

Proposed Revisions to RVAR Bylaws

Underlining indicates additions; strikeouts indicate deletions.

ARTICLE XIX Multiple Listing

Section 4. Board of Directors. The business of the Multiple Listing Service shall be governed by the Multiple Listing Board of Directors ("MLS Board") which consists of the President, Vice President, Secretary-Treasurer and four (4) Directors. The Chief Executive Officer of the Roanoke Valley Association of REALTORS® shall serve as a voting member of the MLS Board in the office of Secretary-Treasurer. The members of the MLS Board shall elect the President and Vice President annually.

(a) Only the following are eligible to serve on the MLS Board (with the exception of the Chief Executive Officer): Designated Broker or Owner (provided Owner is an MLS member) or Designated Supervising Broker of real estate firms who are members of the MLS.

(b) The MLS Board seats held by the six (6) REALTOR® members shall be allocated in the following tiers ('Tiers'):

_____ (i) Two (2) seats representing large firms (50 members or more)

_____ (ii) Two (2) seats representing medium firms (16-49 members)

_____ (iii) Two (2) seats representing small firms (15 members or less)

(c) The MLS shall determine the size of all MLS real estate firms as of December 15th annually for the purpose of determining firm representation in each Tier. If the MLS determines that a real estate firm with whom an MLS Board member is licensed changes Tiers from the previous December 15th, the MLS Board member may serve until March 31st of the following year. The MLS Board member may apply during the next application period to represent a different Tier, should a vacancy exist.

(d) All members of the MLS Board are subject to the same minimum requirements as applicants, as follows:

_____ (i) Shall not have had any finding of violation against their license due to direct action of the member by the Virginia Real Estate Board within the preceding two (2) years;

_____ (ii) Shall not have had any violation of the Code of Ethics within the preceding two (2) years.

Any MLS Board member found in violation of the Code of Ethics or a violation against their license due to direct action of the member by the Virginia Real Estate Board, must report the violation to the MLS Board and shall be disqualified from service on the MLS Board.

(e) A member of the MLS Board who transfers to a firm with a member on the Board or to a firm in a different Tier shall resign from the MLS Board at the time of the transfer.

(f) The President and Vice President shall be elected annually by the MLS Board for a one year term. The President and Vice President may serve two consecutive one year terms in the same office.

(g) By January 15, 2020, the Leadership Team shall appoint the members of the MLS Board in accordance with the criteria as stated above. The MLS shall determine the size of all MLS real estate firms as of December 15, 2019 for the purpose of determining firm representation in each Tier.

~~Section 4-5. Duties of the MLS Board. Supervision. It shall be the duty of the MLS Board to conduct the affairs of the MLS, to be empowered to fill vacancies that may occur on the MLS Board, to make and enforce any rules deemed necessary and proper, provided they do not conflict with the Bylaws of this Association, and to account for all monies entrusted in their care. The activity shall be operated under the supervision of the Multiple Listing Board of Directors. The activity may be further subject to any Rules and Regulations adopted by the Multiple Listing Board of Directors.~~

Any financial decisions impacting the Association finances and/or staffing and any decisions to sell the Multiple Listing Service of the Roanoke Valley, Inc., are subject to final approval of the Association Board of Directors.

Section 6. Meetings of the MLS Board. The MLS Board shall meet at least quarterly or upon call of the President or upon petition to the President of at least two (2) members of the MLS Board. The President, at his/her discretion, may call an emergency meeting of the MLS Board with a 24-hour notice.

(a) A quorum for all MLS Board meetings shall be at least four (4) members.

(b) Unexcused absences from any three or two consecutive regular meetings shall be construed as a resignation from the MLS Board. In such an event, the resigned member shall be notified in writing.

(c) Voting by proxy shall not be allowed at any meeting and only those who are qualified in accordance with the other provisions of the Bylaws and are actually present at any meeting at the time a vote is taken shall have the right to vote.

~~Section 5-7. Election of MLS ~~Multiple Listing~~ Board.~~

(a) Beginning in 2021, only REALTOR® members of the MLS whose names are submitted in writing during the period beginning January 15th and ending February 15th ('Application Deadline') shall be considered as an applicant for a seat on the MLS Board.

(b) No more than one (1) member from the same firm may serve at the same time on the MLS Board.

(c) Each year of a term shall commence on April 1st and end on March 31st of the subsequent year.

(d) Members are elected to serve on the MLS Board for a term of two years and are eligible for re-election for one (1) more two year term consecutively. No more than two (2) consecutive terms may be served without a one (1) year absence.

(e) All applicants for the MLS Board shall meet the following minimum requirements as of the Application Deadline:

_____ (i) Shall have been an MLS member in the capacity of Owner, Broker or Designated Supervising Broker for two (2) of the last three (3) years prior to Application Deadline:

_____ (ii) Shall not have had any finding of violation against their license due to direct action of the applicant by the Virginia Real Estate Board within the preceding two (2) years prior to the Application Deadline:

_____ (iii) Shall not have had any violations of the Code of Ethics within the preceding two (2) years prior to the Application Deadline;

_____ (iv) If Applicant is a Designated Supervising Broker, Applicant must have signature of firm's Designated Broker or Owner.

(f) All applicants will be required to sign a pledge at the time of application that if elected, and if found in violation of the Code of Ethics or a violation against their license due to direct action of the member by the Virginia Real Estate Board, they must report the violation to the MLS Board and shall be disqualified from service on the MLS Board.

(g) Beginning in 2021, the election will be by ballot and/or electronic means, in accordance with procedures established by the MLS Board, on a designated date prior to March 15th as set by the MLS Board.

(h) The Designated Broker of each MLS real estate firm may vote in the election, provided the firm is an active member of the MLS at the time of the election.

(i) The newly elected members of the MLS Board shall take office as of April 1st.

~~The Leadership Team of the Roanoke Valley Association of REALTORS®, Inc. shall recommend to its Board of Directors five (5) nominees for the Multiple Listing Board of Directors, one of whom shall be the Chief Executive officer of the Roanoke Valley Association of REALTORS®, Inc. and four (4) of whom shall be REALTOR® Members of the Association and either "Participants" of the service or active users of the service not more than one (1) of whom shall be a member of the then current Board of Directors of the Roanoke Valley Association of REALTORS®, Inc. The Board of Directors of the Roanoke Valley Association of REALTORS®, Inc. will elect a Multiple Listing Board of Directors of five.~~

Section 8. Vacancies. Vacancies by resignation or otherwise in the MLS Board shall be filled by the MLS Board for the remainder of any unexpired term, provided that any replacement must represent the same size category as the vacancy and meet the same qualifications as stated in Section 4.

The following changes to the RVAR Bylaws remove certain Committees that have been added to the purview of the MLS Board:

Article XIII Committees

Section 1. Standing Committees. The Standing Committees are:

~~MLS Policy~~

Section 2. Operating Committees. . . . Operating Committees are:

~~MLS Monitoring~~