

BAREIS EXHIBIT B WARNINGS, CITATION AND APPEALS POLICY

This “Citation and Appeals Policy” is implemented pursuant to the Bay Area Real Estate Information Services, Inc. (“BAREIS”), MLS Regulations, Regulation 16, “Violations of Regulations and Disputes” and covers the violations outlined in Exhibit A-2, “Citations for Regulations Violations.” The Citations may be amended at any time and from time to time by the Board.

Process

1. Warnings

Certain violations or repeat violations are not subject to a warning and/or may be subject to immediate citation. For violations of these Regulations that are subject to a warning, the Member will be given the warning to correct the violation by phone call or email contact. If a Subscriber has repeat violations of these Regulations that are subject to a warning, the Subscriber’s supervising Participant will receive notice of the third repeat violation by phone call or email contact. Any Member who, within a 12-month period, has been warned twice with the opportunity to correct for a violation of a Regulation will automatically receive a citation for the third violation of the same Regulation. Every Member will receive an automatic fine for any violation, regardless of the Regulation violated, for the fifth and subsequent violations within a 12-month period.

2. Citations

If a Member fails to correct a violation of these Regulations that is subject to a warning within the time allotted in the warning, the citation for the offense will be issued and will become due and payable. Any Member receiving a citation must pay the amount specified on the citation and complete the BAREIS Online Orientation class within 14 days of receiving the citation.

3. Citation Payment

If the Member fails to pay the citation within the initial 14-day period, the citation balance will be added to the Member’s account. The total balance must be paid by the next statement due date, or BAREIS membership and MLS Privileges will be suspended for that Member.

4. Member Request for Appeal

Pursuant to Regulation 16.1, “Citations,” a BAREIS Member may request an appeal for a Regulations violation citation to the Regulations Committee of the BAREIS Board of Directors (the “Board”). If the Member desires to appeal the citation, the Member must pay the citation and administration fee, complete the BAREIS Online Orientation class per Item 2 above, and provide documentation together with a letter explaining why the fine was incorrectly levied. The request for appeal must be received by BAREIS within 14 days of the notice of citation letter date (date postmarked or date of notification by electronic mail, facsimile transmission, and/or agent notice).

5. Member-Requested Appeal Hearing

If a Member timely makes a complete request, including payment of any required

administration fees, to appeal the decision of the Rules and Regulations Committee, as provided by Paragraph 4 of this Exhibit B, the Member shall be entitled to a final hearing by an Appeals Panel of the Board, which Appeals Panel shall consist of three Members of the Board, who shall be appointed by and who shall serve at the pleasure of the Chair of the Board. At the sole discretion of the Appeals Panel, the Appeals Panel may either hear the appeal by reviewing documentation only, or request the personal appearance of the appealing Member. The decision of any two Members of the Appeals Panel shall be final.

6. Board-Initiated Hearing

If any Member commits three violations within a 12-month period that result in either fines or warnings requiring corrections, the Board may, at its discretion, direct the Grievance Committee to review the Member's record of fines and warnings, which may result in a disciplinary hearing for further action. If a Subscriber who is under the supervision of a single Participant commits four violations within a 12-month period that results in either fines or warnings requiring corrections, the Board may, at its discretion, direct the Grievance Committee to review the Participant's record of fines and warnings, which may result in a disciplinary hearing for further action (See Regulation 16.4.2(b) and 16.4.2 (c)).

Definitions of the terms, "Suspension," "Termination," "MLS Privileges," and "Expulsion" are provided in EXHIBIT C "Definitions."