
Code of Ethics and Standards of Practice of the NATIONAL ASSOCIATION OF REALTORS®



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Key Professional Standards Changes for 2020-2021

Standard of Practice 10-5

REALTORS® must not use harassing speech, hate speech, epithets, or slurs based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity.

Standard of Practice 10-5

A 2 Step Analysis

- 1) Is the speech harassing speech, hate speech, epithets, or slurs?
- 2) If so, is the speech based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity?

Recommendations are **NOT** retroactive

- Standard of Practice 10-5 applies **ONLY** to conduct occurring **AFTER** November 13, 2020.
- SOP 10-5 and Policy Statement 29 went into effect on November 13, 2020.
- Other motions go into effect on January 1, 2021.

Appendix XII to Part Four

Explanations and Guidance for Standard of Practice 10-5

NAR's Code of Conduct and Anti-Harassment Policy

Examples of harassment include, but are not limited to:

Epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and the display or circulation of written or graphic material that denigrates or shows hostility toward an individual or group based on a protected characteristic.

Appendix XII to Part Four

Explanations and Guidance for Standard of Practice 10-5

Merriam-Webster’s definitions of “hate speech”:

Speech that is intended to insult, offend, or intimidate a person because of some trait (as race, religion, sexual orientation, national origin or disability).

Appendix XII to Part Four

Explanations and Guidance for Standard of Practice 10-5

Merriam-Webster's definitions of "epithet" and "slur":

- **Epithet: 1a:** a characterizing word or phrase accompanying or occurring in place of the name of a person or thing; **b.** a disparaging or abusive word or phrase.
- **Slur: 1a.** insulting or disparaging remark or innuendo: ASPERSION, **b.** a shaming or degrading effect: STAIN, STIGMA.

Policy Statement #29

29. Applicability of the Code of Ethics to ~~non-real estate related activities~~

~~While REALTORS® are encouraged to follow the principles of the Code of Ethics in all of their activities, a REALTOR® shall be subject to disciplinary action under the Code of Ethics only with respect to real estate-related all of their activities, and transactions involving the REALTOR®.~~

Revised Disciplinary Guidelines

- Adds emphasis for violations of the public trust.
- New “Example C” with violation of SOP 10-5.
- First Violation Example #3 and Repeat Violation Example #3 add new factor related to violations of Article 10 and Article 3 as supported by SOP 3-11.
- **“Important Note:** These are not sentencing rules or requirements, but rather simply suggestions to guide Hearing Panels in determining appropriate discipline based both on the current violation and the violator’s previous record of ethical conduct.”

“Public Trust” Definition

Article IV Code of Ethics, Section 2 of the NAR Bylaws

...The "public trust", as used in this context, refers to demonstrated misappropriation of client or customer funds or property, ~~willful~~ discrimination against the protected classes under the Code of Ethics, or fraud ~~resulting in substantial economic harm.~~ ...

“Public Trust” Definition

Article IV Code of Ethics, Section 2 of the NAR Bylaws

.... Enforcement of the Code of Ethics also requires Member Boards to share with the state real estate licensing authority final ethics decisions holding REALTORS® in violation of the Code of Ethics in instances involving real estate related activities and transactions where there is reason to believe the public trust may have been violated.

NAR.Realtor Resources Link

<https://www.nar.realtor/national-leadership/committee-members-liaisons/code-of-ethics-professional-standards-policies#resources>

Logon to NAR.Realtor and search for “Code of Ethics Policies”

Includes FAQs on key items like free speech issues and the changes not being retroactive.