

How To File a Complaint – Frequently Asked Questions

Who Can File an Ethics Complaint Against a REALTOR®?

Any person having reason to believe that a member of the Greater Rochester Association of REALTORS® is guilty of any conduct subject to disciplinary action may file a complaint. Formal complaints should be made in writing to the Professional Standards Liaison of the Greater Rochester Association of REALTORS®, stating the facts on which the complaint is based, providing the complaint is filed within 180 days after the facts constituting the matter complained of could have been known in the exercise of reasonable diligence.

Is There a Time Limit?

Ethics complaints must be filed with the local association of REALTORS® within one hundred eighty (180) days from the time a complainant knew (or reasonably could have known) that potentially unethical conduct took place.

What is the Basis for Filing a Complaint?

The basis for filing an ethical complaint against a REALTOR® should be an allegation by the complainant that a REALTOR® violated one or more of the Articles of the Code of Ethics of the National Association of REALTORS®. A charge of violating the law or the real estate regulations of New York state is not a matter that can be considered by GRAR.

Due Process and Rights of Parties

You, the complainant, may be frustrated by what appears to be an unnecessary delay. However, the Association operates a quasi-judicial system and must ensure due process. It is important to understand that the Association does not process legal complaints, nor does it award damages or cancel a real estate license.

Filing an Ethics Complaint

- The REALTOR® Code of Ethics consists of seventeen (17) Articles. The duties imposed by many of the Articles are illustrated in the document.

- Your complaint should include a narrative description of the circumstances that lead you to believe the Code of Ethics may have been violated.
- The local association of REALTORS® Grievance Committee may provide technical assistance in preparing a complaint in proper form and with proper content.

Before the Hearing

- Your complaint will be reviewed by the Grievance Committee. Their job is to review complaints to determine if the allegations made, if taken as true, might support a violation of the Article(s) cited in the complaint.
- If the Grievance Committee dismisses your complaint, it does not mean they don't believe you. Rather, it means that they do not feel that your allegations would support a hearing panel's conclusion that the Article(s) cited in your complaint have been violated.

Request for a REALTOR®'s License to Be Suspended

GRAR does not have the authority to suspend licenses. GRAR only deals with violations of the Code of Ethics. Only the New York State Department of State can suspend a real estate license. Visit the DOS web at dos.ny.gov.

Questions?

If you have questions for GRAR about filing a complaint, you can contact us via email: prostandards@grar.net or by calling 585.341.2147