

# POLICIES

## Nominating, Election & Campaign Policy #85 – Campaign Policy

### CANDIDATE APPLICATIONS

- A. Applications for candidates for Ohio REALTORS and NAR office may be submitted by any board in which the candidate holds membership or may be submitted directly by a candidate.
- B. Applications for Ohio REALTORS District Vice President must be submitted no sooner than August 1 of the year preceding the year in which the candidate is running for office, but no later than 10 days prior to the start of the Ohio REALTORS Winter Conference
- C. Applications for Ohio REALTORS Treasurer must be submitted no sooner than August 1 and no later than November 1 of the year preceding the year in which the candidate is running for office. Applications must include the information required in policy #20D
- D. Applications for NAR Director and NAR Region 6 Vice President must be received no sooner than August 1 of the year the candidate is running for office, but no later than 10 days prior to the start of the Winter Conference.

### ELECTION INFORMATION

- A. Upon request, nominated candidates will be emailed the name, brokerage, mailing address, local board and district of all Ohio REALTORS Directors, unless another delivery method is requested. This data will be provided at no charge and is for a one-time use only. If a candidate wishes to utilize the information more than one time, an additional request must be submitted to Ohio REALTORS and the information will be provided at cost. Individual Director email addresses will not be provided to candidates.
- B. Information on the elections and nominated candidates, including the applications and biographical information submitted by the candidate, will be provided as follows:
  - 1. Posted on the Ohio REALTORS website 30 days before the election
  - 2. Included in one edition of Ohio REALTORS eConnections
  - 3. Emailed directly to the Ohio REALTORS Directors no sooner than 10 days prior to the election.

A link to a nominated candidate's website may be included in the above communications upon request, provided the website is limited solely to information regarding their qualifications for office.

### CAMPAIGNING

- A. In the interest of absolute neutrality, Ohio REALTORS staff shall not be permitted to endorse or support any candidate for elective office and may not wear campaign apparel or buttons, display campaign materials at any staff workstation, including meeting registration desks, or distribute campaign materials for any candidate for elective office.
- B. No person serving as the Chair, Vice Chair or Executive Committee Liaison shall wear campaign materials (i.e., t-shirts, hats, pins) in a meeting of that committee/forum.
- C. During the Ohio REALTORS meetings, each nominated candidate will be provided with a table near the Ohio REALTORS registration desk for purposes of displaying campaign materials. These tables are available to candidates on a "first-come" basis.
- D. Campaigning during Virtual Meetings
  - 1. No campaigning is permitted at any Ohio REALTORS sponsored virtual meeting, including but not limited to: committee meetings, District Caucuses, general sessions, educational sessions, and workgroups. Examples of prohibited campaigning include, but are not limited to, verbal campaign messages or campaign messages in virtual chat rooms; wearing or displaying buttons, pins or other campaign paraphernalia during an Ohio REALTORS sponsored meeting or event; and using virtual backgrounds or web banners containing campaign messaging.
  - 2. Candidates are permitted to provide a video (up to 3 minutes) that can be loaded to the Ohio REALTORS Candidate page on the Ohio REALTORS website.
    - a. Virtual Campaigning as outlined in paragraph 1 above does not apply to an individual's profile picture that appears alongside non-campaign related comments posted on a social media platform during a live-streamed Ohio REALTORS meeting or event.
- E. The following campaign activities are permitted during Ohio REALTORS' Winter Conference and Annual Convention
  - 1. Placing campaign materials on a table as described in paragraph (c) above.
  - 2. Distributing materials prior to the start of the following events only:
    - A. Opening General Session
    - B. Member & Director Forum
    - C. Ohio REALTORS Trade Show
  - 3. Distributing campaign materials in common areas/halls and at the doors to committee and business meetings, as long as the members' entry to such meetings is not impeded.
  - 4. Displaying campaign posters in common areas/halls

# **Nominating, Election & Campaign Policy #85-A ELECTION PROCEDURES POLICY**

## **CANDIDATE SPEECHES**

- A. In contested elections during Directors' meetings, each candidate is allowed no more than five (5) minutes to address the Directors. No other person may speak on behalf of a candidate unless the candidate is unable to speak due to extenuating circumstances as determined by the Ohio REALTORS President. No audio-visual presentations are permitted at the directors' meeting. Speeches are permitted at in-person or virtual Board of Directors meetings.

## **VOTING**

1. Voting shall be by ballot. For DVP races, only directors from the District for which a candidate(s) is running for DVP shall vote.
2. The total number of ballots cast for each candidate will be made available to any member upon request.
3. Ballots will be destroyed five business days after the election is held unless a candidate in such election has submitted a written request for a recount. All candidates in the subject election shall immediately be notified of the requested recount.
4. The recount shall take place as soon as possible and shall be conducted jointly by the following:
  - The Chairman of the Nominating Committee
  - One District Vice President from each of the districts from which there was a candidate in the election that is the subject of the recount. Said DVP shall be appointed by the Ohio REALTORS President. In the event that there is more than one candidate from the same District, both DVPs from that District shall participate in the recount.
5. If any of the above individuals is unable to participate in the recount due to a conflict of interest (i.e., was a candidate in the subject election), the Ohio REALTORS President shall appoint an alternate DVP or Nominating Committee member to participate in the recount.

## **Nominating, Election & Campaign #85-B STATE OFFICER MINIMUM QUALIFICATIONS**

Candidates for the Association offices of President, President-elect, Treasurer and District Vice President shall be required to meet the minimum qualifications outlined below. Candidates for the offices of Treasurer and District Vice President, must meet these minimum qualifications prior to review of the candidate's application by the Nominating Committee.

### **Treasurer**

1. Has served a full term as President of his/her Local Board of REALTORS® or as an officer of the National Association of REALTORS® or any of its institutes prior to submitting an application for the position of Ohio REALTORS Treasurer.
2. Has served as a Director to the Ohio REALTORS® for at least two years (not necessarily in succession) within the last 10 years prior to submitting an application for the position of Ohio REALTORS Treasurer.
3. Has served as a District Vice President, Executive Committee member or within the last five years as chair in the committee structure prior to submitting an application for the position of Ohio REALTORS Treasurer.
4. Has been licensed by the State and a member of the Ohio REALTORS® for a minimum of 8 years prior to submitting an application for the position of Ohio REALTORS Treasurer.
5. Has attended at least two State Conventions of the Ohio REALTORS® within the last three years prior to submitting an application for the position of Ohio REALTORS Treasurer.
6. Has not been deemed ineligible following a criminal and legal audit as provided in Nominating, Election & Campaign Policy #20D.

President-elect -- The President-elect must have served as Treasurer of the Ohio REALTORS®.

President -- The President must have served as President-elect and Treasurer of Ohio REALTORS.

### **District Vice President**

1. Has served as an officer, or Director of his/her Local Board of REALTORS® prior to submitting an application for the position of Ohio REALTORS District Vice President.
2. Has served as a Director to the Ohio REALTORS® for at least two years (not necessarily in succession) or one year as a Director and one year as an Alternate Director prior to submitting an application for the position of Ohio REALTORS District Vice President.
3. Has served as an active committee member of at least one committee within the Ohio REALTORS® structure within the last three years prior to submitting an application for the position of Ohio REALTORS District Vice President.
4. Has been licensed by the state and a member of the REALTOR® Association in Ohio for a minimum of five years prior to submitting an application for the position of Ohio REALTORS District Vice President.
5. Has attended at least two State Conventions of the Ohio REALTORS® within the last three years.

## **Nominating, Election & Campaign Policy #85C NOMINATION PROCEDURES**

### Candidate review

- A. The Nominating Committee shall review all applications submitted by candidates for the following positions: OHIO REALTORS Treasurer, OHIO REALTORS District Vice President, NAR Regional Vice President and At-Large Positions on the NAR Board of Directors. The purpose of this review is to verify that a candidate meets the minimum qualifications for the position sought.
- B. Prior to the Winter Conference, the NAR Strategy Committee shall meet for the purpose of encouraging and preparing potential candidates for NAR positions. Potential candidates for NAR RVP and at-large NAR Director positions are encouraged to meet with the NAR Strategy Committee for the purpose of receiving guidance for their potential candidacy.
- C. The Nominating Committee shall interview all candidates who meet the minimum qualifications but has the authority to waive the interview of a candidate in an uncontested election. At the discretion of the Chair and Chief Executive Officer a candidate may be granted a virtual or audio conference interview when extenuating circumstances are present.

### Candidate nomination

- A. Following this verification and interview process, the Nominating Committee shall select and submit a slate of candidates to the Board of Directors at its next regularly scheduled meeting. This slate shall be comprised of those candidates who the Nominating Committee determines are the most qualified for the elective office sought, based upon the candidates' application, interview, resume and any other information submitted by the applicant. The Committee may, in its discretion, nominate one or more candidate(s). In no event shall the Nominating Committee predetermine the number of candidates that will be nominated for a position prior to the interview process.
- B. When considering candidates for the position of District Vice President, the Committee, in addition to the candidate's application, resume, interview, etc., shall also consider the candidate's residence so as to achieve balanced geographic representation by the Vice Presidents within the District.

## **Nominating, Election & Campaign Policy #85-D OHIO TREASURER CANDIDATE REVIEW: LEGAL AUDIT AND CRIMINAL BACKGROUND CHECK**

### Legal Audit and Criminal Background Check of Ohio REALTORS Treasurer Applicants

1. A third-party company shall be hired to conduct the required legal audit and criminal background check on each applicant for Ohio REALTORS Treasurer to determine if there are any material issues that would make an applicant ineligible for candidacy for office. As a part of this process, applicants are required to submit with their application a state and federal criminal background report issued within one month of their application and detailed information regarding any prior or pending legal and regulatory matters filed against the applicant or any entity in which the applicant is an owner, principal, partner, or corporate officer. This shall include the following:
  - Pending federal, state and county litigation and/or regulatory action;
  - Final judgments;
  - Disciplinary actions by any professional licensing authority; and
  - REALTOR® Code of Ethics violations resulting in the termination or suspension of membership.
2. A report shall be submitted by the third-party company to Ohio REALTORS legal counsel no later than Nov. 15th preceding the year an applicant(s) is running for Treasurer. Within ten (10) days, counsel shall review the report and prepare a summary for the Nominating Committee indicating whether there are any convictions, regulatory investigations, ethics violations, pending litigation, judgments or facts or circumstances that could reasonably represent a source of embarrassment or liability to Ohio REALTORS or conflict with Ohio REALTORS policies or duties that an Ohio REALTORS officer would be required to perform.
3. Within seven (7) days of receipt, the Nominating Committee shall review the summary prepared by Ohio REALTORS counsel to determine whether there are any material issues that prevent an applicant(s) from being deemed an eligible candidate. Such issues may include, but are not limited to, the following:
  - REALTOR® Code of Ethics violations resulting in the termination or suspension of membership
  - All criminal convictions, excluding traffic violations (however driving under the influence may be considered a material issue)
  - Regulatory enforcement actions (personal or business) where a violation was found
  - Pending regulatory investigations (personal or business)

- Pending litigation (personal or business)
  - Judgments (personal or business)
4. If the Nominating Committee determines that an applicant is ineligible for the position of Treasurer, the Nominating Committee shall promptly disclose to the applicant such material issue(s) that were the basis for that determination. Such notice to the applicant shall also advise the applicant that he has seven (7) days from delivery of the notice to correct any information the applicant considers inaccurate or to offer any mitigating information relevant to such issue(s). If the Nominating Committee, in its sole discretion, requests a personal interview with the applicant, the date of this interview shall be included in the notice.
  5. The Nominating Committee shall review any information submitted by the applicant, conduct any interview and make its final decision no later than seven (7) days from receipt of the information submitted by the applicant. The applicant shall be promptly notified of this decision and of the applicant's right to appeal the Committee's decision.

#### Appeal process

1. A treasurer applicant who has been deemed ineligible based on the legal audit and or criminal background check, has ten (10) days from receipt of the Nominating Committee's determination to file a written appeal with the Executive Committee.
2. The applicant's appeal must include the following information:
  - a. Basis for the appeal;
  - b. Supporting documentation for the basis for appeal; and
  - c. Whether the applicant requests an opportunity to appear before the Executive Committee.
3. A copy of the applicant's appeal and supporting materials shall be forwarded to the Executive Committee for its review and the applicant shall be promptly notified of the date of the appeal hearing.
4. The Executive Committee shall hear the appeal no sooner than seven (7) days from receipt of the applicant's appeal and no later than seven (7) days prior to the start of the Winter Conference. The appeal may be conducted in person, via teleconference or a virtual platform.
5. A majority of the Executive Committee (excluding members of the Nominating Committee) must be present in order to conduct an appeal hearing.
6. Members of the Nominating Committee may be present and participate in discussions but are excluded from voting.
7. To prevail on appeal, an applicant must receive a majority affirmative vote from the Executive Committee members eligible to vote at the appeal hearing.
8. The Executive Committee Chair shall immediately notify the applicant of the Executive Committee's decision in writing.
9. The Executive Committee's decision is final.

## Code of REGULATIONS PROVISIONS

**§4.3 Nomination and Election of Directors of NAR and NAR Regional Vice President.** Prior to the Winter Conference, the NAR Strategy Committee shall meet for the purpose of encouraging and preparing potential candidates for NAR positions. Potential candidates for NAR RVP and at-large NAR Director positions are encouraged to meet with the NAR Strategy Committee for the purpose of receiving guidance for their potential candidacy.

The Nominating Committee shall meet at the Winter Conference to interview and prepare a slate of candidates for the NAR Regional Vice President position when such position is to be filled by a member of the Association and at-large positions on the NAR Board of Directors to be filled by the Association in the ensuing year. The slate of candidates shall be posted prior to the Board of Directors meeting. Such slate of candidates shall be voted upon at the meeting of the Association's Board of Directors held at the Annual Convention. The names of those nominated shall be listed in alphabetical order on the ballot.

Additional nominations for the NAR RVP position and Directors of the NAR to be elected at the Annual Convention may be made from the floor by any Ohio REALTORS Director of the Association prior to the election at the said meeting of the Board of Directors, provided that the nominees are qualified for office and are present at the meeting. All nominees choosing to run from the floor at the Board of Directors meeting must submit their application to the Nominating Committee for the purpose of verifying their qualifications at least 10 days prior to the date of the election. Those nominated from the floor for a position with the NAR shall have their names added to the list previously submitted by the Nominating Committee for said position in the order in which the nominations are received.

In the event that there is more than one at-large NAR Director position to be filled, the Director candidate receiving the most votes shall be elected to the first opening, the candidate receiving the second most votes shall be elected to the second opening, and so forth until all openings are filled. If there is only one at-large NAR Director position to be filled, to be considered duly elected, a candidate must receive a majority of the total votes cast by the Directors. In the event that none of the nominees receive a majority vote on the first ballot, the nominee receiving the least number of votes shall be dropped from the ballot and another vote shall be conducted. This procedure shall be repeated as necessary until a nominee receives a majority vote.

To be considered duly elected, an RVP nominee must receive a majority of the total votes cast by the Directors. In the event that none of the nominees receive a majority vote on the first ballot, the nominee receiving the least number of votes shall be dropped from the ballot and another vote shall be conducted. This procedure shall be repeated as necessary until a nominee receives a majority vote.

**§4.4 Nomination of Officers of the Association.** Prior to the Board of Directors meeting held during the Winter Conference, the Nominating Committee shall meet to receive, consider and select nominees for the officers of the Association, including District Vice Presidents. The slate of candidates shall be posted prior to the Board of Directors meeting and the names of those so nominated shall be listed in alphabetical order on the ballot.

The election of Ohio REALTORS officers, including District Vice Presidents, shall take place at the Board of Directors meetings held during the Annual Convention following their nomination. Additional nominations for state officers may be made from the floor by any Director of the Association prior to the election at the meeting of the Board of Directors, provided that the nominees are qualified for office and are present at the meeting. All Nominees choosing to run from the floor at the Board of Directors meeting must submit their applications to the Nominating Committee for the purpose of verifying their qualifications at least 60 days prior to the date of the election.

To be considered duly elected, a nominee must receive a majority of the total votes cast by the Directors or in the case of a District Vice President, a majority of the Directors in the District the nominee is seeking to represent. In the event that none of the nominees receive a majority vote on the first ballot, the nominee receiving the least number of votes shall be dropped from the ballot and another vote shall be conducted. This procedure shall be repeated as necessary until a nominee receives a majority vote.

Ohio REALTORS Officer and District Vice President terms shall commence as provided for in Article 6, §6.2.

**§4.5 Nomination of District Vice Presidents.** The Nominating Committee shall consider nominations for District Vice President only from Boards located within that District or from members who hold primary membership in a Board within that District. The nominee shall stand for election only to the District Vice President position for the district in which he resides. The Nominating Committee shall not nominate a candidate for District Vice President which could potentially result in a district being represented by two District Vice Presidents who hold primary membership in the same local board. However, the nominees may hold primary membership in the same local board when no candidate from another local board within the district submits an application for the position, or when the nominees, as a result of a board merger, become primary members of the same board.