

**BYLAWS  
OF THE  
CLOVIS BOARD OF REALTORS, INC.  
d/b/a**

**CLOVIS/PORTALES ASSOCIATION OF  
REALTORS**

**ADOPTED SEPTEMBER 26, 1977**

**AMENDED TO INCLUDE ALL NAR MANDATES  
APRIL, 2009, SEPTEMBER, 2010, AUGUST, 2015,  
2019, 2020, 2022, 2023, 2025**

**AMENDED TO INCLUDE ALL NAR MANDATES AND OTHER MEMBERSHIP  
APPROVED CHANGES OCTOBER 2017, DECEMBER 2018, DECEMBER 2019,  
OCTOBER 2023, MARCH 2024, AUGUST 2025. NOVEMBER 2025**

*ADOPTED SEPTEMBER 26, 1977- EFFECTIVE JANUARY 1, 1978  
REVISED: 6-78, 3-79, 4-79, 6-80, 2-81, 5-83, 11-83,  
7-84, 2-85, 11-89, 4-90, 6-90, 2-91, 10-91, 9-92, 2-93, 3-93, 4-95,  
6-95, 9-95, 6-99, 10-99, 10-02, 5-03, 12-04, 04-09, 09-10, 08-15, 10-17,  
12-18, 12-19, 3-24, 8-25, 11-25*

## **ARTICLE I - NAME**

SECTION 1. NAME. The name of the organization shall be CLOVIS BOARD OF REALTORS® INC., d/b/a THE CLOVIS/PORTALES-ASSOCIATION OF REALTORS®, Hereafter referred to as the Local Association or CPAR. National Association shall refer to the NATIONAL ASSOCIATION OF REALTORS® or NAR. State Association shall refer to the NEW MEXICO ASSOCIATION OF REALTORS® or NMAR. Local Association and State Association may also refer to other localities or states depending upon usage in these Bylaws.

SECTION 2. REALTOR®. Inclusion and retention of the Registered Collective Membership Mark REALTORS® in the name of CPAR shall be governed by the Constitution and Bylaws of the NATIONAL ASSOCIATION OF REALTORS® as from time to time amended.

## **ARTICLE II - OBJECTIVES**

The objectives of CPAR are:

SECTION 1. To unite those engaged in the recognized branches of the real estate profession for the purpose of exerting a beneficial influence upon the profession and related interests.

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

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

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

SECTION 5. To unite those engaged in the real estate profession in this community with the NEW MEXICO ASSOCIATION OF REALTORS® (NMAR) and the NATIONAL ASSOCIATION OF REALTORS®, (NAR) thereby furthering their own objectives throughout the state and nation and obtaining the benefits and privileges of Membership therein.

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

## **ARTICLE III-JURISDICTION**

**SECTION 1.** The territorial jurisdiction of CPAR as a Member of the NATIONAL ASSOCIATION OF REALTORS® shall include all of Curry and Roosevelt Counties, New Mexico as allocated by the National Association's Board of Directors.

**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 CPAR agrees to protect and safeguard the property rights of the National Association.

**ARTICLE IV - MEMBERSHIP****SECTION 1. Membership****REALTOR® Members.**

REALTOR® Members, whether primary or secondary shall be:

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 New Mexico or a state contiguous thereto.

All persons who are partners in a partnership, or all officers in a corporation who are actively engaged in the real estate profession within the state or a state contiguous thereto shall qualify for REALTOR® Membership only, and each is required to hold REALTOR® Membership (except as provided in the following paragraph) in an association of REALTORS® within the state or a state contiguous thereto, unless otherwise qualified for Institute Affiliate Membership.

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 CPAR 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.

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.

**Franchise REALTOR® Membership.**

Corporate officers (who may be licensed or unlicensed) of a real estate brokerage franchise organization with at least one hundred fifty (150) franchisees located within the United States, its insular possessions and the commonwealth of Puerto Rico, elected to membership pursuant to the provisions in the NAR Constitution and Bylaws. Such individuals shall enjoy all of the rights, privileges, and obligations of REALTOR®

Membership (including compliance with the Code of Ethics) except: obligations related to association-mandated education, meeting attendance, or indoctrination classes or other similar requirements; the right to use the term REALTOR® in connection with their franchise organization's name; and the right to hold elective office in the Local Association, State Association, and National Association.

### **Primary and Secondary REALTOR® Members.**

An individual is a Primary Member if the Local Association pays State and National Association dues based on such member. An individual is a Secondary Member if State and National Associations dues are remitted through another Local Association. One of the principals in a real estate firm must be a Designated REALTOR® Member of the Local Association in order for licensees affiliated with the firm to select the Local Association as their "Primary" association.

### **Designated REALTOR® Members.**

Each firm (or office in the case of firms with multiple office locations) shall designate in writing one REALTOR® Member who shall be responsible for all duties and obligations of Membership, including the obligation to arbitrate (or to mediate if required by the Local Association) pursuant to Article 17 of the Code of Ethics and the payment of 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.

### **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.

### **Privileges of REALTOR® Members.**

REALTOR® Members, whether Primary or Secondary, in good standing are entitled to vote and to hold elective offices in the Local Association; and may use the terms 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 the Local Association and MLS, has completed any new member requirements, and complies with NAR's trademark rules.

Every REALTOR member shall maintain a high level of integrity and adhere to the Local

Associations 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.

### **Obligation of REALTOR® Members.**

It shall be the duty and responsibility of every REALTOR® Member of CPAR to abide by the Constitution and Bylaws and the rules and regulations of this Local Association, the Constitution and Bylaws of the NEW MEXICO ASSOCIATION OF REALTORS® the Constitution and Bylaws of the NATIONAL ASSOCIATION OF REALTORS®, and to abide by the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS® including the duty to mediate and arbitrate controversies arising out of real estate transactions as specified by Article 17 of the Code of Ethics, and as further defined and in accordance with the procedures set forth in the Code of Ethics and Arbitration Manual of CPAR, as from time to time amended.

### **Code of Ethics: Professional Standards and Training**

#### **New Member Code of Ethics Orientation.**

Applicants for REALTOR® Membership and provisional REALTOR® Members (where applicable) shall complete an orientation program on the Code of Ethics of not less than two (2) hours and thirty (30) minutes of instructional time. This requirement does not apply to applicants for REALTOR® Membership or provisional Members who have completed comparable orientation in another association, provided that REALTOR® Membership has been continuous, or that any break in membership is for one (1) year or less. Failure to satisfy this requirement within 90 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.

#### **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 Local Association (with the exception of REALTOR® Members granted REALTOR® Emeritus status by the National Association) shall be required to complete ethics training of not less than two (2) hours and thirty (30) minutes of instructional time. This requirement will be satisfied upon presentation of documentation that the member has completed a course of instruction conducted by this or another Local Association, the NEW MEXICO ASSOCIATION OF REALTORS®, the NATIONAL ASSOCIATION OF REALTORS®, or any other recognized educational institution or provider 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 Local Association and REALTOR® Members who have completed the New Member Code of Ethics Orientation during any three year cycle shall not be required to complete

additional ethics training until a new three year cycle commences. Failure to satisfy the required periodic ethics training shall be considered a violation of a membership duty.

Failure to meet the requirement in any three year cycle will result in suspension of membership for the first two months (January and February) of the year following the end of any three year cycle or until the requirement is met, whichever occurs sooner. On March 1 of that year, the Membership of a Member who is still suspended as of that date will be automatically terminated. (Amended 2020)

### **REALTOR® Fair Housing training**

Effective January 1, 2025, through December 31, 2027, and for successive three year periods thereafter, each Individual 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.

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. (Amended 06/23)

### **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 (1) year or less.

Failure to satisfy this requirement within 90 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.

#### **Discipline of REALTOR® Members.**

Any REALTOR® Member of the Local 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 Local 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.

#### **Enforcement of the Code.**

The responsibility of CPAR and of Local 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.

#### **REALTOR® Trademark.**

Inclusion and retention of the Registered Collective Membership Mark REALTORS® in the name of CPAR shall be governed by the Constitution and Bylaws of the NATIONAL ASSOCIATION OF REALTORS® as from time to time amended.

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. CPAR 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 Local Association's Code of Ethics and Arbitration Manual. REALTOR® Members of CPAR 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.

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. 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. Institute Affiliate Members shall not use the terms REALTOR® or REALTORS®, nor the imprint of the emblem seal of the NATIONAL ASSOCIATION OF REALTORS®.

### **State and National Membership.**

CPAR shall be a member of the NATIONAL ASSOCIATION OF REALTORS® and the NEW MEXICO ASSOCIATION OF REALTORS®. By reason of CPAR membership, each REALTOR® Member of the Local Association shall be entitled to membership in the NATIONAL ASSOCIATION OF REALTORS® and the NEW MEXICO ASSOCIATION OF REALTORS® without further payment of dues.

CPAR shall continue as a member of the State and National 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. CPAR recognizes the exclusive property rights of the NATIONAL ASSOCIATION OF REALTORS® in the terms REALTOR® and REALTORS®.

CPAR shall discontinue use of the terms in any form in its name, upon ceasing to be a member of the National Association, or upon a determination by the Board of Directors of the NATIONAL ASSOCIATION OF REALTORS® that it has violated the conditions imposed upon the terms. CPAR adopts the Code of Ethics of the NATIONAL ASSOCIATION OF



REALTORS® and agrees to enforce the Code among its REALTOR® members. CPAR and all of its members agree to abide by the Constitution, Bylaws, Rules and Regulations, and policies of the National Association.

## **Dues**

### **Application Fee**

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

### **Designated REALTOR® Member Dues.**

The annual dues of each Designated REALTOR® Member shall be in such amount as established annually by the CPAR Board of Directors, plus an additional amount to be established annually by the CPAR Board of Directors times the number of real estate salespersons and licensed or certified appraisers who (1) are employed by or affiliated as independent contractors, or who are otherwise directly or indirectly licensed with such REALTOR® Member, and (2) are not REALTOR® Members of any Local Association in the state or a state contiguous thereto or Institute Affiliate Members of the Local Association.

In calculating the dues payable to CPAR 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 Local Association in the state or a state contiguous thereto, provided the Designated REALTOR® notifies CPAR in writing of the identity of the Local 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 CPAR.

A REALTOR® Member of a Local Association shall be held to be any Member who has a place or places of business within the state or a state contiguous thereto and who, as a principal is actively engaged in the real estate profession as defined in Article III, Section 1 of the Constitution of the NATIONAL ASSOCIATION OF REALTORS®. An individual shall be deemed to be licensed with a REALTOR® if the license of the individual is held by the REALTOR®, or by any broker who is licensed with the REALTOR®, or by any entity in which the REALTOR® has a direct or indirect ownership interest and which is engaged in other

aspects of the real estate business provided that such licensee is not otherwise included in the computation of dues payable by the principal of the entity.

A REALTOR® with a direct or indirect ownership interest in an entity engaged exclusively in soliciting and/or referring clients and customers to the REALTOR® for consideration on a substantially exclusive basis shall annually file with the Association on a form approved by the Association, a list of the licensees affiliated with that entity and shall certify that all of the licensees affiliated with the entity are solely engaged in referring clients and customers and are not engaged in listing, selling, leasing, renting, managing, counseling, or appraising real property.

The individuals disclosed on such form shall not be deemed to be licensed with the REALTOR® filing the form for purposes of this section and shall not be included in calculating the annual dues of the designated REALTOR®. Designated REALTORS® shall notify CPAR within three (3) days of any change in status of licensees in a referral firm.

The exemption for any licensee included on the certification form shall automatically be revoked upon the individual being engaged in real estate licensed activities (listing, selling, leasing, renting, managing, counseling, or appraising real property) other than referrals, and dues for the current fiscal year shall be payable.

Membership dues shall be prorated for any licensee included on a certification form submitted to the association who during the same calendar year applies for REALTOR® or REALTOR® ASSOCIATE Membership in the association. However, Membership dues shall not be prorated if the licensee held REALTOR® or REALTOR®-ASSOCIATE Membership during the preceding calendar year.

### **REALTOR® Members Dues**

The annual dues of REALTOR® members other than the designated REALTOR® shall be as established annually by the Board of Directors.

### **Institute Affiliate Membership Dues**

The annual dues of each Institute Affiliate Member shall be as established by in Article II of the Bylaws of the NATIONAL ASSOCIATION OF REALTORS®.

## **SECTION 2. QUALIFICATION**

An applicant for REALTOR Membership who is sole proprietor, partner, corporate officer, or branch office manager of a real estate firm shall supply evidence satisfactory to the Membership Committee that he or she is actively engaged in the real estate profession, and maintains a current, valid real estate brokers or salespersons 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, and shall agree that if elected to Membership, he will abide by such Bylaws, Constitution, Rules and Regulations, and Code of Ethics.

Individuals who are actively engaged in the real estate profession other than sole proprietors, partners, corporate officers, or branch office managers in order to qualify for REALTOR® Membership, shall at the time of application, be associated either as an employee or as an independent contractor with a Designated REALTOR® Member of the Local Association or a Designated REALTOR Member of another Local Association (if a Secondary Member) and must maintain a current, valid real estate broker's or salesperson's license or be licensed or certified by any appropriate state regulatory agency to engage in the appraisal of real property, and shall agree that if elected to Membership he will abide by the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS®, and by the Constitution, Bylaws, and Rules and Regulations of the Local Association, State Association, and the National Association.

### **SECTION 3. ELECTION**

The procedure for election to Membership shall be as follows:

The chief staff 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 Local Association dues and any application fee. Provisional Members shall be considered REALTORS® and shall be subject to all of the same privileges and obligations of Membership. Provisional Membership is granted subject to final review of the application by the CPAR Board of Directors.

If the CPAR Board of Directors determines that the individual does not meet all of the qualifications for Membership as established in the Local 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 30 days from the Local Association's receipt of their application, Membership may, at the discretion of the CPAR 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 CPAR services and any application fee.

The CPAR Board of Directors shall vote on the applicant's eligibility for Membership. If the applicant receives a majority vote, he/she shall be declared elected to Membership and shall be advised by written notice.

The CPAR Board of Directors may not reject an application without providing the applicant with advance notice of the findings, an opportunity to appear before them to call witnesses on his/her behalf, to be represented by counsel, and to make such statements as he/she deems relevant. The CPAR Board of Directors may also have counsel present and shall

require that written minutes be made of any hearing before it or may electronically or mechanically record the proceedings.

If the CPAR Board of Directors determines that the application should be rejected, it shall record its reasons with the chief staff executive (or duly authorized designee). If they believe 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 into a suit by the CPAR Board of Directors for a declaratory judgment by the court of competent jurisdiction of a final judgment declaring that the rejection violates no rights of the applicant.

## **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 CPAR may be reprimanded, fined, placed on probation, suspended, or expelled by the Board of Directors for a violation of these Bylaws and CPAR rules and regulations consistent with these Bylaws, after a hearing as provided in the Code of Ethics and Arbitration Manual of CPAR. Although Members other than REALTORS® are not subject to the Code of Ethics, nor its enforcement by the Local Association, such Members are encouraged to abide by the principles established in the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS® and conduct their business and professional practices accordingly.

Members 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 CPAR Board of Directors, applied on a nondiscriminatory basis, reflects adversely on the terms REALTOR® or REALTORS®, and the real estate industry, or for conduct that is inconsistent with or adverse to the objectives and purposes of the Local Association, the State Association, and the NATIONAL ASSOCIATION OF REALTORS®. **SECTION 3.** Any REALTOR® Member of CPAR 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 CPAR, 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.

**SECTION 4.** Resignations of Members shall be effective when received in writing by the CPAR Board of Directors, provided, however, that if any Member submitting the resignation is indebted from dues, fees, fines, or other assessments to CPAR or any of its services, departments, divisions, or subsidiaries, CPAR may condition the right of the resigning Member to reapply for Membership upon payment in full of all such monies owed.

**SECTION 5.** If a Member resigns from CPAR or otherwise causes Membership to terminate with an ethics complaint pending, the complaint shall be processed until the decision with respect to disposition of the complaint is final by this Local Association (if respondent does not hold Membership in any other Local Association) or by any other Local Association in which the respondent continues to hold Membership.

If an ethics respondent resigns or otherwise causes Membership in all Local Associations 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 CPAR 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 CPAR Board of Directors shall be held in abeyance until such time as the respondent rejoins a Local Association of REALTORS®. (Amended 10/2017)

If a Member resigns or otherwise causes Membership to terminate, the duty to submit to arbitration (or to mediation if required by the Local Association) continues in effect even after Membership lapses or is terminated, provided that the dispute arose while the former Member was a REALTOR®. (Amended 10/2017)

**SECTION 6.** REALTOR® Members, whether primary or secondary, in good standing are entitled to vote and to hold elective office in CPAR; and may use the terms 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 or MLS, has completed any new member requirements, and complies with NAR’s trademark rules. (Amended 2022)

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, 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, whichever may apply. Further, the Membership of REALTORS® other than principals who are employed by 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 until connection of the disciplined Member with the firm, partnership, or corporation is severed, or unless the REALTOR® Member (non-principal) elects to sever his/her connection with the REALTOR® and affiliate with another REALTOR® Member in good standing with CPAR,

whichever may apply.

If a REALTOR® Member who is other than a principal in a firm, partnership, or corporation is suspended or expelled, the use of the terms REALTOR® or REALTORS® by the firm, partnership, or corporation shall not be affected.

In any action taken against a REALTOR® Member for suspension or expulsion under Section 6 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 provision in Article VI, Section 6 shall apply.

**SECTION 7. Institute Affiliate Members-** Institute Affiliate Members shall have the rights and privileges and be subject to obligations prescribed by the CPAR 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.

**SECTION 8. Affiliate Members.** Affiliate Members shall have rights and privileges and be subject to obligations prescribed by the CPAR Board of Directors.

**SECTION 9. Public Service Members.** Public Service Members shall have rights and privileges and be subject to obligations prescribed by the CPAR Board of Directors.

**SECTION 10. Honorary Members.** Honorary Membership shall confer only the right to attend meetings and participate in discussions.

**SECTION 11. Student Members.** Student Members shall have rights and privileges and be subject to obligations prescribed by the CPAR Board of Directors.

**SECTION 12. Certification of Realtors®-** A Designated REALTOR Member of CPAR shall certify during the month of DECEMBER on a form provided a complete listing of all individuals licensed or certified in the REALTORS® office(s) and shall designate a primary Local Association for each individual who holds Membership.

Designated REALTORS shall also identify any non-Member licensees in the REALTORS® office (s) and if Designated REALTOR® Dues have been paid to another Local Association based on said non-Member licensees, the Designated REALTOR® shall identify the Local Association to which dues have been remitted. These declarations shall be used for purposes of calculating dues under Article X, Section 2 of the Bylaws. Designated

REALTOR® Members shall also notify the CPAR of any additional individual(s) licensed or certified with the firm(s) within 5 working days of the date of affiliation or severance of the individual.

**SECTION 13. Legal Liability Training.** Within two years of the date of election to Membership, and every two (2) years thereafter, each REALTOR® Member of CPAR shall be required to demonstrate that they have completed a course of instruction on antitrust 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 Local Association, the NEW MEXICO ASSOCIATION OF 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 CPAR Board of Directors, is an adequate substitute for the training programs conducted by CPAR. 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 aforementioned educational requirements.

*NOTE: Any education requirement must comply with Interpretation No. 37 Article I, Section 2, Bylaws, NATIONAL ASSOCIATION OF REALTORS®.*

**SECTION 14. Harassment** Any Member of CPAR may be reprimanded, placed on probation, suspended, or expelled for harassment of a CPAR or MLS employee or CPAR Officer or Director after an investigation in accordance with the procedures of CPAR. As used in this section, harassment means any verbal or physical conduct including threatening or obscene language, unwelcome sexual advances, stalking, actions including strikes, shoves, kicks, or other similar physical contact, or threats to do the same, or any other conduct with the purpose or effect of unreasonably interfering with an individual's work performance by creating a hostile, intimidating or offensive work environment.

The decision of the appropriate disciplinary action to be taken shall be made by the investigatory team comprised of the President, President-Elect and/or Vice President and one member of the CPAR Board of Directors selected by the highest ranking officer not named in the complaint, upon consultation with legal counsel. Disciplinary action may include any sanction authorized in the Local Associations 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 CPAR Board of Directors selected by the highest ranking officer not named in the complaint.

*NOTE: Suggested procedures for processing complaints of harassment are available online at <http://www.REALTOR.org> or from Member Policy Department. (Amended 5/09)*

## **ARTICLE VII - PROFESSIONAL STANDARDS AND ARBITRATION**

**SECTION 1.** The responsibility of CPAR and its 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 by this reference is made a part of these Bylaws, provided, however, that any provision deemed inconsistent with state law shall be deleted or amended to comply with state law.

**SECTION 2.** It shall be the duty and responsibility of every REALTOR® Member of this Local 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 the policies of CPAR the NEW MEXICO ASSOCIATION OF REALTORS®, 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.

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.  
(Amended 2022)

**SECTION 3.** The responsibility of CPAR relating to the enforcement of the Code of Ethics, the disciplining of Members, the arbitration of disputes, and the organization and procedures incident thereto shall be consistent with the cooperative Professional Standards Enforcement Agreement entered into by CPAR, which reference is made a part of these bylaws.

NOTE: The NEW MEXICO ASSOCIATION OF REALTORS® will control all professional standard matters per a cooperative enforcement agreement.

## **ARTICLE VIII - USE OF THE TERMS REALTOR® AND REALTORS®**

**SECTION 1.** Use of the terms REALTOR® and REALTORS® by Members shall, at all times, be subject to the provisions of the Constitution and Bylaws of the NATIONAL ASSOCIATION OF REALTORS®, and to the rules and regulations prescribed by the NAR Board of Directors. CPAR



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 CPAR Board of Directors after a hearing as provided for in the CPAR Code of Ethics and Arbitration Manual. (Amended 6/06)*

**SECTION 2.** REALTOR® Members of CPAR shall have the privilege of using the terms REALTOR® and REALTORS® in connection with their places of business within the-state or a state contiguous thereto so long as they remain REALTOR® Members in good standing. No other class of Members shall have this privilege.

**SECTION 3.** A REALTOR® Member who is principal of a real estate firm, partnership, or corporation may use the terms REALTOR® or REALTORS® only if all of the principals of such firm, partnership, or corporation who are actively engaged in the real estate profession within the state or a state contiguous thereto are REALTOR® Members or Institute Affiliate Members as described in Section I of Article IV.

Institute Affiliate Members shall not use the terms REALTOR® or REALTORS®, nor imprint of the emblem seal of the NATIONAL ASSOCIATION OF REALTORS®.

## **ARTICLE IX - STATE AND NATIONAL MEMBERSHIPS**

**SECTION 1.** CPAR shall be a Member of the NATIONAL ASSOCIATION OF REALTORS® and of the NEW MEXICO ASSOCIATION OF REALTORS®.

By reason of CPAR's Membership, each REALTOR® Member shall be entitled to Membership in the NATIONAL ASSOCIATION OF REALTORS® and the NEW MEXICO ASSOCIATION OF REALTORS® without further payment of dues.

CPAR shall continue as a Member of the State and National 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.

**SECTION 2.** CPAR recognizes the exclusive property rights of the NATIONAL ASSOCIATION OF REALTORS® in the terms REALTOR® and REALTORS®.

CPAR 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 NAR Board of Directors that it has violated the conditions imposed upon the terms.

**SECTION 3.** CPAR adopts the Code of Ethics of the NATIONAL ASSOCIATION OF REALTORS® and agrees to enforce the Code among its REALTOR® Members. CPAR and all of its Members agree to abide by the Constitution, Bylaws, Rules and Regulations, and Policies of the NATIONAL ASSOCIATION OF REALTORS® and the NEW MEXICO ASSOCIATION OF REALTORS®.

**SECTION 4** No Local Association shall sponsor, endorse, recognize, or award, directly or indirectly, any professional designation or certification that is confusingly similar to those available through the National Association, the Real Estate Buyer's Agent Council, or the Institutes, Societies, and Councils of the National Association.

**SECTION 5** In the event a CPAR sponsors, endorses, recognizes or awards, directly or indirectly, any professional designation or certification that is not offered by the National Association, such Local Association shall clearly and affirmatively state in all course materials and related advertising and promotional materials that the professional designation or certification is not affiliated with or endorsed by the National Association.

#### **ARTICLE X - DUES, FEES, AND FINANCES**

**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 annual dues for REALTOR® Membership, which shall be required to accompany each application for REALTOR® Membership and which shall become the property of CPAR upon final approval of the application.

**SECTION 2. The Annual dues of Members shall be as follows:**

REALTOR® Members. The annual dues of each Designated REALTOR® Member shall be in such amount as established annually by the CPAR Board of Directors, plus an additional amount to be established annually times the number of real estate salespersons and licensed or certified appraisers who 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 Local Association in the state or a state contiguous thereto or Institute Affiliate Members of the Local Association.

In calculating the dues payable to CPAR by 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 Local Association in the state contiguous thereto, provided the designated REALTOR® notifies the CPAR in writing of the identity of the Local Association to which dues have been remitted.

In the case of the designated REALTOR® Member in a firm, partnership, or corporation whose business activity is substantially all commercial, any assessments for non-Member licenses 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 CPAR (Amended 1/05)

For the purpose of this section, a REALTOR® Member of a Local Association shall be held to be any Member who has a place or places of business within the state or a state contiguous thereto and who, as a principal, partner, corporate officer, or branch office manager of a real estate firm, partnership, or corporation, is actively engaged in the real estate profession as defined in Article III, Section 1, of the Constitution of the NATIONAL ASSOCIATION OF REALTORS®.

An individual shall be deemed to be licensed with a REALTOR® if the license of the individual is held by the REALTOR® or by any broker who is licensed with the REALTOR®, or by any entity in which the REALTOR® has a direct or indirect ownership interest and is engaged in other aspects of the real estate business, except as provided for in Section 2 herein that such licensee is not otherwise included in the computation of dues payable by the principal, partner, or corporate officer, or branch office manager of the entity.

A REALTOR® with a direct or indirect ownership interest in an entity engaged exclusively in soliciting and/or referring clients and customers to the REALTOR® for consideration on a substantially exclusive basis shall annually file with CPAR on an approved form a list of the licenses affiliated with the entity and solely engaged in referring clients and customers and are not engaged in listing, selling, leasing, managing, counseling or appraising real property. The individuals disclosed on such form shall not be deemed to be licensed with the REALTOR® filling the form for purposes of this section and shall not be included in calculating the annual dues of the designated REALTOR®.

The exemption for any licensee included on the certification form shall automatically be revoked upon the individual being engaged in real estate licensed activities (listing, selling, leasing, renting, managing, counseling, or appraising real property) other than referrals, and dues for the current fiscal year shall be payable.

Membership dues shall be prorated for any licensee included on a certification form submitted to CPAR who during the same calendar year applies for REALTOR® or REALTOR®-ASSOCIATE Membership. However, Membership dues shall not be prorated if the licensee held REALTOR® or REALTOR®-ASSOCIATE Membership during the preceding calendar year. (Amended 11/09)

**REALTOR Members:** The annual dues of REALTOR® Members other than the designated REALTOR shall be as established annually by the CPAR Board of Directors.

**Affiliate Members.** The annual dues of each Affiliate Member shall be as established annually by the CPAR Board of Directors (Amended 1/05)

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

**Public Service Members.** The annual dues of each Public Service Member shall be as established annually by the CPAR Board of Directors.

**Honorary Members:** Dues payable, if any, shall be at the discretion of the CPAR Board of Directors.

**Student Members.** Dues payable, if any, shall be at the discretion of the Board of Directors.

NOTE; The Institutes, Societies and Councils of the NATIONAL ASSOCIATION OF REALTORS® shall be responsible for collecting and remitting dues to the NATIONAL ASSOCIATION OF REALTORS® for institutes Affiliate Members (\$105.00). The National Association shall credit \$35.00 to the account of a Local Association for each Institute Affiliate Member whose office address is within the assigned territorial jurisdiction of that Local Association, provided, however, if the office location is also within the territorial jurisdiction of a Commercial Overlay Board (COB), the \$35.00 amount will be credited to the COB, unless the Institute Affiliate Member directs that the dues be distributed to the other Local Association.

The National Association shall also credit \$35.00 to the account of State Associations for each Institute Affiliate Member whose office address is located within the territorial jurisdiction of the State Association. Local and State Associations may not establish any additional entrance, initiation fees or dues for Institute Affiliate Members, but may provide service packages to which Institute Affiliate Members may voluntarily subscribe.

### **SECTION 3. Annual Budget**

The dues shall be established annually by the CPAR Board of Directors shall be consistent with the annual budget. (Amended 12/19)

### **SECTION 4. Payment.**

Dues shall be calculated on an annual basis from January through December. Dues for all Members shall be payable annually in advance on the first day of January.

Dues for new Members shall be computed from the first day of the month in which a Member is notified of election and shall be prorated for the remainder of the year. (Amended 1/05). Dues shall be deemed delinquent if not paid within (30) days of the due date.

For renewing Members, CPAR shall transmit all dues payments and a list of Members who have dropped their Membership to the NEW MEXICO ASSOCIATION OF REALTORS® not later than the date required by the NATIONAL ASSOCIATION OF REALTORS® and the State Association of each year for new and reinstating Members. CPAR shall transmit payments and Membership information to meet deadlines or be subject to penalties set forth by the State Association.

**SECTION 5. Deposits-** All monies received by CPAR for any purpose shall be deposited to their credit in a financial institution or institutions selected by resolution of the CPAR Board of Directors.

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**SECTION 6. EXPENDITURES.** The CPAR Board of Directors shall administer the day to day finances of the Local Association. Capital expenditures in excess of \$100.00 above cash on hand may not be made unless authorized by 50% of the Directors eligible to vote. **SECTION 7. NOTICE OF DUES, FEES, FINES, ASSESSMENTS, AND OTHER FINANCIAL OBLIGATIONS OF MEMBERS.** All dues, fees, fines, assessments or other financial obligations to CPAR shall be noticed to the delinquent Member in writing setting forth the amount owed.

**SECTION 8.** The dues of REALTOR® Members who are REALTOR® Emeriti (as recognized by the National Association), Past President of the National Association or recipients of the Distinguished Service Award shall be as determined by the CPAR Board of Directors.

NOTE: A Local Association's dues obligation to the National Association is reduced by an amount equal to the amount which they are assessed for a REALTOR® Member, times the number of REALTOR® Emeriti (as recognized by the National Association), Past Presidents of the National Association, and the recipients of the Distinguished Service award of the National Association who are REALTOR® Members of the Local Association. The dues obligation of such individuals to the Local Association should be reduced to reflect the reduction in their obligation to the National Association.

CPAR may, at its option, choose to have no dues requirement for such individuals except as may be required to meet its dues obligation to the State Association with respect to such individuals. Local Associations should determine whether the dues payable to the State Association are reduced with respect to such individuals.

It should be noted that this does not affect a "Designated" Realtor's dues obligation to the Association with respect to those licensees employed by or affiliated with the "Designated" REALTOR who are not Members of the Local Association.

## **ARTICLE XI - OFFICERS AND DIRECTORS**

**SECTION 1. ELECTIVE OFFICERS.** The elective officers of CPAR shall be: President and President Elect. They shall be elected for a term of one year. All officers must be REALTOR® Members.

**SECTION 2. NON-ELECTIVE OFFICERS.** The office of Secretary-Treasurer shall be held by a Director appointed by the Board of Directors. The Board of Directors shall contract with such entities or persons as may be required to assist in the performance of their official duties, which may be performed by the local Association Executive.

**SECTION 3. DUTIES OF OFFICERS.** The duties of the officers shall be such as their titles, by general usage, would indicate and such as may be assigned to them by the Board of Directors. It shall be the particular duty of the Secretary to keep the records of CPAR and to carry on all necessary correspondence with the NATIONAL ASSOCIATION OF REALTORS® and the NEW MEXICO ASSOCIATION OF REALTORS®.

**SECTION 4. BOARD OF DIRECTORS.** The governing body of CPAR shall be a Board of Directors consisting of the elective Officers, and five (5) REALTOR Members. The elected officers shall serve as Directors during their elective year. The immediate past President shall serve as an Ex-Officio Member for a term of one year with no voting rights. The five (5) REALTOR® Members shall be elected for terms of two years. The five (5) elected Members shall be selected in required numbers each year to fill vacancies.

**SECTION 5. ELECTION OF OFFICERS AND DIRECTORS** At least four (4) weeks before the annual election, applications for all REALTORS® who wish to serve as an elective Officer, President, President-Elect, or Director, shall be made available at the CPAR office. A deadline of two (2) weeks shall be posted.

A credentials committee will be appointed by the President and approved by the Board of Directors. The credentials committee shall review the applications and report to the President for approval by the CPAR Board of Directors at least one (1) week preceding the election. In the event no applications are filed, the credentials committee will automatically become a REALTOR® nominating committee. The CPAR Secretary shall send notices to each REALTOR® applicant two (2) days prior to the election. Credentials for President and President-Elect shall be as follows:

REALTOR® applicant for President or President-Elect must have served on the CPAR Board of Directors, served on at least one committee, and be in good standing with CPAR. Credentials for a Director are that the applicant must be in good standing with CPAR and have been a CPAR member for at least one full year prior to the election.

The election of Officers and Directors shall take place each year before the State Association annual meeting. Elections shall be conducted by ballot. All voting methods permitted include electronic, in person, or by proxy.

The ballot shall contain the names of all candidates and the offices for which they are nominated.

The majority vote of the total votes cast shall decide the election.

The President, with the approval of the CPAR Board of Directors, shall appoint an election committee of three (3) REALTOR® Members to conduct the election. In case of a tie vote, the issue shall be determined by lot.

**SECTION 6. VACANCIES.** Vacancies among Officers and the Board of Directors shall be filled by a simple majority vote of the Board of Directors until the next annual election.

**SECTION 7. REMOVAL OF OFFICERS OR DIRECTORS.** In the event that an Officer or a Director is deemed to be incapable of fulfilling the duties for which elected, but will not resign from office voluntarily, the Officer or Director may be removed from office under the following procedure.

A petition requiring the removal of an Officer or Director and signed by not less than one-third of the voting Membership or a majority of all Directors shall be filed with the President, or if the President is the subject of the petition, the next ranking officers, and shall specifically set forth the reasons the individual is deemed disqualified from further service.

Upon receipt of the petition, and not less than twenty (20) days nor more than forty-five (45) days thereafter, a special meeting of the voting Membership of CPAR shall be held, and the sole business of the meeting shall be to consider the charge against the Officer or Director and to render a decision on such petitions.

A special meeting of the Board of Directors shall be noticed at least (10) days prior to the meeting and shall be conducted by the President of CPAR unless the President's continued service in office is being considered at the meeting. In such case the next ranking officer with conduct the meeting of the hearing by the Members. Provided a quorum is present, a majority vote of Board Members present and voting shall be required for removal from office.

**SECTION 8. STATE ASSOCIATION BOARD OF DIRECTORS VACANCIES.** At least four (4) weeks before the NEW MEXICO ASSOCIATION OF REALTORS® annual election, notices of applications will be made available to all REALTORS® who want to apply. The President shall appoint three (3) REALTOR® Members as a credential committee to review the applications and report to the CPAR Board of Directors for approval. The credentials for State Association Director shall be as follows: REALTOR® must have served a Local Association as a Director, chaired at least one committee, and be in good standing with CPAR and be willing to attend state meetings as required.

## **ARTICLE XII - MEETINGS**

**SECTION 1. ANNUAL MEETINGS.** The annual meeting of the CPAR shall be held ~~during August~~ of each year, at the date, place, and hour to be designated by the Board of Directors. \_\_\_\_\_

**SECTION 2. MEETING OF DIRECTORS.** The CPAR Board of Directors shall designate regular time and place of meeting. Absence from three regular meetings without an excuse deemed valid by them should be construed as resignation therefrom.

**SECTION 3. OTHER MEETINGS-** Meetings of the Members may be held at other times as the President or the CPAR Board of Directors may determine, or upon the written request of at least ten (10%) percent of the CPAR REALTOR® Members.

**SECTION 4. NOTICE OF MEETINGS.** Written notice shall be given to every Member entitled to participate in the meeting at least one week preceding all meetings. If a special meeting is called, a statement of the purpose of the meeting shall accompany it.

**SECTION 5. QUORUM** A quorum for the transaction of business shall consist of thirty (30%) percent of CPAR REALTOR® Members.

## **ARTICLE XIII - COMMITTEES**

**SECTION 1. STANDING COMMITTEES.** The President shall appoint from among the REALTOR® Members, subject to confirmation by the CPAR Board of Directors, the following Standing Committees (Amended 10/17)

1. Building
2. Budget & Finance
3. Bylaws
4. Education
5. Lockbox
6. MLS Monitoring
7. Membership/New Member Orientation



## **8. Public Relations**

## **9. RPAC**

The President shall forward to the NEW MEXICO ASSOCIATION OF REALTORS® the names of interested REALTOR® Members who are willing to serve on the NEW MEXICO ASSOCIATION OF REALTORS® Grievance Committee and Professional Standards Committee. Such Members shall be subject to the criteria and annual training as may be required by NEW MEXICO ASSOCIATION OF REALTORS®.

\*Note: The NEW MEXICO ASSOCIATION OF REALTORS® will control all professional standard matters per a cooperative enforcement agreement.

**SECTION 2. SPECIAL COMMITTEES.** The President shall appoint, subject to confirmation by the CPAR Board of Directors, such special committees as deemed necessary.

**SECTION 3. ORGANIZATION.** All committees shall be of such size and shall have duties, functions, and powers as may be assigned to them by the President or the CPAR Board of Directors, except as otherwise provided in these Bylaws.

**SECTION 4. PRESIDENT.** The President shall be an Ex-Officio Member of all standing committees, except Grievance Committee, and shall be notified of their meetings.

## **ARTICLE XIV - FISCAL AND ELECTIVE YEAR**

**SECTION 1.** The fiscal and elective year of CPAR shall be January 1 and continue through December 31, each year.

## **ARTICLE XV - RULES OF ORDER**

**SECTION 1.** Roberts Rules of Order, latest edition, shall be recognized as the authority governing the meetings of CPAR, its Board of Directors, and committees, in all instances wherein its provisions do not conflict with these Bylaws.

## **ARTICLE XVI - AMENDMENTS**

**SECTION 1.** These Bylaws may be amended by the majority vote of the Members present and qualified to vote at any meeting at which a quorum is present, provided the substance of such proposed amendment or amendments shall be plainly stated in the call for the meeting, except that the CPAR Board of Directors may, at any regular or special meeting at which a quorum is present, approve amendments to the Bylaws which are mandated by NATIONAL ASSOCIATION OF REALTORS® policy.

**SECTION 2.** Notice of all meetings at which such amendments are to be considered shall be given to every REALTOR® Member at least one week prior to the time of meeting.

**SECTION 3.** Amendments to these Bylaws affecting the admission or qualification of REALTOR® Members and Institute Affiliate Members, the use of the terms REALTOR® and REALTORS®, or any alteration in the territorial jurisdiction of CPAR shall become effective upon their approval by the Board of Directors of the NATIONAL ASSOCIATION OF REALTORS®.

#### **ARTICLE XVII - DISSOLUTION**

**SECTION 1.** Upon the dissolution or winding up of the affairs of CPAR, the Board of Directors, after providing for the payment of all obligations, shall distribute any remaining assets to the NEW MEXICO ASSOCIATION OF REALTORS®, or within its discretion, to any other nonprofit tax-exempt organization.

#### **ARTICLE XVIII- MLS**

**SECTION 1.** The CLOVIS/PORTALES ASSOCIATION OF REALTORS®, is now under the NEW MEXICO MULTIPLE LISTING SERVICE, INC., Bylaws and has been a Member since 1997.

CPAR has no ownership interest in a Multiple Listing Service.

Since 1997 its REALTOR® Members purchase MLS services from the NEW MEXICO MLS.

President Date Secretary/Treasurer Date