

NSBAR Pre Test for qualification to be considered serving on Professional Standards or Grievance Committee

1. An agent calls a listing office to secure a one day code to view a property with their buyer. On the way to the listing to meet with their buyer the buyer agent receives a call their child has been hurt at school so the buyer agent calls the buyer, gives them the one day code so they can view the property while the agent picks up her child.

Do you find the buyer agent guilty of violation of Article 3 of the Code of Ethics?

Yes

No

2. What would be your sanction if you found them guilty?

they are not guilty

a fine of under \$250

a fine of \$2,500

a fine of \$5,000

a warning

3. A buyer agent does all negotiations verbally and once all negotiations are completed then they write the offer. The buyer files a complaint with the local association stating the agent never kept them informed during negotiations and the buyer had ask their agent to put everything in writing during the negotiations. What is your determination?

Since very few in NSBAR write offers during the negotiations the panel finds the agent no guilty of violating Article 9 of the Code of Ethics.

I would find him guilty of violating Article 9

4. Agent Sally showed and wrote up a contract for Buyer Bill on 123 Easy Street. Buyer Bill needed special financing and Agent Sally was unable to secure financing and the contract fell through. That same day Buyer Bill heard of real estate agent Jane who specializes in financing so Buyer Bill had her write up an offer that day. Financing was secured and the transaction closed.

Agent Sally has her sponsoring broker file a request for arbitration on the basis that Agent Sally says she is procuring cause.

Your decision:

- Give Sally's office the selling portion of the commission
- Give Agent Jane's office the selling portion of the commission
- Split evenly the selling portion of the commission to both offices

5. Office ABC has a listing on 123 Easy Street which is expiring in a few days. There is negotiating going on to have Buyer Banks purchase the property. The listing expires before there is a final negotiation of the transaction. The day the listing expires the owners list with XYZ Realty. The negotiations continue with the same buyer and there is a successful closing.

Office ABC requests arbitration and they are asking for the entire commission (listing and selling side of the commission).

The Grievance Committee should:

- send it on for an arbitration hearing
- Refuse to send on because it is not a contractual dispute