylaws were adopted and are amended by the Board of Directors and ratified by the membership annually, as needed. (*Bylaws, Article XVIII*)

NHAR recognizes, in its Bylaws, the latest edition of Robert’s Rules of Order as the authority governing all meetings and conferences of NHAR when not in conflict with the NHAR Bylaws. (*Bylaws Article XVII*)

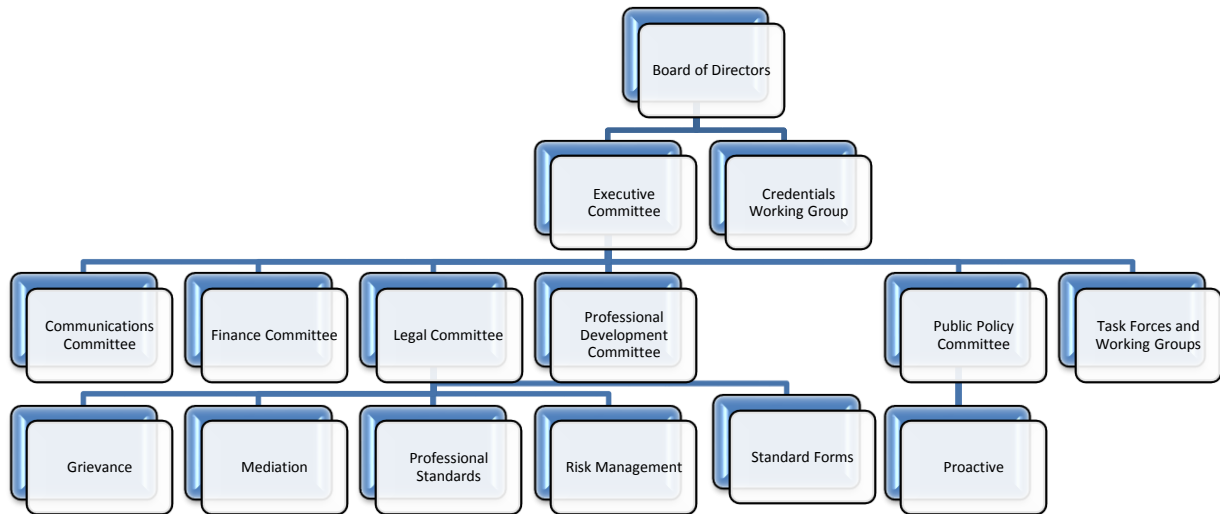
NHAR is subject to all provisions of local, state and national law and regulation applying to professional, trade, tax-exempt, non-profit 501c(6) corporations.

### 2.2 DEFINITIONS

The following shall serve as definitions for NHAR concerning the terms used in this policy manual and by NHAR generally:

1. **Articles and Bylaws** are rules governing the operation of the Association adopted by membership at large (with the advice and/or recommendations of the Board of Directors).
2. **Rules of Order and Standing Rules** are rules governing the operation of the Association adopted by the Board of Directors (with the advice and/or recommendation of staff).
3. **Positions** are descriptive narratives, sometimes including recommendations outlining the concerns and/or views of the Association members on current issues adopted by the Board of Directors in session (with the advice and/or recommendation of the staff).
4. **Programs** are activities relating to the Association adopted by the Board of Directors (with the advice and/or recommendation of staff).
5. **Policies** are general or fundamental principles relating to Association involvement adopted by the members of the Board of Directors (with the advice and/or recommendation of staff).
6. **Procedures** are the detailed explanations, directions or actions to implement adopted articles, bylaws, rules, positions, programs and policies selected and applied by staff. They address specific directions telling how, by whom and when things are to be done.

## 2.3 NHAR ORGANIZATIONAL CHART



## 2.4 DEFINITION AND ROLE OF THE BOARD OF DIRECTORS

The Bylaws of the New Hampshire Association of REALTORS® defines the Board of Directors as the governing body of the Association. The Bylaws further define the NHAR Elected Offices, all of which serve on the Board of Directors. *(Bylaws, Article V, Section 1 and Article IV, Section 1)*

Except as noted below, the Board of Directors of the New Hampshire Association of REALTORS® consists of the following *voting* members:

### Elected Executive Offices

- President
- President-Elect
- First Vice President
- Second Vice President
- Treasurer
- Secretary<sup>1</sup>

### Directors

- All Boards are entitled to two (2) State Directors, plus an additional Director(s) according to the following formula: Board membership submitted to NHAR as of July 31 of the current year multiplied by fourteen (14), with the sum divided by the total NHAR membership as of July 31 of the current year (result in whole numbers only).
- The three (3) most recent past Presidents of NHAR who continue active membership in NHAR
- The current NHAR Directors of the National Association of REALTORS®
- Each of the four (4) standing committee chairs: Communications, Legal, Professional Development, and Public Policy, and each of the four (4) Member Liaisons
- The current NHAR President of the Institutes, Councils and Societies of the National Association of REALTORS®

<sup>1</sup> The Chief Executive Officer serves as the Secretary but does not have a vote. *(Bylaws, Article IV, Section 1.d)*

1 A basic rule is that the legal entity, rather than the Board of Directors, is the holder of legal power. The  
 2 powers of the Directors are not inherent in them, but in the organization of such. The principle exists that  
 3 Directors exercise the powers of the organization, but do not own it. Thus, the Board of Directors has the  
 4 power and duty to carry on whatever transactions the corporation or the Association itself has the power to  
 5 carry on. The power of the Board of Directors is superior in ordinary matters, so long as it is exercised  
 6 lawfully and in lawful transactions.

7  
 8 Members of the Board of Directors shall have the utmost interests of the New Hampshire Association of  
 9 REALTORS® in mind at all times. In the event that any Director assumes a position that brings their  
 10 personal interests into conflict with the Association, then said Director immediately (and without delay) shall  
 11 disclose the conflict.

## 13 **2.5 STANDING RULES OF THE BOARD OF DIRECTORS**

- 14 1. The composition and the authority of the Board of Directors shall be as specified in the Bylaws.
- 15 2. Meetings of the Board of Directors shall be at designated times and places, as specified in the Bylaws  
 16 and set by the Directors. Absence from two (2) consecutive scheduled or special meetings without an  
 17 excuse deemed valid by the Executive Committee shall be construed as resignation. *(NHAR Bylaws,*  
 18 *Article V, Section 4)*
- 19 3. Meetings of the Board of Directors shall be chaired by the President and conducted in accordance with  
 20 the Bylaws and intent of the standing rules of the Board of Directors.
- 21 4. Only the voting members of the Board of Directors may vote on issues at their meetings. Visitors may  
 22 participate in discussion on issues when recognized by the President.
- 23 5. Only Board members and the Chief Executive Officer may attend Executive Sessions, unless the  
 24 President or a majority of the Board present and voting grants an exception.
- 25 6. Minutes shall be required for all meetings of the Board of Directors and shall include any actions taken  
 26 during an Executive Session. In the absence of the Secretary, the presiding officer shall be responsible  
 27 for recording any actions.
- 28 7. Adopted policies shall not be in conflict with the Bylaws and shall be included in the Policy Manual.
- 29 8. Non-agenda financial requests from the floor at NHAR Board of Directors Meetings, in excess of  
 30 \$10,000, require a 30-day prior notice to the Directors. *(Approved March 20, 2002 by the Board of*  
 31 *Directors)*

32 There shall be an Executive Committee of the Board of Directors, hereinafter referred to as the Executive  
 33 Committee, composed of the President, President-Elect, First Vice President, Second Vice President,  
 34 Treasurer, Immediate Past President, Secretary, Member Liaisons, and the Chairs of the Association's  
 35 Standing Committees as defined in Article VII of the Bylaws. The Executive Committee shall make  
 36 recommendations to the Board of Directors, shall transact all Association business between meetings of  
 37 the Board of Directors, and shall report such actions in full to the Board of Directors at its next meeting. The  
 38 Executive Committee is authorized to spend a maximum of ten thousand dollars (\$10,000) on a non-  
 39 budgeted action, providing that it be brought before the Finance Committee for their review and  
 40 recommendation. Proxy votes or alternate representatives are not provided for Executive Committee  
 41 actions except that the President-Elect may stand-in for the Association President position on the Executive  
 42 Committee should the President be unable to attend. *(Bylaws, Article V, Section 5)*

## 54 **2.6 STANDING RULES FOR MEMBERSHIP MEETINGS**

55 Meetings shall be conducted in accordance with the Bylaws and Standing Rules.  
 56



The annual Membership Meeting shall be held after August 1 and prior to December 31, and at least seven (7) days prior to the installation of Active Members to the Offices of the Association, and at a time and place designated by the President. (*Bylaws, Article VI, Section 1*)

## **2.7 RESPONSIBILITY AND DUTIES OF THE PRESIDENT**

### **GENERAL**

The President of the Association projects the image of the Association to the membership, the industry, and the general public and serves as chief spokesperson. As such, the President must be as familiar as possible with every current or projected activity or issue, including NHAR policies and procedures and the NHAR Strategic Plan. He/she should be available to the Officers and Directors of local Boards and attend as many Board and public appearances throughout the state as realistically may be scheduled. Each President contributes to the progress and overall improvement of the Association in his/her own way.

### **QUALIFICATIONS**

The President shall have served as President-Elect of the Association and shall not be eligible to serve a second consecutive term. Only REALTOR® members in good standing and who have served within the past five years as Directors of this State Association shall be entitled to hold office in the State Association.

### **RESPONSIBILITIES**

During the term of office, the President shall have the authority and responsibility to perform the following duties. The President:

1. Subject to the approval of the Executive Committee, shall appoint Chairs and members of all committees and standing subcommittees of the State Association except for the Chair of Finance, and Chairs and members of Honor Society, Credentials, and REALTOR® of the Year Working Groups, and to fill any vacancies which may occur with the exception of vacancies specifically addressed by the Bylaws. It is recommended that the President consult with the President-Elect regarding appointments for Committee Vice-Chairs.
2. With the approval of the Executive Committee, may appoint such other committees, working groups or task forces as he/she deems advisable, and shall be an ex-officio member of all committees.
3. Shall preside at meetings of the Board of Directors.
4. Shall preside at meetings of the Executive Committee.
5. Serves as an Executive Officer.
6. Serves as a member of the National Association of REALTORS® Board of Directors.
7. Participate in the annual review of the Chief Executive Officer.
8. Shall attend all annual meetings, including the NAR Mid-Year and Annual Convention, New England REALTORS® Committee ("NERC") Conference and NHAR Annual Convention.
9. Is strongly encouraged to be a contributor to RPAC (See Appendix E).

### **PREPARATION**

Before assuming office the President should:

1. Become familiar with the activities and programs in progress or projected, NHAR Bylaws, the annual budget, the NHAR Strategic Plan, and any other NHAR policies/procedures.
2. Meet with the Chief Executive Officer to review plans, policies, and procedures.

- 
- 1  
2 3. Give consideration to selection of Chairmen and composition of committees to ensure proper  
3 implementation and continuity of the NHAR Strategic Plan.  
4

5 **TERM**

6 The President is elected for a term of one year and shall not be eligible to serve a second consecutive term.  
7

8 **2.8 RESPONSIBILITY AND DUTIES OF THE PRESIDENT-ELECT**

9  
10 **GENERAL**

11 The President-Elect should embody the same qualities as noted in the description of the President and  
12 should plan for the following year when he/she will assume the leadership of the Association. He/she should  
13 work closely with the President and Chief Executive Officer and be involved at all levels of the decision-  
14 making process.  
15

16 **QUALIFICATIONS**

17 The President-Elect shall have served as First Vice President.  
18

19 **RESPONSIBILITIES**

20 During the term of office, the President-Elect shall have the authority and responsibility to perform the  
21 following duties. The President-Elect:  
22

- 23 1. Shall perform the duties of the President in his/her absence or disability and shall perform such other  
24 duties as may be requested by the Board of Directors.  
25  
26 2. Shall succeed to the office of President.  
27  
28 3. Shall represent the Association at important meetings, luncheons, dinners and business sessions when  
29 requested by the President and where representation from the Association is deemed appropriate.  
30  
31 4. Shall make recommendations to the President for Committee Vice-Chair assignments.  
32  
33 5. Serves as an Executive Officer.  
34  
35 6. Shall serve as a member of the NHAR Board of Directors and Executive Committee.  
36  
37 7. Serves as Chair of the Honor Society Working Group.  
38  
39 8. Shall attend all annual meetings, including the NAR Mid-Year and Annual Conventions, NAR  
40 Leadership Summit, NERC Conference, NHAR Annual Convention and the NHAR Leadership  
41 Conference of the incoming President.  
42  
43 9. Participates in the annual review of the Chief Executive Officer.  
44  
45 10. Is strongly encouraged to be a contributor to RPAC (See Appendix E).  
46  
47

**PREPARATION**

Before assuming office the President-Elect should:

1. Become familiar with the activities and programs in progress or projected, NHAR Bylaws, the annual budget, the NHAR Strategic Plan, and any other NHAR policies/procedures.
2. Meet with the President and Chief Executive Officer to review plans, policies, and procedures.
3. Give consideration to selection of Vice Chairs and future composition of committees to ensure proper implementation and continuity of the NHAR Strategic Plan.
4. Attend the NHAR Annual Leadership Conference and the NAR Leadership Conferences for State Association officers.

**TERM**

The President-Elect is elected for a term of one year and succeeds to the office of President.

**2.9 RESPONSIBILITY AND DUTIES OF THE FIRST VICE PRESIDENT****QUALIFICATIONS**

The First Vice President shall have served as Second Vice President prior to the time of election.

**RESPONSIBILITIES**

During the term of office, the First Vice President shall have the authority and responsibility to perform the following duties. The First Vice President:

1. Shall perform the duties of the President-Elect in his/her absence or disability and shall perform such other duties as may be requested by the Board of Directors.
2. Shall succeed to the office of President-Elect.
3. Shall represent the Association at important meetings, luncheons, dinners and business sessions when requested by the President and where representation from the Association is deemed appropriate.
4. Serves as an Executive Officer.
5. Shall serve as a member of the NHAR Board of Directors and Executive Committee.
6. Shall attend the NHAR Annual Convention and the NHAR Leadership Conference of the incoming President.
7. Is strongly encouraged to be a contributor to RPAC (See Appendix E).

**PREPARATION**

Before assuming office the First Vice President should:

1. Become familiar with the activities and programs in progress or projected, NHAR Bylaws, the annual budget, the NHAR Strategic Plan, and any other NHAR policies/procedures.
2. Meet with the President and Chief Executive Officer to review plans, policies, and procedures.
3. Attend the NHAR Annual Leadership Conference.

**TERM**

The First Vice President is elected for a term of one year and succeeds to the office of President-Elect.

**2.10 RESPONSIBILITY AND DUTIES OF THE SECOND VICE PRESIDENT****QUALIFICATIONS**

The Second Vice President shall at the time of election, have completed a minimum of one (1) year term as one of the following: Treasurer of the Association, Member Liaison, or Standing Committee Chair within the previous five (5) years, or a Member Board president, within the previous three (3) years; and prior to taking Office, have successfully completed the Association leadership program defined in the Association Policy Manual.

**RESPONSIBILITIES**

During the term of office, the Second Vice President shall have the authority and responsibility to perform the following duties. The Second Vice President:

1. Shall perform the duties of the First Vice President in his/her absence or disability and shall perform such other duties as may be requested by the Board of Directors.
2. Shall succeed to the office of First Vice President.
3. Shall represent the Association at important meetings, luncheons, dinners and business sessions when requested by the President and where representation from the Association is deemed appropriate.
4. Serves as an Executive Officer.
5. Shall serve as a member of the NHAR Board of Directors and Executive Committee.
6. Shall attend the NHAR Annual Convention and the NHAR Leadership Conference of the incoming President.
7. Is strongly encouraged to be a contributor to RPAC (See Appendix E).

**PREPARATION**

Before assuming office the Second Vice President should:

1. Become familiar with the activities and programs in progress or projected, NHAR Bylaws, the annual budget, the NHAR Strategic Plan, and any other NHAR policies/procedures.
2. Meet with the President and Executive Vice President to review plans, policies, and procedures.
3. Attend the NHAR Annual Leadership Conference.

**TERM**

The Second Vice President is elected for a term of one year and succeeds to the office of First Vice President.

**2.11 RESPONSIBILITY AND DUTIES OF THE TREASURER****QUALIFICATIONS**

The Treasurer shall have completed a minimum of two (2) full years of service on the Finance Committee within the previous five-year period prior to the time of election.

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**RESPONSIBILITIES**

During the term of office, the Treasurer shall have the authority and responsibility to perform the following duties. The Treasurer:

1. Shall serve for a two-year term and may be elected to no more than one additional consecutive two-year term.
2. Shall have the authority to endorse NHAR checks and shall provide a surety bond in such amount as the Board of Directors may determine [the cost to be paid by the Association].
3. Shall serve as Chair of the Finance Committee.
4. Shall ensure that monthly NHAR income/expense statements are prepared and presented to the Executive Committee and Board of Directors.
5. In cooperation with the Chief Executive Officer and the Finance Committee, and working closely with NHAR Committee Chairs, shall prepare an annual budget that is approved by the Executive Committee and Board of Directors in the fall.
6. Shall ensure that an Audit or Review of the NHAR finances is presented at the first Board of Directors meeting of the year.
7. Shall be responsible for overseeing the Association's reserve account funds.
8. Working closely with the Chief Executive Officer, shall ensure that proper accounting procedures are used by the Association and complete control of income and expenses are maintained at all times.
9. Shall serve as a member of the NHAR Board of Directors and Executive Committee.
10. Shall ensure that Association activities follow the NHAR fiscal policy manual.
11. Serves as an Executive Officer.
12. Participates in the annual review of the Chief Executive Officer.
13. Shall attend the President-Elect's Leadership Conference.
14. Shall serve as an NAR Director if allocated by NAR.
15. Is strongly encouraged to be a contributor to RPAC (See Appendix E).

**PREPARATION**

Before assuming office, the Treasurer should:

1. Become thoroughly familiar with the NHAR budget and financial statements, Fiscal Policy Manual and/or various NHAR fiscal policies, NHAR Bylaws, and strategies of Finance and Executive Committees.
2. Review minutes of the previous year for the Finance Committee, Executive Committee, and Board of Directors.
3. Discuss budgeting and financial procedures with the Chief Executive Officer.

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**TERM**

The Treasurer is elected for a term of two (2) years and may be elected to no more than one additional two-year term.

**2.12 RESPONSIBILITY AND DUTIES OF THE SECRETARY**

The Chief Executive Officer shall serve as Secretary of the Association but will not have a vote.

**RESPONSIBILITIES**

During the term of office, the Secretary shall have the authority and responsibility to perform the following duties. The Secretary:

1. Shall be in charge of the corporate seal of the Association and executes any documents requiring signature of the Secretary or Clerk, by law.
2. Shall call the roll at any meetings of the Directors or Corporation.
3. Shall oversee the minutes of all meetings of the Executive Committee, Board of Directors, or the Corporation (general membership in business session) and shall be responsible for the accuracy and timely distribution of those minutes.
4. Shall oversee proper maintenance, preservation and accessibility of the official records, documents, and minutes of the Association.
5. Serves as an Executive Officer.
6. Is strongly encouraged to be a contributor to RPAC (See Appendix E).

**2.13 RESPONSIBILITY AND DUTIES OF THE MEMBER LIAISON****GENERAL**

The Member Liaison shall act as a communication link between NHAR and the Local Boards of REALTORS® and REALTOR® members.

**QUALIFICATIONS**

A member shall be eligible to serve as a Member Liaison, provided that at the time of election, they have completed a minimum one (1) year term on the NHAR Board of Directors within the previous five (5) years, or at the time of election have completed a minimum of one (1) term on the board of directors of a Member Board within the previous five (5) years.

**RESPONSIBILITIES**

During the two-year term of office, the Member Liaison shall have the responsibility to perform the following duties:

1. Shall serve as a voting member of the NHAR Executive Committee and Board of Directors.
2. As the chief communications link between the State Association and the Local Board, Member Liaisons shall attend various meetings of the Local Boards in their respective regions and should be placed on the Board mailing list so as to receive all communications between the Local Board and its Members. The Member Liaison should attend at least one Local Board Membership Meeting every six months.
3. The Member Liaison shall provide a brief report to the Local Directors and Membership when attending any local meeting. The report should include any information about new NHAR policy, industry developments, legislative and legal action. The Member Liaison should be prepared to respond to any Board questions regarding the same.

- 
- 1 4. The Member Liaison shall provide a brief report to the Executive Committee, at its monthly meeting, on  
2 the concerns, questions, market activity and community involvement for each of the Boards he/she  
3 serves. Additionally, the Member Liaison shall facilitate the Local Board President's report at the  
4 quarterly NHAR Board of Directors meetings for their respective Local Board Presidents. This includes  
5 notifying the Local Board President of the meeting and report, confirming their attendance or that of  
6 their alternate, and assisting as needed with the report preparation.  
7
  - 8 5. The Member Liaison shall interact with his/her Boards to respond promptly to Legislative and  
9 Congressional Calls-To-Action through the Local Board Leadership.
  - 10 6. The Member Liaison shall work with the NHAR Fundraising Chair to see that the Boards they service  
11 are meeting and/or exceeding each Board's annual fundraising goal.  
12
  - 13 7. Is strongly encouraged to be a contributor to RPAC (See Appendix E).  
14  
15

#### 16 **PREPARATION**

17 Before assuming office, the Member Liaison should:

- 18 1. Attend the President-Elect's Leadership Conference.
- 19 2. Become familiar with the NHAR Bylaws and other Governing Documents, including the Strategic Plan,  
20 so as to ensure continuity.
- 21 3. Review the previous year's minutes of the NHAR Executive Committee and Board of Directors.  
22
- 23 4. Prepare an introductory letter to each respective Board President for the Boards they service.  
24
- 25 5. Establish with the Local Board President or Executive Officer the dates to attend the Local Board of  
26 Directors and Membership meetings.  
27  
28  
29  
30

#### 31 **TERM**

32 The Member Liaison is elected for a term of two (2) years and may not be eligible for a second (2<sup>nd</sup>)  
33 consecutive term.  
34

## 35 **2.14 RESPONSIBILITY AND DUTIES OF THE IMMEDIATE PAST PRESIDENT**

#### 36 **QUALIFICATIONS**

- 37 1. Must be a REALTOR® member in good standing.  
38  
39

#### 40 **RESPONSIBILITY**

41 Serve as an officer of the Association and as a resource to the succeeding leadership, and:

- 42 1. Serves as a NHAR Director and member of the Executive Committee.  
43
- 44 2. Serve as an Executive Officer.  
45
- 46 3. Serves as Vice Chair of the Credentials Working Group.  
47
- 48 4. Serve as a member of the National Association of REALTORS® Board of Directors.  
49
- 50 5. Attend the President-Elect's Leadership Conference.  
51
- 52 6. Participates in the annual review of the Executive Vice President.  
53
- 54 7. Is strongly encouraged to be a contributor to RPAC (See Appendix E).  
55  
56

---

**TERM**

The Immediate Past President serves in this office in the year immediately following the year served as President.

**2.15 RESPONSIBILITY AND DUTIES OF THE NHAR DIRECTOR****Responsibility**

Shall serve as a member of the governing body of the Association.

**Preparation**

Before assuming office, the NHAR Director should:

- Become thoroughly familiar with the activities and programs in progress or projected, to ensure continuity, particularly the Bylaws and Policy Manual.
- Review previous year minutes of the Finance and Executive Committee and the Board of Directors.

**Duties**

The Director shall:

1. Make reasonable efforts to fully attend every Board of Directors and assigned Committee, Subcommittee or Workgroup meeting in accordance with the Bylaws.
2. Keep the members informed of the activities of the Association.
3. Present to the Board of Directors any programs, suggestions or concerns of the members.
4. Make every attempt to attend all major functions of the Association.
5. The Directors shall have a working knowledge of the Bylaws and Policy Manual, *The Code of Ethics and Arbitration Manual* and *Robert's Rules of Order*.
6. Keep abreast of the accomplishments of the Association and NAR so as to be prepared to discuss these matters with the membership.
7. Be prepared to accept all other duties as requested by the President and maintain continuous liaison with the Chief Executive Officer and other assigned staff to ensure proper coordination in the conduct of the Association's business.
8. Be strongly encouraged to be a contributor to RPAC (See Appendix E).

**Qualifications**

1. Must be a REALTOR® member in good standing.
2. Qualifying positions are as follows:
  - a. Two Directors elected or appointed from the Active Membership of each Member Board, one of which shall be the President of the Board during his term of office and the other of which shall be selected from the current or past officers or local Directors of the respective Member Board.
  - b. An additional Director at Large determined by multiplying the number fourteen (14) by the REALTOR® membership of the local Board and dividing the result by the membership of the New Hampshire Association, and deleting any fraction.
  - c. The Immediate Past President, past President twice removed, and past President thrice removed of the Association who continue their Active Membership in the Association.



- 
- 1  
2 d. Each National Director from this State Association.  
3  
4 e. Each of the four standing committee chairs including Communications, Professional Development,  
5 Public Policy, and Legal; and each of the four Member Liaisons.  
6  
7 f. The current State President of the Institutes, Councils and Societies of the National Association of  
8 REALTORS®.  
9  
10 g. All Executive Officers of the State Association.  
11  
12 3. Strongly encouraged to be a contributor to RPAC.  
13

**Term**

- 14  
15 1. The Director serves for a term of one (1) year.  
16

**2.16 RESPONSIBILITY AND DUTIES OF AN NAR DIRECTOR****Qualifications**

17  
18  
19 NAR Directors shall consist of the President, the President-Elect, the Immediate Past President, and the  
20 Treasurer in this specific order based on the annual national director allocation provided by the National  
21 Association of Realtors. Other NAR Directors shall have actively served within the previous five years on  
22 the NHAR Board of Directors, except a recipient of the NAR Distinguished Service Award, who shall serve  
23 a life term on the NAR Board of Directors. Any vacancies among NAR Directors shall be filled by timely  
24 and appropriate action of the current State Association President, subject to approval by the Executive  
25 Committee.  
26  
27

**Responsibilities**

28  
29 During the term of office, a National Association Director from New Hampshire shall have the authority and  
30 responsibility as established in the National Association of REALTORS® Bylaws or other governing  
31 documents, and also shall perform the following duties. The National Director:  
32

- 33 1. Shall represent the NHAR membership at the National Association level.  
34  
35 2. Shall disseminate NAR information back to the NHAR leadership.  
36  
37 3. Shall attend the NAR Board of Directors meetings and respective Regional Caucuses per year.  
38  
39 4. Shall serve as voting members and attend quarterly meetings of the NHAR Board of Directors.  
40  
41 5. Shall submit reports on NAR meeting activities, as requested by the President.  
42  
43 6. Are encouraged to serve on at least one NAR committee annually.  
44  
45 7. Is strongly encouraged to be a contributor to RPAC (See Appendix E).  
46

47 Failure to comply with the above responsibilities may result in disciplinary action as deemed necessary by  
48 the Board of Directors, as exercised in the Board's sole discretion.  
49

**2.17 RESPONSIBILITY AND DUTIES OF THE CHIEF EXECUTIVE OFFICER****GENERAL****Position Description**

50  
51  
52  
53  
54 The Chief Executive Officer is responsible to the Executive Committee and the Board of Directors for the  
55 effective conduct of the affairs of the Association. The CEO recommends and participates in formulating  
56

---

1 the Association mission, goals, objectives, and related policies. Within that framework, the CEO plans,  
2 organizes, coordinates, controls, and directs Association staff, programs, and activities. The CEO works  
3 closely with the Association President, elected leaders, and staff, to ensure that the Association's goals are  
4 achieved.

#### 6 **Responsibilities**

7 The CEO performs the following with appropriate delegations and within the limits of the Association charter  
8 and bylaws, and policies established by the Board of Directors:

9  
10 Ensures that the Board of Directors, Executive Committee, and Officers are fully informed of Association  
11 conditions and of all important factors influencing them.

12 Attends all meetings of the Board of Directors and Executive Committee.

13 Plans, formulates, and recommends for the approval of the Board of Directors basic policies and  
14 programs that will further Association objectives.

15 Executes all decisions of the Board of Directors and Executive Committee except when other  
16 assignments are specifically made.

17 Develops specific administrative policies, procedures, and programs to implement the general policies  
18 of the Board of Directors and Executive Committee.

19 Establishes a sound organizational structure for the headquarters office.

20 Plans the general administration of the entire Association operation; though many responsibilities are  
21 delegated to other staff members, the Chief Executive Officer should be aware of the progress of all  
22 Association projects.

23 Represents the Association in any and all local government matters affecting the real estate industry.

24 Directs and coordinates all approved staff programs, projects, and major activities.

25 Recruits, hires, orients, trains, and motivates Association personnel; responsible for all reviews,  
26 promotions, and terminations.

27 Administers an effective personnel program that includes position descriptions, performance standards,  
28 performance appraisals, and a competitive compensation system.

29 Provides the necessary liaison and staff support to committee chairpersons to enable committees to  
30 properly perform their functions, ensures that committee decisions and recommendations are submitted  
31 to the Executive Committee and the Board of Directors for approval.

32 Executes contracts and commitments as authorized by the Executive Committee and the Board of  
33 Directors or within established policies.

34 Promotes interest and active participation in Association activities to membership and local/state  
35 groups, and reports Association activities through the Association communications media.

36 Maintains effective relationships with other organizations, both public and private, and ensures that  
37 Association and membership positions are enhanced in accordance with the policies and objectives of  
38 the Association.

39 Ensures that all funds, physical assets, and other Association property are appropriately safeguarded  
40 and administered; operates within the approved budget.

41 Plans, coordinates, and conducts public relations programs to enhance public acceptance of the  
42 industry.

43 Oversees research and related projects on subjects deemed of importance to the membership and  
44 prepares and publishes the results.

45 Assists in the development of education programs to advance the professional, technical, and  
46 managerial skills of the membership, operating with the budget and program objectives that the  
47 Executive Committee and the Board of Directors approves.

48 Exercises control of the budget and all arrangements to meet financial objectives.

49 Maintains official minutes of the Executive Committee and the Board of Directors and other Association  
50 meetings.

51 Oversees all communications to membership, including newsletters, general mailings, website updates,  
52 news releases, and so forth; maintains effective internal and external public relations.

53 Acts as a direct liaison with the local Associations and the National Association in matters that staff can  
54 handle.

55 Acts as Association spokesperson in conjunction with Association Officers.

56 Ensures the legal integrity of the Association.

- 
- 1 Serves on National committees if appointed, providing a benefit to the Association and the membership;
  - 2 participates in State and National activities and programs, within the limits of the Association's budget
  - 3 and needs.
  - 4 Carries out other general responsibilities as the Officers and the Board of Directors may specify.
  - 5 Is an ex-officio non-voting member of the Executive Committee and the Board of Directors.
  - 6
  - 7

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## SECTION 3: COMMITTEE POLICIES

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### 3.1 RULES OF COMMITTEES

#### Standing Committees

Chairpersons, vice-chairpersons and members of Standing Committees shall be Association members in good standing.

A Standing Committee shall serve to be defined as a group that addresses strategies, programs and basic capacities through its own direct action which incorporates the goals and objectives of the current strategic plan. Committees should be made-up of a geographic cross-section of the Membership as the circumstances may permit.

The four (4) Standing Committees of NHAR are:

1. Communications Committee.
2. Legal Committee (including Professional Standards, Grievance, Mediation, and Risk Management Subcommittees).
3. Professional Development Committee.
4. Public Policy Committee.

Standing Committees shall report to the Executive Committee. (*Bylaws, Article VII*)

All minutes and/or reports of committees will be clear, concise and available to the members of NHAR.

#### Finance Committee

There shall be a Finance Committee chaired by the Treasurer and to include not more than nine (9) members appointed to staggered three (3) year terms by the President. Appointed members of the committee may serve a maximum of two (2) three-(3) year consecutive terms. Upon completion of a maximum two (2) three- (3) year consecutive terms, a member is not eligible for reappointment to the committee for one (1) year. A committee member is exempt from the term limit if elected Treasurer.

The role of the Finance Committee is to advise and report to the Executive Committee on:

- Financial status of the Association;
- Financial policies of the Association;
- Investment accounts of the Association; and
- Annual Association budget process.

The Finance Committee shall review and report to the Executive Committee on all non-budgeted requests from Administration, Standing Committees, Subcommittees, Task Forces and Working Groups.

#### Committees, Forums, Working Groups and Task Forces

Chairpersons, vice-chairpersons and members of Committees, Forums, Working Groups and Task Forces shall be Association members in good standing.

A Committee, Forum, Working Group or Task Force shall serve to be defined as a group that addresses strategies, programs and basic capacities through its own direct action.

The Committees, Forums, Working Groups and Task Forces of NHAR are listed below with reporting relationships as noted.

---

<u>Committee/Forum/Working Group:</u>	<u>Reports to:</u>
1. Finance Committee	Executive Committee
2. Communications Committee	Executive Committee
3. Legal Committee	Executive Committee
4. Professional Development Committee	Executive Committee
5. Public Policy Committee	Executive Committee
6. Affiliate Forum	Executive Committee
7. Bylaws Working Group	Executive Committee
8. Credentials Working Group	Board of Directors
9. Executive Officers Forum	Executive Committee
10. Good Neighbor Working Group	Executive Committee
11. Honor Society Working Group	Executive Committee
12. REALTOR® of the Year Working Group	Executive Committee
13. Strategic Planning Working Group	Executive Committee
14. REALTOR® Party Independent Expenditure Working Group	Executive Committee

All Minutes and/or reports of these Committees, Forums, Working Groups and Task Forces will be clear, concise and available to the members of NHAR.

#### **Other Ad Hoc or Task Force Committees or Subcommittees**

The President, with the approval of the Executive Committee, may appoint other Ad Hoc or Task Force committees or subcommittees as needed.

An Ad Hoc or Task Force committee or subcommittee shall serve to be defined as a group that addresses strategies, programs and basic capacities through its own direct action.

Ad Hoc or Task Force committees or subcommittees shall report to the Executive Committee. (*Bylaws, Article VII*)

### **3.2 ANNUAL COMMITTEE SELECTION PROCESS**

The NHAR Committee Sign-up Form is made available to all NHAR members for committee appointment. The President-Elect shall review and appoint all committee members for the next fiscal year from the names submitted on the form, or as otherwise provided in this Policy Manual or the NHAR Bylaws. A copy of the Committee Sign-Up form is included as Appendix C to this Policy Manual.

### **3.3 PURPOSE AND COMPOSITION OF STANDING COMMITTEES**

#### **3.3.1 COMMUNICATIONS COMMITTEE**

**Purpose:** The purpose of the Communications Committee is to make recommendations on NHAR's web site, newsletter, and other media communications so as to best communicate with our members and the public and thereby meet the objectives of the NHAR Strategic Plan. Advises NHAR leadership and staff,

1 and evaluates existing and developing technology and how best to utilize such technology in the service of  
 2 the members. All reports of this committee shall be clear, concise, and available to all members.

3  
 4 **Composition:** The President, subject to the approval of the Executive Committee, shall appoint the Chair,  
 5 Vice Chair, and members of the Communications Committee. The Chair shall serve a one (1) year term,  
 6 and shall be eligible for reappointment for a maximum of three (3) consecutive one (1) year terms. The  
 7 Vice Chair shall serve a one (1) year term and be eligible for reappointment. Committee members shall be  
 8 eligible for reappointment. The recommended number of committee members shall not exceed eighteen  
 9 (18).

10 **Primary Staff Support:** Communications Committee Liaison

### 11 **3.3.2 LEGAL COMMITTEE**

12 Purpose: Responsible for professional standards, grievance, mediation and risk management  
 13 administration, standard forms, related member education, and Local Board assistance. Committee is  
 14 responsible for obtaining and maintaining a working relationship with NHAR Legal Committee  
 15 Counsel. The Legal Committee is made up of five (5) subcommittees as follows:

16 Professional Standards Subcommittee – Responsible for professional standards training and ongoing  
 17 professional standards education, conducting state professional standards hearings, and  
 18 supplementing Local Board hearing panels when requested.

19 Grievance Subcommittee – Responsible for reviewing all ethics complaints or arbitration requests  
 20 forwarded to NHAR.

21 Mediation Subcommittee – Responsible for maintaining a State pool of mediators and providing  
 22 ongoing training and support to State and local mediators, as well as handling mediation requests  
 23 forwarded to NHAR, and responsible for the “Ombuds” Program.

24 Risk Management Subcommittee – Responsible for developing and monitoring risk management  
 25 programs that will assist in reducing members’ legal liability; responsible for overseeing the  
 26 administration of the NHAR Legal Hotline, a member service.

27 Standard Forms Subcommittee – Responsible for maintenance of the NHAR Standard Forms Library  
 28 to ensure legislative and regulatory compliance, and to stay current with industry practice.

29 All reports of this committee shall be clear, concise, and available to all members.

30 Composition:

31 Chair – Appointed to a one (1) year term by the President, subject to the approval of the Executive  
 32 Committee, and eligible for reappointment for a maximum of three (3) consecutive one (1) year terms,  
 33 and shall be responsible for overseeing the Legal Subcommittees, Legal Task Forces, and Legal  
 34 Working Groups.

35 Vice Chair – Appointed to a one (1) year term by the President, subject to the approval of the  
 36 Executive Committee, and eligible for reappointment.

37 Subcommittee Chairs – There shall also be five (5) Subcommittee Chairs, appointed by the President,  
 38 subject to the approval of the Executive Committee.

#### 39 Members

40 *Professional Standards Subcommittee* – At least twelve (12) members shall be appointed by the  
 41 President, subject to the approval of the Executive Committee, to a one (1) year term and:

42 Must have attended the NHAR Professional Standards Training Seminar during the past two (2) years;  
 43 and

44 Must have served on a local board Professional Standards Committee; and

45 Shall be eligible for reappointment.

---

1 *Grievance Subcommittee* – At least six (6) members shall be appointed by the President, subject to  
2 the approval of the Executive Committee, to a one (1) year term and:  
3 Must have attended the NHAR Professional Standards Training Seminar during the past two (2) years;  
4 and  
5 Must have served on a local board Grievance Committee; and  
6 Shall be eligible for reappointment.  
7

8 *Mediation Subcommittee* – At least six (6) members shall be appointed by the President, subject to the  
9 approval of the Executive Committee, to a one (1) year term and:  
10 Must have attended the NHAR Professional Standards Training Seminar during the past two (2) years;  
11 and  
12 Shall be eligible for reappointment.  
13

14 *Risk Management Subcommittee* – At least six (6) members shall be appointed by the President,  
15 subject to the approval of the Executive Committee, to a one (1) year term and;  
16 Must have attended the NHAR Professional Standards Training Seminar during the past two (2) years;  
17 and  
18 Shall be eligible for reappointment.  
19

20 *Standard Forms Subcommittee* – At least eight (8) members appointed by the President, subject to the  
21 approval of the Executive Committee, to a one (1) year term, eligible for reappointment, and should  
22 include representation of brokerages serving various geographic areas of New Hampshire practicing  
23 all Brokerage Relationships defined in the most current New Hampshire Real Estate Commission  
24 Brokerage Relationship Disclosure Form.  
25

26 The Subcommittee shall include NHAR Legal Committee legal counsel review of all of its findings and  
27 recommendations and shall report its findings and recommendations to the Legal Committee. The  
28 Legal Committee shall vote on the recommendations and present the results of that motion to the  
29 Executive Committee. The Executive Committee shall vote on the motion from the Legal Committee.  
30

31 Primary Staff Support: Legal Committee Liaison  
32  
33

### 3.3.3 PROFESSIONAL DEVELOPMENT COMMITTEE

**Purpose:** To establish and recommend policies and programs to meet the current and future educational initiatives within NHAR and to encourage cooperative educational efforts with local associations and other industry related organizations. The Professional Development Committee will also be responsible for various aspects of other NHAR events. All reports of this committee shall be clear, concise, and available to all members.

#### **Composition:**

Chair and Vice Chair – The Chair shall be appointed to a one (1) year term by the President, subject to the approval of the Executive Committee and eligible for reappointment for a maximum of three (3) consecutive one (1) year terms. The Vice Chair shall be appointed to one (1) year term by the President, subject to the approval of the Executive Committee and eligible for reappointment. (*Bylaws, Article VII, Section 1*),

Members – The recommended number shall not exceed nineteen (19) at-large members appointed by the President, subject to the approval of the Executive Committee as follows: three (3) State Affiliate members and sixteen (16) REALTOR members. Committee members shall be eligible for reappointment. (*Bylaws, Article VII, Section 1*)

#### Qualifications for consideration:

- Advocate for the educational interests of all members within the state.
- Experience as a member of a local education/professional development committee.

**Primary Staff Support:** Professional Development Committee Liaison

### 3.3.4 PUBLIC POLICY COMMITTEE

**Purpose:** The purpose of the Public Policy Committee is to review proposed legislation and regulations, establish an NHAR position on political issues and regulations, and to advise staff and contract lobbyists on strategy and position; also to assist in the creation and passage of proactive legislation and to monitor regulatory agencies and other governmental and political events. All reports of this committee shall be clear, concise, and available to all members.

#### **Composition:**

Chair – Appointed by the President, subject to the approval of the Executive Committee, to a three (3) year term and shall be eligible for reappointment to one (1) additional consecutive two (2) year term. (*Bylaws, Article VII, Section 1*)

Vice Chair -- Appointed by the President, subject to the approval of the Executive Committee, to a one (1) year term and shall be eligible for reappointment. (*Bylaws, Article VII, Section 1*)

Members - A recommended number of thirty (30) members shall be appointed by the President, subject to the approval of the Executive Committee. The membership of the committee should include at least one (1) member from each of the following: Residential Broker, Residential Salesperson, Commercial Broker, Commercial Salesperson, Property Management, and Appraiser. All other members shall be at-large members. Committee members shall be eligible for reappointment. (*Bylaws, Article VII, Section 1*)

**Primary Staff Support:** Public Policy Committee Liaison

## 3.4 PURPOSE AND COMPOSITION OF NHAR WORKING GROUPS

### 3.4.1 NHAR CREDENTIALS WORKING GROUP

**Purpose:** The purpose of the Credentials Working Group is to certify qualified candidates no later than thirty (30) days prior to the date set for election of State Association Officers. These offices include President-Elect, Treasurer, Member Liaisons, and any other national or state candidates as required.



**Composition:**

Chair – The past President twice removed of NHAR who continues his or her active membership in NHAR.

Members

The Immediate Past President of NHAR who continues his or her active membership in NHAR;

And

One (1) member at large appointed by the current NHAR President.

In the case where a delegate or alternate of the Credentials Working Group is a candidate for an office, the chair of the working group shall request that person to excuse themselves during the qualifications review of the specific position(s).

Except for the immediate past president, members of the Executive Committee shall be ineligible to serve on the Credentials Working Group.

**Procedure**

A Verification Report by the Credentials Working Group Staff Liaison shall be distributed to the Credentials Working Group members. Challenges from the Credentials Working Group members regarding the qualifications stated on the Verification Report must be returned to the Credentials Working Group Staff Liaison within seven (7) days of receipt of the Verification Report. The Credentials Working Group Chair may activate a meeting if necessary.

The report of the Credentials Working Group shall then be made available to each Active Member via public notice from NHAR office through electronic media at least fifteen (15) days before the election is held.

The Chair and those Working Group members present at the NHAR Board of Directors meeting will be responsible for the tallying and reporting of the election results.

**Primary Staff Support:** Credentials Working Group Liaison.

**3.4.2 NHAR REALTOR® OF THE YEAR WORKING GROUP**

**Purpose:** The purpose of the NHAR REALTOR® of the Year Working Group is to select a State REALTOR® of the Year according to a specific set of standards.

**Composition:** The two immediate past NHAR REALTORS® of the Year with the immediate past REALTOR® of the Year serving as Chair and the current REALTOR® of the Year serving as Vice Chair, the Member Liaisons, and one Presidential Appointee.

**Procedure:** The REALTOR® of the Year Working Group shall meet to select a State REALTOR® of the Year from the collective group of Local Board REALTORS® of the Year.

Prior to this meeting, each Local Board is required to submit a nomination form to NHAR by June 30<sup>th</sup> of each year. The REALTOR® of the Year Working Group will then review each nomination according to a recommended set of standards, which should be uniform and consistent, and which are used in determining the State REALTOR® of the Year. These standards are reviewed each year by the Working Group and are based on REALTOR® Spirit, Local Board Activity, Civic Activity, State Association Activity, NAR Activity and Business Accomplishments.

**Primary Staff Support:** REALTOR® of the Year Working Group Liaison.

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### 3.4.3 NHAR GOOD NEIGHBOR WORKING GROUP

Purpose: The purpose of the NHAR Good Neighbor Working Group is to annually select a recipient of the NHAR Good Neighbor Award according to a specific set of standards.

Composition: The the previous year's winner(s) serving as chair or co-chairs, if two (2) previous year's winners, and the Member Liaisons.

Procedure: The Good Neighbor Working Group shall meet to select a recipient from the group of nominees submitted as per the Good Neighbor Award Program Selection Guidelines.

Primary Staff Support: Good Neighbor Working Group Liaison

### 3.4.4 REALTOR® PARTY INDEPENDENT EXPENDITURE WORKING GROUP

**Definition and Purpose:** The NHAR REALTOR® Party Independent Expenditure Working Group is defined as the authoritative body responsible for the administration of political independent expenditure funding requests made to the National Association of REALTORS® (NAR) resulting from the 2011 approval by NAR of the REALTOR® Party Initiative. The purpose of the NHAR REALTOR® Party Independent Expenditure Working Group is to review requests for independent expenditure funds available to NHAR from NAR. Approved requests are processed per the NAR procedures.

**Composition:** The Working Group shall be made up of the following nine (9) REALTOR® members or REALTOR® association staff:

Chair – Appointed by the NHAR President who shall be a REALTOR® member in good standing and who shall serve a two (2) year term and be eligible for reappointment to one (1) two (2) year consecutive term.

Members – Appointed by the NHAR President and shall include:

- A representative from the New Hampshire REALTORS® Political Action Committee Trustees;
- A representative from the NHAR Public Policy Committee;
- Two (2) past NHAR presidents; and
- Four (4) at-large REALTOR® members to be selected to balance geographic diversity.

The initial Working Group members shall serve an initial term of one or two year(s) staggered over a two (2) year period and shall be eligible for reappointment to two (2) consecutive two (2) year terms.

**Procedure:** The Working Group shall meet a minimum of once annually. Subsequent meetings may be called at the discretion of the chair.

Independent expenditure fund requests may originate from a NHAR member or NHAR committee. Requests shall include the information required by NAR for funding.

The Working Group shall meet to review requests at its annual meeting or at the discretion of the chair to review requests.

Requests must be for support or opposition of a candidate for elective office in the State of New Hampshire, consistent with NAR procedures.

Once the request for funds has been approved by the Working Group, the Working Group shall forward the request to the Executive Committee for approval.

### 3.4.5 SUSTAINABILITY WORKING GROUP

**Mission:** Provide leadership and strategies on topics of sustainability that benefit members, REALTOR® associations and communities.

**Purpose:** The purpose of the NHAR Sustainability Working Group is to:

1. Evaluate, monitor, analyze and implement means and methods for integrating sustainability into all aspects of residential and commercial real estate.
2. Recommend the design, implementation and evaluation of to promote and support sustainability throughout NHAR and the real estate sector.
3. Provide education and information on sustainability-related issues to the Board of Directors and appropriate committees.

**Composition:** The President, subject to the approval of the Executive Committee, shall appoint the Chair and members of the Sustainability Working Group. The Chair shall serve a one (1) year term and shall be eligible for reappointment for a maximum of three (3) consecutive one (1) year terms. The Vice Chair shall serve a one (1) year term and be eligible for reappointment. Committee members shall be eligible for reappointment. The recommended number of committee members shall not exceed ten (10).

**Procedure:** The Sustainability Working Group shall meet a minimum of once annually. Subsequent meetings may be called at the discretion of the chair.

**Primary Staff Support:** Sustainability Working Group Liaison

### 3.5 PURPOSE AND PROCEDURES OF NHAR AWARD PROGRAMS

#### 3.5.1 NHAR DISTINGUISHED SERVICE AWARD

**Purpose:** The purpose of the NHAR Distinguished Service Award is to provide an opportunity for the NHAR President to award, at his/her discretion, a Distinguished Service Award to an individual(s) whom he/she feels has provided exemplary service to the Association and/or Industry.

**Procedure:** This award, if given, is normally presented at the Annual Convention during the Installation Ceremony as part of the President's Remarks.

#### 3.5.2 OMEGA TAU RHO

**Purpose:** The purpose of the Omega Tau Rho Medallion of Service is to reflect membership in the honorary Omega Tau Rho fraternity which symbolizes the recognition and appreciation accorded inductees for their contributions to the National Association of REALTORS®, its affiliated Institutes, Societies and Councils.

**Eligibility:** Medallions are awarded to those who have honorably completed their term of office as: NAR President, NAR First Vice President, NAR Treasurer, NAR Director at Large, NAR RVP, NAR Executive Committee Member, NAR Finance Committee Member, NAR REALTOR Emeritus, Chair of Standing NAR Committees, NHAR President, NHAR State REALTORS® of the Year, Local Board or State Association Executive Officers serving 10 or more years, Comptroller or General Counsel of a Local or State Association serving 10 or more years, Elected National Officers and/or Governors/Directors of Affiliated Institutes, Societies or Councils.

**Procedure:** These awards are normally presented at the Annual Convention appropriately at either the REALTOR® of the Year Ceremony or the Installation Ceremony.

1. NHAR will request from the Local Boards, Institutes, Societies, and Councils eligible nominees in July of each year.
2. The Omega Tau Rho Medallion is only worn during the Installation Banquet and Ceremony.

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## 1 3.6 CHAIRING A COMMITTEE

### 2 3 DUTIES, RESPONSIBILITIES AND SPECIAL INFORMATION

4 An appointment to chair a New Hampshire Association of REALTORS® committee presents a member  
5 with a special opportunity for service and leadership. Under your guidance, your committee will work toward  
6 goals and strategic directions established by the Association. The following is to help you in your task so  
7 that the year will be a time of accomplishment and fulfillment.

### 8 9 LEGAL LIABILITY

10 Committee Chairs are protected by blanket "errors & omissions" (E&O) and "directors & officers" (D&O)  
11 insurance policies, carried by the National Association of REALTORS®, for defense costs only relating to  
12 any litigation resulting from actions taken by a committee.

### 13 14 YOUR COMMITTEE

15 Subject to Executive Committee approval, the NHAR President selects all NHAR committee chairs, vice  
16 chairs and members. Some of your committee members may be new to committee work. From the  
17 beginning, strive to establish and maintain an atmosphere, which encourages participation. The more  
18 members participating, the more opportunities there are for enthusiastic and creative interaction, and for  
19 accomplishing the committee's objectives.

### 20 21 BUDGET

22 Your committee has an annual budget (if applicable) approved by the Board of Directors. It is your  
23 responsibility, with staff liaison assistance, to ensure that your committee's expenditures stay within its  
24 budget. No additional expenditures may be made without prior approval of the Finance and Executive  
25 Committees, and for expenditures in excess of \$10,000, the Board of Directors. Non-agenda financial  
26 requests from the floor at NHAR Board of Directors Meetings, in excess of \$10,000, require a 30-day prior  
27 notice to the Directors. *(Approved March 20, 2002, by the Board of Directors)*

### 28 29 30 MEETINGS

31 The Chair may call committee meetings at any time, keeping in mind that there are regular meetings of the  
32 Board of Directors and regular meetings of the Executive Committee scheduled each year.

### 33 34 STAFF ASSISTANCE

35 Each committee has an assigned NHAR staff person to assist your efforts. Early in the year, you should  
36 meet with your staff person to discuss committee objectives and procedures. Your staff liaison is  
37 responsible for:

- 38 Implementing committee policies and projects.
- 39 Advising you on Association policies and procedures.
- 40 Conveying current information.
- 41 Keeping the official minutes of your committee.
- 42 Providing continuity from year to year.

### 43 44 MINUTES

45 As the official records of your committee meetings, minutes must be accurate. Minutes often are referred  
46 to from year to year and usually are the basis for your reports to the Executive Committee and Board of  
47 Directors. They are kept on file at the NHAR office. NHAR committee minutes are concise and directed to  
48 action items only, omitting discussion points. They also do not include the "makers" or "seconders" of  
49 motions, instead using "It was **MOVED, SECONDED AND VOTED**". Minutes will be available to all  
50 members of NHAR.

### 51 52 REPORTS

53 You submit reports of committee activity to the Executive Committee and Board of Directors. It is your  
54 responsibility to report specific items, such as actions/recommendations, needing approval of the Executive  
55 Committee and/or Board of Directors. All reports will be clear, concise and available to the members of  
56 NHAR.

1  
2 Committees cannot pass motions affecting finances and policy. Items requiring expenditures up to \$10,000  
3 must be directed to the Finance and Executive Committees. Items over \$10,000 must go to Finance and  
4 Executive Committees and then to the Board of Directors for final action. Non-agenda financial requests  
5 from the floor at NHAR Board of Directors Meetings, in excess of \$10,000, require a 30-day prior notice to  
6 the Directors. (*Approved March 20, 2002 by the Board of Directors*) Any recommended NHAR policy  
7 changes must be directed to the Executive Committee and Board of Directors. Proposed Bylaws  
8 amendments or nominations for elected office are directed to the Annual or a Special Meeting of the  
9 Membership.

## 10 **BOARD OF DIRECTORS**

11 If the Executive Committee has concurred with your recommendations, you may move for acceptance by  
12 the Directors. If Executive Committee recommendations vary from those of your committee, you still may  
13 present the report to the Directors but a member of the Executive Committee will report its decision as well.  
14 Your staff liaison will assist you in the process. **SPECIAL NOTE:** For more detailed information see  
15 "Committee Chair's Reporting Procedures" section.  
16

## 17 **DISCRETION – MORE IMPORTANT THAN EVER**

18 Although your committee has passed a motion or recommendation, it does not become official until  
19 approved by the Executive Committee and/or Board of Directors. There is also the possibility that it will not  
20 be approved. For this reason, it is important to resist dissemination or implementation of the proposal before  
21 final action by the appropriate body.  
22

## 23 **ASSOCIATION POLICIES**

24 Committee members may wish to introduce motions that involve procedures, finances, changes in policy,  
25 further study, or opinion from legal counsel. A reminder of Association policies in these matters can prevent  
26 unnecessary discussions.  
27

28  
29 Committees cannot pass motions affecting finances and policy. They can only vote recommendations that  
30 the Chair presents to the Finance and/or Executive Committee for consideration and approval.  
31

## 32 **BEFORE THE MEETING**

33 Although you will have an agenda, you should also consult your staff liaison before the meeting about items  
34 to be discussed and current committee business. You should review a recent copy of "Robert's Rules of  
35 Order" to assist you in chairing your meeting. A well-planned agenda that proceeds on time toward  
36 measurable goals will usually ensure good attendance.  
37

## 38 **THE MEETING ITSELF**

39 Conducting a meeting is a challenging job. The following is a quick checklist of points to remember:

- 40 (1) Follow your agenda and watch the time.
- 41 (2) Encourage participation but keep all discussions to the point.
- 42 (3) Recognize each member that wishes to speak; discourage side conversations and interruptions;  
43 defer recognizing those who have already spoken until all others that wish to speak have had the  
44 opportunity.
- 45 (4) Speakers who are difficult to understand should be reminded to speak more clearly, when  
46 necessary. At times, you may wish to summarize their points.
- 47 (5) Invite constructive criticism and disagreements, ask for support, obtain a consensus, and then  
48 move to the next topic.
- 49 (6) As the presiding officer, you are neutral. If you disagree with a speaker, you may ask questions but  
50 don't argue.
- 51 (7) **When you wish to comment, relinquish the chair to the vice chair** and ask for the floor as a  
52 participant until discussion of the particular topic has ended.
- 53 (8) Motions should clearly express the committee's intentions. To frame effective motions:  
54 (a) Entertain only one main motion at a time.  
55 (b) Be sure that each motion is seconded.  
56 (c) The motion should be clearly stated (and seconded) before discussion begins.

- 1 (d) The member who makes the motion should have the first opportunity to discuss.  
 2 (e) If voting is public, you may vote only to make or break a tie. If the vote is by secret ballot, you  
 3 may vote along with everyone.
- 4 (9) The most common type of votes you will call for are:  
 5 (a) Majority: More than half the votes cast, but not more than half the members present. Some  
 6 may not care to vote. Used in elections and on most motions.  
 7 (b) Two-thirds of the vote cast. Used only with motions.  
 8 (c) Plurality: More than any other candidate. Used in elections to save time.  
 9 (d) General consent: A short cut so the committee can act without going through the process  
 10 of a general vote. Used on motions where there seems to be a general agreement among the committee  
 11 members.  
 12 (10) The most common ways to vote are acclamation or voice, show of hands, rising, secret ballot and  
 13 roll call.  
 14 (11) The meeting should not be adjourned until the committee is satisfied that all subjects have been  
 15 adequately covered.  
 16 (12) If uninvited guests wish to speak, you can be tactful and firm, but you are **NOT** required to give  
 17 them the floor. You might consider announcing basic etiquette for guests at the beginning of the meeting:  
 18 i.e., seating is in the area designated for guests (not at main table), participation in the meeting is limited  
 19 strictly to committee members and guests who have been invited for a special purpose, material should not  
 20 be removed from the table.

## 21 **COMMITTEE CHAIR'S REPORTING PROCEDURES**

### 22 **PREPARING THE RECOMMENDATIONS**

23  
 24 Chairs should endeavor to make certain that any motions approved for subsequent presentation to the  
 25 Finance and/or Executive Committee and the Board of Directors are:  
 26

- 27  
 28 (1) Items requiring budgetary appropriation not previously considered and planned for.  
 29 (2) Items that constitute a change in policy of the Association, including operating policy of the  
 30 Committee.  
 31 (3) Items that would establish a new policy or program for NHAR.  
 32

33 Recommendations that are questionable as to their appropriateness for presentation should be discussed  
 34 with the Committee's staff liaison who will then seek advice, as necessary, to resolve the matter  
 35 appropriately.  
 36

37 Committee Chairs and members should recognize the importance of preparing clear and concise  
 38 recommendations for presentation to the Executive Committee and the Board of Directors.  
 39

### 40 **WHO SHOULD APPEAR**

41 Most committee requests would be presented, orally or in writing (minutes), by way of the Committee Chair  
 42 with the assistance of the CEO, to the Finance Committee, Executive Committee and/or the Board of  
 43 Directors.  
 44

### 45 **ACTION OF THE EXECUTIVE COMMITTEE**

46 The members of the Executive Committee will review the individual recommendations and make  
 47 recommendation for approval or modification as the case may be. The NHAR Bylaws state that "The  
 48 government of the Association shall be vested in a Board of Directors,..." The Board of Directors has voted  
 49 that matters involving expenditures of less than \$10,000 may be resolved by the Executive Committee.  
 50 Non-agenda financial requests from the floor at NHAR Board of Directors Meetings, in excess of \$10,000,  
 51 require a 30-day prior notice to the Directors. (*Approved March 20, 2002, by the Board of Directors*)  
 52

### 53 **CONTROVERSIAL RECOMMENDATIONS**

54 Some controversial recommendations may require lengthy discussion during Executive Committee or  
 55 Board of Director meetings and the President will give ample time for the committee members or the

1 Directors to express their viewpoints, pro and con, towards the recommendation. Following discussion, the  
 2 President will call for a vote and the matter will be concluded.

### 4 **APPROVED RECOMMENDATIONS**

5 After final approval of any recommendation or proposal, the originating committee, with assistance of the  
 6 staff liaison, should proceed to implement. It is the chair's responsibility to see that implementation follows  
 7 the final approval exactly, i.e., amount of monies approved, time frames, condition of contracts, etc.

## 9 **3.7 ISSUES MOBILIZATION FUND**

### 11 **3.7.1 NEW HAMPSHIRE ASSOCIATION OF REALTORS® ISSUES MOBILIZATION FUND**

#### 13 **FUNDING AND DISBURSEMENT CRITERIA**

##### 15 **Guidelines for Appropriate Expenditures**

16 Requests for financial assistance from a State Association Committee or Local Board, concerning state or  
 17 local issues having an impact on the real estate industry, will be considered.

18  
 19 Appropriate expenditures to be funded by the New Hampshire Association of REALTORS® Issues  
 20 Mobilization Fund are as follows:

##### 22 **Ballot measure campaigns**

###### 23 **Local**

24 Grassroots lobbying activities

25 Mailgrams or letter writing campaigns

26 Advertisements/Mass Media/Public Relations

27 Radio

28 Television

29 Newspaper

30 Promotional Material – Get out the vote on issues campaigns

31 Host an educational forum for the community - the purpose of which is to raise the level of awareness  
 32 about an issue.

33 Contributions to or with other grassroots lobbying organizations with respect to a common issue.

34 Community-based organizations such as the Chamber of Commerce, the Taxpayer's Association, the  
 35 building industry association, apartment association, etc.

##### 37 **Issue Advocacy**

38 Expenses associated with a contract employing a professional issue advocate.

39 Funding and Disbursement Criteria

40 Data collection to assist a State Association or Local Board with the development of a lobbying strategy.

41 Public opinion surveys

42 Polling

43 Phone banks

44 Other purposes as deemed appropriate, and approved, by the Public Policy and Executive Committees.

##### 46 **Criteria For Receiving Issues Mobilization Funds**

47 Any consideration for support of an issue must be in concurrence with the National Association of  
 48 REALTORS® and the New Hampshire Association of REALTORS® standing policy, as reviewed by the  
 49 Public Policy and Executive Committee.

##### 51 **Local Boards**

52  
 53 The Issues Mobilization program should or shall be made a permanent part of a Local Board's political  
 54 program, and its purpose and structure should be written into the Board's By-laws and/or operating policy.

55 An existing, permanent standing Local Board Committee may assume the responsibility and functions of  
 56 an Issues Mobilization program with duties to be completed including: Fundraising voluntary contributions

1 from the membership and others, monitoring and anticipating public policy issues that affect the real estate  
2 industry, and carrying through with any public advocacy efforts as funded by the IMF.

### 3 4 State Association Committees

5  
6 A State Association Committee may qualify for receiving IMF funds if they follow the funding and  
7 disbursement criteria as outlined by the National IMF Committee. A State Association Committee  
8 requesting funds from IMF must have a mechanism for monitoring and anticipating public policy issues  
9 affecting the real estate industry, as well as carrying through with any public advocacy efforts as funded by  
10 IMF.

### 11 12 Matching Funds

#### 13 14 Funding and Disbursement Criteria

15  
16 A Local Board or State Association Committee, after receiving funds for a public advocacy campaign, may  
17 apply for matching funds from the National Association of REALTORS® Issues Mobilization Committee.  
18 Funding applications submitted to the NARIMC for matching funds will be coordinated on behalf of a Local  
19 Board or State Association Committee by the PPC and Executive Committee.

#### 20 21 Application

22  
23 An Application for Funding Request Form must be fully and properly executed and submitted to NAR Staff.  
24 A complete cost and analysis or budget of the overall campaign, as well as how requested funds will be  
25 used, must accompany the funding application.

26 All applications submitted for funding by a Local Board must have the signature of the Board President as  
27 well as the Board's Executive Officer, when applicable.

28 All applications submitted for funding by a State Association Committee must have the signature of the  
29 State Association President, State Association Chief Executive Officer, and the Vice President of  
30 Government Affairs.

#### 31 32 Procedure for the IMFC to Determine Expenditure

33  
34 Upon receipt of the Application for Funding Request Form, the IMF Staff Executive will initially review and  
35 then forward all information to the members of the IMF for their review.

36 At the next regularly scheduled meeting a formal, oral presentation may be administered by representative  
37 of either the Local Board or State Association Committee to the IMF committee at the point.

38  
39 As expeditiously as possible, the IMFC will take one of the following actions pursuant to the review of the  
40 application: (1) grant funding request in full; (2) grant a portion of funding request; (3) deny funding request;  
41 (4) provide funding request if certain conditions are met (as determined by the IMFC); (5) postpone a  
42 decision until the IMFC receives more definitive information; (6) fund requests in increments.

43  
44 The Staff Executive will complete the actions taken by the IMFC and provide appropriate follow-up.

#### 45 46 Follow-up

47  
48 A campaign follow-up report to the IMFC is due within 30 days following receipt of funds. A final report,  
49 together with an account of the funding provided, is due following resolution of the issue.

50 Failure to provide a campaign follow-up report will be taken into consideration on future funding requests.  
51

## 52 **3.8 ELECTRONIC MEETINGS**

53  
54 The advent of electronic means for conducting business requires that the Association develop a policy  
55 pertaining to the electronic transaction of business. Per the Bylaws, Article VI, Section 6, "To the



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1 fullest extent permitted by law, Association meetings may be conducted by electronic means.” New  
2 Hampshire law does not prohibit electronic meetings.

3  
4 This policy shall apply to all meetings of the Association and shall apply to synchronous and  
5 asynchronous mediums.

6  
7 The use of electronic meetings is subject to:

- 8 • Budgetary constraints associated with teleconferencing services and web-based meeting  
9 services.
- 10 • The number of meeting participants that can reasonably be managed using the electronic  
11 medium.
- 12 • Prior concurrence by the committee members or board of directors as the case may be.  
13

14 Synchronous communications mediums are defined as those that require all parties in multiple  
15 physical locations to be connected simultaneously. Examples include teleconferencing for audio-only  
16 communications, and the “WebEx” online service combined with teleconferencing for audio and visual  
17 communications.

18  
19 Asynchronous communications mediums are defined as those that do not require all parties to be  
20 connected simultaneously, Examples include email, “LISTSERVS” and web-based surveys,  
21

22 The rationale for holding synchronous electronic meetings includes weather-related issues which  
23 prevent a traditional in-person meeting from being held, committee meeting agendas containing  
24 business that could reasonably be transacted via an electronic meeting, and a consensus of the  
25 committee members that a meeting is in order but that the electronic meeting is the preferable method  
26 due to the cost and time required for travel to and from the Association office.  
27

28 The rationale for holding an asynchronous electronic meeting should be limited to specific instances  
29 where the body is required to vote on one or more motions that are non-controversial and are time-  
30 sensitive but that cannot be reasonably resolved using a synchronous electronic meeting. Examples  
31 include a postponed or cancelled regularly scheduled traditional in-person meeting of a body too large  
32 to be accommodated via a teleconference and web-based meeting service.  
33

34 Procedures for synchronous electronic meetings:

- 35 1. The standing rules of the Association will be followed.
- 36 2. Robert’s Rules of Order, latest edition, shall be recognized as the authority governing all  
37 meetings.
- 38 3. In addition to the agenda, minutes from previous meeting(s) and other appropriate materials,  
39 the meeting notice will include the date, time, the call-in number for teleconferencing, and if  
40 used, a link to the synchronous web-based meeting service used by the Association,
- 41 4. At the specified time, members shall register to establish a quorum.
- 42 5. Once a quorum is reached, as defined by the standing rules of the committee, the chairperson  
43 may begin the meeting.
- 44 6. The names of the members and contact information for the specified committee will serve as  
45 the basis of the meeting roster, and these members constitute the deliberative assembly as  
46 included in the meeting minutes.
- 47 7. The chairperson announces that a quorum has been reached, lists the names of the members  
48 present, and starts the meeting.
- 49 8. To be considered “present” at a meeting means that one has access to a telephone for  
50 teleconferences only, and a computer connected to the internet and capable of operating the  
51 web-based meeting service used by the Association for combined teleconferencing and web-  
52 based meetings. Therefore, being present is defined as having the ability, electronically, to  
53 follow the on-going conversation of the meeting and participate fully over the meeting time.
- 54 9. Members not part of the opening quorum may participate in the meeting, respond to the  
55 electronic discourse, and vote as appropriate after being added to the meeting roster.

- 
- 1 10. The meeting will adjourn at the stated time unless a member makes a motion extend the
  - 2 meeting and that motion is passed.
  - 3 11. The chairperson will officially declare the meeting is adjourned after a motion to adjourn has
  - 4 passed.
  - 5 12. Members may comment upon and respond to others' statements, but all communications,
  - 6 verbal or typewritten, must be addressed to the chairperson and accessible to all members.
  - 7 13. All motions are recorded in the minutes.
  - 8 14. The chairperson must "recognize" individual members to comment since simultaneous voice
  - 9 and data communications will bring disorder to a synchronous meeting.
  - 10 15. Contributions should be succinct.
  - 11 16. Secondary motions (including point of order inquiries) are addressed in the order they are
  - 12 received. A legitimate point of order may interrupt the proceedings. All messages that arrive
  - 13 while a point of order is addressed are set aside until the point of order is settled. If the point
  - 14 of order is appealed by a member, the chairperson will temporarily suspend discussion on the
  - 15 motion until a final ruling is made by a vote of the committee as a whole.
  - 16 17. General rules for voting:
  - 17 a. Members will forward their votes via voice as called upon by the chair, or
  - 18 electronically via the web-based service, to the committee as a whole and the chair
  - 19 will tabulate the votes.
  - 20 18. The Association Secretary or the committee staff liaison, as appropriate, is responsible for
  - 21 recording the minutes of the meeting.
  - 22

23 Procedures for asynchronous electronic meetings:

- 24 1. The standing rules of the Association will be followed.
- 25 2. Robert's Rules of Order, latest edition, shall be recognized as the authority governing all
- 26 meetings.
- 27 3. The body will first approve of the use of this method for the purpose of resolving one or more
- 28 non-controversial time-sensitive motions pending from a cancelled or postponed traditional in-
- 29 person meeting of the body due to weather or other unforeseen circumstance (lack of quorum
- 30 as an example), and that cannot be reasonably resolved via a synchronous electronic meeting.
- 31 a. This approval can be in the form of an email to the body with a date and time certain
- 32 response required requesting a "Yes" or "No" vote to hold the electronic meeting. This
- 33 shall be a majority vote of the official committee membership to pass.
- 34 4. The meeting notice will include the date, time, and a link to the asynchronous web-based
- 35 service used by the Association,
- 36 5. At the specified time, members shall register to establish a quorum.
- 37 6. Once a quorum is reached, as defined by the standing rules of the committee, the chairperson
- 38 may begin the meeting.
- 39 7. The names of the members and contact information for the specified committee will serve as
- 40 the basis of the meeting roster, and these members constitute the deliberative assembly as
- 41 included in the meeting minutes.
- 42 8. The chairperson announces that a quorum has been reached, lists the names of the members
- 43 present, and starts the meeting.
- 44 9. To be considered "present" at a meeting means that one has access to a computer connected
- 45 to the internet and capable of operating the web-based service used by the Association for an
- 46 asynchronous meeting.
- 47 10. Members not part of the opening quorum may participate in the meeting, respond to the
- 48 electronic discourse, and vote as appropriate after being added to the meeting roster.
- 49 11. The meeting will adjourn at the stated time.
- 50 12. The chairperson will officially declare the meeting is adjourned at the time stated in the
- 51 meeting notice.
- 52 13. All motions are recorded in the minutes.
- 53 14. General rules for voting:
- 54 a. Members will vote via the web-based service, generally in the form of a survey with
- 55 "Yes", "No" or "Abstain" options for each motion. This shall be a two-thirds majority
- 56 vote of the quorum to pass.

- 
- 1 15. At the conclusion of the predetermined voting period the chair will tabulate the votes.
  - 2 16. The Association Secretary or the committee staff liaison, as appropriate, is responsible for
  - 3 recording the minutes of the meeting.
  - 4
  - 5
  - 6

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## SECTION 4: FINANCIAL POLICIES

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### 4.1 ANNUAL BUDGETING PROCESS

Budgeting is one of the most important sub-functions of financial management and guides many of the operations of the Association. The process is continuous, as once the budget is approved it is subject to constant review and change when necessary.

The Treasurer and Chief Executive Officer are ultimately responsible for the budget. An annual budget will be prepared for each fiscal year and presented to the Finance Committee, Executive Committee and Board of Directors for approval. The following time frame is a guideline for those participating in the budget process.

Mid June to CEO

- Proposed Committee Program Budgets
- Proposed Administrative Budget
- Proposed Capital Budget
- Proposed Issues Mobilization Budget

Beginning of July Treasurer & CEO review

- Proposed Combined Administrative/Program Budget on which dues are based
- Proposed Capital Budget
- Proposed Issues Mobilization Budget

Mid to Late July for review and approval

- All three budgets to Finance Committee

Mid August for review and approval

- All three budgets to Executive Committee

Late August/Early September for review and approval

- All three budgets to Board of Directors not later than two (2) weeks prior to the next scheduled meeting date of the Board of Directors.

Committee and administrative budget submittals should be as detailed as possible indicating what the request is for and when it is needed. Some budget submittals may be general in nature, but should be accompanied by a general discussion of the purpose for the request.

### 4.2 GENERAL OPERATING GUIDELINES

The following shall serve as guidelines concerning financial management

#### Administrators

The following individuals shall have certain financial management responsibilities:

- Treasurer
- Assistant Treasurer
- Chief Executive Officer and his/her Assigned Staff

#### Fiscal Year

The fiscal year of the Association shall be the calendar year.

#### Reviews/Audits

In accordance with the annual budget, the CEO shall employ an Accounting firm to conduct an annual review or audit.

#### Records

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1 The following records, and others deemed necessary, shall be maintained relating to the Association's  
2 finances:

- 3 • Balance Sheet and Income Statements
- 4 • Cash receipts and disbursement records
- 5 • Inventory
- 6 • Payroll records
- 7 • Annual reviews and or audits

8  
9 All records will be clear, concise and available to the members of NHAR.

### 10 **Dues/Assessments**

11 The level of dues and any assessments shall be established as described in the Bylaws and/or policy. Dues  
12 will be prorated for new members on a monthly basis. Dues and other assessments shall not be refundable  
13 unless otherwise approved by the CEO.

### 14 **Fidelity Bond**

15  
16 The Treasurer, Assistant Treasurer, Chief Executive Officer & any appropriate staff may be bonded by the  
17 position and/or responsibilities.

### 18 **Insurance**

19  
20 In accordance with the annual budget, the Chief Executive Officer shall review and make any appropriate  
21 changes to the levels and limits of all Association insurance protection plans.

### 22 **Lending/Borrowing**

23  
24 The Board of Directors shall have the sole authority to authorize the lending or borrowing of funds.

### 25 **Staff Compensation**

26  
27 The Chief Executive Officer's compensation shall be determined between the Chief Executive Officer and  
28 the Executive Officers. The Chief Executive Officer shall determine individual staff salaries within budget.  
29 Bonuses or other compensation (under a total of \$10,000) shall be determined and authorized by the  
30 Executive Committee. The Executive Officers will also be privy to viewing all staff salaries. The Executive  
31 Committee and any NHAR Director, upon request to the Chief Executive Officer, may view all staff salaries,  
32 provided that the Executive Committee member or the NHAR Director has first executed a confidentiality  
33 statement in a form and format prescribed by NHAR.

### 34 **Employee Pension Plan**

35  
36 It is the policy of the Association to fund a retirement benefit plan for employees. Said retirement plan shall  
37 be funded pursuant to the amount specified by the Budget. The Chief Executive Officer shall annually  
38 review the program and make appropriate recommendations to the Finance Committee.

### 39 **Cash & Investment Management**

40  
41 The selection of operating accounts shall be at the discretion of the Chief Executive Officer with the  
42 guidance of the Treasurer and the Finance Committee. Checking accounts and withdrawals from savings  
43 accounts will require two (2) signatures for amounts over \$1,000. The authorized check signers are the  
44 Treasurer, Assistant Treasurer, Chief Executive Officer and one (1) senior staff member.

45  
46 The CEO with the assistance of a staff person shall prepare a cash flow projection for the year based on  
47 the approved budget that will reflect a reasonable estimate of cash flow timing. This vehicle will be shared  
48 with the cash management firm for consideration of placing any funds for investment and to ensure that the  
49 appropriate funds are available when needed.

### 50 **Consumer Price Index (CPI)**

51  
52 When referring to the CPI, the "(CPI-U) Northeast Region All Items 1982-84=100" as published by the  
53 United States Department of Labor Bureau of Labor Statistics for the most recent period shall be used.

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### 4.3 INVESTMENT POLICY STATEMENT OF PURPOSE

*(Approved by the NHAR Board of Directors on June 15, 2011)*

This policy statement outlines the goals and investment objectives of the Investment Portfolio (Portfolio) for The New Hampshire Association of REALTORS® (NHAR).

Since this document is intended to provide guidelines for NHAR and their investment advisors responsible for managing the Portfolio's assets, it outlines certain specific investment policies, which will govern how those goals are to be achieved. This statement:

Describes an appropriate risk posture for the investment of the Portfolio's assets;

Specifies the target asset allocation policy;

Establishes investment guidelines regarding the selection of investment managers, permissible securities and diversification of assets;

Specifies the criteria for evaluating the performance of the Portfolio's investment managers and of the Portfolio as a whole; and

Defines the responsibilities of NHAR, their investment advisors, and the other parties responsible for the management of the Portfolio assets.

These policies should reflect the Portfolio's current status and NHAR's philosophy regarding the investment of assets. These policies will be reviewed and revised periodically to ensure they adequately reflect any changes related to the Portfolio, the financial status of NHAR, and the capital markets.

#### RISK AND RETURN

In a context of Capital Preservation, the NHAR Finance Committee's primary goal is to protect working capital while making every effort to maximize interest earned on fixed income securities in a short duration portfolio.

Recognizing the need to offset inflation, a portion of the portfolio is to be committed to a longer-term strategy. The long-term money, invested to improve the probability of an improved return, is to be invested in equity and will be limited to a fixed percentage of the overall portfolio.

The Finance Committee imposes no social constraints.

Risk and Return continued:

The following rates of return are acceptable given market conditions as of the revision date noted above.

7-½% on equity;

3% on fixed income; and

1% on money market.

#### TARGET ALLOCATION

1. Equity 20 to 70%

2. Fixed income 30 to 80%

#### ACCEPTABLE INVESTMENTS

1. Equity-

Individual Common stocks (preferably with dividends and/or low P/E)

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1 Stock Mutual Funds  
 2 Outside Investment manager(s) employed for the purpose of managing a specific segment of the  
 3 portfolio  
 4 Preferred Securities (underlying equity BBB or better)  
 5

## 6 2. Fixed Income-

7 Money Markets  
 8 Certificates of Deposit  
 9 US Treasury obligations  
 10 Investment Grade Corporate or Municipal bonds (Standard & Poor's Long-term Grade of "BBB" or  
 11 higher)  
 12

## 13 INVESTMENT PERFORMANCE EVALUATION

14  
 15 The Portfolio's performance shall be reported in terms of a rate of return and changes in dollar value.  
 16 The returns shall be compared to a blend of market indices that mirror the composition of the Portfolio,  
 17 for the most recent quarter and for annual and cumulative prior time periods.  
 18

## 19 STATEMENT OF RESPONSIBILITIES

20  
 21 The Finance Committee, with the approval of the Board of Directors, currently has the responsibility for  
 22 establishing the investment policy and execution thereof. This includes Financial Advisor selection,  
 23 investment selection approval and the monitoring of portfolio performance according to stated guidelines.  
 24

25 The NHAR Executive Staff and Treasurer, have responsibility for day-to-day oversight for NHAR's  
 26 financial assets. The Financial Advisor will review the account and make recommendations both for  
 27 overall strategy and for specific investment selection subject to the Finance Committee's approval.  
 28

## 29 FINANCIAL ADVISOR COMMUNICATIONS WITH FINANCE COMMITTEE

- 30
- 31 • Provide monthly statements detailing portfolio valuations and transaction listings
  - 32 • Provide inter-month portfolio valuations via on-line services.
  - 33 • Meet at least annually (or as needed) with the committee.
  - 34 • Review past investment performance, evaluate the current investment outlook, and discuss  
 35 investment strategy.
  - 36 • Provide information regarding major changes in investment policy that may result in major  
 37 investment strategy changes.
  - 38 • Review any significant changes in management, research, personnel or ownership within the  
 39 investment management firm.
  - 40 • Financial advisor will be available for telephone consultation on a reasonable basis.  
 41

## 42 SUMMARY

43  
 44 The language of this Policy Statement should provide meaningful guidance in the investment of NHAR's  
 45 financial assets but not be overly restrictive given changing economic, business, and investment market  
 46 conditions. The policies will be reviewed and revised periodically to ensure they adequately reflect any  
 47 changes related to the portfolio, the financial status of NHAR and the capital markets.  
 48

## 49 **4.4 RESTRICTED & SPECIFIC RESERVE ACCOUNTS**

50 It shall be the policy of the New Hampshire Association of REALTORS® to establish and maintain certain  
 51 Restricted Reserve Accounts for the purpose of meeting both anticipated and unanticipated significant  
 52 expenditures. Those Restricted Reserve Accounts shall include, but not be limited to, the following four (4)  
 53 accounts:  
 54

- 55 • Legal Reserve Account.
- 56 • Building Reserve Account.

- 
- 1 • Equipment Reserve Account.
  - 2 • Strategic Plan Reserve Account.

3  
4 The Legal Reserve, Building Reserve, and Equipment Reserve accounts have each been funded in the  
5 amount of \$50,000; the Strategic Plan Reserve Account has been funded in the amount of \$25,000. The  
6 Finance Committee will review the balance of these accounts at the end of the fiscal year and will make  
7 appropriate recommendations for the replenishment of funds for approval by the Executive Committee  
8 and/or Board of Directors.

9  
10 A fifth specific reserve account, known as the Capital Budget Account, was established to meet planned  
11 capital improvements of the building and equipment for a specific year. This is an additional budgeted  
12 account, approved by the Finance Committee, Executive Committee and Board of Directors annually with  
13 the Association's Operating Budget.

14  
15 The Association may, from time to time, establish any other Restricted Reserve Account(s) that is deemed  
16 in the best long-term interest of the Association and its members.

#### 17 Definitions

18 Legal Reserve Account – The Legal Reserve Account shall be established and maintained in order to fund  
19 the NHAR Legal Defense Account that is used to defend the Association in adverse suits and provides legal  
20 assistance to local boards and members as outlined in the Guidelines for the NHAR Legal Defense Account  
21 approved by the Board of Directors on June 27, 2001, and included as Appendix B.

22  
23 Building Reserve Account – The Building Reserve Account shall be established and maintained to meet  
24 major maintenance and replacement costs to the physical property(s) of the Association. Such expenses  
25 may include, but not be limited to, the following:

- 26 • Repaving of the parking lot.
- 27 • Carpet replacement.
- 28 • Painting of the interior and/or exterior of the building.
- 29 • Roof repair or roof shingle replacement.
- 30 • Septic repair or replacement.
- 31 • Heating, ventilation and air conditioning systems repair or replacement.

32  
33 Equipment Reserve Account -- The Equipment Reserve Account shall be established and maintained for  
34 the replacement or repair of significant equipment used by the Association in the conduct of its business.  
35 Such equipment may include, but not be limited to, the following:

- 36 • Network hardware, peripherals, software and services.
- 37 • Computer hardware, peripherals, software and services.
- 38 • Telecommunications systems hardware, software and services.
- 39 • Internet and World Wide Web systems hardware, software and services.
- 40 • Telephone systems hardware, software and services.
- 41 • Facsimile hardware, software and services.
- 42 • Photocopying hardware and software systems and services.
- 43 • General office equipment.

44  
45 Strategic Plan Reserve Account – The Strategic Plan Reserve account shall be established and maintained  
46 for the Strategic Plan process and implementation.

#### 47 **Funding**

48 The funding for the Restricted Reserve Accounts may be achieved in one of two ways:

- 49 1. Allocation of a portion of the Association's *Member Equity Funds* at the end of the fiscal year as  
50 determined and approved by the Finance Committee, Executive Committee and the Board of  
51 Directors.



- 
- 1           2. Allocation from the *Annual NHAR Operating Budget* and funded through *Dues and Other Income*  
2           as determined and approved by the Finance Committee, Executive Committee and the Board of  
3           Directors.

#### 4           **Withdrawals**

5           Withdrawals may be made from the Restricted Reserve Accounts upon the recommendation of the Chief  
6           Executive Officer and with the approval of the Finance Committee and Executive Committee. Withdrawals  
7           in excess of Ten Thousand Dollars (\$10,000) shall require the approval of the Board of Directors, except in  
8           instances of endangerment to the health and welfare of the members and staff or the integrity of the NHAR  
9           building or equipment.

#### 10          **General Operating Reserve Policy**

11          The New Hampshire Association of REALTORS general reserve policy is to maintain a reserve level of 6  
12          to 8 months of operating reserves. This should be reviewed at the end of each fiscal year and in accordance  
13          with recommendations from the NHAR accountant.

### 14          **4.5 CONTRACT GUIDELINES**

15          All contracts to be developed or considered for signature must be reviewed by the Chief Executive Officer  
16          and/or general counsel. If there is any doubt as to the determination of whether a particular situation  
17          requires a contract, the Chief Executive Officer will provide guidance.

18          The Chief Executive Officer shall execute all contracts for budgeted items.

#### 19          **Elements**

20          The specific terms of contracts covered by this procedure may vary depending on such factors as the goods  
21          or services to be provided, the particular contractor, the risk to the Association, etc. Therefore, it is not  
22          possible to specify a model contract. There are, however, basic elements, which should be included in all  
23          contracts.

24          These are:

- 25           • The parties to the contract must be specifically named.
- 26           • Scope of work or services should adequately specify the work to be performed.
- 27           • Cost and payment schedule (specifying that payments will not exceed the percentage of the work  
28           performed).
- 29           • Term of the contract.
- 30           • Frequency and type of reports to be provided.

31          Depending on the subject of the contract and other factors, other clauses may be added on an individual  
32          basis.

33          In order to avoid problems, which will impede the negotiation process, requests for proposals should include  
34          a list of those clauses the Association will require in a given contract. In order to assure the inclusion of all  
35          appropriate clauses, the Chief Executive Officer should be consulted prior to the release of requests for  
36          proposals.

37          Copies of draft or final contracts shall not be disseminated outside the Association without prior review by  
38          the Chief Executive Officer and/or general counsel. Further, no employee, officer or member, other than  
39          those specifically authorized to do so, shall make oral commitments on behalf of the Association.

#### 40          **Processing Procedures**

41          The originator shall submit proposed contract documents to the Chief Executive Officer for signature.

42          Normally, only two copies of a contract are signed. Exceptions will be made only when there are more than  
43          two parties to the contract or where some other requirements (such as with government) must be met.  
44          Exceptions are to be noted on the covering memorandum.

---

1 An original of the completed contract is to be returned to the Chief Executive Officer or his/her designee for  
2 retention and filing. No payments will be made to any contractor until the Chief Executive Officer or his/her  
3 designee has received an executed copy of the contract.  
4

#### 5 **4.6 EXPENSE REIMBURSEMENT PROCEDURES**

6 The following shall serve as guidelines concerning expense reimbursements:  
7

##### 8 **Expense Reimbursement Approval**

9 Only expenses related to authorized Association business budgeted for through the Board of Directors  
10 adopted annual budgets and other policies shall be reimbursable.  
11

##### 12 **Expense Recipients**

13 Normally, the following shall be authorized expense reimbursement recipients:  
14

- 15 1. Staff Members.
- 16 2. Officers (as authorized in NHAR Annual Budget):
  - 17 a. President
  - 18 b. President-elect
  - 19 c. Treasurer
  - 20 d. Chief Executive Officer
- 21 3. NAR Directors or others (as authorized in NHAR Annual Budget).  
22  
23  
24  
25

##### 26 **Expense Reporting and Documentation**

27 Expenses shall be reported to the CEO on prescribed expense report forms and documented with receipts,  
28 per current IRS receipt guidelines, prior to reimbursement. Expenses shall be reported within thirty (30)  
29 days and any expenses over three (3) months old may not be reimbursed. All expense reimbursement  
30 requests for a particular fiscal year must be received prior to December 31 of that fiscal year.  
31

##### 32 **Reimbursable General Expenses**

33 Reimbursable expenses shall be transportation; parking; lodging; meals; gratuities; registration fees and  
34 other normally accepted business related expenses authorized by the Chief Executive Officer in accordance  
35 with the adopted policies and the NHAR Annual Budget.  
36  
37

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## SECTION 5: GENERAL POLICIES

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### 5.1 SMOKING POLICY

It is the policy of the Association that smoking of any kind will not be allowed in the Association building. Smoking is permitted outside in the covered areas.

### 5.2 RECORD RETENTION

<u>Type of Record</u>	<u>Recommended Period</u>
<b>Basic</b>	
Corporate documents including Bylaws, all meeting minutes, and annual financial operation and sales reports.	Permanently
<b>Correspondence</b>	
General	2 years
Legal	Permanently
<b>Financial Documents</b>	
Accounting journals and ledgers	10 years
Accounts receivable and credit	2 years
Audits	Permanently
Billing and cash receipts record	Until federal and state tax clearance
Canceled checks	7 years
Chart of accounts and depreciation schedules	Permanently
Financial statements	2 years
<b>Insurance</b>	
Policies (expired)	3 years following expiration
Other records (claims, etc.)	Permanently
Accident reports and claims	7 years
<b>Legal Documents</b>	
Copyrights	Permanently
Contracts and leases (expired)	6 years following expiration date
Deeds	Permanently
Lawsuits (settled)	6 to 10 years following settlement
<b>Membership Applications</b>	
	3 years
<b>Payroll</b>	
Earnings records	4 years
Payroll register	4 to 6 years
Pension information	Permanently
<b>Personnel</b>	
Applications	3 years
Files (after termination)	1 year following termination
<b>Postage Meter Book</b>	
	1 year
<b>Purchasing</b>	
Bids	7 years
Capital equipment	6 years
Routine items	3 years
<b>RPAC Records</b>	
	3 years
<b>Production</b>	
Orders	2 years
Operating reports (monthly)	2 years
Operating reports (annual)	Permanently
<b>Sales</b>	
Sales orders	2 years
Shipping records	2 years
<b>Securities</b>	
Stocks and bonds (canceled)	Permanently
<b>Tax Returns</b>	
Excise	4 years
Purchase and use	3 years
Federal and state	Permanently

---

### 5.3 GUIDELINES FOR NHAR SPEAKING ENGAGEMENTS

Any local Board requesting an appearance of NHAR leadership or staff should use the following guidelines:

All requests should be made through NHAR headquarters.

Contact NHAR if you are unsure about who should/can speak on a certain topic.

Specific role of leadership should be noted, such as Installing Officer, Guest or Keynote Speaker, etc.

Time allocation, objectives, and speaking topic(s) should be clearly noted.

Purpose of meeting, i.e., business or social. Whether an accompanying guest invitation is extended, and appropriate dress should be clearly noted.

Indicate other NHAR leadership or staff also invited to attend the event and in what role.

Confirmation, with all details should be made at least one week prior to the event.

Note – all NHAR authorized appearances by NHAR staff for speaking, business, or social events must be approved in advance by the CEO.

Pertinent Information should include:

Name of Person Requested

Purpose of Visit

Date

Time

Location

Board

Contact

Contact Information

Other

### 5.4 CHIEF EXECUTIVE OFFICER GUIDELINES

The Chief Executive Officer (“CEO”) is the contracted Executive of the New Hampshire Association REALTORS® and the Association shall follow the policies set forth in his or her contract, which shall include but not be limited to the following major sections:

Employment Term

Job Description

Duties and Responsibilities

Compensation

Other Activities

Insurance

Retirement Plan

Expense Reimbursement

Other Benefits

Evaluation

Nondisclosure of Confidential Information

Indemnification

Amendment and Termination

#### Reporting Relationships

The CEO reports to the President, Executive Committee and the Board of Directors of the Association.

#### Resignation/Termination Procedure

The CEO may resign from service or be dismissed from service with or without cause in accordance with his/her contractual agreement.

CEO resignations are accepted by the then-current NHAR President in writing and must be signed. When appropriate, the resignation should take effect immediately and the NHAR Senior Staff Person immediately takes on the responsibilities of the Acting Chief Executive Officer and shall act to secure Association assets. The Executive Committee shall be informed in a timely manner and should meet within five (5) working days to plan and initiate the formation of an Chief Executive Officer Search Committee (“CEO Search

Committee”). The CEO Search Committee shall provide a report to the NHAR Board of Directors at its next meeting and request approval of written guidelines for staffing the Chief Executive Officer position to include a search budget, salary range, and benefits. The top three (3) candidates identified by the CEO Search Committee, having been approved and vetted by the Executive Committee, shall be presented to the NHAR Board of Directors with confidential summaries of resumes and interview notes. The NHAR Board of Directors shall approve candidates in order of preference and authorize the President, President-Elect, Treasurer and Immediate Past President to offer employment on behalf of the Association. All negotiations between NHAR and candidates for the Chief Executive Officer position shall be in writing.

### **Grievance Procedure**

In any work environment questions or problems may arise. Consequently, the following procedure is the guideline for the Chief Executive Officer to follow to settle a grievance in a fair and timely manner:

The Chief Executive Officer should first address the matter with the NHAR President. Most problems are handled through discussion.

If the problem is not settled to the satisfaction of the Chief Executive Officer or President, the next step is to discuss it with the NHAR Immediate Past President.

If this does not settle the problem or the problem concerns the President and/or Past President, the next step is to take the issue in writing to the Executive Committee members who are not party or parties to the complaint.

### **Evaluation Procedure**

Annually during the term of the Employment Agreement between the CEO and NHAR, NHAR shall evaluate and assess the performance of the CEO, the first evaluation shall occur not later than one (1) year following the commencement date of employment. Such evaluation shall relate to (1) the duties and responsibilities of the CEO under the Employment Agreement, (2) the CEO’s progress toward established goals as set forth in the job description attached to the Employment Agreement, (3) the working relationship between the CEO, the staff and the membership, and (4) the successful completion of the current year’s Annual Goals and Objectives as set forth in writing between the CEO and the then-current NHAR President (“Annual Goals and Objectives”). The Annual Goals and Objectives shall be agreed to in writing between the CEO and the NHAR President-Elect not later than sixty (60) days prior to the end of each calendar year, except for the first year of employment during which the Annual Goals and Objectives shall be agreed to as provided herein between the CEO and the current NHAR President not later than thirty (30) days following the commencement date of employment.

The evaluation shall be carried out by a body consisting of the NHAR Immediate Past President, the then current President, President-Elect, and Treasurer, which shall meet without the CEO in Executive Session to prepare for the evaluation, and, thereafter with the CEO to discuss the evaluation. Following these sessions, the four (4) officers referenced above will meet again in Executive Session without the CEO to determine the evaluation results, after which, the then current President and President-Elect will meet with the CEO for review of the evaluation results. In the event that the performance of the CEO is deemed unsatisfactory in any respect, they shall describe in writing, in reasonable detail, specific instances of unsatisfactory performance. The evaluation shall include recommendations as to areas of improvement in all areas where the performance is deemed to be unsatisfactory. A copy of the written evaluation shall be given to the CEO. If the CEO disagrees with such evaluation, he may respond in writing to be delivered to the current President. All such writing shall be made part of the CEO’s confidential personnel file. Upon completion of the evaluation, recommendations for changes in the compensation and benefits of the CEO, if any, and for payment of an annual bonus, if any, shall be made to the Executive Committee consistent with the terms of the Employment Agreement.

## **5.5 ANNUAL CALENDAR OF DEADLINES**

### **January**

Fiscal Year begins

Honor Society forms are distributed to local Boards

- 
- 1 **February**  
2 Professional Standards Workshop  
3 Professional Standards Manual is updated and approved  
4
- 5 **March**  
6 March 31 is deadline for Honor Society application  
7 April 1 is deadline for Local Boards to submit Credentials Working Group names  
8 ROTY forms are distributed to Local Boards  
9 Financial Audit/Review presented to BOD for approval  
10 Board of Directors meet  
11
- 12 **April**  
13 Credentials provides a list of qualified potential candidates to the Local Boards  
14 Honor Society Working Group meets  
15
- 16 **May**  
17 NAR Mid-Year Legislative Meetings in Washington, DC  
18 Annual budget process begins  
19
- 20 **June**  
21 Deadline for committees to complete annual program budgets  
22 Deadline for staff to complete annual administrative budgets  
23 Deadline for Credential forms to NHAR  
24 Deadline for ROTY forms to NHAR  
25 Board of Directors meet  
26
- 27 **July**  
28 Credentials Working Group certifies qualified candidates  
29 Credentials Working Group slate noticed to members 15 days before election  
30 Budgets submitted to Finance Committee  
31 Finance Committee meets for budget approval  
32 Committee signup sheets distributed  
33 ROTY Working Group meets  
34
- 35 **August**  
36 Annual membership meeting/election of officers  
37 Installation request forms are distributed to the Local Boards  
38 Budget submitted to Executive Committee  
39 Executive Committee reviews and finalizes budget  
40 Budget submitted to Board of Directors  
41 Board of Directors approves budget  
42
- 43 **September/October**  
44 NHAR Annual Convention/Installation of Officers  
45 Certificate of NAR Annual Convention Voting Delegate to NAR  
46
- 47 **November**  
48 NAR Annual Conference and Exposition  
49 Notify committee members of appointments  
50
- 51 **December**  
52 NHAR Annual Leadership Conference  
53 Local boards notify NHAR of ensuing year's NHAR directors and alternates  
54 Affiliated organizations notify NHAR of ensuing year's president and alternate  
55 Board of Directors meet  
56

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## 1 **5.6 USE OF RENTED FACILITIES**

2 Facilities rented by NHAR shall be used solely to conduct the business of the Association. This shall apply  
3 to hotel suites, function rooms, conference rooms, or other such facilities. Exceptions to this policy shall be  
4 based on proper NHAR review and authority, including NHAR standing committee action within the  
5 approved NHAR budget, or authority granted by the NHAR President or Chief Executive Officer within the  
6 approved NHAR budget.

## 7 **5.7 POLITICAL CONTRIBUTIONS**

8 NHAR receives voluntary political contributions made by NHAR Members to either the NH REALTORS®  
9 Political Action Committee (NH RPAC) or the NHAR Issues Mobilization Fund (IMF).

10  
11  
12 NHAR processes the contributions to include recording the contributor's name, local Board of  
13 REALTORS®, National REALTORS® Database System (NRDS) identification number, contribution type  
14 (NH RPAC or IMF), and amount.

15  
16 Annually, NHAR and NAR agree to an annual fundraising goal and to the percentage of the contribution  
17 amount that is transmitted to the National Association of REALTORS® Political Action Committee (RPAC)  
18 or the NAR Political Action Fund (NAR PAF). NHAR transmits this percentage of the contribution raised  
19 towards reaching goal, to RPAC or NAR PAF based on the contribution type.

20  
21 The balance of the contribution is transmitted to the NH RPAC or the IMF based on the contribution type.

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**APPENDIX A**  
**BYLAWS OF THE NEW HAMPSHIRE ASSOCIATION OF REALTORS®, INC.**

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# BYLAWS

NEW HAMPSHIRE ASSOCIATION OF REALTORS®, INC.

AMENDED:

December, 1989  
September, 1990  
November, 1990  
December, 1990  
June, 1991  
February, 1992  
September, 1993  
September, 1994  
June, 1997  
December, 1998  
February, 2000  
June, 2000  
August, 2002  
March, 2004  
June, 2005  
June, 2008  
June, 2009  
June 2010  
June 2011  
December 2011  
June 2012  
June 2015  
March 2016  
March 2017  
August 2019



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## BYLAWS

of the

### NEW HAMPSHIRE ASSOCIATION OF REALTORS®, INCORPORATED

#### ARTICLE I

##### Name and Objectives

Section 1. The name of this organization shall be: New Hampshire Association of REALTORS®, Incorporated, hereinafter referred to as the Association.

Section 2. The objectives of the Association shall be to unite local Boards of REALTORS®, hereinafter referred to as Member Boards and their Members in the State of New Hampshire for the purpose of exerting effectively a combined influence upon matters affecting real estate; to elevate the standards of the real estate business throughout the state and the professional conduct of persons engaged therein; to provide a facility for education, research and exchange of information for those engaged in the recognized branches of the real estate business; to inform the public of the advantages of transacting business with REALTORS®; and to encourage the use by Members of the term REALTOR® and the emblem seal. *(Amended 12/98, 03/04, 06/15)*

Section 3. As used in these Bylaws, the terms REALTOR® and REALTORS® shall be as defined in Article XIV. REALTOR® members are individuals engaged in the real estate profession as a principal, partner, corporate officer, or branch office manager acting on behalf of the firm's principal(s) who meet the qualifications for REALTOR® membership established by the NATIONAL ASSOCIATION OF REALTORS®, hereinafter referred to as NAR, and known as NAR's Membership Qualification Criteria. *(Added 06/15)*

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## ARTICLE II

### Membership

Section 1. The Members of this Association shall consist of the following eight classes: (1) Member Boards, (2) Board Members, (3) Secondary Members, (4) Institute Affiliate Members, (5) Affiliate Members, (6) Honorary Members, (7) Life Members, and (8) Student Members. Board Members shall be Active Members of the Association. *(Amended 12/98, 03/04, 06/15)*

Section 2. A Member Board shall be any local Board of REALTORS® within the State of New Hampshire, all the REALTOR® members of which who hold primary membership in the Member Board, hold membership in the Association and in the NAR. *(Amended 03/04, 06/15)*

Section 3. A Board Member shall be any REALTOR® member of a Member Board as previously defined.

Section 4. . A Secondary Member shall be an individual who holds primary membership in a board/association of REALTORS® in another state and who desires to obtain direct membership in the Association without holding membership in a Member Board. Such Secondary Members shall have all the duties and obligations, to the Association of Board Members and shall be subject to disciplinary action as provided for in the Association's Code of Ethics and Arbitration Manual. *(Amended 03/04, 06/15)*

Section 5. Institute Affiliate Members shall be individuals who hold a professional designation awarded by an Institute, Society or Council affiliated with NAR 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. *(Amended 08/02, 06/15)*

Section 6. Affiliate Members shall be individuals who are affiliate members of Member Boards. Affiliate Members shall hold individual membership with dues set annually by the Board of Directors

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of the Association, hereinafter referred to as the Board of Directors. *(Amended 08/02, 03/04)*

Section 7. Honorary Members shall be individuals other than those engaged in the real estate business who have contributed notably to the Association.

Section 8. Life Members shall be Members who, due to their stature or position in the Association, their contributions to the Association, or the length and quality of their service to the Association are deemed, with the approval of the Board of Directors, to be deserving of this status. *(Added 02/92)*

Section 9. Student Members shall be individuals who are seeking undergraduate or graduate degrees with a specialization or major in real estate at institutions of higher learning, but are not engaged in the real estate profession on their own account and not associated, except as a student intern, with an established real estate office. *(Added 06/97), (Amended 03/04)*

### **ARTICLE III**

#### **Dues and Fees**

Section 1. The annual dues of each Member Board as defined in Article II, Section 2 of these Bylaws shall be an amount as established annually by the Board of Directors times the number of REALTOR® members who hold primary membership in the Association, plus real estate salespersons and licensed or certified appraisers employed by or affiliated as independent contractors with REALTOR® members of the Member Board who are not themselves REALTOR® members. In calculating the dues payable by a Member Board, nonmembers, as defined in the preceding sentence, shall not be included in the computation of dues if dues have been paid in another REALTOR® board or association in the state or a state contiguous thereto, provided the Member Board notifies the Association in writing of the identity of the REALTOR® board or association to which dues have been remitted. *(Amended 03/04, 06/15)*

Section 2. The annual dues of each Institute Affiliate Member shall be established by the Board of Directors. *(Amended 08/02, 03/04)*

Section 3. Upon payment to the Association of the dues required under Section 1 & 2 of this Article,

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each REALTOR® member of Member Boards and each Institute Affiliate Member, as the case may be, shall be deemed a Member of the Association in good standing. Upon payment of dues required under any other Sections of this Article, the individuals making such payment shall be deemed a Member as designated in good standing of the Association. *(Amended 03/04, 06/15)*

Section 4. The annual dues of each Affiliate Member shall be determined by the Board of Directors.

Section 5. In January of each year, each Member Board shall file with the Association, in such format as shall be determined by the Association, a list of its REALTOR® members, Institute Affiliate Members, and Affiliate Members and the real estate salespersons and licensed or certified appraisers employed by or affiliated as independent contractors with such REALTOR® members, certified by the president and secretary of the Member Board, and that Member Board shall pay dues for the current year on or before January 1 on the basis of such list; provided, however, adjustments shall be made each month to reflect those new Members enrolled by the Member Board during the preceding month. On a monthly basis, the Member Board shall report to the State Association the names and addresses of REALTOR® members and Institute Affiliate Members enrolled during the preceding month. Any Member Board or other Member delinquent in payment of dues by more than 90 days may be dropped from membership in the Association by the Board of Directors. *(Amended 03/04)*

Section 6. Each Member Board may be assessed an amount as determined from time to time by the Board of Directors times the number of Members who are REALTOR® members and Institute Affiliate Members of the Member Board, plus an amount times the number of real estate salespersons and licensed or certified appraisers employed by or affiliated as independent contractors with REALTOR® members of the Member Board, who are not themselves REALTORS®, such assessments to be paid with Member Board dues or at any other time as established by the Board of Directors for such special Association activities that fall within the objectives of the Association as provided in Article I, Name and Objectives, Section 2 of the Bylaws. *(Amended 03/04, 06/15)*

Section 7. Life Members of the Association shall not be required to pay any portion of the Association dues regardless of whether or not they are required to pay a Member Board or NAR portion. *(Added 02/92, 03/04)*

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**ARTICLE IV**

**Executive Offices**

**Section 1.** The elective Executive Offices of the Association shall be:

- a) A President, who shall:
  - (1) Have served as President-Elect; and
  - (2) Serve a one (1) year term and shall not be eligible to serve a second consecutive term; and
  - (4) Preside at meetings of the Executive Committee and the Board of Directors. (*Amended 02/92, 03/04,08/19*)
  
- b) A President-Elect, who shall:
  - (1) Have served as First Vice President; and
  - (2) Serve a one (1) year term; and
  - (3) In the absence of the President, fill the duties of the Office of the President; and
  - (4) Succeed to the Office of President. (*Amended 12/89, 02/92, 06/97, 03/04, xx/15*)

In the event of death, disability or vacancy in the Office of the President and the inability or incapacity of the President-Elect to succeed to such Office pursuant to this Section, the Office of President shall be filled until the next annual election by the First Vice President. (*Added 02/92, 03/04*) (*Amended 06/15*)

- c) A First Vice President, who shall:
  - (1) Have served as Second Vice President; and
  - (2) Serve a one (1) year term; and
  - (3) Succeed to the Office of President-Elect. (*Amended 03/16*)
  
- d) A Second Vice President, who shall:
  - (1) At the time of election, have completed a minimum of one (1) year term as one of the following: Treasurer of the Association, Member Liaison, or Standing Committee Chair within the previous five (5) years, or a Member Board president, within the previous three (3) years; and

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- (2) Prior to taking Office, have successfully completed the Association leadership program defined in the Association Policy Manual; and
  - (3) Serve a one (1) year term; and
  - (4) Succeed to the Office of First Vice President. *(Added 06/15)*

In the event of death, disability or vacancy in the Office of the President and the inability or incapacity of the President-Elect and First Vice President to succeed to such Office pursuant to this Section, the Office of President shall be filled until the next annual election by the Second Vice President. *(Added 06/15)*

e) A Treasurer, who shall:

- (1) At the time of election, have completed a minimum of two (2) years of service on the Finance Committee within the previous five (5) years; and
- (2) Serve a two (2) year term and be eligible to be elected to serve one (1) consecutive two (2) year term; and
- (3) Be the custodian of the funds and securities of the Association. *(Amended 09/90, 06/91, 02/92, 06/97, 03/04, 03/17)*

f) A Chief Executive Officer, who shall also serve as the Secretary of the Association and serve as chief executive officer of the Association, as named in Article V, Section 10 of these Bylaws, but will not have a vote. *(Amended 02/92, 03/04, 08/19)*

g) An Immediate Past President, who shall:

- (1) Have served as President in the previous year; and
- (2) Be an Active Member in good standing of the Association. *(Amended 03/04)*

All Offices shall be held for the above designated terms or until their successors are elected and qualified, and shall be members of the Board of Directors. Except for the Office of Secretary, only Active Members in good standing and, with the exception of the Treasurer, who have served within the past five (5) years as Directors of this Association or who have served as a Member Board president within the previous three (3) years, shall be entitled to hold Office in the Association. *(Amended 02/92, 03/04)*

Section 2. The Executive Officers shall consist of the President, the President-Elect, the Secretary, the Treasurer and the Immediate Past President. *(Amended 08/02, 03/04)*

The duties of the Executive Officers shall be such as their titles, by general usage, would indicate and such as may be assigned to them, respectively, by the Board of Directors from time to time, and such as required by the law. *(Amended 03/04)*

Section 3. The Treasurer, Chief Executive Officer and all those with the authority to endorse Association checks, shall provide a surety bond in such amount as the Board of Directors may determine the cost to be paid by the Association.

Section 4. Candidates for the Office of President, President-Elect, First Vice President, Second Vice President, Treasurer, and all other elected Officers shall comply with the Association policy regarding an annual financial, legal and criminal examination. Accordingly, Candidates shall complete and sign an Authorization for Release of Credit, Legal and Criminal Background Information, along with any other or related authorizations. This examination must be completed prior to any Candidate taking Office. *(Added 06/15)*

## ARTICLE V

### Board of Directors

#### Section 1.

(a) The government of the Association shall be vested in a Board of Directors, and consisting of the following: *(Amended 02/92, 03/04, 06/11)*

(1) Two (2) Directors elected or appointed from the Active Members of each Member Board, both of which shall have served as an officer or director of the respective Member Board within the previous five (5) years of being selected and shall serve for a term of two (2) years; and *(Amended 03/04, 06/11)*

(2) An additional Director at Large, who has served as an officer or director of the respective

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Member Board within the previous five (5) years of being selected and shall serve for a term of two (2) years, determined by multiplying the number fourteen (14) by the REALTOR® members of the Member Board and dividing the result by the total number of REALTOR® members of the Association as of July 31<sup>st</sup> of the year immediately preceding, and deleting any remainder; and *(Amended 03/04, 06/11, 06/15)*

(3) The three (3) most recent past Presidents of the Association who are Active Members in the Association; and *(Amended 03/04)*

(4) Each NAR Director from the Association; and *(Amended 03/04)*

(5) Each Chair of the Association's Standing Committees as defined in Article VII of these Bylaws; and *(Amended 08/02, 03/04)*

(6) The four (4) Member Liaisons, who shall:

- a) At the time of election have completed a minimum one (1) year term on the Board of Directors within the previous five (5) years, or at the time of election have completed a minimum of one (1) term on the board of directors of a Member Board within the previous five (5) years; and
- b) Serve a two (2) year term and not be eligible for election to a second consecutive term; and
- c) Each represents the Association at two (2) geographically or historically interrelated Member Boards. *(Amended 02/92, 06/97, 02/00, 06/00, 03/04, 06/11, 12/11, 06/12).*

(7) The current State President of the Institutes, Councils and Societies of NAR; and *(Amended 09/93, 06/97, 03/04)*

(8) All Executive Officers of the Association.

(b) The term "Membership" as used in this Section shall mean the Active Members on file at the Association as of the July 31<sup>st</sup> of the previous year. *(Amended 03/04)*

Section 2. Member Boards shall notify the Association's Chief Executive Officer, in writing, not later than March 1<sup>st</sup> of each year, of the proper election and identity of their respective Directors of the



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Association for that year, as well as named alternates, selected from the current or past officers or directors of the respective Member Board, who shall serve as a substitute Director for any absent Director or the president of the respective Member Board. *(Amended 03/04, 06/10, 08/19)*

Affiliated organizations, as defined in Section 1 (a)(7) of this Article, also shall notify the Association's Chief Executive Officer, in writing, not later than March 1<sup>st</sup> of each year, of the proper election and identity of their respective president for that year, as well as one (1) named alternate, selected from the respective organizations, who shall serve as substitute member of the Board of Directors when the president is absent. *(Amended 11/90, 03/04, 06/10, 08/19)*

If a Director or president of a Member Board or the president of an affiliated organization as defined in Section 1 (a)(7) of this Article cannot attend a meeting of the Board of Directors, the named Member Board or affiliate organization alternate as provided in Section 2 of this Article, may serve as a substitute Director with full voting powers upon written notification to the Association President prior to the meeting.

Section 3. The Board of Directors shall administer the finances of the Association and shall have authority to appropriate money, approve the annual budget, and have sole authority to appropriate monies in excess of ten thousand dollars (\$10,000). The accounts of the Association shall be audited biennially, or as directed by the Board of Directors, by a certified public accountant. *(Amended 11/90, 06/97; 06/00, 03/04)*

Section 4. The Board of Directors may meet at least one (1) time per quarter of each year, at a time and place to be determined by it or the President. Notwithstanding the foregoing, the Board of Directors shall meet in-person no less than two (2) times each year. With the exception of the Immediate Past President, the past President twice removed and the past President thrice removed, absence from two (2) consecutive scheduled or special meetings without an excuse deemed valid by the Executive Committee, as defined in Section 5 of this Article, shall be construed as resignation, with notification to the Member Board requesting immediate replacement. *(Amended 03/04)*

Section 5. There shall be an Executive Committee of the Board of Directors, hereinafter referred to as the Executive Committee, composed of the President, President-Elect, First Vice President, Second Vice

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President, Treasurer, Immediate Past President, Secretary, Member Liaisons, and the Chairs of the Association's Standing Committees as defined in Article VII of these Bylaws. *(Amended 08/02, 03/04)*

The Executive Committee shall make recommendations to the Board of Directors, shall transact all Association business between meetings of the Board of Directors, and shall report such actions in full to the Board of Directors at its next meeting; in the instance where an Officer also serves as a Standing Committee chair, they shall have one (1) vote at Executive Committee and Board of Directors meetings. The Executive Committee is authorized to spend a maximum of ten thousand dollars (\$10,000) on a non-budgeted action, providing that it be brought before the Finance Committee for their review and recommendation. Proxy votes or alternate representatives are not provided for Executive Committee actions except that the President-Elect may stand-in for the Association President position on the Executive Committee should the President be unable to attend. *(Amended 06/97, 03/04)*

Section 6. Special meetings of the Board of Directors may be called at any time upon five (5) days written notice by the President or by twenty percent (20%) of the Directors.

Section 7. A majority of the Directors shall constitute a quorum of the Board of Directors. *(Amended 02/92, 03/04)*

Section 8. A majority of the Executive Committee voting members shall constitute a quorum of the Executive Committee.

Section 9. Any vacancies among the Executive Offices, described in Article IV hereof, shall be filled for the remainder of any unexpired term by a simple majority vote of the Board of Directors, until the next annual election, except that (1) a vacancy in the Office of the President shall be filled by the President-Elect who shall remain as President for the next succeeding year, (2) a vacancy in the Office of the President-Elect shall be filled by the First Vice President who shall remain as President-Elect for the next succeeding year, and (3) a vacancy in the Office of the First Vice President shall be filled by the Second Vice President who shall remain as First Vice President for the next succeeding year. Vacancies of Directors, described in Article V hereof, shall be filled as follows:

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(1) Directors elected by a Member Board shall be filled by timely and appropriate action of that Member Board;

(2) Directors at Large shall be filled for the remainder of any unexpired term by a simple majority vote of the Board of Directors;

(3) NAR Directors shall be filled by timely and appropriate action of the current Association President, subject to approval of the Executive Committee; and

(4) Member Liaison Directors shall be filled for the remainder of any unexpired term by a simple majority vote of the Board of Directors.

Prior to filling a vacancy as described in Section 9(4) above, the candidate must be certified as qualified by the Credentials Working Group, or in the event no qualified candidates have submitted their name to the Credentials Working Group, a simple majority vote of the Board of Directors may waive such qualifications relevant to such vacancy. *(Amended 02/92, 03/04, 06/12, 06/15)*

Section 10. The Board of Directors may employ a Chief Executive Officer who shall be the chief administrative officer of the Association, who shall serve as Secretary of the Association but will not have a vote, and who shall perform such other duties as may be delegated by the Board of Directors. The Chief Executive Officer may employ such persons as may be necessary to conduct the activities of the Association in accordance with the existing Policy Manual of the Association and the approved budget. In the event a managerial staff position is needed, the Chief Executive Officer must receive approval from the Executive Committee prior to hiring. *(Amended 03/04, 08/19)*

Section 11. The Board of Directors may retain legal and other professional counsel and fix the terms of compensation thereof.

Section 12. The President will appoint a non-voting Parliamentarian to be present at every Executive Committee and Board of Directors Meeting who is versed in the rules and procedures of parliamentary law. The Parliamentarian is engaged at such meetings to advise the presiding officer on questions of procedure in transacting the business of the assembly legally, efficiently and impartially and does not participate in the business being conducted. The Parliamentarian is assigned a seat near the presiding officer for convenient consultation and when necessary, is asked to state the ruling or give his/her interpretation of it. *(Amended 03/04)*

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## **ARTICLE VI**

### **Meetings**

**Section 1.** The Association shall hold an annual Membership meeting, hereinafter referred to as the Annual Membership Meeting, to include the election of Active Members to the Offices of the Association and approval of, as appropriate, Association candidate(s) for the NAR director(s) and NAR Regional Vice President, after August 1 and prior to December 31, and at least seven (7) days prior to the installation of Active Members to the Offices of the Association, the time and place to be designated by the President. *(Amended 03/04)*

**Section 2.** The Association may hold an annual convention, hereinafter referred to as the Convention, which shall be open to all Members upon payment of applicable registration fees. *(Amended 06/97; 06/00, 03/04, 06/08)*

**Section 3.** The Installation of Active Members to the Offices of the Association may be held at the Convention. Active Members to be installed to the Offices of the Association who are not present at the Installation of Active Members to the Offices of the Association shall be installed at the next meeting of the Board of Directors following the Installation of Active Members to the Offices of the Association. *(Amended 02/92, 06/97; 06/00, 03/04, 06/15)*

**Section 4.** A majority of the Board of Directors shall constitute a quorum at the Annual Membership Meeting. *(Amended 06/08)*

**Section 5.** At all Association meetings, with the exception of Membership meetings per Article IX, Section 1 of these Bylaws, each eligible individual shall be entitled to only one (1) vote, regardless of representation. The chair of any Association meeting, if a member of the assembly, is entitled to vote when the vote is by ballot (but not after the tellers have commenced to count the ballots), and in all other cases only where the vote would change the result. *(Amended 02/92, 03/04)*

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Section 6. Electronic Transaction of Business. To the fullest extent permitted by law, Association meetings may be conducted by electronic means. *Added (06/09)*

## ARTICLE VII

### Committees

Section 1. The President, subject to the approval of the Executive Committee, shall appoint chairs and members of all committees, standing subcommittees, task forces and working groups of the Association except for the chair of the Finance Committee, and chair and members of the Honor Society Working Group, Credentials Working Group and REALTOR® of the Year Working Group, and shall fill any vacancies that may occur with the exception of vacancies addressed under Article V, Section 9 and Article VIII, Section 8 of these Bylaws. Committee chairs shall serve a one (1) year term, and shall be eligible for reappointment for a maximum of three (3) consecutive one (1) year terms, or until their successors are appointed and qualified, except for the Public Policy Chair who shall serve an initial three (3) year term and who shall be eligible for reappointment to one (1) additional two (2) year term, or until a successor is appointed and qualified. Committee chairs shall have completed or shall agree to complete prior to serving their initial term, a three-hour classroom-based committee chairperson course sponsored and funded by the Association. *(Amended 11/90, 02/92, 06/97, 03/04, 06/08, 06/10, 06/11)*

The Treasurer of the Association shall serve as chair of the Finance Committee and the Assistant Treasurer of the Association, as appointed by the President, shall serve as vice chair. *(Added 02/92, 03/04)*

The President-Elect shall serve as chair of the Honor Society Working Group and there shall be no vice-chair. *(Added 02/92, 06/97)*

The Association shall have the following four Standing Committees, hereinafter referred to as the Standing Committees: *(Amended 03/04)*

- a) Communications *(Amended 09/94)*
- b) Legal [including the Professional Standards Subcommittee, the Grievance Subcommittee,

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the Mediation Subcommittee, and the Risk Management Subcommittee] (*Amended 08/02, 03/04, 06/08*)

- c) Professional Development (*Amended 06/97*)
- d) Public Policy (*Amended 06/97*)

Section 2. The President, with the approval of the Executive Committee, may appoint such other committees, subcommittees, task forces or working groups as needed. The President shall be an ex-officio member of all committees. (*Amended 02/92, 09/94, 03/04*)

Section 3. Committees shall have such duties as their titles indicate, and as the Executive Committee may assign. All actions of committees shall be reported to the Executive Committee and shall be subject to the approval of the Executive Committee. A majority of all committee members shall constitute a quorum at any meeting of the committee. (*Amended 02/92, 09/94*)

Section 4. With the exception of the Treasurer, no other members of the Finance Committee may serve on the Executive Committee. (*Amended 02/92*)

## **ARTICLE VIII**

### **Election of Offices**

Section 1. The election of Active Members to the Offices of the Association shall be held at the Annual Membership Meeting of the Association, as per Article VI, Section 1. (*Amended 03/04*)

Section 2. The Credentials Working Group of the Association shall be composed of: (*Amended 06/97, 06/10*)

- a) the Immediate Past President; and (*Amended 06/97, 03/04*)
- b) the past President twice removed who is an Active Member in good standing of the Association and who serves as chair of the Credential Working Group; and (*Amended 03/04*)

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- c) one (1) member at large to be appointed from among Active Members by the current President.

In the case where a delegate of the Credentials Working Group is a candidate for an Office of the Association, the chair of the Credentials Working Group shall request that candidate to excuse themselves during the qualifications review of the specific position(s). *(Amended 12/89, 02/92, 06/97, 12/98, 03/04)*

Except for the Immediate Past President, members of the Executive Committee shall be ineligible to serve on the Credentials Working Group. *(Amended 06/97)*

Section 3. The Credentials Working Group shall certify qualified candidates no later than thirty (30) days prior to the date set for:

- a) Election of Active Members to Offices of the Association as per Article IV Section 1 of these Bylaws for the Office of President-Elect, First Vice President, Second Vice President and Treasurer, as applicable at that time; and, for the position of Member Liaison as per Article V, Section 1 of these Bylaws; and *(Amended 03/04, 06/15)*
- b) A candidate for recommendation to NAR for the NAR Regional Vice President, per Article VIII, Section 7 of these Bylaws, when required; and *(Amended 03/04)*
- c) A candidate for representative, director or delegate to any other affiliated or subsidiary organization, institution or agency when called upon and to which such representation is required.

Section 4. The report of the Credentials Working Group shall be made available to each Active Member via public notice at the Association's headquarters and through electronic media at least fifteen (15) days before the election is held. No additional candidates for any office shall be certified after the meeting of the Credentials Working Group shall have passed. *(Amended 02/92, 06/97 12/98, 03/04)*

Section 5. An Active Member qualified under Article IV, Section 1 of these Bylaws may submit their name to the Credentials Working Group no later than June 1<sup>st</sup> of each year as a candidate for Office of President-Elect, First Vice President, Second Vice President or Treasurer, as may be applicable at that

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time. An Active Member qualified under Article V, Section 1 (a) (6) of these Bylaws may submit their name to the Credentials Working Group no later than June 1<sup>st</sup> of each year as a candidate for Member Liaison. *(Amended 03/04, 06/15)*

Section 6. NAR Directors shall consist of the President, the President-Elect, the Immediate Past President, and the Treasurer, in this specific order, and based on the annual national director allocation provided by the National Association of Realtors; and, chairs of NAR committees recognized by NAR as Directors, and NAR Distinguished Service Award Recipients who are Active Members in good standing and who will be noticed to NAR by the Association in a timely manner. *(Amended 08/02, 03/04, 06/08)*

Section 7. The selection of the NAR Regional Vice President candidate, when required, shall be approved by the Board of Directors at the second or midyear Board of Directors meeting. *(Amended 03/04)*

Section 8. 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 under the following procedure: *(Amended 06/97, 03/04)*

- a) A petition requiring the removal of an Officer or Director and signed by not less than one-third of the voting Membership as defined in Article IX of these Bylaws, or a majority of all Directors shall be filed with the President, or if the President is the subject of the petition, filed with the President-Elect, and shall specifically set forth the reasons the individual is deemed to be disqualified from further service. *(Amended 06/97, 03/04)*
- b) Upon receipt of the petition, and not less than twenty (20) days or more than forty-five (45) days thereafter, a special meeting of the voting Membership shall be held, and the sole business of the meeting shall be to consider the charge against the Officer or Director, and to render a decision on such petition. *(Amended 06/97, 03/04)*
- c) The special meeting shall be noticed to all voting Members at least ten (10) days prior to the meeting, and shall be conducted by the President unless the President's continued service in



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Office is being considered at the meeting. In such case, the President-Elect shall conduct the meeting of the hearing by the Members. Provided a quorum is present, a three-fourths vote of Members present and voting shall be required for removal. *(Amended 06/97, 03/04)*

## **ARTICLE IX**

### **Voting**

Section 1. At all meetings of the Membership, voting shall be by the members of the Board of Directors. *(Amended 02/92, 06/97)*

## **ARTICLE X**

### **Fiscal Year**

Section 1. The fiscal year of the Association shall be the calendar year.

## **ARTICLE XI**

### **Institutes, Societies and Councils**

Section 1. For the purpose of affording those affiliated with the Association a greater opportunity for cooperation and discussion of administrative and business problems of the particular phases of the real estate profession in which they are interested, the Board of Directors may enter into a membership agreement with the New Hampshire State Chapters of the Institutes, Societies and Councils of NAR. Such New Hampshire Chapters must, however, maintain good standing and operate in accordance with the requirements of their national affiliate of NAR.

Section 2. The Association may provide administrative services to such recognized Chapters of the Institutes, Societies and Councils as is feasible and practical, with incurred expenses duly assessed to the appropriate Chapter. *(Amended 02/92, 09/93, 03/04)*

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## **ARTICLE XII**

### **Code of Ethics**

Section 1. The Code of Ethics of NAR is adopted as the Code of Ethics of this Association and shall be considered a part of its Rules and Regulations, and the Code of Ethics and the Rules and Regulations of the Association shall, in the future, be deemed to be amended and changed whenever said Code of Ethics is amended or changed by NAR. *(Amended 03/04)*

## **ARTICLE XIII**

### **Professional Standards**

A Member Board, prior to referring an ethics complaint or arbitration request for review to the Association, should exhaust all efforts to impanel an impartial tribunal to conduct either the original hearing or the appeal or procedural review. These efforts may include the appointment of knowledgeable members of the Member Board on an ad hoc basis to serve on either a Hearing Panel or on behalf of the Member Board's board of directors. If, because of notoriety, etc., the Member Board cannot impanel an impartial tribunal, then (1) the Association may draw from the members of the Legal Committee to form the Member Board tribunal, or (2) the Member Board may refer the matter to the Association, and the Association may delegate to another Member Board or a regional enforcement facility, the authority to hear the case on behalf of the Association. No Member Board or regional enforcement facility, however, may be required to accept this delegation of authority. If no other entity is amenable to conducting the review, the Association shall be responsible for conducting the hearing. *(Amended 03/04, 06/08)*

Section 1. Allegations of ethical violations and contractual disputes (and specific non-contractual disputes as defined in Standard of Practice 17-4) between REALTORS® and between REALTORS® and their customers or clients may be submitted to an ethics or arbitration panel at the Association level under the following circumstances:

- (a) Allegations of unethical conduct made against a REALTOR® in the instance in which the

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Member Board, because of size or other valid reason, determines that it cannot provide a due process hearing of the matter and petitions the Association to conduct a hearing. *(Amended 03/04)*

(b) Contractual disputes (and specific non-contractual disputes as defined in Standard of Practice 17-4) between REALTORS® who are not members of the same Member Board where the matter has been referred to the Association by both Member Boards. *(Amended 03/04)*

(c) Contractual disputes (and specific non-contractual disputes as defined in Standard of Practice 17-4) between REALTOR® members of the same Member Board where the Member Board with good and sufficient reason is unable to arbitrate the Controversy. (Explanation: This provision is not designed to relieve a Member Board of its primary responsibility to resolve differences arising between members of the Member Board. The section recognizes that in some Member Boards with limited membership, usual arbitration procedures may be impossible.) *(Amended 03/04, 06/15)*

(d) Contractual disputes between a customer or a client and a REALTOR® where the Member Board with good and sufficient reason is unable to arbitrate the dispute. *(Amended 03/04, 06/15)*

(e) Controversies between REALTOR® members and other REALTORS®, who are not members of the same State Association, shall be submitted to Interstate Arbitration if the REALTORS® are members of the State Associations that are signatories to the same Interstate Arbitration Agreement and said agreement is consistent with the appropriate State statutes. *(Amended 06/05, 06/15)*.

Section 2. Professional Standards hearings and the organization and procedures incident thereto shall be governed by the Code of Ethics and Arbitration Manual of the Association, as from time to time amended, which by this reference is made a part of these Bylaws. *(Amended 03/04)*

Section 3. If a Board Member (as defined in Article II, Section 3, of these Bylaws) or other Member, who is a REALTOR® member, resigns from the Member Board or otherwise causes membership to terminate with an ethics complaint pending, the board of directors of that Member Board may condition the right of the resigning Member to reapply for membership upon the applicant's certification that

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he/she will submit to the pending ethics proceeding and will abide by the decision of the hearing panel.  
(Amended 03/04, 06/15)

- (a) If a Board Member (as defined in Article II, Section 3, of these bylaws) or other Member, who is a REALTOR® 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®.

## **ARTICLE XIV**

### **Use of the Terms REALTOR® or REALTORS®**

Section 1. Use of the terms REALTOR® or REALTORS® by Members shall, at all times, be subject to the provisions of the Constitution and Bylaws of NAR and to the Rules and Regulations prescribed by the NAR board of directors. The Association shall have authority to control, jointly and in full cooperation with NAR, use of the terms within those areas of the State of New Hampshire not within the jurisdiction of a Member Board. 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. (Amended 03/04, 06/08)

Section 2. Members of the Association who are REALTOR® members shall have the privilege of using the terms REALTOR® and REALTORS® in connection with their business so long as they remain REALTOR® members in good standing. No other class of members shall have this privilege. (Amended 06/15)

Section 3. A Member who is a REALTOR® member, and who is a principal of a real estate firm, partnership or corporation, may use the terms REALTOR® or REALTORS® only if all the principals of such a 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. (Amended 06/15)

Section 4. An Institute Affiliate Member shall not use the terms REALTOR® or REALTORS® and

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shall not use the imprint of the emblem seal of NAR.

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**ARTICLE XV****New England REALTORS® Committee**

Section 1. The Association shall be a member of the New England REALTORS® Committee, hereinafter referred to as NERC. The Association's participation in NERC shall be governed by the policies and procedures adopted, and from time to time amended, by NERC. The following shall represent the Association as members of NERC: (a) President, (b) President-Elect, (c) Immediate Past President, and (d) Chief Executive Officer. *(Amended 03/04, 06/08, 06/15, 08/19)*

**ARTICLE XVI****Harassment**

Section 1. Any Member of the Association may be reprimanded, placed on probation, suspended or expelled for harassment of an Association employee or Association Director after an investigation in accordance with the procedures of the Association. As used in this Section, harassment means any verbal or physical conduct including threatening or obscene language, unwelcome sexual advances, stalking, actions including strikes, shoves, kicks, or other similar physical contact, or threats to do the same, or any other conduct with the purpose or effect of unreasonably interfering with an individual's work performance by creating a hostile, intimidating or offensive work environment. The decision of the appropriate disciplinary action to be taken shall be made by the investigatory team comprised of the President, President-Elect and one member of the Board of Directors selected by the highest ranking officer not named in the complaint, upon consultation with counsel for the Association. Disciplinary action may include any sanction authorized in the Association's Code of Ethics and Arbitration Manual. If the complaint involves the President or President-Elect, they may not participate in the proceedings and shall be replaced by the Immediate Past President or, alternatively, by another member of the Board of Directors selected by the highest-ranking officer not named in the complaint. *(Amended 03/04, 06/09)*

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**ARTICLE XVII****Rules of Order**

Section 1. Robert's Rules of Order, latest edition, shall be recognized as the authority governing all meetings and conferences when not in conflict with the Bylaws of the Association.

**ARTICLE XVIII****Amendments**

Section 1. These Bylaws may be amended by a majority vote of the Members present and qualified to vote at any meeting at which a quorum is present, provided the substance of such proposed amendment or amendments shall be plainly stated in the call for the meeting, 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. *(Amended 02/92)*

Section 2. Amendments to these Bylaws affecting the admission or qualifications of Active Members and Institute Affiliate Members, the use of the terms, REALTOR® or REALTORS® or any alteration in the territorial jurisdiction of a Member Board shall become effective upon the approval of the Board of Directors of NAR. *(Amended 03/04)*

**ARTICLE XIX****Dissolution**

Section 1. Upon the dissolution or winding up of affairs of this Association, the Board of Directors, after providing for the payment of all obligations, shall distribute any remaining assets to NAR or, within its discretion, to any other nonprofit, tax exempt organization. *(Amended 03/04)*

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**APPENDIX B**  
**GUIDELINES FOR THE NHAR LEGAL DEFENSE FUND**

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Guidelines For The  
**NHAR LEGAL DEFENSE ACCOUNT**

As Approved by BOD 6/27/01

PURPOSE

There is hereby established the New Hampshire Association of REALTORS® LEGAL DEFENSE ACCOUNT, established for the purpose of paying extraordinary expenses to defend the State Association and to assist its Boards and members in adverse suits. At no time, except by specific vote of the Board of Directors, shall the reserve portion of the account exceed \$50,000. Any interest from the LEGAL DEFENSE ACCOUNT shall be deposited in a timely fashion into the NHAR General Fund, as per Directors vote 10/17/84.

DEFENSE

NHAR DEFENSE - In addition to being used to defend the Association in adverse suits, the LEGAL DEFENSE ACCOUNT may also be used to file or support a legal case that is in the best interest of the Association, its members, its local Boards or the real estate industry as a whole.

BOARD ASSISTANCE - Allocations may be made from the LEGAL RESERVE ACCOUNT to assist local Boards in their own legal defense matters. Normally, this would be to pay part of the Board's deductible from their Errors and Omissions Insurance funds. Before any NHAR payment is made to the Boards, the local Board must first have paid at least as much as the requested NHAR payment for defense of the case and also must have notified NAR for enacting of their E&O and D&O coverage as appropriate.

MEMBER ASSISTANCE - Allocations may be made from the LEGAL DEFENSE ACCOUNT to assist individual NHAR members in their own legal defense matters, whether as defendant or plaintiff. However, the matter must have statewide member, Association and/or real estate industry significance. Assistance may be in the form of any "amicus curiae brief" drawn by the NHAR legal counsel at the appeal stage of a suit. Allocations normally will not be made in cases where one NHAR member has filed suit against another NHAR member.

REQUESTS

All requests for allocations from the LEGAL DEFENSE ACCOUNT must be made on a form provided by NHAR to the New Hampshire Association of REALTORS®, 11 S Main St, Suite 301, Concord, New Hampshire 03301. No telephone requests shall be considered. Copies of such requests shall be delivered to the NHAR Chief Executive Officer at the above address. Requests shall include a summary of the merits of the case; the name, addresses and case relationships of the parties; the name, address and telephone number of the person requesting the allocation; anticipated trial, appeal or other dates and copies of related documentation. This material shall become the property of NHAR whether or not an allocation is granted. In turn, the Legal Action Fund Working Group will attempt to reach its decision on the case as soon as possible, after receipt of all material.

REVIEW

All requests for allocations from the LEGAL DEFENSE ACCOUNT must first be reviewed by a Legal Action Working Group appointed by the NHAR President, for recommendations for allocations to the Executive Committee and /or the Board of Directors. The Executive Committee may approve recommended allocations of up to \$10,000 per case, but all allocations shall be reported to the Board of Directors at the next regularly scheduled meeting. NHAR legal counsel also shall review and advise on all allocation requests before recommendations are made to the Executive Committee and/or the Board of Directors. Legal counsel's written advisory shall be attached to all requests.

For More Information Contact the New Hampshire Association of REALTORS®, 11 S Main St, Suite 301, Concord, New Hampshire 03301.



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**APPENDIX C**  
**NEW HAMPSHIRE ASSOCIATION OF REALTORS COMMITTEE SIGN-UP**

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New Hampshire Association of REALTORS®  
**➔ COMMITTEE SIGN-UP ➔**

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Please check the committee(s) you would like to be considered for appointment. Please note that we will be utilizing Task Forces & Working Groups; so in the event you do not wish to serve on a full committee, would you at least be interested in serving on one of these groups? Task Forces and Working Groups generally are single task or single issue oriented and generally meet for a far shorter term than the full committees which meet throughout the year.

**FINANCE COMMITTEE** - 9 members maximum

Reviews association's investment policy, portfolio, and financial statements. Develops the association's annual budget. Financial budget experience preferred.

**COMMUNICATIONS COMMITTEE** - 18 members recommended

Makes recommendations on NHAR's web site, newsletter & other media communications. Advises NHAR leadership and staff, and evaluates existing and developing technology and how best to utilize such technology in the service of our members.

**LEGAL COMMITTEE** – Must have attended NHAR Professional Standards Training Seminar during past two years. **CHOOSE ONE (1) CATEGORY BELOW:**

- PROFESSIONAL STANDARDS SUB COMMITTEE** - At least 12 Members  
Responsible for professional standards training and ongoing education and for conducting professional standards hearings. Must have served on a Local Board Professional Standards Committee.
- GRIEVANCE SUB COMMITTEE** - At least 6 Members  
Responsible for reviewing all ethics complaints or arbitration requests forwarded to the state association. Must have served on a Local Board Grievance Committee.
- MEDIATION SUB COMMITTEE** - At least 6 Members  
Responsible for maintaining a state pool of mediators and providing ongoing training and support to state and local mediators, as well as handling mediation requests forwarded to the State Association. Responsible for Ombuds program.
- RISK MANAGEMENT SUBCOMMITTEE** - At least 6 Members  
Responsible for developing and monitoring risk management programs that will assist in reducing members' legal liability; responsible for overseeing the administration of the NHAR Legal Hotline, a member service.

**PROFESSIONAL DEVELOPMENT COMMITTEE** - 18 members maximum

Responsible for establishment and recommendation of policies and programs to meet the current and future educational initiatives within NHAR. The committee will also be responsible for various aspects of other NHAR events.

Name: \_\_\_\_\_

**[Over Please]**

**PUBLIC POLICY COMMITTEE - Open**

Reviews proposed legislation and regulations, establishes an association position on political issues and regulations and advises staff on strategy and position. Also monitors regulatory agencies and other governmental and political events.

***I WOULD BE INTERESTED IN SERVING ON A SPECIAL TASK FORCE OR WORKING GROUP, IF ONE WERE TO BE FORMED, IN THE FOLLOWING AREA(S):***

- Association Policy
- Bylaws
- Fair Housing
- Legislative (ie: Lead Paint, Landlord/Tenant, Taxation, Zoning & Planning, etc.)
- Strategic Planning

*Please indicate any issues of particular interest to you:* \_\_\_\_\_

Other (please specify): \_\_\_\_\_

**PLEASE INDICATE THE FOLLOWING FOR EACH COMMITTEE SELECTED ABOVE:**

Why you want to serve on the committee(s) selected above and your relevant experience.

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Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Board: \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

**FAX TO NHAR at (603) 228-0385**

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## APPENDIX D

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### QUESTIONS MOST ASKED BY NHAR DIRECTORS

#### **ABOUT YOUR RESPONSIBILITIES**

##### **WHAT ARE THE GOVERNING RESPONSIBILITIES AND AUTHORITY OF THE BOARD OF DIRECTORS?**

- Approve expenditures of the Association in excess of \$10,000.
- Set dues.
- Set public policy positions as they pertain to the real estate industry.
- Establish governing policies of the Association.
- Approve member programs, products, and services.
- Recognize members for outstanding service (REALTOR® Emeritus, DSA, etc.).

##### **WHAT ARE MY RESPONSIBILITIES AS A DIRECTOR?**

- Know the issues of importance to your constituency and bring matters of concern to the attention of the Association.
- Know the issues of importance to the Association and report matters of concern/actions taken by the Association back to your constituency.
- Understand how the Association works by reading and knowing the Bylaws, Policy Manual, & Strategic Plan.
- Participate in the meetings! The Association depends on the experience, knowledge, judgment, and spirit you bring to the Board of Directors.

##### **WHOM DO I REPRESENT?**

As a member of the Board of Directors, you represent each of NHAR's members. This may be challenging because there may be a multitude of viewpoints by the membership on various issues, but if you place the welfare of the Association first, the right decision will be made.

##### **WHAT IS MY LIABILITY AS A DIRECTOR OF NHAR?**

A well-informed Board of Directors seldom makes mistakes. However, in the unlikely event that any litigation should result from actions taken by the Board, the NAR provides blanket coverage to directors through its errors and omissions liability insurance.

##### **HOW WILL I KEEP UP WITH ALL THE BUSINESS OF THE ASSOCIATION?**

The answer is a great Association staff! You can count on them to keep you informed, and you should utilize the Association's resources such as the NHAR Website ([www.NHAR.org](http://www.NHAR.org)).

#### **ABOUT THE MEETINGS**

##### **HOW OFTEN DOES THE BOARD OF DIRECTORS MEET?**

As a director, you participate in four regular meetings each year, one per quarter. Special meetings may also be called, in which case you will be notified at least five days in advance.

##### **MUST I ATTEND ALL THE BOARD OF DIRECTORS MEETINGS?**

Your presence is required at every meeting for the entire meeting. You will automatically forfeit your directorship if you are absent from two consecutive meetings without a satisfactory explanation.

##### **HOW SHOULD I PREPARE FOR THE BOARD OF DIRECTORS MEETING?**

As a director, you are obligated to understand the business of the New Hampshire Association of REALTORS®. Read and know the following:

- Board of Directors Order of Business (agenda).
- Minutes from the previous Board of Directors meeting.
- Any written reports from the committees.
- Strategic Plan.

##### **WHAT MATERIALS SHOULD I BRING TO THE BOARD OF DIRECTORS MEETING?**

- Bylaws.
- Strategic Plan.

- 
- Board of Directors Order of Business (agenda).
  - Minutes from the previous Board of Directors meeting.
  - Any handout materials included with the meeting notice.
  - Budget packet (3rd quarter meeting only).

#### **WHERE DO I SIGN IN PRIOR TO THE START OF THE BOARD OF DIRECTORS MEETING?**

All NHAR directors need to sign in at the registration desk before entering the meeting room. Directors who do not sign in and did not request an excused absence before the meeting will be listed in the Board of Directors minutes as absent.

#### **WHAT ARE MY RESPONSIBILITIES WHILE THE BOARD OF DIRECTORS MEETING IS IN SESSION?**

- Pay attention to the proceedings. (Please conduct any private discussions with other directors outside of the meeting room so as not to disrupt the business at hand.)
- Share with the Board of Directors your constituency's viewpoints on the issues discussed. (Only directors are permitted the floor.)

#### **HOW DO I PRESENT TO THE BOARD OF DIRECTORS A MOTION THAT HAS NOT GONE THROUGH THE COMMITTEE PROCESS?**

It is preferred that all motions and ideas be submitted through one of the NHAR committees. You may, however, submit a motion to the Board of Directors from the floor.

#### **ABOUT PARLIAMENTARY PROCEDURE**

##### **WHAT IS THE PARLIAMENTARY PROCEDURE FOR NHAR?**

The latest edition of *Robert's Rules of Order* is the authority governing all NHAR meetings. A parliamentarian is usually on hand at the Board of Directors meeting, but you should be familiar with the parliamentary procedure in order to help expedite the business of the meeting.

#### **HOW DO I RECEIVE RECOGNITION TO ADDRESS AN ISSUE OR PRESENT A QUESTION/MOTION DURING THE BOARD OF DIRECTORS MEETING?**

If you wish to address an issue or make a motion from the floor, raise your hand or stand until the chair recognizes you. (Only directors are permitted to speak from the floor.)

A **written** copy of any motion made from the floor should be presented to the recording secretary so that the motion may be incorporated into the Board of Directors minutes.

#### **ARE MEETINGS OF THE BOARD OF DIRECTORS EASY TO FOLLOW?**

Usually; however, because you have an obligation to understand the business of the Board, please **ASK** staff, the Committee Chairs or Member Liaison to explain anything you do not understand or need clarified.

#### **ABOUT COMMITTEES**

##### **DO I HAVE THE RESPONSIBILITY TO SERVE ON NHAR COMMITTEES?**

You are strongly encouraged to serve on at least one committee since the accomplishment of NHAR's objectives starts at the committee level.

#### **IF I AM A DIRECTOR, WHY IS IT SO IMPORTANT THAT I SERVE ON A COMMITTEE?**

Through committee service you share expertise and gain knowledge, which improves your decision-making capabilities at the Board of Directors meetings. It also provides leadership opportunities, which will help you acquire future roles within the Association.

#### **HOW DO DIRECTORS RECEIVE AN APPOINTMENT TO A COMMITTEE?**

A Committee request form is distributed each year. You must complete and submit the form to NHAR. The incoming NHAR President will inform you of your committee assignment(s) in December.

To provide an opportunity for as many members as possible to serve on committees, a member may not be appointed to the committee(s) of first choice. However, the majority of NHAR's committee meetings are open, and you are welcome to attend the meetings of interest to you.

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## APPENDIX E

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### **NEW HAMPSHIRE REALTORS® POLITICAL ACTION COMMITTEE**

#### **PURPOSE**

The New Hampshire REALTORS® Political Action Committee, hereinafter NHRPAC, is a voluntary, non-profit, unincorporated committee of individual REALTORS® and others, and is not affiliated with any political party. The Committee is an affiliate of the National Association of REALTORS® Political Action Committee.

NHRPAC is organized and operated exclusively for the purpose of collecting political contributions as defined in Section 41(c) (1) (A-E) of the Internal Revenue Code, including the expenditure of such funds for the purpose of supporting or opposing referenda questions and further the candidacy of individuals for nomination or election to any federal, state or local elective public office and to do any and all things necessary to accomplish such purpose, all as authorized by the Federal Election Campaign Act and the New Hampshire General Laws.

#### **BYLAWS**

NHRPAC is governed by its Bylaws, a copy of which is available at the NHAR offices.

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## APPENDIX F

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### REPORT OF THE STRATEGIC PLANNING RETREAT March 3-4, 2015

#### 1. Planning Team

A strategic planning team representing the New Hampshire Association of REALTORS® met on March 3<sup>rd</sup> and 4<sup>th</sup>, 2015 at the Mountain View Grand Resort in Whitefield, NH with facilitator Roger Turcotte of New Hampshire. This report contains the results of the team's work.

#### Participants:

Kathy Ahlin	Rachel Eames	Bob Quinn, staff
Marion Cheney	Maxine Goodhue	Terry Ryan
Dave Cummings, staff	Theresa Grella	Mary Truell
Marc Drapeau	Paul Griffin, staff	Roger Turcotte, facilitator
Dick DuMez	Dave Lefebvre	Mark Zoeller
Diana Dunning, staff	Al Michalovic	
	Dan O'Halloran	

#### 2. Stakeholder identification

The team identified the following as primary stakeholders meaning that they directly benefit from or are impacted by NHAR's work:

- Broker/Owners
- Agents
- Sellers/Buyers
- Local Boards/Associations

#### 3. Mission Statement

**The planning team reviewed NHAR's mission statement and revised it as follows:**

*The NH Association of REALTORS® works in conjunction with the National Association of REALTORS® and the Local Boards of REALTORS® to provide its members with support and resources to serve consumers in an efficient, effective and ethical manner; and to advocate for private property rights.*

#### 4. SWOT Analysis

The results of the SWOT (Strengths, Weaknesses, Opportunities, Threats) recently completed by the planning team were reviewed. The following were identified as STRENGTHS, WEAKNESSES, OPPORTUNITIES and THREATS of the organization:

➤ **Strengths**

- Number of members
- Staff
- National resources
- NHAR known organization in communities/statehouse
- Public policy
- Financial position
- Distribution of market data from NNEREN
- Professional standards/Ombuds
- Forms
- Risk management tools
- Members' willingness to serve

➤ **Weaknesses**

- Longevity of some volunteers discourages new volunteers and restricts opportunities to change
- Process used to select committee leaders
- Leader selection/development
- Lack of REALTOR® designation courses
- Communicating with members
- Lack of understanding of RPAC money
- Lack of awareness at leadership level regarding what REALTOR® political party is doing in DC
- Large percentage of members are paying dues because they have to
- Lack of awareness of available resources
- Lack of DR educational classes

➤ **Opportunities**

- Information technology to help members
- Volunteer recruitment
- Better use of Member Liaisons
- Improve connecting members to resources
- Defining/communicating member value
- Enhance relationship with service providers who support members

1           ➤ **Threats**

- 2           • No required membership
- 3           • REALTORS® don't own realtor.com
- 4           • Low bar to become a REALTOR®
- 5           • Member apathy
- 6           • Consumer access to information/internet sites
- 7           • Disconnect between agent and broker by agents working at home
- 8           • Providing volunteers a sense of value

9  
10       **5. The strategic objectives/goals listed in this report are prioritized based on**  
11       **their impact on the association's mission (see note #1). Those listed under**  
12       **Advocacy and Outreach are shown first in this report since they are**  
13       **required under the NAR Organizational Alignment Core Standards.**  
14

15       **Objective 1:**

16       Raise 100% of the established RPAC Fundraising goal.

17  
18       **Objective 2:**

19       Achieve participation rates on NAR and State calls for action that are better than the  
20       average participation rates.

21  
22       **Objective 3:**

23       Support property rights, housing, and real property ownership by providing active  
24       campaign assistance for local political candidates that are friendly to Realtor® Party  
25       issues.

26  
27       **Objective 4:**

28       Be the "Voice for Real Estate" and promote market statistics and/or real estate trends  
29       and issues and their impact on consumers.

30  
31       **Objective 5:**

32       Enhance community involvement to promote the value proposition of using a  
33       REALTOR® and/or engage in community activities that enhance the image of  
34       REALTORS®.

35  
36       **Objective 6**

37       Boost consumer advocacy efforts and engage the public in legislative/political issues  
38       that impact homeownership, real estate investment and related issues.

39  
40       **Additional Strategic Objectives Not Required in the Core Standards**

41  
42       **Objective 7**

43       Communication system is in place that allows information to flow from NHAR to  
44       local associations and from local associations to NHAR 39/27



1           **Objective 8**

2           Experience/training required for a member to be assigned as a state committee chair is  
3           defined and followed when selections are being made for these positions 38/34

4  
5           **Objective 9**

6           A minimum of 50% of membership would say that they would renew their  
7           membership if not required to do so 37/39

8  
9           **Objective 10**

10          NHAR offers one NAR certification course annually at different locations throughout  
11          the state 37/32

12  
13          **Objective 11**

14          Designated Realtors are knowledgeable regarding national and state resources and  
15          encourage their agents to utilize the resources that will help them to achieve their  
16          goals 37/29

17  
18          **Objective 12**

19          NHAR offers three (3) courses annually that focus on the needs of Designated  
20          Realtors. These courses will be offered in different locations around the state 34/39

21  
22          **Objective 13**

23          NHAR connects with new members to augment local orientation 33/29

24  
25          **Objective 14**

26          NHAR committees will have a turnover of 25% of the committee members each year  
27          by the recruitment of new members to fill these positions 29/31

28  
29          **Objective 15**

30          NHAR committee membership will represent the demographics of NHAR's  
31          membership population 26/28

32  
33          **Objective 16**

34          Over a three year period, RPAC contribution growth will reach a total contribution  
35          equal to 125% of NHAR's goal with a participation rate equal to fifty percent of the  
36          membership 21/38

37  
38          **Objective 17**

39          NHAR assist affiliate partners in selecting appropriate topics as well as designing and  
40          presenting courses at the state and local levels 16/36

- 41  
42  
43          **6.    The following reflect the 'possible action plans' that the planning team**  
44          **developed for the majority of the strategic objectives.**

## Core Standards - Advocacy

### **Objective 1:**

Raise 100% of the established RPAC Fundraising goal.

#### **Possible Action Plans:**

- 1.A NHAR will appoint a state fundraising chair to coordinate with/support local associations
- 1.B NHAR will monitor progress on a monthly basis
- 1.C RPAC auction will be conducted once a year
- 1.D Local boards that meet goal will be recognized by NHAR

### **Objective 2:**

Achieve participation rates on NAR and State calls for action that are better than the average participation rates.

#### **Possible Action Plans:**

- 2.A Promote members of the board of directors to download/use the Realtor® Action Center App
- 2.B Promote brokers to sign up for the Broker Involvement program so agents get the calls for action directly from their broker.
- 2.C Personal outreach at Designated Realtor meetings

### **Objective 3:**

Support property rights, housing, and real property ownership by providing active campaign assistance for local political candidates that are friendly to Realtor® Party issues.

#### **Possible Action Plans:**

- 3.A NHAR RPAC supports candidates for NH State Senate
- 3.B Provide information to the local associations regarding NAR grants
- 3.C Maintain an active lobbying presence at the statehouse
- 3.D Interview Senate candidates to determine where they stand on issues affecting Realtors, sellers, and buyers
- 3.E Support REALTORS® who are running for office

## Core Standards-Consumer Outreach

### **Objective 4**

Be the “Voice for Real Estate” and promote market statistics and/or real estate trends and issues and their impact on consumers.

#### **Possible Action Plans:**

- 4.A Highlight local, state or national real estate data in a news release or direct outreach to local reporters.
- 4.B Arrange interviews with association leadership to provide context to local real estate data.

1 4.C Use social media to share local real estate data insights, and retweet NAR  
2 Economists' Outlook.  
3

4 **Objective 5**

5 Enhance community involvement to promote the value proposition of using a  
6 REALTOR® and/or engage in community activities that enhance the image of  
7 REALTORS®.  
8

9 **Possible Action Plans:**

10 5.A Run a TV, radio or print ad from NAR's Consumer Advertising Campaign or  
11 the state association's consumer advertising campaign in a local media  
12 outlet.

13 5.B Sponsor homeownership fair.

14 5.C Provide materials that help members reach out to consumers directly.  
15

16  
17 **Objective 6**

18 Boost consumer advocacy efforts and engage the public in legislative/political issues  
19 that impact homeownership, real estate investment and related issues.  
20

21 **Possible Action Plans:**

22 6.A Submit an op-ed or letter to the editor of the local newspaper addressing the  
23 issue at hand. NAR's most recently submitted and published op-eds and letters to the  
24 editor are available at [http://www.realtor.org/for-the-media/op-eds-and-letters-](http://www.realtor.org/for-the-media/op-eds-and-letters-to-the-editor)  
25 [to- the-editor](http://www.realtor.org/for-the-media/op-eds-and-letters-to-the-editor).  
26

27 **Additional Strategic Objectives Not Required in the Core Standards**

28  
29 **Objective 7**

30 Communication system is in place that allows information to flow from NHAR to  
31 local associations and from local associations to NHAR 39/27  
32

33 **Possible Action Plans:**

34 7.A Mandatory training/orientation for Member Liaisons

- 35 • Report to BOD 4 times a year; liaison should not only pull state to  
36 Boards but also Boards to Boards (i.e., education classes).  
37 Collaboration!
- 38 • Revisit task force recommendations of 2010 – 7 liaisons with 1  
39 Exec. Comm. member.

40 7.B Email subject lines – color coded by importance (internal only)

41 7.C Reaching out to DRs; filter some significant messages through them

42 7.D Explore other means of communication

- 43 • Pod casts, texting, Facebook, YouTube  
44

45 **Objective 8**

46 Policy is in place that defines the experience/training that a volunteer must have before  
being considered for assignment as a state committee chair 38/34

1 **Possible Action Plans:**

- 2 8.A Executive and Board of Directors approves Leadership Academy that includes  
3 training in Robert’s Rules, time management, by-laws, policy and procedure  
4 manual, and role of NHAR staff members  
5 8.B Mandatory requirement to attend NHAR Leadership Symposium  
6 8.C Based on individual’s experience, committee chairs should serve on the  
7 committee before becoming chair of the committee.  
8 8.D Past committee chairs serve as mentors for upcoming committee chairs  
9 8.E Leaders who have complete the experience/training requirements will be  
10 considered to fill future leadership positions on a 4 year succession plan.

11  
12 **Objective 9**

13 A minimum of 50% of members would say that they would renew their membership if  
14 they were not required to do so 37/39

15  
16 **Possible Action Plans:**

- 17 9.A Implement strategic initiatives (see #1, #4 and #8)  
18 9.B Staff to implement a monthly “drip campaign” of NAR and NHAR resources  
19 specific to following categories of members:  
20 • New Agents  
21 • Existing Agents  
22 • DRs  
23 9.C Statewide education calendar on website  
24 9.D Implement annual “satisfaction” survey  
25 • Must achieve 50% renewal goal – strategic initiative doesn’t have  
26 time requirement...  
27 • Potential for feedback  
28 • Executive committee to review survey results; revise action plan to  
29 achieve strategic goal (50%)

30  
31 **Objective 10**

32 NHAR offers one (1) NAR certification course each year at different locations  
33 throughout the state 37/32

34  
35 **Possible Action Plans:**

- 36 10.A Professional development committee would choose course (NAR designation),  
37 determine 2-4 locations depending on demand. (Example: ABR is a two day  
38 course so it would be offered twice in one year.)  
39 10.B Every year the designated course would change with the goal being to offer the  
40 major NAR designation courses  
41 10.C Locations selected should, when possible, not require a member to travel more  
42 than 45 mile drive to attend.

43 **Objective 11**

44 Designated Realtors are knowledgeable regarding national and state resources and  
45 encourage their agents to utilize the resources that will help them to achieve their  
46 goals 37/29

1 **Possible Action Plans:**

2 11.A At the beginning of the 3 NHAR Designated Realtor classes, there will be a  
3 quick 10 minute presentation on “how and what” they can say to new agents  
4 regarding the resources that they receive for the dues money they pay.

5 11.B One of the “drip” emails to DRs (see Objective 9) can be about explaining  
6 resource benefits to agents.

7 11.C Send out index lists of benefits along with dues bills.

8 11.D Remind DRs about NHAR offered orientations for new agents; TEXT them a  
9 week before the orientations occur.

10  
11 **Objective 12**

12 NHAR offers three (3) courses annually that focus on the needs of Designated  
13 Realtors. These courses will be offered in different locations around the state 34/39

14  
15 **Possible Action Plans:**

16 12.A Identify courses available directed to DRs – NAR; other

17 12.B Survey DRs as to which courses they would find valuable – what other topics  
18 would be of value?

19 12.C Pick top 3 courses and schedule the 3 different courses at 3 different locations

20  
21 **Objective 13**

22 NHAR connects with new members to augment local orientation 33/29

23 **Action plan to be developed**

24  
25 **Objective 14**

26 NHAR committees will have a turnover of 25% of the committee members each year  
27 by the recruitment of new members to fill these positions 29/31

28 **Action plan to be developed**

29  
30 **Objective 15**

31 NHAR committee membership will represent the demographics of NHAR’s  
32 membership population 26/28

33 **Action plan to be developed**

34  
35 **Objective 16**

36 Over a three year period, RPAC contribution growth will reach a total contribution  
37 equal to 125% of NHAR’s goal with a participation rate equal to fifty percent of the  
38 membership 21/38

39  
40 **Possible Action Plans:**

41 16.A Annual training for local RPAC Chairs

42 16.B Task force created annually with one representative per each local Board

43 16.C NHAR representative to make annual presentation to each local Board

44  
45 **Objective 17**

46 NHAR assist affiliate partners in selecting appropriate topics as well as designing and  
47 presenting courses at the state and local levels 16/36

1           **Action plan to be developed**

2

3           **Note #1** – Strategic objectives were prioritized based on the impact of the objective  
4           impact on NHAR’s missions. This process consisted of each participant assigning a  
5           value to each objective based on: required to succeed (3), not required but very  
6           beneficial (2), nice to have (1). The value assigned by the participants was added up  
7           and the total value was the number that determined the priority of each objective.  
8           The second numeric value indicates the team’s opinion of how NHAR is performing  
9           that objective today. This process consisted of each participant assigning a value to  
10          each objective based on: Objective is not being performed or is being performed at a  
11          minimal level (3), being done but needs improvement (2), being done very well (1).  
12          Therefore, a high value indicates that the objective requires greater work/attention in  
13          order to achieve the desired performance.

14

## APPENDIX G

### BOARD OF DIRECTORS CODE OF CONDUCT

**The Directors of the New Hampshire Association of REALTORS® agree:**

1. To use their best efforts to provide progressive, collective leadership and direction to the association in support of its mission and mandate of the Strategic Plan;
2. To adhere to the association's governance policies, and to not violate any federal, state or local laws governing the association;
3. To disclose potential conflicts of interest they may have regarding matters that may come before the Board, and abstain from discussion and voting on any matter, in which the director has or may have a conflict of interest;
4. To endeavor to direct the activities of the organization as a whole rather than in their own interest or that of any specific group;
5. To maintain the confidentiality of the details and dynamics of board discussions, as well as those items designated as confidential;
6. To not speak against, or in any way undermine board solidarity once a board decision has been made;
7. To attend all board meetings and be prepared for the meetings, having read pre-circulated material in advance;
8. To act in good faith, responsibly, and with due care and diligence, without allowing independent judgment to be subordinated;
9. To contribute to discussions and decision making in a positive and constructive manner, with interactions in meetings courteous, respectful, and free of animosity;
10. To be prepared to commit sufficient time and energy to attend to association business;
11. To participate in the association in ways other than attending board meetings;
12. To adhere to the principle that the Executive Vice President is responsible to the Executive Committee and the entire board of directors, and not any one Director; committee or committee chair;
13. To never attempt to exercise individual authority or undue influence over the association;
14. To understand that the official spokespersons for the association are the elected officers and the Chief Executive Officer, and in the event such individuals are unavailable, those chosen by the President or President-elect or the Chief Executive Officer. Consequently, all public requests for comment about association matters shall be referred to them.
15. To refrain during board meetings from the use of laptops and personal assistant products (blackberry, iPhone, etc.) unless directly related to events being discussed;
16. To understand directors owe a fiduciary responsibility to the association.

Directors will annually sign a confirmation that they have read and will comply with this Code.

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Name (Print)

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Signature

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Date



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## APPENDIX H

### NEW HAMPSHIRE REALTORS® LEADERSHIP EVENT CHART

	<b>President</b>	<b>President-Elect</b>	<b>1<sup>st</sup> Vice President</b>	<b>2<sup>nd</sup> Vice President</b>	<b>Treasurer</b>
<b>NHAR Leadership Conference</b>	Mandatory Funding: N/A	Mandatory Funding: N/A	Mandatory Funding: N/A	Mandatory Funding: N/A	Mandatory Funding: N/A
<b>NERC Conference</b>	Mandatory Funding: Yes	Mandatory Funding: Yes	Optional Funding: Yes	Optional Funding: No	Optional Funding: Yes <sup>2</sup>
<b>NAR Legislative Meetings (Mid-Year)</b>	Mandatory Funding: Yes	Mandatory Funding: Yes	Optional Funding: Yes	Optional Funding: No	Optional Funding: Yes
<b>NAR Leadership Summit</b>	N/A	Mandatory Funding: Yes	N/A	N/A	N/A
<b>NHAR Annual Convention</b>	Mandatory Funding: Yes	Mandatory Funding: Yes	Mandatory Funding: Yes	Mandatory Funding: No	Optional Funding: Yes
<b>NAR Annual Conference</b>	Mandatory Funding: Yes	Mandatory Funding: Yes	Optional Funding: Yes	Optional Funding: No	Optional Funding: Yes

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<sup>2</sup> Discretionary set-amount annual travel budget.