

DISCIPLINARY ACTION PROCEDURES

The procedures set forth in this document govern Disciplinary Action taken against a Member or Member's representative pursuant to Article III, Section 8 of Texas RE's Bylaws. "Disciplinary Action" includes any action to sanction, suspend, or expel a Member or Member's representative for violating their obligations and responsibilities to Texas RE. Prior to imposing Disciplinary Action, the Board will exercise appropriate due process, to include:

- A. Upon receipt of a complaint regarding a Member or Member's representative, the Board Chair will appoint an ad-hoc committee to conduct a confidential investigation of the complaint.
- B. Following the conclusion of its investigation, the committee will provide the Board a report of its findings and a recommendation regarding a proposed sanction, suspension, or expulsion.
- C. The Board will review the committee report and determine whether it intends to take Disciplinary Action. Notice of intent to take Disciplinary Action against a Member or Member's representative shall be made in writing, and shall include a recommended sanction, suspension, or expulsion. Notice shall be sent via e-mail and U.S. mail, first class, return receipt requested to any Member or Member's representative subject to Disciplinary Action. The accused Member or Member's representative shall have 15 days to respond to the notice in writing. The response may include: (1) acceptance of the recommended sanction, suspension, or expulsion; (2) a response of no contest; or (3) a request for a hearing to contest the Disciplinary Action.
- D. If a response of acceptance or no contest is made, or if no response is made within 15 days of issuance of the notice of intent to take Disciplinary Action, the Board's proposed Disciplinary Action will take effect immediately.
- E. If a hearing is requested, the Board shall preside. Texas RE staff has the burden of proof to establish that the Member or Member's representative should be sanctioned, suspended, or expelled. The accused may present contrary evidence. Then the Board in its sole discretion will determine what Disciplinary Action, if any, will be imposed. Any Disciplinary Action determined by the Board will take effect immediately.