

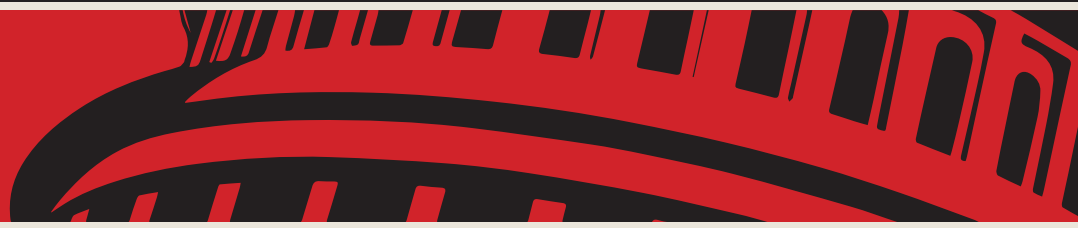
National Association of REALTORS®
Policy on Association Territorial Jurisdiction for Advocacy
As approved by the NAR Board of Directors on November 6, 2017

Territorial Jurisdiction using NAR REALTOR® Party Advocacy Resources

That NAR adopt a policy that state and local REALTOR® Associations may only use advocacy resources provided by the NAR REALTOR® Party for advocacy activity within their territorial jurisdiction as defined by NAR unless use outside the association's territorial jurisdiction is permitted by a written agreement among or policy applicable to all affected local and state association(s) regarding such use of advocacy resources, or the association in whose jurisdiction such advocacy will occur or NAR approves. The policy should allow for an association to request REALTOR® Party funds for use outside of its territorial jurisdiction, and if the association in whose jurisdiction such activity will take place objects, the funds may be provided subject to review and approval by the appropriate NAR committee(s) overseeing REALTOR® Party activities, in accordance with the following policy:

Resources provided to state and local REALTOR® Associations by the National Association of REALTORS®, for advocacy activity as part of the NAR REALTOR® Party Program, except as otherwise noted in this section, shall only be used within the applying association's NAR-defined territorial jurisdiction.

1. Local and state REALTOR® Associations may determine, via written agreement or policy, the extent to which advocacy resources provided by the REALTOR® Party program may be used by other associations within their respective association territorial jurisdictions.
2. Two or more associations may cooperate to use REALTOR® Party resources in joint efforts where a portion of the political subdivision where such advocacy activities will take place lie within the territorial jurisdiction of two or more associations.
3. Local or state associations that request the use of REALTOR® Party resources for advocacy activity outside of their defined territorial jurisdiction shall:
 - a.) Provide, as part of their application for REALTOR® Party resources, notice of:
 - i. The proposed use of REALTOR® Party resources in an area outside of the applying associations territorial jurisdiction,
 - ii. An acknowledgment that the applying association has communicated or attempted to communicate with any association in whose jurisdiction such advocacy will occur regarding the proposed advocacy,
 - iii. The contact information for any other association staff or members that the applying association contacted to discuss the request.



- b.) If the other association(s) in whose jurisdiction such advocacy will occur declines to approve or to discuss the proposed request, the applying association may seek approval to engage in the advocacy using REALTOR® Party funds from the REALTOR® Party committee empowered to grant the use of such funds.
 - c.) The respective REALTOR® Party Committee having oversight over the resources requested shall consider the input of the following parties for each request:
 - i. The applying association,
 - ii. Any association in whose jurisdiction the proposed advocacy activities will occur,
 - iii. The state association where the applying local association and any affected associations are located, and;
 - iv. Any other party the Committee feels can assist with the decision.
 - d.) Factors that the respective REALTOR® Party Committee may consider as part of the approval of the use of REALTOR® Party advocacy resources outside of an associations territorial jurisdiction include, but are not limited to:
 - i. Size of the associations,
 - ii. The number of association members whose office is in another associations territorial jurisdiction, and;
 - iii. The political consideration surrounding the use of any particular advocacy resource.
 - e.) Approval of the REALTOR® Party Committee for the use of REALTOR® Party resources outside of the territorial jurisdiction of the applying association shall require a simple majority vote of the committee.
 - f.) The decision of the respective REALTOR® Party Committee on the use of advocacy resources outside of an association’s territorial jurisdiction shall be final.
 - g.) Notwithstanding the foregoing, the applying association’s use of REALTOR® Party resources does not require approval of any Commercial Overlay Board (COB) in whose territorial jurisdiction such use will occur, or of the applicable REALTOR® Party Committee with respect to such use within the COB’s territorial jurisdiction.
4. A COB that requests use of NAR REALTOR® Party Resources for advocacy activity within the COB’s territorial jurisdiction must comply with section (b) above with respect to all state and local associations in which such advocacy will occur.
5. The requirement that REALTOR® Party resources may be used only for advocacy within the territorial jurisdiction of the applying association (except as otherwise provided in this policy) shall apply based on the individuals or entities (association members, members of the public, or otherwise) at whom such advocacy is directed, and not solely based on the geographic location of an event at which such advocacy activities take place.

6. NAR staff using the NAR Association Territorial Jurisdictional descriptions shall determine questions regarding the use of REALTOR® Party resources and the existing boundaries of any association’s territorial jurisdiction.
7. Any state or local association that is found in violation of this section may be subject to any or all of the following sanctions as determined by the respective REALTOR® Party Committee:
 - a.) Loss of access to any REALTOR® Party Programs for a specific period.
 - b.) Loss of NAR provided advocacy tools and resources for a specific period.
8. The recommendation of any REALTOR® Party Committee for sanctions of a state or local REALTOR® Association that violates these provisions must be approved by the NAR Leadership Team.

That NAR adopt policy that state and local REALTOR® Associations shall only engage in advocacy using resources other than REALTOR® Party funds within their territorial jurisdictions as defined by NAR unless use outside the association’s territorial jurisdiction is permitted by a written agreement among or policy applicable to all affected local or state associations regarding such use of advocacy resources, or the other association in whose jurisdiction such advocacy will occur or NAR approves. Such policy is based on the following:

1. REALTORS® are best represented at the local, state and national levels when speaking with one voice.
2. REALTOR® organizations are best represented and most appropriately engage in advocacy when associations engage in advocacy only within their territorial jurisdictions, unless another association(s) in which such advocacy will occur or NAR approves.
3. That the best way to accomplish this goal is to define for each level of the REALTOR® organization the units of government that should be the focus of the respective association. Those definitions are:
 - a.) NAR – U.S. Federal Government
 - b.) State/Territorial REALTOR® Associations – The state government
 - c.) Local REALTOR® Associations – The local units of government within the territorial jurisdictions of the local association.
4. State or Local REALTOR® Associations, or their related political committees, shall, except as otherwise noted in this section, only engage in advocacy activity within their respective association territorial jurisdiction as set by NAR.
 - a.) For the purpose of this section, “advocacy activity” is defined as any activity performed by a state or local association, which aims to influence decisions within political, economic, and social systems and institutions, including, but not limited to:
 - i.) Fundraising,

- ii.) Political expenditures or support of any kind, including direct contributions to candidates or political committees as well as any campaign support or independent expenditure activity,
 - iii.) Member advocacy outreach communications,
 - iv.) Lobbying activities.
- b.) Local and state REALTOR® Associations may determine, via written agreement or policy, the extent to which advocacy resources provided by the REALTOR® Party program may be used by other associations within their respective association territorial jurisdictions.
- c.) Two or more associations may cooperate to engage in advocacy activity in joint efforts where a portion of the political subdivision where such advocacy activities will take place lie within the territorial jurisdiction of two or more associations.
- d.) Local or state associations that seek to engage in advocacy outside of their defined territorial jurisdiction shall attempt to obtain the consent or approval of the association(s) in whose jurisdiction such advocacy will occur.
- i.) Associations shall first communicate their desired goals and plans for action with the affected local or state associations.
 - ii.) Where appropriate, the state association shall act as a mediator to assist local associations in cooperating regarding advocacy outside an association's jurisdiction.
 - iii.) If the state association identifies an impasse between the parties, the state association may recommend that the disputed advocacy activity be considered by NAR for resolution as provided below.
- e.) Local or state associations that propose to engage in advocacy outside of their defined territorial jurisdiction shall provide to NAR:
- i.) A description of the proposed advocacy outside its territorial jurisdiction,
 - ii.) Information about the associations communications or attempted communication with any association(s) in whose jurisdiction such advocacy will occur regarding the proposed advocacy,
 - iii.) The contact information for any other association staff or members that the applying association contacted to discuss the request.
 - iv.) The respective REALTOR® Party Committee having oversight over the resources requested shall consider the input of the following parties for each request:
 1. The applying association,
 2. Any association in whose jurisdiction the proposed advocacy activities will occur,
 3. The state association where the local association proposing to engage in advocacy and any affected associations are located, and;
 4. Any other party the Committee feels can assist with the decision.
 - v.) Factors that the respective REALTOR® Party Committee may consider as part of the approval of the use of advocacy resources outside of an associations territorial jurisdiction include, but are not limited to:

1. Size of the associations,
 2. The number of association members whose office is located in another associations territorial jurisdiction, and;
 3. The political consideration surrounding the use of any particular advocacy resource.
- vi.) Approval of the REALTOR® Party Committee for advocacy activity outside of the territorial jurisdiction of the association proposing to engage in such activity shall require a simple majority vote of the committee.
 - vii.) The decision of the respective REALTOR® Party Committee on the use of advocacy resources outside of an association's territorial jurisdiction shall be final.
 - viii.) Notwithstanding the foregoing, an association's advocacy activity does not require approval of any Commercial Overlay Board (COB) in whose territorial jurisdiction such advocacy will occur, or of the applicable REALTOR® Party Committee with respect to such advocacy within the COB's territorial jurisdiction.
- f.) A COB proposing to engage in advocacy activity within the COB's territorial jurisdiction must comply with section (d) above with respect to all state and local associations in which such advocacy will occur.
 - g.) The requirement that a state or local association engage in advocacy only within its territorial jurisdiction (except as otherwise provided in this policy) shall apply based on the individuals or entities (association members, members of the public, or otherwise) at whom such advocacy is directed, and not solely based on the geographic location of an event at which such advocacy activities take place.
 - h.) Any state or local association that is found in violation of this section may be subject to any or all of the following sanctions as determined by the respective REALTOR® Party Committee:
 - i.) Loss of access to any REALTOR® Party Programs for a specific period.
 - ii.) Loss of NAR provided advocacy tools and resources for a specific period.
 - i.) The recommendation of any REALTOR® Party Committee for sanctions of a state or local REALTOR® Association that violates these provisions must be approved by the NAR Leadership Team.

**QUESTION REGARDING THIS POLICY CAN BE REFERRED TO
GERRY ALLEN AT GALLEN@REALTORS.ORG OR 202-383-1109.**