

GUAM ASSOCIATION OF REALTORS®

Nomination Guidelines 2019

A. Criteria and Eligibility Officers and Directors

(Article XI)

Section 1. Elected Officers. The elected Officers of the Association shall consist of a President, a President-Elect, Immediate Past President, a Vice President/Treasurer and a Secretary. The Vice President and Treasurer may be the same person. The Elected Officers shall be elected for terms of one year except for the President-Elect, who shall serve the first elected year as President-Elect, the second year as President, and the third year as the Immediate Past President.

Section 2. Term of Office.

(a) All Elected Officers shall serve for a one year term commencing on January 1 of each year succeeding their election, or until their successors are elected and qualified. All Elected Officers shall be Members of the Board of Directors.

(b) The Officers shall have additional titles for the purposes of representation at the national level wherein the President by virtue of his position shall be a one year term National Director; the President-Elect shall be a one-year term State Realtor Political Action Committee Chairperson, and the immediate past President shall serve as the State Broker Involvement Counsel Representative.

(c) Term Limits. No Member shall serve in the same position more than two consecutive years as Vice President/Treasurer Elect or Secretary.

Section 3. Duties of Officers.

(a) President. The President shall be the Chief Presiding Officer of the Association and the Chairman of the Board of Directors. The President shall preside over meetings of Members, Directors, and Executive Committees, if established by the Board of Directors. The President shall have such additional titles as the Board of Directors deems necessary for the purpose of the Association's representation at the national level, or as may be required by NAR®. The President shall have the power to appoint one or more Directors to participate in one or more committees to represent the Association at the national level before NAR®, including but not limited to the State Representative for Membership Policy & Board Jurisdiction Committee, the State Representative for Multiple Listing and Issues & Policies Committee, the State Representative for Professional Standards Committee, the State Representative for Housing Opportunity, the State Representative for Risk Management Committee; the Federal Political Coordinator, and to serve as a representative of the political advocacy team of NAR, namely the REALTOR® Party. The President shall also have such other powers and duties as may be directed by the Board of Directors, and such powers and duties as set forth in the most current edition of Robert's Rules of Order.

(b) President-Elect. In the absence or disability of the President, the President-Elect shall preside over meetings of Members, Directors, and Executive Committees, if established by the Board of Directors. The President-Elect shall perform all other duties of the President in the absence or disability of the President. The President-Elect shall have such duties as may be assigned by the

President, or as may be assigned by the Board of Directors, or as may be set forth elsewhere in these Bylaws.

(c) Vice President/Treasurer. In the absence or disability of the President and President-Elect, the Vice President shall assume all duties of the President. The Vice President/Treasurer shall review the annual budget, prepare and present periodic financial reports at duly assigned meetings, The Vice President/Treasurer shall have such other duties as may be assigned by the President, or as may be assigned by the board of Directors, or as may be set forth elsewhere in these Bylaws.

(d) Secretary. The Secretary shall keep notes at duly assigned Board Meetings and other Association meetings, which will be used for the official minutes of such meetings.

Section 4. Board of Directors. The governing body of the Association shall be a Board of Directors, consisting of the Elected Officers, the Immediate Past President of the Association, and seven (7) elected REALTOR® Members of the Association. Directors shall be elected to serve for terms of three (3) years, except that at organization, one-third of the Directors shall be elected for terms of one (1), two (2), and three (3) years, respectively, or for lesser terms as may be necessary to complete the first fiscal year. Thereafter, as many Directors shall be elected each year as are required to fill vacancies.

(a) Duties and Responsibilities. Members of the Board of Directors shall act at all times in the best interests of the Association. In the event that any Director assumes a position that brings his or her personal interests into conflict with the Association, such Director shall immediately disclose such conflict to the Board of Directors. The Board of Directors shall have overall responsibility for the property, business and finances of the Association, including approval of budgets, Membership dues, and policies. Each Director shall read and understand the Association's Bylaws and the Association's Code of Ethics and Arbitration.

(c) Term Limits. No Director shall serve for more than two consecutive 3-year terms; provided, however, that if a Director is elected to serve as an Officer of the Association while in office, the term during which such Director is so elected shall not be counted for the purpose of this prohibition.

(d) National Director. The Board shall appoint two (2) National Directors for a three (3) year term, who need not be a current Director or Officer of the Association, to represent the Association in national meetings. The National Director must have at least five (5) years of active experience in the real estate business, and a minimum of two (2) years' experience as either an Officer or Director of the Association. The National Director shall have such authority and responsibility as established in NAR® Bylaws or other governing documents, and at a minimum must perform the following additional duties: (1) disseminate NAR® information to the Association's Directors and Officers, as directed by the President; (2) serve as a voting Member and attend Association Board of Directors meetings; (3) submit reports on NAR® meetings and other meetings attended on behalf of the Association, as requested by the President. No National Director shall be appointed by the Board for consecutive terms.

Section 5. Vacancies of Officers and Directors. Vacancies among the Officers and Directors shall be filled by a simple majority vote of the Board of Directors until the next annual election. In the event of a tie, the Immediate Past President of the Association shall have the right to two (2) votes.

Section 6. Removal of Officers and Directors. In the event that an Officer or Director is deemed by majority vote of the Board to be incapable of fulfilling the duties for which elected, but will not resign from office voluntarily, the Officer or Director may be removed from office as follows: (a) A petition requiring the removal of an Officer or Director and signed by not less than one-third of the voting Membership or a majority of all Directors shall be filed with the President, or if the President is the subject of the petition, with the Vice President, and shall specifically set forth the reasons the individual is deemed to be disqualified from further service. (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 of the Association 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. (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 of the Association, unless disqualified as set forth above, in which case the Vice President will conduct the meeting. Provided a quorum is present, a three-fourths vote of Members present and voting shall be required for removal from office.

Section 7. Eligibility for Elective Position.

(a) To be eligible for election as an Officer or Director of the Association, an individual shall be an active Member of the Association in good standing, nominated in accordance with the procedure set forth in these Bylaws, and shall have (1) no record of formal or official sanctions involving unprofessional conduct rendered by a court or other lawful authority within the past three years, (2) no violations of civil rights laws, real estate license laws, or other laws prohibiting unprofessional conduct, and (3) no felony or misdemeanor convictions involving moral turpitude.

(b) The following factors shall also be considered in the determination of eligibility (a) final findings of Code of Ethics violations or violations of other Membership duties within the past three years; (b) pending ethics complaints (or hearings) or arbitration requests (or hearings); (c) unsatisfied discipline pending; unpaid arbitration awards or unpaid financial obligations to the Association; (d) any material and knowing misuse of the term REALTOR® or REALTORS®, or (d) individuals in elected office should commit to becoming an active contributor to RPAC.

(c) **President-Elect.** Individuals running for the position of President-Elect must have held a leadership position for at least two (2) full years as an Officer or Director of the Board and at least one (1) full year of active role as a committee chair or vice chair within the Association or in another REALTOR® Association or in other locally recognized and reputable organization, as determined by the nomination committee. The individual must have demonstrated active participation in past Association meetings and events as well as other related projects and initiatives. The individual must have at least five (5) years of active experience in the real estate business. PROVIDED, however, that one or more of these requirements may be waived if there is no individual willing to serve in the position who meets these requirements. The individual must also hold a broker license or with at least 7 years active experience in real estate on Guam as a member of GAR.

(d) **Director, Vice-President/Treasurer Elect, Secretary.** Individuals running for the position of Director, Vice-President/Treasurer Elect or Secretary must have at least two (2) full years in an active role as either Chair or Member of a Committee. The individual must have demonstrated active participation in past Association meetings and events as well as other related projects and initiatives. Such individuals must also have at least five (5) years of active experience in the real estate business. PROVIDED, however, that one or more of these requirements may be waived if there is no individual willing to serve in the position who meets these requirements.

B. REALTOR® Of The Year Criteria and Process

(Article XIII)

Since 1956, NAR® has been honoring the state REALTORS® of the Year at the Annual Convention in November. The program is designed to give recognition to REALTORS® who have served not only their profession, but also their communities.

Section 1. Criteria. **REALTOR® Spirit:** high principles of integrity, adherence to the REALTOR® Code of Ethics, and furtherance of the principles of good real estate practice among brokers, agents and the general public. **Civic Activity:** Local, state and national level participation in civic and service clubs, charitable activities, political commissions, fraternal or religious groups. **Business Accomplishments:** Public recognition of business conduct, service to clients, imaginative and creative advertising programs, rehabilitation work, land utilization, etc. **State & Local Association/Board Activity:** Offices held and committee work, special assignments, seminar activity and educational work, attendance and participation in state/local meetings and events, Membership and offices held in local chapters of Institutes, Societies and Councils. **National Association Activity:** National offices and committee work, Membership and work in Institutes, Societies and Councils, attendance at national conventions and Directors' meetings.

Section 2. Nomination and Election. The President's nominating committee shall be in charge of the selection of qualified individuals for the REALTOR® Of The Year ("ROTY") award. The nominating person must provide a description or explanation of the nominee setting forth the individual's qualifications based on the specific criteria for the ROTY award as established by the Board of Directors. If the nomination materials submitted do not address criteria for the ROTY award, the Board of Directors may choose to disqualify the nomination.

Section 3. The same individual may not be awarded the ROTY for two consecutive years.

Section 4. Members shall nominate the candidates for the ROTY award to the Nominating Committee. The Nominating Committee shall review the qualifications of the ROTY nominees and present their findings concerning such qualifications to the Board of Directors. The Board of Directors shall vote for the ROTY award by electronic means. The ROTY shall be announced at the Annual Meeting of the members of the Association.