



NATIONAL REAL ESTATE
ETHICS DAY[®]
#NationalEthicsDay

REALTOR[®] CODE OF ETHICS CONVERSION USING THE CODE



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*Thank you to our
Ethics Panel of Advisors*



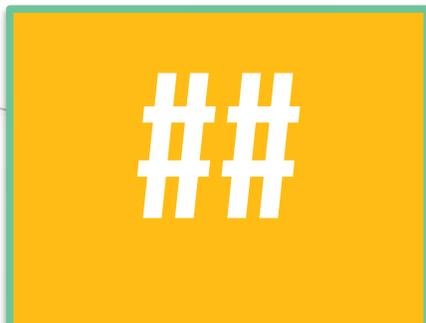
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To track your virtual participation,
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Course Description

Understanding the Code of Ethics and its requirements makes us better REALTORS®. This course will walk REALTORS® through the articles of the Code with emphasis on the most misunderstood and/or are most violated. Bringing the very best presentation to our buyer and seller clients is our number one goal and following the Code can help you do that. This course provides REALTORS® with a reliable reference for guidance in dealing with complex situations in today's day to day practice of real estate. Students will learn how the Code of Ethics compares with the concept of general business ethics.



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The Code of Ethics

Our Promise of Professionalism

Code History

- Before 1900 – Real estate practitioners were not licensed resulting in speculation, exploitation, and disorder
 - *Caveat emptor* governed transactions
- 1908 – NAR was formed
- 1913 – The Code of Ethics was officially adopted
 - The standards focused on service to the public and a commitment to professionalism
 - "Duties to Clients" and "Duties to other brokers" was included

REALTORS® Share One Common Characteristic

- Regardless of real estate business specialty (such as appraisal, property management, etc.), **ALL REALTORS®** are bound by the Code of Ethics.





THE GOLDEN RULE

Do unto others
as you would have
them do unto you.



CODE OF ETHICS

#MoreThanHouses

Structure of the Code of Ethics

Three Sections:

- Duties to Clients and Customers
- Duties to the Public
- Duties to Other REALTORS®

<https://www.nar.realtor/about-nar/governing-documents/code-of-ethics/2024-code-of-ethics-standards-of-practice>





UNDER ALL IS THE LAND



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Article 1

The Honest Messenger.

Protect and
promote your
client's interests,
but be honest
with ALL parties.

Standard of Practice 1-8

REALTORS[®], acting as agents or brokers of buyers/tenants, shall submit to buyers/tenants all offers and counter-offers until acceptance but have no obligation to continue to show properties to their clients after an offer has been accepted unless otherwise agreed in writing. Upon the written request of the listing broker who submits a counter-offer to the buyer's tenant's broker, the buyer's/tenant's broker shall provide, as soon as practical, a written affirmation to the listing broker stating that the counter-offer has been submitted to the buyers/tenants, or a written notification that the buyers/tenants have waived the obligation to have the counter-offer presented. REALTORS[®], acting as agents or brokers of buyers/tenants, shall recommend that buyers/tenants obtain the advice of legal counsel if there is a question as to whether a pre-existing contract has been terminated. (*Adopted 1/93, Amended 1/22*)

Case Study 1-2

- Realtor®B listed Client A's house for sale and advertised it as being near a public transportation site.
- Buyer C viewed Client A's house and made an offer and deposit based on the public transportation information.
- 2 days later, Realtor®B found out that the transportation was moving 6 blocks and informed Buyer C who chose to terminate. Realtor®B also suggested that Client A return the deposit.
- Client A turned in Realtor®B for not protecting his best interests while under contract.

Guilty or Not Guilty?

NOT
GUILTY



Case Study 1-5

- REALTOR® B listed Seller A's home. REALTOR® B advertised the house, showed it a few times to buyers who lost interest over the price, and discussed the listing in an office sales meeting where he advised that it may be overpriced.
- After 6 weeks and no contact from REALTOR® B, Seller A called the office anonymously and asked about his own listing for sale. The desk duty agent said 'we still have it listed but it is overpriced and we have others.'
- Seller A filed a complaint for failure to promote and protect the client best interest.

Guilty or Not Guilty?

GUILTY



Case Study 1-17

- Seller A decided to retire and sell his house. He contacted a number of brokers to discuss and was told to expect a sales price of \$150,000-\$158,000.
- Realtor®B said he could ‘make a strong effort’ at a listing price of \$168,000. He advertised the property, held it open, had several showings but received no offers.
- At the time of listing expiration, Realtor®B recommended lowering the price to \$158,900 as the market had slowed. An offer of \$150,000 was received and Realtor®B strongly suggested acceptance.
- Seller A accepted the offer and then filed a complaint that Realtor®B misled him as to market value.

Guilty or Not Guilty?

GUILTY





STANDARD OF PRACTICE 1-3

REALTORS[®], in attempting to secure a listing, shall not deliberately mislead the owner as to market value.



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Case Study 1-18

- Client A listed and sold a commercial property with REALTOR®B.
- After closing, Client A learned that his tax position would have been more favorable in a trade instead of sale.
- Client A filed a complaint against REALTOR®B for not advising against the sale for obligation to be informed regarding laws.
- REALTOR®B stated that he had advised Client A to contact an attorney, which the client did not do.

Guilty or Not Guilty?

NOT GUILTY



Case Study 1-23

- REALTOR®A ran an advertisement that said 'Guaranteed savings! Don't buy without representation.'
- Mr. and Mrs. B signed exclusive buyer representation with REALTOR®A and after viewing several homes, decided to make an offer on 1234 Hickory. The seller did not accept. REALTOR®A offered to show them more homes, but they came back and offered full price to the seller and purchased the home.
- After closing, Mr. and Mrs. B filed a complaint of exaggeration.

Guilty or Not Guilty?

GUILTY



Case Study 1-30

- REALTOR®A listed Seller S's house.
- REALTOR®A also procured Buyer B for Seller S's house.
- REALTOR®C brought another similar offer for Buyer X.
- Seller S selected REALTOR®A's offer when REALTOR®A agreed to take a lower commission.
- Buyer X found out by talking to Seller S.
- REALTOR®C filed a complaint of failure to inform of variable commission.

Guilty or Not Guilty?

NOT
GUILTY





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Article 2

Just the Facts, Ma'am.

Avoid exaggeration,
misrepresentation and
concealment of pertinent
facts. Do not reveal facts that
are confidential under the
scope of your agency
relationship.

Case Study 2-1

- REALTOR®A as property manager, offered a vacant house for rent to a prospective tenant, and presented it as good condition.
- Upon move-in, the tenant filed a complaint of misrepresentation for a clogged sewer line and a defective heater, claiming that REALTOR®A knew.

Guilty or Not Guilty?

NOT GUILTY



Case Study 2-3

- Seller A hired REALTOR®B to list and sell his home, with the stipulation that he would stay for 90 days after closing to find another home
- Seller A specified that the house had hardwood floors throughout and the custom shutters would convey
- House sold to Buyer C and 90 days after closing, Buyer C moved in
- Buyer C discovered upon vacant inspection that the hardwood floors were just around the room edges
- Buyer C filed a complaint of exaggeration and misrepresentation.

Guilty or Not Guilty?

NOT
GUILTY



Case Study 2-6

- REALTOR®A was working with hesitant Buyer C, who was hesitant to write an offer due to concerns about job changes.
- REALTOR®A reassured Buyer C that if she bought the house, his office would guarantee their equity back within the next year, so Buyer C bought the house.
- Buyer C had a job transfer 6 months later and came to REALTOR®A to list the house. REALTOR®A advised Buyer C that the market had changed and the price would have to be reduced to attract a buyer.
- Buyer C filed a complaint of misrepresentation, exaggeration and failure to make good a commitment.

Guilty or Not Guilty?

GUILTY



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Case Study 2-16

- Owner O engaged REALTOR®A to manage his apartment building.
- Tenant T moves in and subsequently turns off his phone, moves out of state and trashes the apartment.
- Owner O's attorney went over the whole file on Tenant T and noted some edits had been made to the credit report.
- REALTOR®A admitted he did it but defended his actions because it was needlessly difficult to find tenants with unblemished credit.

Guilty or Not Guilty?

GUILTY





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Article 3

Can't We All Get Along?

Cooperate with other
real estate professionals
to advance your client's
best interests.

Case Study 3-4

- Client H listed a small commercial property at a low price with REALTOR[®]J, with the stipulation that his list of prospective buyers be called first.
- Upon listing, REALTOR[®]F, who unsuccessfully interviewed for the listing, called REALTOR[®]J and asked to be acknowledged as cooperating broker. REALTOR[®]J told REALTOR[®]F that a buyer was considering and cooperation was not being invited.
- REALTOR[®]F complained to the Association, charging a failure to cooperate.

Guilty or Not Guilty?

NOT GUILTY



Case Study 3-8

- REALTOR®A submitted an offer on REALTOR®B's listing at full price with mortgage contingency.
- REALTOR®B delivered rejection to REALTOR®A and explained that seller had accepted another offer by one of REALTOR®B's sales associates.
- REALTOR®A saw the seller at a dinner party, who said there was nothing personal in the decision, but he saved money in his 'special agreement' with REALTOR®B for a lower commission if the listing sold in-office.
- REALTOR®A filed a complaint that the special agreement was undisclosed.

Guilty or Not Guilty?

GUILTY



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Case Study 3-13

- REALTOR®A listed Seller B's house at \$1,000,000 and listed in MLS.
- REALTOR®C's buyers submitted an offer for \$900,000. REALTOR®A presented to Seller B and offered to reduce commission by 1% since the price was lower than asking. Seller B agreed to accept the offer at the lower commission.
- REALTOR®A called REALTOR®C and asked if they could split the commission reduction between them. REALTOR®C agreed.
- After closing, REALTOR®C filed a complaint that the commission was being unilaterally modified in regard to a transaction after submitted offer.

Guilty or Not Guilty?

NOT GUILTY



Pathways to Professionalism

- Respect for the Public
- Respect for Property
- Respect for Peers



Professionalism in Real Estate Practice – available for download at <https://store.realtor.org>



REALTORS®
COMMITMENT
TO EXCELLENCE
C2EX.realtor

The 10 C2EX Competencies





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Article 4

Secret Secrets Are No Fun.

When buying or selling,
make your position
in the transaction or
interest known.

Article 4

REALTORS® who have a present ownership interest in property for sale or lease, or contemplated interest to purchase or lease property, must disclose in writing the existence of such interest to all parties to the transaction prior to a party signing any agreement. *(Amended 1/25)*

Standard of Practice 4-1

The present ownership interest in property for sale or lease, or contemplated interest to purchase or lease property, includes transactions in which REALTORS®:

- 1) represent themselves
- 2) represent a member of their immediate family
- 3) represent their firm or any broker or agent thereof
- 4) represent an entity in which the REALTOR® or member of their immediate family has a legal interest. *(Adopted 2/86, Amended 1/25)*

Standard of Practice 4-1

REALTORS® are not required to disclose the identity of the client or customer, nor the specific nature of the interest referred to in Article 4, but must disclose that an interest exists. (*Adopted 1/25*)

Case Study 4-3

- REALTOR®A listed Client B's house.
- REALTOR®A advised Client B to accept an offer from Buyer C at less than listed price.
- Client B later filed a complaint against REALTOR®A for failure to disclose that Buyer C was REALTOR®A's father-in-law.
- REALTOR®A defended his actions by stating that a father-in-law is not a member of the immediate family, and that two other offers which had been presented were both lower than Buyer C's offer.

Guilty or Not Guilty?

GUILTY



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Case Study 4-4

- REALTOR®B, a sales associate in REALTOR®A's office, listed a house and subsequently convinced the seller to accept \$60,000 below list price.
- After closing, the seller filed a complaint, charging REALTOR®B with a violation for selling the property to his mother without disclosure. REALTOR®A, as broker, was named as an additional respondent.
- REALTOR®B said he did nothing wrong and the seller would have accepted that price for any buyer. REALTOR®A stated that REALTOR®B is a 1099 who had completed firm training on COE and professionalism.

Guilty or Not Guilty?

GUILTY



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Article 5

Tell 'Em How You Feel.

Disclose present or
contemplated interest in any
property to all parties.

Case Study 5-1

- Buyer and Seller negotiating an apartment building and could not agree on price.
- Each engaged separate REALTORS® for valuation and agreed to move forward at the average.
- Post-closing, seller learned that buyer's REALTOR® was engaged as property manager on the subject property and also managed other properties for same buyer.
- Seller accused buyer's REALTOR® of establishing lower value than market to benefit buyer and the management relationship.

Guilty or Not Guilty?

GUILTY



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Article 6

Side-dealing?

Avoid side deals without your
client's informed consent.

Case Study 6-1

- REALTOR® A managed Owner B's office building.
- REALTOR® A as property manager bought janitorial supplies at wholesale and billed them to Owner B at retail on his statements.
- REALTOR® A defended the practice as being billed at the prices Owner B was paying prior to REALTOR® A as PM.

Guilty or Not Guilty?

GUILTY



Case Study 6-6

- REALTOR®Z developed a website that included a heading for 'preferred providers' where vendors could pay a fee to advertise, with the REALTOR® receiving a fee for anyone who clicked through
- Buyer A was on REALTOR®Z's website, found a property there and purchased it through REALTOR®Z.
- Buyer A used one of the vendors on REALTOR®Z's site to remodel the house, and when making the purchase, was told by the vendor that a fee was paid to the REALTOR® for the advertisement
- Buyer A filed a complaint of an undisclosed referral fee.

Guilty or Not Guilty?

GUILTY





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Article 7

Who's Paying Whom?

Accept compensation
from only one party, except
with full disclosure and
informed consent.

Case Study 7-1

- Buyer A engaged REALTOR®B to find a property meeting his specs.
- REALTOR®B listed Seller C's property, which met Buyer A's needs except for price.
- Seller C agreed to sell to Buyer A and REALTOR®B collected a buyer fee and seller fee.
- Seller C learned after closing that REALTOR®B was paid by the buyer and that he had convinced him to take a lower price.
- REALTOR®B said he had accepted Buyer A as client before Seller C and the price was fair.

Guilty or Not Guilty?

GUILTY



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Question to Ask:

Do you have any questions about the home buying process or my role as buyer agent?



BUYER INTAKE SHEET

Date: _____ Lead Generator: _____
Assigned to: _____ Status: **A B C** Diaimed: **Y / N** (print if needed)
Referral Fee? **Y / N** To Whom? _____ % _____ Phone: _____

Prospect _____ DecisionMaker #2: _____

Address: _____

City: _____ State: _____ Zip: _____

How do you prefer to be contacted? **Call / Text / Email** Preferred number to text to: _____

Home Phone: _____ Work: _____

Cell Phone: _____ DecisionMaker #2 Cell: _____

Email (What email do you check?): _____

Own? **Y / N** Rent? **Y / N** Lease up: _____ Rent amount: \$ _____

If own... Is house on market? **Y / N** Have to sell first? **Y / N**

Working with an agent? **Y / N** How long looking? _____

Motivation level: **1 2 3 4 5**

Best time to look: AM Afternoon PM Weekend

Price range: _____ When to move? _____

Desired areas: _____

Bedroom(s): _____ # Bath(s): _____ Garage? **Y / N**

Special requests: _____

INITIAL CONSULTATION Date: _____ Time: _____ Agent: _____

Will you be paying cash, or will you need to obtain financing? _____

Are you interested in down payment assistance programs? **Y / N**

Lender? **Y / N** If YES, company: _____

Contact: _____ Phone: _____

Approved amount? _____ Type: _____

If no, may we have a preferred lender call? **Y / N** Referred to: _____

ACTION: Send Buyer Book? **Y / N** Relo Package? **Y / N** DATE NEEDED: _____
COMPLETED BY: _____

BUYER INTAKE SHEET

Same questions. EVERY time.



- 
- Understanding Lender Rules
 - Brokerage Policies



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Why Local, State, National?





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Article 8

No Money Under The Mattress.

Keep the funds of clients and
customers in escrow.

Case Study 8-1

- REALTOR® A as listing broker for Seller B presented a signed offer to purchase for Buyer C.
- \$10,000 EMD was deposited into REALTOR® A's personal checking account.
- Buyer C was unable to proceed, and the contract was canceled.
- REALTOR® A was unable to return the funds because his personal bank account had been attached since receipt of offer.
- REALTOR® A said it was unexpected and should be straightened out in 3-4 days and not a great inconvenience to Buyer C.

Guilty or Not Guilty?

GUILTY





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Article 9

If It Ain't In Writing...

Assure, whenever possible,
that transactional details
are in writing.



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Article 10

What You Do For One, You Do For All.



#EVERYNEIGHBOREVERYZIPCODE



Article 10

REALTORS® shall not deny equal professional services to any person for reasons of race, color, religion, sex, disability, familial status, national origin, sexual orientation, or gender identity. REALTORS® shall not be parties to any plan or agreement to discriminate against a person or persons on the basis of race, color, religion, sex, disability, familial status, national origin, sexual orientation, or gender identity. *(Amended 1/23)*

REALTORS®, in their real estate employment practices, shall not discriminate against any person or persons on the basis of race, color, religion, sex, disability, familial status, national origin, sexual orientation, or gender identity. *(Amended 1/23)*





F-R-E-S-H C-O-R-N

Equal Oppportunity in Housing

F Familial Status

R Race

E Equal

S Sex

H Handicap Status

C Color

O Opportunity

R Religion

N Nationality



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Case Study 10-3

- REALTOR®A was contacted by Prospect C, a female head of household, who wanted to buy a home in the \$240,000-\$270,000 range with 3 bedrooms and near schools and playgrounds. REALTOR®A proceeded to show Prospect C a number of homes but they were not of interest to her.
- After expressing no interest in the houses presented, Prospect C filed a complaint that REALTOR A had failed to provide equal professional service because she was a woman.

Guilty or Not Guilty?

NOT GUILTY



Case Study 10-2

- REALTOR®B began working with Prospect C, a married veteran with 2 kids who was moving into the city for a new teaching job at the high school
- REALTOR®B showed Prospect C houses in neighborhoods near the school.
- Prospect C met Prospect D at a faculty meeting, Prospect D also moving to the city for a new teaching positions, also a married veteran with 2 kids.
- Prospect C gave REALTOR®B's name to Prospect D as being knowledgeable about the market and VA financing.
- REALTOR®B showed houses to Prospect D in the same price range, but different neighborhoods. Prospect D asked about closer houses but REALTOR®B said he had no knowledge of additional homes for which Prospect D could qualify. Prospect D was black.
- Prospect D and Prospect C compared houses they had seen, and upon that knowledge Prospect D filed a complaint of discrimination.

Guilty or Not Guilty?

GUILTY



Case Study 10-4

- REALTOR®A listed a property in a new subdivision. Seller X requested no MLS listing, no 'For Sale' sign, and no online advertising. Seller X told REALTOR®A that he wanted the sale handled 'quietly', with new purchasers being people who would 'fit into the neighborhood.'
- REALTOR®A did a mailing to the neighborhood, inviting them to 'play a part in the decision of who your next neighbor will be.'
- REALTOR®B filed a complaint after seeing the marketing letter which had been sent to his mother, a new resident of the subdivision.

Guilty or Not Guilty?

GUILTY





WE WANT ALL BUYERS TO KNOW ABOUT YOUR HOME



CODE OF ETHICS

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Case Study 10-6

- In social media discussions, REALTOR®A made the following comments: “I think Black people bring out the worst in us”; “we always knew n----- were violent. They are not Christian”; and described Black protestors as “animals trying to reclaim their territory”.
- A consumer took screenshots of the comments, including REALTOR®A’s name, and filed a complaint.
- REALTOR®A confirmed she had, in fact, posted the statements, but denied that making the statements interfered in her ability to provide equal professional services to anyone because of their race.

Guilty or Not Guilty?

GUILTY



Case Study 10-7

- REALTOR®A was a registered member of Political Party Y, and routinely engaged in political discussions on social media and in private conversations. REALTOR®A's conversations and social media posts often included insulting, intimidating, and hostile statements about members of Political Party Z, including aggressively insulting their intelligence, implying they were unpatriotic, and telling them that if they disagreed, they should leave the country.
- REALTOR®B witnessed numerous instances where REALTOR®A harassed others on the basis of their membership in Political Party Z and believed that REALTOR®A was using harassing speech. He filed an ethics complaint with the local Association of REALTORS®.
 - ***Guilty or Not Guilty?***

NOT
GUILTY



Case Study 10-11

- When searching real estate listings on a brokerage website, a potential homebuyer noticed a listing with the Confederate flag prominently displayed in the property photos.
- At the hearing, the complainant testified that she felt threatened by the display of the Confederate flag and took it to mean that she would not be welcome in the home or the neighborhood if she were to make an offer on the property.
- The listing broker testified that he should not be held responsible for what is displayed in a client's home and could not offer an explanation for his client's motives in displaying the Confederate flag.

Guilty or Not Guilty?

GUILTY



Does Fair Housing Stop at Protected Classes?

Expanded definition of the public trust:

- The "public trust", as used in this context, refers to demonstrated misappropriation of client or customer funds or property, ~~willful~~ discrimination against the protected classes under the Code of Ethics, or fraud ~~resulting in substantial economic harm~~.
- Expanded definition includes all discrimination against the protected classes under Article 10 and all fraud.

 **SELLER INTAKE SHEET**

Date: _____ Lead Source: _____
Assigned to: _____
Referral Fee? Y / N To Whom? _____

Prospect: _____
Address: _____
City: _____

How do you prefer to be contacted? Call / Text / Email Preferred number to text to: _____

Home Phone: _____ Work: _____
Cell Phone: _____ DecisionMaker #2 Cell: _____

Email (What email do you check?): _____
Is the property address the same as you
if NO. _____
How long have you owned your home?
Moving to? _____

Need Agent? Y / N Provided contact
Bedrooms: _____ # Baths: _____
Subdivision: _____
Square feet: _____

Special features: _____
Updates last few years? Y / N If YES _____
Rate your home 1-10 _____
What do you own? (List) _____

What kind of loan did you use when you
bought? _____
Have you refinanced since you
bought? _____
How did you hear about us? _____

What are three things you are looking for
in a home? _____
Have you or are you going to talk with
anyone else about this home? _____

Would you prefer to visit at your home?
ALTOG LISTING LEAD: _____
Past visit Phone call _____
APPC: _____ HANDED: _____

© 2012 Loyal Home Loans, Inc. All Rights Reserved. Lead # _____

 **BUYER INTAKE SHEET**

Date: _____ Lead Generator: _____
Assigned to: _____ Status: A B C Diamond: Y / N Upgrd. E. needed
Referral Fee? Y / N To Whom? _____ % Phone: _____

Prospect: _____ DecisionMaker #2: _____
Address: _____
City: _____ State: _____ Zip: _____

How do you prefer to be contacted? Call / Text / Email Preferred number to text to: _____

Home Phone: _____ Work: _____
Cell Phone: _____ DecisionMaker #2 Cell: _____

Email (What email do you check?): _____
Own? Y / N Rent? Y / N Lease up: _____ Rent amount \$ _____
If own... In house on market? Y / N Have to sell first? Y / N

Working with an agent? Y / N How long looking? _____
Motivation level: 1 2 3 4 5
Best time to look: AM Afternoon PM Weekend

Price range: _____ When to move? _____
Desired areas: _____

Bedroom(s) _____ # Bath(s) _____ Garage? Y / N _____
Special requests: _____

INITIAL CONSULTATION Date: _____ Time: _____ Agent: _____
Will you be paying cash, or will you need to obtain financing? _____
Are you interested in down payment assistance programs? Y / N _____

Lender? Y / N If YES, company: _____
Contact: _____ Phone: _____
Approved amount? _____ Type: _____
If no, may we have a preferred lender call? Y / N Referred to: _____

ACTION: Send Buyer Book? Y / N Rate Package? Y / N DATE NEEDED: _____
COMPLETED BY: _____

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INTAKE

Same questions.
EVERY time.



Welcome to FAIRHAVEN

Use your fair housing knowledge to navigate challenging real estate scenarios in Fairhaven.*

Launch

*Fairhaven is a fictional town and does not represent or simulate a specific neighborhood, town, organization, or place. Any similarity to an actual place is purely coincidental.

Need help or have a question? Reach out to fairhaven@nar.realtor



TIME TO COMPLETE
60-100 minutes





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Article 11

Learn and Ask Before You Proclaim.

Be knowledgeable and competent in the fields of practice in which you ordinarily engage. Obtain assistance or disclose lack of experience if necessary.

Standard of Practice 11-2

The obligations of the Code of Ethics in respect of real estate disciplines other than appraisal shall be interpreted and applied in accordance with the standards of competence and practice which clients and the public reasonably require to protect their rights and interests considering the complexity of the transaction, the availability of expert assistance, and, where the REALTOR® is an agent or subagent, the obligations of a fiduciary or the applicable agency duties required by law. *(Amended 1/25)*

Case Study 11-2

- REALTOR® A was asked by Client B to appraise a large residential home.
- REALTOR® A reached out to other REALTORS® in the area for information concerning values in the area.
- REALTOR® C filed a complaint that REALTOR® A had failed to acknowledge this assistance in his report.
- REALTOR® A protested that he frequently made general requests to others and did not consider it to constitute formal assistance.

Guilty or Not Guilty?

NOT GUILTY



Case Study 11-10

- Client A listed her property with REALTOR®B, an offer was received and the property went to contract.
- REALTOR®B, also being an appraiser, was contacted by the buyer's lender to perform the appraisal for the lender.
- The lender realized the listing broker was also the appraiser when the closing statement was prepared, and filed a complaint for failure to disclose an interest in the property.

Guilty or Not Guilty?

GUILTY





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Article 12

How Old IS That Picture?

Present a true picture
in your advertising and other
public representations.

Standard of Practice 12-11

REALTORS® must not represent that their brokerage services to a client or customer are free or available at no cost to their clients, unless the REALTOR® will receive no financial compensation from any source for those services. (***Amended 1/22***)

Case Study 12-6

- REALTOR® A is a homebuilder.
- His ads said 'Buy direct and save'.
- REALTOR® B complained that the advertising was unfair to other members of the MLS.
- REALTOR® A said he didn't 'actually' sell them for less so nothing was done wrong.

Guilty or Not Guilty?

GUILTY



Case Study 12-11

- REALTOR®A purchased a banner ad on his local newspaper's website and included photos of homes he had sold as cooperating agent.
- Three complaints were filed that the claim of 'sold' was false and misleading since none of the properties had been listed by REALTOR®A.
- REALTOR®A responded that while the properties had been listed with other brokers, he had been the 'selling' broker and was entitled to advertise his role.

Guilty or Not Guilty?

NOT GUILTY





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Article 13

You're Not An Attorney (Unless You Are).

Do not engage in the
unauthorized practice of law.

Case Study 13-1

- Client A was headed to China on business and wanted REALTOR® B to prepare a power of attorney for his wife while he was gone, 'just in case.'
- A member of the Grievance Committee at the local REALTOR® Association found out and filed a complaint with the Pro Standards Committee.
- REALTOR® B said he knew the POA was essentially for real estate and his preparation was rendering real estate-not legal-services.

Guilty or Not Guilty?

GUILTY



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Case Study 13-2

- REALTOR®A was acting as listing broker for Seller B.
- Buyer C wanted to purchase without a separate agent, so REALTOR®A filled in the blanks of a standard purchase agreement with Buyer C.
- REALTOR®A told Buyer C that he could have an attorney look over it, but the buyer declined and signed.
- Confusion arose over contract dates, and Seller B felt embarrassed, so he filed a complaint against REALTOR®A for acting as an attorney.

Guilty or Not Guilty?

NOT
GUILTY



Case Study 13-3

- REALTOR®A, agent for Client B, received an offer on a 25 acre property from Customer C. Client B countered above asking price to Customer C.
- Customer C became upset and indicated intent to call an attorney to force Client B to sell at the listing price. REALTOR®A advised Customer C that litigation could be lengthy and expensive, and the sale could not be enforced. Customer C moved forward at the higher price.
- Customer C filed a complaint that REALTOR®A provided bad advice with his persuasive personality and therefore he did not consult an attorney.

Guilty or Not Guilty?

GUILTY



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Article 14

Go To Time-Out.

Be a willing participant
in Code enforcement
procedures.

Code Enforcement

- Every association is responsible for enforcing the Code.
- This includes providing mediation and conducting ethics and arbitration hearings.
- Only REALTORS® and REALTOR-ASSOCIATES® are subject to the Code.
- An association where someone holds membership **or** gains MLS access has jurisdiction to process ethics complaints and arbitration requests filed against that individual.
- Associations do **not** determine violations of law and regulation.

Case Study 14-2

- REALTOR®A was charged with a violation of the Code.
- Complainants formally presented charges and REALTOR®A was questioned.
- REALTOR®A pled the Fifth Amendment.

Guilty or Not Guilty?

GUILTY



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Article 15

If You Don't Have Something Nice To Say...



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Ensure that your comments
about other real estate
professionals are truthful
and not misleading.

Case Study 15-2

- REALTOR®Z and Homeowner X were chatting on the golf course and Homeowner X asked REALTOR®Z to list his home. REALTOR®Z said 'no, I only represent buyers.'
- Homeowner X asked about REALTOR®A. REALTOR®Z said that REALTOR®A did not cooperate with other brokers and would not get a strong offer.
- Homeowner X's wife talked to REALTOR®A's wife and shared the comments.
- REALTOR®A filed a complaint of false and misleading statements.

Guilty or Not Guilty?

GUILTY



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Article 16

Check For the Ring.

Respect the exclusive representation or exclusive brokerage relationship agreements that other REALTORS® have with their clients.

Case Study 16-7

- Client X listed her house with REALTOR®A under a 90 day exclusive listing. Client X was disappointed with no results and told REALTOR®A that she may seek another agency upon expiration.
- Client X expressed dissatisfaction to her friend, who suggested REALTOR®B.
- REALTOR®B contacted REALTOR®A to inquire about nature and status of the listing. REALTOR®A responded that the listing was his and refused to discuss further.
- REALTOR®B contacted Client X and offered to discuss listing upon termination of the listing. REALTOR®B then listed the property after it expired.

Guilty or Not Guilty?

NOT GUILTY



Case Study 16-9

- REALTOR®A designed an advertising campaign for newspaper and billboards around the city stating: 'Attention: All homeowners whose properties are for sale. Do you want results? If so, call REALTOR®A. He has a new marketing program that gets results.'
- REALTOR®A received a number of calls from homeowners currently listed with other REALTORS®. Those REALTORS® filed complaints for failing to respect exclusive agency.
- REALTOR®A defended his campaign by saying it was mass media and not directed at any particular owner and was not an attempt to induce owners to breach existing listings.

Guilty or Not Guilty?

NOT GUILTY



Case Study 16-22

- REALTOR®A met Buyer C at an open house for her listing. Buyer C was not interested in the house, but REALTOR®A suggested her upcoming listing as a possibility.
- REALTOR®A offered to show the unlisted house to Buyer C, who preferred to have her own agent show it to her. REALTOR®A said that it would be sold prior to MLS and that Buyer C would miss out on the house. Buyer C then wrote an offer and closed on the house.
- REALTOR®B filed a complaint of interference with agency relationship.
- REALTOR®A's defense was that she did not know the agency agreement was exclusive.

Guilty or Not Guilty?

GUILTY





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Article 17

Arbitration

Arbitrate contractual and
specific non-contractual
disputes with other
REALTORS[®] and with
your clients.

Case Study 17-7

- REALTOR®A filed a request for arbitration with REALTOR®B in a dispute over cooperative commission. The Grievance Committee referred it to an arbitration hearing panel.
- Shortly after, REALTOR®B was notified that REALTOR®A had filed a complaint with the state Real Estate Commission.
- REALTOR®B then filed an ethics complaint for filing a complaint with the REC while the same issue was being handled by the association.

Case or No Case?

NO CASE



RPAC

is the member

BENEFIT

that benefits

THE PUBLIC.

The image is a screenshot of the National Association of Realtors (NAR) website. At the top left is the NAR logo, which consists of a stylized 'R' in a square followed by the text 'NATIONAL ASSOCIATION OF REALTORS®'. To the right of the logo is a search bar with the word 'Search' and a magnifying glass icon. Further right are links for 'Store', 'Contact', 'Pay Dues', and 'Sign In'. Below the search bar is a blue navigation bar with white text links: 'Real Estate Topics', 'Membership', 'Research & Statistics', 'Political Advocacy', 'Education', 'News & Events', 'About NAR', and 'More'. The main content area features a large blue banner with a photograph of a smiling woman and man looking at a tablet. The title 'Competition in Real Estate' is written in large white font. Below the title is a paragraph of text: 'REALTORS® are mostly small business owners who work to ensure buyers and sellers have the greatest access, transparency and choice through independent, local broker marketplaces that level the playing field for all types and sizes of brokerages.' A green button with the text 'Learn More' is positioned below the paragraph. At the bottom of the banner is a white bar with a thin blue line above it, containing links: 'Fostering Competition', 'Consumer Access & Opportunity', 'REALTORS® as Champions', 'In the News', and 'FAQ'.

Competition.Realtor

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Type

- Book (3)
- Brochure (8)
- Brochure Package Of 100 (1)
- Guide (3)
- Multimedia (1)
- Other (4)
- Report (1)

Rating

Author

- Leigh Brown (1)
- NAR (22)

Other

Price

Min.



Code of Ethics

Live by the code. A collection of materials to help you conduct business with a moral fairness and equality for all.

store.realtor/topics/being-a-realtor/code-of-ethics/

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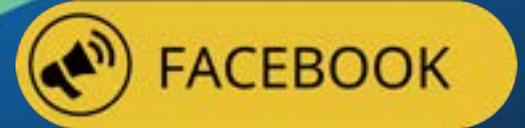
Ask your questions live at:

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Ethics Panel of Advisors*



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