Wisconsin REALTORS® Association
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Frequently Asked Questions

Ethics Complaint Process

The Wisconsin REALTORS® Association (WRA) administers the Statewide Professional Standards Enforcement Program in accordance with the National Association of REALTORS® (NAR) Code of Ethics and Arbitration Manual. Below are answers to common questions about filing an ethics complaint and participating in the hearing process.

1. **Is there a cost to file an ethics complaint?**
   No. There is no fee to submit an ethics complaint through the WRA's Statewide Professional Standards Enforcement Program.

2. **Can I file an ethics complaint if I am not a REALTOR®?**
   Yes. Members of the public, including consumers, may file an ethics complaint against a REALTOR® when they believe the REALTOR® has violated the REALTOR® Code of Ethics. You do not need to be a REALTOR® or a member of a real estate association to submit a complaint. The ethics process addresses alleged violations of the REALTOR® Code of Ethics — not every dispute involving a real estate transaction.

3. **What happens after I submit an ethics complaint?**
   Once an ethics complaint is received, it is referred to a Grievance Panel (comprised of WRA Professional Standards Committee members) for preliminary review. The panel evaluates the allegations to determine whether the conduct described, if taken as true, could constitute a violation of the REALTOR® Code of Ethics.

   The Grievance Panel does not determine whether a violation actually occurred. Rather, it decides whether the complaint should proceed to a formal ethics hearing or be dismissed.

   When preparing your complaint, be as specific as possible. Identify the individuals involved, describe the conduct at issue, explain when and where the event(s) occurred, and provide relevant supporting information. A clear and detailed complaint will assist the Grievance Panel in its review.

4. **Will the WRA investigate the allegations in my complaint?**
   No. The WRA administers the ethics enforcement process but does not conduct investigations or gather evidence on behalf of either party.

   As the complainant, you are responsible for presenting the testimony, documentation and other evidence necessary to establish that a violation occurred. The applicable standard of proof is clear, strong and convincing evidence.

5. **How soon can I expect my complaint to be heard?**
   The WRA makes every effort to process ethics complaints efficiently and in accordance with the procedures established by NAR. However, scheduling depends on several factors, including the number of pending complaints, the availability of volunteer Professional Standards Committee members, and applicable procedural requirements.

   As a result, several months may pass before a hearing takes place. Individuals seeking a more timely

resolution are encouraged to explore available ombudsman or mediation services, which may help resolve certain disputes without the need for a formal hearing.

6. **Are ethics hearings conducted in person or virtually?**
   All WRA ethics hearings are conducted virtually using Zoom. Parties, witnesses and legal counsel participating in a hearing must have access to a reliable internet connection and a device equipped with a functioning camera and microphone. Participants will receive instructions for accessing the hearing in advance.

7. **Am I required to participate in the hearing?**
   Parties are expected to attend and participate in their scheduled hearing.

   If you filed the complaint: Your attendance is particularly important because you are responsible for presenting the evidence supporting your allegations. Failure to appear will generally result in dismissal of the complaint, except in limited circumstances permitted under the applicable procedures.

   If you are the respondent: You are expected to attend and have the opportunity to respond to the allegations. If you do not appear, the Hearing Panel may proceed in your absence, and you may lose the opportunity to present testimony and evidence in your defense.

8. **Can I have an attorney represent me?**

   Yes. Both complainants and respondents have the right to be represented by legal counsel during the ethics hearing process. Whether to retain an attorney is a personal decision. The WRA cannot provide legal advice to either party or recommend whether legal representation is necessary.

9. **What should I expect during an ethics hearing?**
   An ethics hearing is a formal proceeding designed to provide both parties with a fair opportunity to present their positions before an impartial Hearing Panel (comprised of WRA Professional Standards Committee members). Although less formal than a courtroom trial, the hearing follows established procedures and includes many similar elements.

   The complainant has the opportunity to explain the allegations, offer relevant documents and other evidence, and present witnesses. The respondent has an opportunity to address the allegations, offer evidence and present witnesses in response. Both parties may be permitted to question witnesses, and Hearing Panel members may ask questions to clarify the information presented.

   Following the hearing, the panel evaluates the evidence and determines whether a violation of the REALTOR® Code of Ethics has been established. Parties will receive information about the hearing procedures in advance so they can understand the process and prepare accordingly.

10. **How much time should I set aside for the hearing?**
    The length of a hearing depends on the nature of the allegations, the amount of evidence presented, and the number of witnesses participating. Most WRA ethics hearings are scheduled to begin at 9:15 a.m. Central Time and typically last about three hours. Hearings involving multiple issues, extensive testimony, or numerous witnesses may require additional time. Participants should plan to remain available for the entire proceeding.

11. **What happens if the Hearing Panel determines that a REALTOR® violated the Code of Ethics?**
    If a violation is established, the REALTOR® may be subject to disciplinary action consistent with the NAR Code of Ethics and Arbitration Manual. Depending on the circumstances, discipline may include a letter of warning or reprimand, a monetary fine, required educational coursework, suspension of membership or termination of membership. A combination of disciplinary measures may also be imposed.

    The purpose of the ethics enforcement process is to promote compliance with the REALTOR® Code of Ethics and uphold professional standards. Importantly, an ethics proceeding is not a

means of obtaining financial compensation. The WRA cannot award monetary damages or order a REALTOR® to compensate a complainant for alleged losses.

12. **Where can I find more information or submit an ethics complaint?**
For additional information about the Statewide Professional Standards Enforcement Program, including access to the online complaint submission system, visit www.wra.org/professionalstandards.