

BYLAWS OF THE
ANCHORAGE BOARD OF REALTORS®, INC.
AMENDED DECEMBER 5, 2024



ARTICLE I - NAME

Section I. Name. The name of this organization shall be the Anchorage Board of REALTORS®, Incorporated, hereinafter referred to as the "ABR."

ARTICLE II - OBJECTIVES

The objectives of ABR are:

Section I. To unite those engaged in the recognized branches of the real estate profession for the purpose of exerting a beneficial influence upon the profession and related interests.

Section 2. To promote and maintain high standards of conduct in the real estate profession as expressed in the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®.

Section 3. To provide a unified medium for real estate owners and those engaged in the real estate profession whereby their interests may be safeguarded and advanced.

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

Section 5. To unite those engaged in the real estate profession in Anchorage with Alaska REALTORS® and the NATIONAL ASSOCIATION OF REALTORS®, thereby furthering their own objectives throughout the state and nation and obtaining the benefits and privileges of membership therein.

Section 6. To designate, for the benefit of the public, individuals authorized to use the terms REALTOR® and REALTORS® as licensed, prescribed, and controlled by the NATIONAL ASSOCIATION OF REALTORS®.

ARTICLE III - JURISDICTION

Section I. The territorial jurisdiction of the board as a member of the NATIONAL ASSOCIATION OF REALTORS® is boundaries of South-Central District 8, defined as commencing at the Knik River Bridge, thence West along the South Shore of Knik Arm, thence along the North Shore of Turnagain Arm to and including Portage, thence due North on the 149th parallel to point of beginning as allocated by the Board of Directors of the NATIONAL ASSOCIATION OF REALTORS®. (*Amended: 10/2017*)

Section 2. Territorial jurisdiction is defined to mean: the right and duty to control the use of the terms REALTOR® and REALTORS®, subject to the conditions set forth in these bylaws and those of the NATIONAL ASSOCIATION OF REALTORS®, in return for which ABR agrees to protect and safeguard the property rights of the national association in the terms.

ARTICLE IV - MEMBERSHIP

Section I. There shall be six classes of members as follows:

(A) REALTOR® Members. REALTOR® members, whether primary or secondary shall be:

(1) Individuals who, as sole proprietors, partners, corporate officers, or branch office managers, are engaged actively in the real estate profession, including buying, selling, exchanging, renting, or leasing, managing, appraising for others for compensation, counseling, building, developing, or subdividing real estate, and who maintain or are associated with an established real estate office in the state of Alaska or a state contiguous thereto. All persons who are partners in a partnership, or all officers in a corporation who are actively engaged in the real estate profession within the state or a state contiguous thereto shall qualify for REALTOR® membership only, and each is required to hold REALTOR® membership (except as provided in the following paragraph) in a board of REALTORS® within the state or a state contiguous thereto, unless otherwise qualified for Institute Affiliate Membership. *(NAR mandatory amendment 2021)*

(2) In the case of a real estate firm, partnership, or corporation, whose business activity is substantially all commercial, only those principals actively engaged in the real estate business in connection with the same office, or any other offices within the jurisdiction of the board in which one of the firm's principals holds REALTOR® membership, shall be required to hold REALTOR® membership unless otherwise qualified for Institute Affiliate Membership. *(Amended: 1/05; (NAR mandatory amendment 2021)*

(3) Individuals who are engaged in the real estate profession other than as sole proprietors, partners, corporate officers, or branch office managers and are associated with a REALTOR® member and meet the qualifications. *(NAR mandatory amendment 2021)*

(B) Franchise REALTOR® Membership. Corporate officers (who may be licensed or unlicensed) of a real estate brokerage franchise organization with at least 150 franchisees located within the United States, its insular possessions, and the commonwealth of Puerto Rico, elected to membership pursuant to the provisions in the NAR constitution and bylaws. Such individuals shall enjoy all of the rights, privileges, and obligations of REALTOR® membership (including compliance with the Code of Ethics) except: obligations related to board mandated education, meeting attendance, or indoctrination classes or other similar requirements; the right to use the term REALTOR® in connection with their franchise organization's name; and the right to hold elective office in the local board, state association and National Association. *(Adopted: 1/1996; NAR mandatory amendment 2021)*

(C) Primary and Secondary REALTOR® Members. An individual is a primary member if the association pays state and national dues based on such member. An individual is a secondary member if state and national dues are remitted through another association. One of the principals in a real estate firm must be a designated REALTOR® member of the association in order for licensees affiliated with the firm to select the association as their "primary" association. *(NAR mandatory amendment 2021)*

(D) Designated REALTOR® Members. Each firm (or office in the case of firms with multiple office locations) shall designate in writing one REALTOR® member who shall be responsible for all duties and obligations of membership, including the obligation to arbitrate or to mediate pursuant to Article 17 of the Code of Ethics and the payment of association dues. The "Designated REALTOR®" must be a sole proprietor, partner, corporate officer, or branch office manager acting on behalf of the firm's principal(s) and must meet all other qualifications for REALTOR® membership. *(Amended: 11/2011; NAR mandatory amendment 2021)*

(E) Institute Affiliate Members. Institute Affiliate members shall be individuals who hold a professional designation awarded by an institute, society, or council affiliated with the NATIONAL ASSOCIATION OF REALTORS® that addresses a specialty area other than residential brokerage or individuals who otherwise hold a class of membership in such institute, society or council that confers the right to hold office. Any such individual, if otherwise eligible, may elect to hold REALTOR® or REALTOR® ASSOCIATE membership, subject to payment of applicable dues for such membership. *(Amended: 1/2002; NAR ma*

(F) Affiliate Members. Affiliate members shall be real estate owners and other individuals or firms who, while not engaged in the real estate profession as defined in paragraphs (a) or (b) of this section, have interests requiring information concerning real estate, and are in sympathy with the objectives of ABR. Affiliate membership shall also be granted to individuals licensed or certified to engage in real estate practice who, if otherwise eligible, do not elect to hold REALTOR® membership in ABR, provided the applicant is engaged exclusively in a specialty of the real estate business other than brokerage of real property.

Section 2. Privileges of REALTOR® members. REALTOR® Members, whether primary or secondary, in good standing are entitled to vote and to hold elective office in the Anchorage Board of REALTORS® ; and may use the term REALTOR®. For purposes of this section, the term “good standing” means the member satisfies the “Obligations of REALTOR® Members,” is current with all financial and disciplinary obligations to the association, has completed any new member requirements, and complies with NAR’s trademark rules. *(NAR mandatory amendment 2021)*

Section 3. Obligations of REALTOR® Members. It shall be the duty and responsibility of every REALTOR® Member of this association to safeguard and promote the standards, interests, and welfare of the association and the real estate profession, and to protect against conduct that may cause a lack of public confidence in the real estate profession or in REALTORS®. REALTOR® members also must abide by the governing documents and policies of the association, and the state association, and the NATIONAL ASSOCIATION OF REALTORS®, as well as the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®, including the duty to mediate and arbitrate controversies arising out of real estate transactions as specified by Article 17 of the Code of Ethics, and in accordance with the procedures set forth in the *Code of Ethics and Arbitration Manual*. *(NAR mandatory amendment 2021)*

Every REALTOR® member shall maintain a high level of integrity and adhere to the association’s membership criteria. Any violent act or threat of violence to person or property, hateful conduct, or acts of moral turpitude impacting the public shall not be tolerated and may be cause for disciplinary action, up to and including termination of membership. *(Adopted: 11/2011; Amended: 10/2019; NAR mandatory amendment 2021)*

ARTICLE V - QUALIFICATION AND ELECTION

Section I. Application. An application for membership shall be made in such manner and form as may be prescribed by the board of directors and made available to anyone requesting it. The application form shall contain among the statements to be signed by the applicant:

(1) The applicant agrees as a condition to membership to thoroughly familiarize himself with the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®, the constitutions, bylaws, and rules and regulations of ABR, the state and national associations, and if elected a member, will abide by the constitutions and bylaws and rules and regulations of the board, state and national associations, and if a REALTOR® member, will abide by the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS® including

the obligation to arbitrate and mediate controversies arising out of real estate transactions as specified by Article 17 of the Code of Ethics, and as further specified in the *Code of Ethics and Arbitration Manual* of the NATIONAL ASSOCIATION OF REALTORS®, as from time to time amended; and

(2) The applicant consents that ABR, through its membership committee or otherwise, may invite and receive information and comment about applicant from any member or other persons, and that applicant agrees that any information and comment furnished to ABR by any person in response to the invitation shall be conclusively deemed to be privileged and not form the basis of any action for slander, libel, or defamation of character. The applicant shall, with the form of application, have access to a copy of the bylaws, constitution, rules and regulations, and Code of Ethics referred to above. *(Amended: 11/2011)*

Section 2. Qualification.

(A) An applicant for REALTOR® membership who is a sole proprietor, partner, corporate officer, or branch office manager of a real estate firm shall supply evidence satisfactory to ABR through its membership committee or otherwise that he is actively engaged in the real estate profession, and maintains a current, valid real estate broker's or salesperson's license or is licensed or certified by an appropriate state regulatory agency to engage in the appraisal of real property, has a place of business within the state or a state contiguous thereto (unless a secondary member), has no record of recent or pending bankruptcy*, has no record of official sanctions involving unprofessional conduct**, agrees to complete a course of instruction covering the bylaws and rules and regulations of ABR, the bylaws of the state association, and the constitution and bylaws and Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®, and shall pass such reasonable and nondiscriminatory written examination thereon as may be required by the committee, and shall agree that if elected to membership, he will abide by such constitution, bylaws, rules and regulations, and Code of Ethics. *(Amended: 1/2005)*

* No recent or pending bankruptcy is intended to mean that the applicant or any real estate firm in which the applicant is a sole proprietor, general partner, corporate officer, or branch office manager, is not involved in any pending bankruptcy or insolvency proceedings or, has not been adjudged bankrupt in the past three years. If a bankruptcy proceeding as described above exists, membership may not be rejected unless ABR establishes that its interests and those of its members and the public could not be adequately protected by requiring that the bankrupt applicant pay cash in advance to ABR and for up to one year from the date that membership is approved or from the date that the applicant is discharged from bankruptcy, whichever is later. In the event that an existing member initiates bankruptcy proceedings, the member may be placed on a "cash basis" from the date that bankruptcy is initiated until one year from the date that the member has been discharged from bankruptcy.

** No record of official sanctions involving unprofessional conduct is intended to mean that ABR may only consider:

(1) Judgments within the past three years of violations of (1) civil rights laws; (2) real estate license laws; (3) or other laws prohibiting unprofessional conduct against the applicant rendered by the courts or other lawful authorities.

(2) Criminal convictions if (1) the crime was punishable by death or imprisonment in excess of one year under the law under which the applicant was convicted, and (2) no more than 10 years have elapsed since the date of the conviction or the release of the applicant from the confinement imposed for that conviction, whichever is the later date. *(Adopted: 5/2007)*

NOTE 2: Article IV, Section 2, of the NAR Bylaws prohibits member boards from knowingly granting REALTOR® or REALTOR-ASSOCIATE® membership to any applicant who has an unfulfilled sanction pending which was imposed by another board or association of REALTORS® for violation of the Code of Ethics. (Adopted: 1/2001)

(B) Individuals who are actively engaged in the real estate profession other than as sole proprietors, partners, corporate officers, or branch office managers in order to qualify for REALTOR® membership, shall at the time of application, be associated either as an employee or as an independent contractor with a designated REALTOR® member of ABR or a designated REALTOR® member of another board (if a secondary member) and must maintain a current, valid real estate broker's or salesperson's license or be licensed or certified by an appropriate state regulatory agency to engage in the appraisal of real property, has no record of official sanctions involving unprofessional conduct*, shall complete a course of instruction covering the bylaws and rules and regulations of ABR, the bylaws of the state association, and the constitution and bylaws and Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®, and shall pass such reasonable and nondiscriminatory written examinations thereon as may be required by the membership committee and shall agree in writing that if elected to membership he will abide by such constitution, bylaws, rules and regulations, and the Code of Ethics.

*No record of official sanctions involving unprofessional conduct is intended to mean that the board may only consider:

(1) judgments against the applicant within the past three years of violations of (1) civil rights laws, (2) real estate license laws, and (3) or other laws prohibiting unprofessional conduct against the applicant rendered by the courts or other lawful authorities.

(2) criminal convictions if (1) the crime was punishable by death or imprisonment in excess of one year under the law under which the applicant was convicted, and (2) no more than 10 years have elapsed since the date of the conviction or the release of the applicant from the confinement imposed for that conviction, whichever is the later date. (Adopted: 5/2007)

(C) ABR will also consider the following in determining an applicant's qualifications for REALTOR® membership:

(1) All final findings of Code of Ethics violations and violations of other membership duties in any other association within the past three years.

(2) Pending ethics complaints (or hearings).

(3) Unsatisfied discipline pending.

(4) Pending arbitration requests (or hearings).

(5) Unpaid arbitration awards or unpaid financial obligations to any other association or association MLS.

(6) Any misuse of the term REALTOR® or REALTORS® in the name of the applicant's firm.

"Provisional" membership may be granted in instances where ethics complaints or arbitration requests (or hearings) are pending in other associations or where the applicant for membership has unsatisfied discipline pending in another association (except for violations of the Code of Ethics; See Article V, Section 2(a) NOTE 2) provided all other qualifications for membership have been satisfied. Associations may reconsider the membership status of such individuals when all pending ethics and arbitration matters (and related discipline) have been resolved or if such matters are not resolved within six months from the date that provisional membership is approved. Provisional members shall be considered REALTORS® and

shall be subject to all of the same privileges and obligations of REALTOR® membership. If a member resigns from another association with an ethics complaint or arbitration request pending, the association may condition membership on the applicant's certification that he/she will submit to the pending ethics or arbitration proceeding (in accordance with the established procedures of the association to which the applicant has made application) and will abide by the decision of the hearing panel. *(Amended: 06/2006)*

Section 3. Election. The procedure for election to membership shall be as follows:

(A) The association executive (or duly authorized designee) shall determine whether the applicant is applying for the appropriate class of membership. If the association has adopted provisional membership, applicants for REALTOR® membership may be granted provisional membership immediately upon submission of a completed application form and remittance of applicable association dues and any application fee. Provisional members shall be considered REALTORS® and shall be subject to all the same privileges and obligations of membership. Provisional membership is granted subject to final review of the application by the board of directors.

(B) If the board of directors determines that the individual does not meet all of the qualifications for membership as established in the association's bylaws, or, if the individual does not satisfy all of the requirements of membership, for example, completion of a mandatory orientation program within 60 days from the association's receipt of their application, membership may, at the discretion of the board of directors, be terminated. In such instances, dues shall be returned to the individual less a prorated amount to cover the number of days that the individual received association services and any application fee. The board of directors shall vote on the applicant's eligibility for membership. If the applicant receives a majority vote of the board of directors, he/she shall be declared elected to membership and shall be advised by written notice.

(C) The board of directors may not reject an application without providing the applicant with advance notice of the findings, an opportunity to appear before the board of directors, to call witnesses on his/her behalf, to be represented by counsel, and to make such statements as he/she deems relevant. The board of directors may also have counsel present. The board of directors shall require that written minutes be made of any hearing before it or may be electronically or mechanically record the proceedings.

(D) If the board of directors determines that the application should be rejected, it shall record its reasons with the association executive (or duly authorized designee). If the board of directors believes that denial of membership to the applicant may become the basis of litigation and a claim of damage by the applicant, it may specify that denial shall become effective upon entry in a suit by ABR for a declaratory judgment by a court of competent jurisdiction of a final judgment declaring that the rejection violates no rights of the applicant. *(Adopted: 1/1998 Amended: 1/2005; 10/2019)*

Section 4. Status changes.

(A) A REALTOR® who changes the conditions under which he holds membership shall be required to provide written notification to ABR within 30 days. A REALTOR® (non-principal) who becomes a principal in the firm with which he has been licensed or, alternatively, becomes a principal in a new firm which will be comprised of REALTOR® principals may be required to satisfy any previously unsatisfied membership requirements applicable to REALTOR® (principal) members but shall, during the period of transition from one status of membership to another, be subject to all of the privileges and obligations of a REALTOR® (principal). If the REALTOR® (non-principal) does not satisfy the requirements established in these bylaws for the category of membership to which they have transferred within 30 days of the date

they advised ABR of their change in status, their new membership application will terminate automatically unless otherwise so directed by the board of directors.

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

(2) The board of directors, at its discretion, may waive any qualification which the applicant has already fulfilled in accordance with ABR's bylaws.

(B) Any application fee related to a change in membership status shall be reduced by an amount equal to any application fee previously paid by the applicant.

(C) Dues shall be prorated from the first day of the month for the remainder of the year.
(Amended: 10/2012; 1/2005; 10/2019)

ARTICLE VI - PRIVILEGES AND OBLIGATIONS

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

Section 2. Any member of ABR may be reprimanded, fined, placed on probation, suspended, or expelled by the board of directors for a violation of these bylaws and ABR rules and regulations consistent with these bylaws, after a hearing as provided in the *Code of Ethics and Arbitration Manual* of the NATIONAL ASSOCIATION OF REALTORS®. Although members other than REALTORS® are not subject to the Code of Ethics nor its enforcement by ABR, such members are encouraged to abide by the principles established in the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS® and conduct their business and professional practices accordingly. Further, members other than REALTORS® may, upon recommendation of the membership committee, or upon recommendation by a hearing panel of the professional standards committee, be subject to discipline as described above, for any conduct, which in the opinion of the board of directors, applied on a nondiscriminatory basis, reflects adversely on the terms REALTOR® or REALTORS®, and the real estate industry, or for conduct that is inconsistent with or adverse to the objectives and purposes of ABR, Alaska REALTORS®, and the NATIONAL ASSOCIATION OF

Section 3. Resignations of members shall become effective when received in writing by ABR, provided, however, that if any member submitting the resignation is indebted to ABR for dues, fees, fines, or other assessments of ABR or any of its services, departments, divisions, or subsidiaries, ABR may condition the right of the resigning member to reapply for membership upon payment in full of all such monies owed.

Section 4. If a member resigns from ABR or otherwise causes membership to terminate with an ethics complaint pending, the complaint shall be processed until the decision of the association with respect to disposition of the complaint is final by this association (if respondent does not hold membership in any other association) or by any other association in which the respondent continues to hold membership. If an ethics respondent resigns or otherwise causes membership in all boards to terminate before an ethics complaint is filed alleging unethical conduct occurred while the respondent was a REALTOR®, the complaint, once filed, shall be processed until the decision of the association with respect to disposition of the complaint is final. In any instance where an ethics hearing is held subsequent

to an ethic respondent's resignation or membership termination, any discipline ratified by the board of directors shall be held in abeyance until such time as the respondent rejoins an association of REALTORS®.

(1) If a member resigns or otherwise causes membership to terminate, the duty to submit to arbitration (or to mediation if required by the association), continues in effect even after membership lapses or is terminated, provided that the dispute arose while the former member was a REALTOR®.
(Amended: 1/2000; 11/2011)

Section 5. If a REALTOR® member is a sole proprietor in a firm, a partner in a partnership or an officer in a corporation, and is suspended or expelled, the firm, partnership or corporation shall not use the terms REALTOR® or REALTORS® in connection with its business during the period of suspension, or until readmission to REALTOR® membership, or unless connection with the firm, partnership or corporation is severed, or management control is relinquished, whichever may apply. The membership of all other principals, partners, or corporate officers shall suspend or terminate during the period of suspension of the disciplined member, or until readmission of the disciplined member or unless connection of the disciplined member with the firm, partnership, or corporation is severed, or unless the REALTOR® who is suspended or expelled removes himself from any form or degree of management control of the firm for the term of the suspension or until readmission to membership, whichever may apply. Removal of an individual from any form or degree of management control must be certified to ABR by the member who is being suspended or expelled and by the individual who is assuming management control, and the signatures of such certification must be notarized. In the event the suspended or expelled member is so certified to have relinquished all form or degree of management control of the firm, the membership of other partners, corporate officers, or other individuals affiliated with the firm shall not be affected, and the firm, partnership or corporation may continue to use the terms REALTOR® and REALTORS® in connection with its business during the period of suspension or until the former member is admitted to membership in ABR. The foregoing is not intended to preclude a suspended or expelled member from functioning as an employee or independent contractor, providing no management control is exercised. Further, the membership of REALTORS® other than principals who are employed or affiliated as independent contractors with the disciplined member shall suspend or terminate during the period of suspension of the disciplined member or until readmission of the disciplined member, or unless connection of the disciplined member with the firm, partnership, or corporation is severed, or management control is relinquished, or unless the REALTOR® member (non-principal) elects to sever his connection with the REALTOR® and affiliate with another REALTOR® member in good standing in ABR, whichever may apply.

If a REALTOR® member other than a sole proprietor in a firm, partner in a partnership, or an officer of a corporation is suspended or expelled, the use of the terms REALTOR® or REALTORS® by the firm, partnership or corporation shall not be affected. *

(1) In any action taken against a REALTOR® member for suspension or expulsion under Section 6(a) hereof, notice of such action shall be given to all REALTORS® employed by or affiliated as independent contractors with such REALTOR® member and they shall be advised that the provisions in Article VI, Section 6(a) shall apply. (Amended: 10/2019)

Section 6. Institute affiliate members. Institute affiliate members shall have rights and privileges and be subject to obligations prescribed by the board of directors consistent with the constitution and bylaws of the NATIONAL ASSOCIATION OF REALTORS®.

NOTE: Local associations establish the rights and privileges to be conferred on institute affiliate members except that no institute affiliate member may be granted the right to use the term REALTOR®, REALTOR®ASSOCIATE, or the REALTOR® logo; to serve as president of the local association; or to be a participant in the local association's Multiple Listing Service. (Amended: 1/2002)

Section 7. Affiliate members. Affiliate members shall have rights and privileges and be subject to obligations prescribed by the board of directors.

Section 8. Certification by REALTOR®. Designated" REALTOR® members of ABR shall certify to ABR during the month of October on a form provided by ABR, a complete listing of all individuals licensed or certified in the REALTOR'S® office(s) and shall designate a primary board for each individual who holds membership. Designated REALTORS® shall also identify any non-member licensees in the Realtor's office(s) and if Designated REALTOR® dues have been paid to another board based on said non-member licensees, the Designated REALTOR® shall identify the board to which dues have been remitted. These declarations shall be used for purposes of calculating dues under Article X, Section 2(a) of the bylaws. "Designated" REALTOR® members shall also notify ABR of any additional individual(s) licensed or certified with the firm(s) within 30 days of the date of affiliation or severance of the individual. *(Amended: 10/2019)*

Section 9. Legal liability training. Within two years of the date of election to membership, and every two years thereafter, each REALTOR® Member of the Board shall be required to demonstrate that they have completed a course of instruction on anti-trust laws, agency laws, civil rights laws, or the REALTORS® Code of Ethics, its interpretation and meaning and/or the procedures related to its enforcement.

This requirement will be considered satisfied upon presentation of evidence that the member has completed an educational program conducted by another member board, Alaska REALTORS®, the NATIONAL ASSOCIATION OF REALTORS® or any of its affiliated institutes, societies or councils, or any other recognized educational institution which, in the opinion of the board of directors, is an adequate substitute for the training programs conducted by ABR.

Failure to satisfy this requirement biennially will result in membership being suspended from the date it otherwise would be renewed until such time that the member provides evidence of completion of the educational requirements.

NOTE: Any education requirement must comply with Interpretation No. 37 of Article I, Section 2, Bylaws, National Association of REALTORS®. (Amended: 5/2003; 10/2019)

Section 10. Harassment. Any member of the association may be reprimanded, placed on probation, suspended, or expelled for harassment of an association or association officer or 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, and president-elect and/or vice president and one member of the board of directors selected by the highest-ranking officer not named in the complaint, upon consultation with legal counsel for the association. Disciplinary action may include any sanction authorized in the association's *Code of Ethics and Arbitration Manual*. If the complaint names the president, president-elect, or vice president, 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: 5/2003*)

ARTICLE VII – CODE OF ETHICS: PROFESSIONAL STANDARDS AND TRAINING

Section 1. Enforcement of the Code. The responsibility of association and of association members relating to the enforcement of the Code of Ethics, the disciplining of members, and the arbitration of disputes, and the organization and procedures incident thereto, shall be governed by the *Code of Ethics and Arbitration Manual* of the NATIONAL ASSOCIATION OF REALTORS®, as amended from time to time, which is by this reference incorporated into these bylaws, provided, however, that any provision deemed inconsistent with state law shall be deleted or amended to comply with state law. *(NAR mandatory amendment 2019)*

Section 2. Discipline of REALTOR® Members. Any REALTOR® member of the association may be disciplined by the board of directors for violations of the Code of Ethics or other duties of membership, after a hearing as described in the *Code of Ethics and Arbitration Manual* of the association, provided that the discipline imposed is consistent with the discipline authorized by the professional standards committee of the NATIONAL ASSOCIATION OF REALTORS® as set forth in the *Code of Ethics and Arbitration Manual* of the National Association. *(NAR mandatory amendment 2021)*

Section 3. New Member Code of Ethics Orientation. Applicants for REALTOR® membership and provisional REALTOR® members (where applicable) shall complete an orientation program on the Code of Ethics of not less than 2 ½ hours of instructional time. This requirement does not apply to applicants for REALTOR® membership or provisional members who have completed comparable orientation in another association, provided that REALTOR® membership has been continuous, or that any break in membership is for one year or less. *(NAR mandatory amendment 2021)*

Failure to satisfy this requirement within 60 days of the date of application (or, alternatively, the date that provisional membership was granted), will result in denial of the membership application or termination of provisional membership. *(Adopted: 1/2001; NAR mandatory amendment 2021)*

Section 4. New Member Fair Housing Orientation. Applicants for REALTOR® membership and provisional REALTOR® members (where applicable) shall complete Fair Housing training of not less than two (2) hours of instructional time. This requirement will be satisfied upon presentation of documentation that the member has completed a course of instruction conducted by this or another REALTOR® association, the State Association of REALTORS®, the NATIONAL ASSOCIATION OF REALTORS®, or the Institutes, Societies, and Councils, which meets the learning objectives and minimum criteria established by the NATIONAL ASSOCIATION OF REALTORS® from time to time. Fair Housing training approved by a state licensing authority for an existing Fair Housing requirement to gain or maintain licensure shall also fulfill this requirement, provided it also meets the learning objectives and minimum criteria established by the NATIONAL ASSOCIATION OF REALTORS® from time to time. This requirement does not apply to applicants for REALTOR® membership or provisional members who have completed comparable orientation in another association, provided that REALTOR® membership has been continuous, or that any break in membership is for one year or less. *(NAR mandatory amendment effective 2025)*

Failure to satisfy this requirement within 60 days of the date of application (or, alternatively, the date that provisional membership was granted), will result in denial of the membership application or termination of provisional membership. *(NAR mandatory amendment effective 2025)*

Section 5. Continuing REALTOR® Code of Ethics Training. Effective January 1, 2019, through December 31, 2021, and for successive three-year periods thereafter, each REALTOR® member of the association (with the exception of REALTOR® members granted REALTOR® Emeritus status by the National Association) shall be required to complete ethics training of not less than 2 ½ hours of instructional time. This requirement will be satisfied upon presentation of documentation that the member has completed a course of instruction conducted by this association or another REALTOR® association, Alaska REALTORS®, the NATIONAL ASSOCIATION OF REALTORS®, which meets the learning objectives and minimum criteria established by the NATIONAL ASSOCIATION OF REALTORS® from time to time. REALTOR® members who have completed training as a requirement of membership in another association and REALTOR® members who have completed the New Member Code of Ethics Orientation during any three-year cycle shall not be required to complete additional ethics training until a new three-year cycle commences. *(NAR mandatory amendment 2021)*

Failure to satisfy the required periodic ethics training shall be considered a violation of a membership duty. Failure to meet the requirement in any three-year cycle will result in suspension of membership for the first two months (January and February) of the year following the end of any three-year cycle or until the requirement is met, whichever occurs sooner. On March 1 of that year the membership of a member who is still suspended as of that date will be automatically terminated. *(Adopted: 1/2001; Amended: 11/2008; 11/2016; 10/2019; NAR mandatory amendment 2021)*

Section 6. Continuing Realtor® Fair Housing Training. Effective January 1, 2025, through December 31, 2027 and for successive three-year periods thereafter, each REALTOR® member of the association (with the exception of REALTOR® members granted REALTOR® Emeritus status by the National Association) shall be required to complete Fair Housing training of not less than two (2) hours of instructional time. This requirement will be satisfied upon presentation of documentation that the member has completed a course of instruction conducted by this or another REALTOR® association, the State Association of REALTORS®, the NATIONAL ASSOCIATION OF REALTORS®, or the Institutes, Societies, and Councils, which meets the learning objectives and minimum criteria established by the NATIONAL ASSOCIATION OF REALTORS® from time to time. Fair Housing training approved by a state licensing authority for an existing Fair Housing requirement to maintain licensure shall also fulfill this requirement, provided it also meets the learning objectives and minimum criteria established by the NATIONAL ASSOCIATION OF REALTORS® from time to time. REALTOR® members who have completed Fair Housing training as a requirement of membership in another association shall not be required to complete additional Fair Housing training until a new three-year cycle commences. *(NAR mandatory amendment effective 2025)*

Failure to satisfy the required periodic Fair Housing training shall be considered a violation of a membership duty. Failure to meet the requirement in any three-year cycle will result in suspension of membership for the first two months (January and February) of the year following the end of any three-year cycle or until the requirement is met, whichever occurs sooner. On March 1 of that year, the membership of a member who is still suspended as of that date will be automatically terminated. *(NAR mandatory amendment effective 2025)*

ARTICLE VIII - REALTOR® TRADEMARK

Section 1. Inclusion and retention of the registered collective membership mark REALTORS® in the name of the association shall be governed by the constitution and bylaws of the NATIONAL ASSOCIATION OF REALTORS® as from time to time amended. *(NAR mandatory amendment 2021)*

Section 2. Use of the terms REALTOR® and REALTORS® by members shall, at all times, be subject to the provisions of the constitution and bylaws of the NATIONAL ASSOCIATION OF REALTORS® and to the

rules and regulations prescribed by its board of directors. The association shall have the authority to control, jointly and in full cooperation with the NATIONAL ASSOCIATION OF REALTORS®, use of the terms within its jurisdiction. Any misuse of the terms by members is a violation of a membership duty and may subject members to disciplinary action by the board of directors after a hearing as provided for in the association's *Code of Ethics and Arbitration Manual*. (Amended: 05/2006; 10/2019; NAR mandatory amendment 2021)

Section 3. REALTOR® Members of the association shall have the privilege of using the terms REALTOR® and REALTORS® in connection with their places of business within the state or a state contiguous thereto so long as they remain REALTOR® members in good standing. No other class of members shall have this privilege. (Amended: 1/1996; 10/2019; NAR mandatory amendment 2021)

Section 4. A REALTOR® principal member may use the terms REALTOR® and REALTORS®, only if all the principals of such firm, partnership, or corporation who are actively engaged in the real estate profession within the state or a state contiguous thereto are REALTOR® members or Institute Affiliate Members. (NAR mandatory amendment 2021)

Section 5. In the case of a REALTOR® principal member whose business activity is substantially all commercial, the right to use the term REALTOR® or REALTORS® shall be limited to office locations in which a principal holds REALTOR® membership. If a firm, partnership, or corporation operates additional places of business in which no principal holds REALTOR® membership, the term REALTOR® or REALTORS® may not be used in any reference to those additional places of business. (Amended: 1/2001; NAR mandatory amendment 2021)

Section 6. Institute Affiliate Members shall not use the terms REALTOR® or REALTORS®, nor the imprint of the emblem seal of the NATIONAL ASSOCIATION OF REALTORS®. (NAR mandatory amendment 2021)

ARTICLE IX – STATE AND NATIONAL MEMBERSHIP.

Section 1. The association shall be a member of the NATIONAL ASSOCIATION OF REALTORS® and the Alaska REALTORS®. By reason of the association's membership, each REALTOR® member of the member board shall be entitled to membership in the NATIONAL ASSOCIATION OF REALTORS® and the Alaska REALTORS® without further payment of dues. The association shall continue as a member of the state and nation associations, unless by a majority vote of all of its REALTOR® members, decision is made to withdraw, in which case the state and national associations shall be notified at least one month in advance of the date designated for the termination of such membership. (Amended: 10/2019; NAR mandatory amendment 2021)

Section 2. The association recognizes the exclusive property rights of the NATIONAL ASSOCIATION OF REALTORS® in the terms REALTOR® and REALTORS®. The association shall discontinue use of the terms in any form in its name, upon ceasing to be a member of the NATIONAL ASSOCIATION OF REALTORS®, or upon a determination by the board of directors of the NATIONAL ASSOCIATION OF REALTORS® that it has violated the conditions imposed upon the terms. (Amended: 10/2019; NAR mandatory amendment 2021)

Section 3. The association adopts the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS® and agrees to enforce the code among its REALTOR® members. The association and all of its members agree to abide by the constitution, bylaws, rules and regulations, and policies of the NATIONAL ASSOCIATION OF REALTORS®. (Amended: 10/2019; NAR mandatory amendment 2021)

ARTICLE X - DUES

Section 1. Application fee. The board of directors may adopt an application fee for REALTOR® membership in a reasonable amount, not exceeding three times the amount of the annual dues for REALTOR® membership, which shall be required to accompany each application for REALTOR® membership and which shall become the property of the association upon final approval of the application. *(Amended: 1/2002; 9/2017; NAR mandatory amendment 2021)*

Section 2. Dues. The annual dues of members shall be as follows:

(A) Designated REALTOR® Member Dues.

(1) The annual dues of each designated REALTOR® member shall be in such amount as established annually by the board of directors, plus an additional amount to be established annually by the board of directors times the number of real estate salespersons: (1) are employed by or affiliated as independent contractors, or who are otherwise directly or indirectly licensed with such REALTOR® member, and (2) are not REALTOR® members of any association in the state or a state contiguous thereto or institute affiliate members of the association. In calculating the dues payable to the association by a designated REALTOR® member, non-member licensees as defined in (1) and (2) of this paragraph shall not be included in the computation of dues if the designated REALTOR® has paid dues based on said non-member licensees in another association in the state or a state contiguous thereto, provided the designated REALTOR® notifies the association in writing of the identity of the association to which dues have been remitted. In the case of a designated REALTOR® member in a firm, partnership, or corporation whose business activity is substantially all commercial, any assessments for non-member licensees shall be limited to licensees affiliated with the designated REALTOR® (as defined in (1) and (2) of this paragraph) in the office where the designated REALTOR® holds membership, and any other offices of the firm located within the jurisdiction of this association. *(Amended: 1/2005; 9/2017; NAR mandatory amendment 2021)*

(2) A REALTOR® member of a member board shall be held to be any member who has a place or places of business within the state or a state contiguous thereto and who, as a principal is actively engaged in the real estate profession as defined in Article III, Section I, of the constitution of the NATIONAL ASSOCIATION OF REALTORS®. An individual shall be deemed to be licensed with a REALTOR® if the license of the individual is held by the REALTOR®, or by any broker who is licensed with the REALTOR®, or by any entity in which the REALTOR® has a direct or indirect ownership interest and which is engaged in other aspects of the real estate business provided that such licensee is not otherwise included in the computation of dues payable by the principal of the entity. *(NAR mandatory amendment 2021)*

(3) A REALTOR® with a direct or indirect ownership interest in an entity engaged exclusively in soliciting and/or referring clients and customers to the REALTOR® for consideration on a substantially exclusive basis shall annually file with the association on a form approved by the association a list of the licensees affiliated with that entity and shall certify that all of the licensees affiliated with the entity are solely engaged in referring clients and customers and are not engaged in listing, selling, leasing, renting, managing, counseling, or appraising real property. The individuals disclosed on such form shall not be deemed to be licensed with the REALTOR® filing the form for purposes of this section and shall not be included in calculating the annual dues of the designated REALTOR®. Designated REALTORS® shall notify the association within three days of any change in status of licensees in a referral firm. *(NAR mandatory amendment 2021)*

(4) The exemption for any licensee included on the certification form shall automatically be revoked upon the individual being engaged in real estate licensed activities (listing, selling, leasing,

renting, managing, counseling, or appraising real property) other than referrals, and dues for the current fiscal year shall be payable. *(NAR mandatory amendment 2021)*

(5) Membership dues shall be prorated for any licensee included on a certification form submitted to the association who during the same calendar year applies for REALTOR® or REALTOR-ASSOCIATE® membership in the association. However, membership dues shall not be prorated if the licensee held REALTOR® or REALTOR-ASSOCIATE® membership during the preceding calendar year. *(Amended: 11/14; NAR mandatory amendment 2021)*

(B) REALTOR® Member Dues. The annual dues of REALTOR® members other than the designated REALTOR® shall be as established annually by the board of directors. *(Amended: 1/2005; NAR mandatory amendment 2021)*

(C) Institute Affiliate Member Dues. The annual dues of each institute affiliate member shall be as established in Article II of the bylaws of the NATIONAL ASSOCIATION OF REALTORS®. *(Amended: 11/2013; NAR mandatory amendment 2021)*

(D) Affiliate members. The annual dues of each individual affiliate member shall be established annually by the board of directors. *(Amended: 9/2017)*

Section 3. Dues payable. Dues for all members shall be payable annually in advance on the first day of December and are delinquent on the first day of January. Dues for new members shall be computed from the date of application and shall be prorated for the remainder of the year. *(Amended: 1/05)*

(A) In the event a sales licensee or licensed or certified appraiser who holds REALTOR® membership is dropped for nonpayment of board dues, and the individual remains with the designated REALTOR® firm, the dues obligation of the "designated" REALTOR® (as set forth in Article X, Section 2 (a)) will be increased to reflect the addition of a non-member licensee. Dues shall be calculated from the first day of the current fiscal year and are payable within 30 days of the notice of termination. Dues will be payable by designated REALTOR®. *(Amended: 9/2017)*

Section 4. Nonpayment of financial obligations. If dues, fees, fines, or other assessments including amounts owed to ABR are not paid they are considered delinquent. On February 1 membership of the nonpaying member may be terminated at the discretion of the board of directors. On March 1, membership of the nonpaying member shall automatically terminate unless within that time the amount due is paid. However, no action shall be taken to suspend or expel a member for nonpayment of disputed amounts until the accuracy of the amount owed has been confirmed by the board of directors. A former member who has had his membership terminated for nonpayment of dues, fees, fines, or other assessments duly levied in accordance with the provisions of these bylaws or the provisions of other rules and regulations of ABR or any of its services, departments, divisions, or subsidiaries may apply for reinstatement in a manner prescribed for new applicants for membership, after making payment in full of all accounts due as of the date of termination.

Any fees charged to ABR for member services, or fines imposed after a professional standards hearing are due and payable by the member immediately upon billing. In the event the billing is not paid in full within 60 days, the board of directors may suspend or terminate membership.

REALTOR® members in the office being terminated shall be allowed five working days to affiliate with a REALTOR® office and so notify ABR without re-applying for membership. *(Amended: 10/2019)*

Section 5. Deposits and expenditures. All monies received by ABR for any purpose shall be deposited to the credit of ABR in a financial institution or institutions selected by resolution of the board of directors. Deposits and expenditures of funds shall be in accordance with policies established by the board of directors. The board of directors shall administer the finances of ABR. *(Amended: 1/2005; 10/2019)*

Section 6. Notice of dues, fees, fines, assessments, and other financial obligations of members. All dues, fees, fines, assessments, or other financial obligations to ABR shall be noticed to the delinquent board member in writing setting forth the amount owed and due date. Late fees shall be set annually by the board of directors. Delinquent accounts will be submitted to a collection agency and the delinquent member will be dropped from membership rolls. *(Amended: 9/2017; 10/2019)*

Section 7. Emeritus. The dues of REALTOR® members who are REALTOR® Emeritus (as recognized by the NATIONAL ASSOCIATION OF REALTORS®), past presidents and past treasurers of the NATIONAL ASSOCIATION OF REALTORS® or recipients of the distinguished service award shall be as determined by the board of directors. *(Amended: 11/2013)*

NOTE: A member board's dues obligation to the NATIONAL ASSOCIATION OF REALTORS® is reduced by an amount equal to the amount which ABR is assessed for a REALTOR® member, times the number of REALTOR® Emeritus (as recognized by the National Association), past presidents and past treasurers of the NATIONAL ASSOCIATION OF REALTORS®, and recipients of the distinguished service award of the NATIONAL ASSOCIATION OF REALTORS® who are REALTOR® members of ABR. The dues obligation of such individuals to the local board should be reduced to reflect the reduction in the board's dues obligation to the National Association. ABR may, at its option, choose to have no dues requirement for such individuals except as may be required to meet ABR's obligation to Alaska REALTORS® with respect to such individuals. Member boards should determine whether the dues payable by ABR to the state association are reduced with respect to such individuals. It should be noted that this does not affect a "designated" REALTORS®' dues obligation to ABR with respect to those licensees employed by or affiliated with the "designated" REALTOR® who are not members of the local board. (Amended: 11/2013)

ARTICLE XI - OFFICERS AND DIRECTORS

Section 1. Board of directors. The board of directors of ABR shall be the president, president-elect, past president, and seven directors. As determined by the board of directors, an affiliate member may be elected or appointed to the board of directors as a non-voting member. *(Amended: 10/2019)*

Section 2. Officers. The officers of ABR shall be the president, president-elect, and secretary/treasurer and shall be known as the executive committee. The secretary/treasurer shall be elected by a majority vote of the board of directors for a term of one year. Election of secretary/treasurer shall be the first order of business at the first board of directors meeting of the year. The duties of the officers shall be assigned by the board of directors. *(Amended: 10/2019)*

Section 3. Terms. Terms for all board of director members begin on January 1 each calendar year. The term for each director shall be for two years each with staggered terms. The term of office for the president, president-elect, and past president shall be for one year. The president shall automatically succeed to the office of past president. The president-elect shall automatically succeed to the office of president. The term for an affiliate director, if seated, shall be for one year. *(Amended: 10/2019)*

Section 4. Qualification of board of director members. The right to hold office is for a member in good standing, who is a primary or secondary member of ABR, and who has been a member of ABR for at least one year prior to submitting a letter of interest for election or appointment to the board of directors. Additionally, a candidate for the office of president-elect, must have first served a full term as a director. No member shall run for more than one board of director position or hold more than one office on the board of directors at a time. *(Amended: 9/2017; 10/2019; NAR mandatory amendment 2021, includes secondary members)*

Section 5. Nominations. A nomination committee of five REALTOR® members shall be appointed by the president with the approval of the board of directors. The nominations committee shall distribute notice of upcoming vacancies on the board of directors to the membership, and after the deadline prepare a report with at least one candidate for each office to be elected, except for the office of president if the current president-elect was elected by a vote of the membership. The report shall be approved by the board of directors and then distributed to the membership by electronic transmission at least 20 days prior to the annual membership meeting in accordance with policy and procedure. *(Amended: 9/2017; 10/2019)*

Section 6. Elections. Elections shall be administered in such a manner as to ensure transparency, fairness and to encourage the broadest possible participation by the membership. An election will be held in connection with the annual membership meeting for the purpose of electing offices and voting on other matters as determined by the board of directors. The board of directors shall determine the method of voting during an election. The association executive, or designee, with the assistance of the elections committee, shall administer the election in accordance with the policies and procedures. An election committee will be appointed by the president. *(Amended: 10/2019)*

(A) In-Person voting. The board of directors may offer ballots for distribution during a meeting for the purpose of holding an in-person election. Voting by proxy may be offered in conjunction with in-person voting. *(Amended: 10/2019)*

(B) Voting by proxy. Members are entitled to vote by proxy at any meeting of the membership. A general grant of authority by a member is not an acceptable proxy. Each proxy shall specifically reference the date of the meeting for which the proxy is granted, and each proxy may only apply to that specific meeting referenced. Each proxy granted shall be in writing, dated and signed by the member granting the proxy, and must in detail describe the individual issues as listed in the agenda of the meeting for which the proxy is granted. A proxy ballot must be submitted to ABR by the proxy ballot deadline in order to be considered. Each proxy shall be given to the president-elect with instructions to vote the ballot. *(Amended: 10/2019)*

(C) Electronic voting. The board of directors may offer electronic voting as a method to vote, except as required by state law. When electronic voting is offered, in-person and proxy voting may not be used. *(Amended: 10/2019)*

Section 7. Vacancy. In the event of a vacancy in the office of the president, the president-elect shall advance to the office of president. If a vacancy occurs on the board of directors, the remaining members may appoint a member to fill the vacancy to serve until the next annual election. *(Amended: 10/2019)*

Section 8. Removal. The board of directors may, by two-thirds vote, remove a board member when the member: misses three board meetings in a calendar year, unless excused in accordance with policy and procedure; neglects to perform their prescribed duty and/or carry out assigned responsibility; commits malfeasance in office; and/or is deemed to be incapable to fulfil the duty for which elected or for other just cause. A member who is unable to attend meetings, perform prescribed duties, and/or carry out assigned responsibilities is expected to resign. A member under consideration for removal of office, shall be notified of such potential removal, prior to consideration by the board of directors. *(Amended: 10/2019)*

Section 9. Association executive. There shall be an association executive, appointed by the board of directors. The association executive shall keep the record of ABR, follow the rules and policies as required by the NATIONAL ASSOCIATION OF REALTORS®, and shall perform the duties as prescribed by the association executive's employment agreement. *(Adopted: 1/2005; Amended: 10/2019)*

Section 10. Alaska REALTORS® director. The ABR president automatically serves as a director on the Alaska REALTORS® board of directors. ABR may be entitled to additional director positions on the Alaska REALTORS® board of directors based on REALTOR® membership count. If entitled, the second director's position shall be automatically filled by the president-elect. Additional directors shall be appointed by the ABR board of directors. *(Amended: 10/2019)*

Section 11. Director indemnity. Board of director members do not have the authority to incur debt to the corporation without board of directors' approval or an item approved in the ABR budget. ABR shall indemnify, through the errors and omission insurance, a director, officer or former director or officer of ABR, or a person who has served at its request, as a director or officer of another corporation in which it owns shares of capital stock or of which it is a creditor, against expenses actually and reasonably incurred by that person in connection with the defense of any action, suit or proceeding, civil or criminal, in which that is made a party by reason of being or having been a director or officer, except in relation to matters in which that person was adjudged, on the action, suit or proceeding, to be liable for negligence or misconduct in the performance of corporate duties; and to make any other indemnification authorized by the articles; of incorporation or by-laws, or resolution adopted after notice by the member entitled to vote. *(Amended: 10/2019)*

ARTICLE XII - MEETINGS

Section 1. Annual membership meeting. An annual membership meeting of ABR shall be held during the last quarter of each year, to be designated by the board of directors. Notice of the date, time, and place of the annual membership meeting shall be electronically transmitted to the membership at least 30 days in advance. *(Amended: 1/2005; 1/2017; 10/2019)*

Section 2. Board of director meetings. The board of directors shall designate a regular time and place of meetings. Special meetings may be called at the direction of the president, or two members of the board of directors, with a three-day notice to the board and association executive, to include the date, time, place, and purpose of the meeting. A quorum for the transaction of business shall be a majority of board members, except as may otherwise be required by state law. A majority vote shall decide a measure considered by the board of directors, unless a greater number is required by these bylaws or is required by state law. *(Amended: 5/2013; 10/2019; 10/2020)*

Section 3. General membership meetings. General membership meetings may be called at any time and for any purpose by the board of directors or membership. When the members wish to call a general membership meeting, a petition, with the signatures of at least 10% of the membership eligible to vote, must be submitted to ABR. Notice of the date, time, place, and purpose of the meeting shall be electronically transmitted to the membership at least 10 days in advance. *(Amended: 9/2017; 10/2019)*

Section 4. Quorum. A quorum for the transaction of business at a membership meeting shall be at least 10% of the members eligible to vote, including electronic and/or proxy votes, if used, except as required by state law. *(Amended: 9/2017; 10/2019; 10/2020)*

Section 5. Electronic transaction of business. To the fullest extent permitted by law, the board of directors, committees, and membership, may conduct business and vote by electronic means, provided each member has the opportunity to participate and be heard. Participation in a meeting conducted by electronic means includes presence in person at the meeting. *(Adopted: 1/05; Amended: 9/2017; 10/2019)*

Section 6. Parliamentary authority. All meetings shall be conducted in accordance with the current edition of Robert's Rules of Order, Newly Revised, which shall be used as an advisory guide. *(Amended: 10/2019)*

ARTICLE XIII - COMMITTEES

Section 1. Committees. The president shall appoint the following standing committees, and as needed, may appoint committees for a special purpose, subject to confirmation by the board of directors:

- Affiliate
 - Education
 - Finance
 - Advocacy
 - Military
 - Professional Standards
 - REALTOR® Political Action Committee (RPAC)
- (Amended: 10/2019)*

Section 2. Committee organization. Each committee shall have a chairperson appointed by the president. Committee duties shall be assigned by the board of directors. The president shall be notified of all committee meetings and shall be a non-voting member. Committees shall operate in accordance with these bylaws. *(Amended: 10/2019)*

ARTICLE XIV - FISCAL YEAR

The fiscal year of ABR shall be January 1 through December 31 of each calendar year. *(Amended: 11/2011; 10/2019)*

ARTICLE XV – AMENDMENTS

Section 1. Bylaw amendment. These bylaws may be amended at an annual or general membership meeting by the majority vote of the membership present, provided that the proposed amendments shall have been noticed and distributed to all members at least 20 days prior to the meeting or vote. Amendments related to the noticed bylaw amendment shall be in order during a meeting. *(Amended: 10/2019)*

Section 2. Mandated changes by NAR. When bylaw amendments are mandated by NATIONAL ASSOCIATION OF REALTORS® policy, these bylaws may be automatically amended to reflect the mandate and the effective date as required by the NATIONAL ASSOCIATION OF REALTORS®. The membership will be notified of the mandatory changes to the bylaws. *(Amended: 10/2019)*

ARTICLE XVI - DISSOLUTION

Section I. Assets. Upon the dissolution of ABR, the board of directors, after providing for the payment of all obligations, shall distribute any remaining assets to the Alaska REALTORS® or, within its discretion, to any other non-profit tax-exempt organization. *(Amended: 1/2005; 10/2019)*

Section II. Gaming proceeds. Upon dissolution, any remaining net proceeds from gaming activity under AS 05.15 will be distributed to one or more existing permittees, other than multiple beneficiary permittees, in accordance with 15 AAC 160.020(a)(5). *(Amended: 10/2019)*