

The Bylaws Review Task Force has developed ten (10) recommended amendments for the Board of Directors to review and consider before the proposed bylaw amendments are presented to the membership for approval.

Other changes made were corrected grammar, formatting, and updated gender-specific language to gender neutral terminology.

Black, no change to language. Red Strikethrough, language removed. Blue, new language added.

Highlight sections are reason for amendment.

Change 1

ARTICLE V - QUALIFICATION AND ELECTION

Section 2. Qualification

An applicant for REALTOR® Membership who is a sole proprietor, partner, corporate officer, or branch office manager of a real estate firm shall supply evidence satisfactory to the **Association through its Membership Committee or otherwise** that they are actively engaged in the real estate profession, and maintains a current, valid real estate broker's or salesperson's license or is licensed or certified by an appropriate state regulatory agency to engage in the appraisal of real property, has a place of business within the state or a state contiguous thereto (unless a secondary member). ~~has no record of recent or pending bankruptcy*~~, Has no record of official sanctions involving unprofessional conduct, agrees to complete a course of instruction covering the Bylaws and Rules and Regulations of the Association, the Bylaws of the State Association, and the Constitution and Bylaws and Code of Ethics of the National Association of REALTORS®, and shall pass such reasonable and nondiscriminatory written examination thereon as may be required by the ~~Committee~~ **Association**, and shall agree that if elected to membership, they will abide by such Constitution, Bylaws, Rules and Regulations, and Code of Ethics.

~~* No recent or pending bankruptcy is intended to mean that the applicant or any real estate firm, in which the applicant is a sole proprietor, general partner, corporate officer, or branch office manager, is not involved in any pending bankruptcy or insolvency proceedings or, has not been adjudged bankrupt in the past three (3) years. If a bankruptcy proceeding as described above exists, membership may not be rejected unless the Association establishes that its interests and those of its members and the public could not be adequately protected by requiring that the bankrupt applicant pay cash in advance for Association and MLS fees for up to one (1) year from the date that membership is approved or from the date that the applicant is discharged from bankruptcy (whichever is later). In the event that an existing member initiates bankruptcy proceedings, the member may be placed on a "cash basis" from the date that bankruptcy is initiated until one (1) year from the date that the member has been discharged from bankruptcy.~~

Reason for Amendment: This amendment updates the member qualification provisions to reflect current membership standards regarding bankruptcy and provisional membership. It also replaces references to the Membership Committee with the Association to reflect the current process in which Association staff review membership applications and verify that applicants meet the qualifications for membership. These changes modernize the Bylaws and align them with the Association's current administrative practices.

Change 2

Section 3. Election

~~The chief staff executive (or duly authorized designee) shall determine whether the applicant is applying for the class of membership. If the association has adopted provisional membership, applicants for REALTOR® membership may be granted provisional membership appropriate immediately upon submission of a completed application form and remittance of applicable association dues and any application fee. Provisional members shall be considered REALTORS® and shall be subject to all of the same privileges and obligations of membership. Provisional membership is granted subject to final review of the application by the board of directors.~~ Applicants for REALTOR® membership may be granted provisional membership immediately upon submission of a completed application form and remittance of applicable Association dues and any application fee. Provisional Members shall be considered REALTORS® and shall be subject to all the same privileges and obligations of membership. Provisional membership is granted subject to final review of the application by the Association staff. If the Association staff determines that the individual does not meet all of the qualifications for membership as established in the Association's Bylaws or, if the individual does not satisfy all of the requirements of membership (for example, completion of a mandatory orientation program within sixty 60 days from the Association's receipt of their application), membership may, at the discretion of the Board of Directors, be terminated.

If the Board of Directors determines that the individual does not meet all of the qualifications for membership as established in the association's Bylaws, or, if the individual does not satisfy all of the requirements of membership (for example, completion of a mandatory orientation program within sixty (60) days from the association's receipt of their application), membership may, at the discretion of the Board of Directors, be terminated. ~~The Board of Directors shall vote on the applicant's eligibility for membership. If the applicant receives a majority vote of the Board of Directors, he/she shall be declared elected to membership and shall be advised by written notice.~~ Dues paid shall be non-refundable unless the Association's Board of Directors terminates the individual's membership in accordance with subsection (A) above. In such instances, dues may be returned to the individual, less a service charge and a prorated amount to cover the number of days that the individual received Association services. Any processing fee shall not be refundable.

Reason for Amendment: This amendment formalizes the Association's provisional membership process by authorizing Association staff to approve qualified applicants, subject to the oversight of the Board of Directors. This improves administrative efficiency, provides timely access to member services, and maintains the Board's governance responsibilities.

Change 3

ARTICLE VI - PRIVILEGES AND OBLIGATIONS

Section 1.

Any member of the Association may be reprimanded, fined, placed on probation, suspended, or expelled by the Board of Directors for a violation of these Bylaws, after a hearing as provided in the Code of Ethics and Arbitration manual of the National Association. Although Members other than REALTORS® Members are not subject to the Code of Ethics nor its enforcement by the Association, such Members are encouraged to abide by the principles established in the Code of Ethics of the National Association of REALTORS® and conduct their business and professional practices accordingly. Further, Members other than REALTOR® Members may, upon recommendation of the ~~Membership Committee or upon recommendation by a hearing panel of the~~ Professional Standards Committee, be subject to discipline as described above, for any conduct which in the opinion of the Board of Directors, applied on a non-discriminatory basis, reflects adversely on the terms REALTOR® or REALTORS®, and the real estate industry, or for conduct that is inconsistent with or adverse to the objectives and purposes of the local Association, the State Association, and the National Association of REALTORS®.

Reason for Amendment: This amendment removes the outdated reference to the Membership Committee and clarifies that these matters are the responsibility of a Hearing Panel of the Professional Standards Committee, consistent with the Association's current procedures.

Change 4

Section 7.~~Institute Affiliate Members~~ All Other Classes of Members

All other classes of Members shall have rights and privileges and be subject to obligations prescribed by the Board of Directors consistent with the Constitution and Bylaws of the National Association of REALTORS®.

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~~Section 8. Affiliate Members~~

~~Affiliate Members shall have rights and privileges and be subject to obligations prescribed by the Board of Directors.~~

~~Section 9. Public Service Members~~

~~Public Service Members shall have rights and privileges and be subject to obligations prescribed by the Board of Directors.~~

~~Section 10. Student Members~~

~~Student Members shall have rights and privileges and be subject to obligations prescribed by the Board of Directors.~~

~~Section 11. Honorary Member~~

~~Honorary Membership shall confer only the right to attend meetings and participate in discussions.~~

Reason for Amendment: This amendment combines the identical privileges and obligations language for several membership classes into one section, reducing repetition and improving the organization of the Bylaws. The remaining sections are renumbered accordingly.

Change 5

ARTICLE X - DUES AND ASSESSMENTS

Section 2: Dues

D. All other classes of Membership ~~Affiliate Members~~: The annual dues of ~~each~~ all other classes of membership ~~Affiliate Member~~ shall be established annually by the Association Board of Directors.

~~E. Public Service Members: The annual dues of each Public Service Member shall be as established annually by the Board of Directors.~~

~~F. Honorary Members: Dues payable, if any, shall be at the discretion of the Board of Directors.~~

~~G. Student Members: Dues payable, if any, shall be at the discretion of the Board of Directors.~~

~~H. The dues of REALTOR® members who are REALTOR® Emeriti (as recognized by the NATIONAL ASSOCIATION), Past Presidents of the NATIONAL ASSOCIATION, or recipients of the Distinguished Service Award shall be as determined by the Board of Directors.~~

Reason for Amendment: This amendment combines the identical dues language for membership classes D through H into one provision, reducing repetition and improving the organization of the Bylaws without changing the meaning or requirements.

Change 6

Section 5: Deposits and Expenditures

The Board of Directors shall not spend in excess of 25% and/or ~~\$50,000~~ \$100,000 whichever is less of unbudgeted funds without membership approval.

Reason for Amendment: The current \$50,000 spending limitation has remained unchanged for many years and no longer reflects the increased cost of building repairs, maintenance, and capital improvements. Raising the threshold to \$100,000 will allow the Board of Directors to address significant unbudgeted repairs in a timely manner while maintaining appropriate financial oversight. Any expenditure exceeding the lesser of 25% of the Association's annual operating budget or \$100,000 would still require membership approval.

Change 7

ARTICLE XI - OFFICERS AND DIRECTORS

Section 4 Qualification of Elected/Appointed Directors

~~Candidates for President-Elect, Secretary, Treasurer and Secretary/Treasurer must have been a member of Lakeland REALTORS® for at least five (5) years, have completed three (3) consecutive years as a member of the Board of Directors, and have chaired a Lakeland REALTORS® Committee prior to taking office for which they are a candidate.~~ Candidates for the offices of President-Elect, Secretary, and Treasurer must have been REALTOR® members of Lakeland REALTORS® for at least five (5) years, have served on the Lakeland REALTORS® Board of Directors for a minimum of three (3) years within the preceding five (5) years, and have served as Chair of a Lakeland REALTORS® committee prior to assuming the office for which they are a candidate. In addition, candidates for Treasurer or Treasure/Secretary must have served as a member of the association's Finance Committee for at least one (1) full year within the past five (5) years.

Reason for Amendment: This amendment updates the officer qualification requirements to ensure candidates have recent and relevant leadership experience before serving in an elected officer position. The requirement that candidates have served on the Board of Directors for at least three years within the preceding five years ensures they have current knowledge of the Association's governance, strategic priorities, and operations.

Change 8

ARTICLE XII- MEETINGS

Section 1. Annual Meeting

The Annual Meeting of the Association shall be held each calendar year on a date, at a time, and at a place determined by the Board of Directors. The Board may postpone or reschedule the Annual Meeting as it deems necessary or advisable.

~~The annual meeting of the Association shall be held during September of each year unless the Executive Committee determines that, due to circumstances beyond the control of the Association (e.g. hurricane, flood, act of God), it will be impossible to hold the meeting on the scheduled date. If postponed, the Annual Meeting will be rescheduled, at a date, place, and hour to be designated by the Board of Directors. (Amended 7/12)~~

Reason for Amendment: This amendment modernizes the bylaws by giving the Board of Directors the flexibility to schedule, postpone, or reschedule the Annual Meeting as needed, while continuing to require that the meeting be held once each calendar year. It removes the restriction that the meeting must occur in September and eliminates the limited list of circumstances under which the meeting could be postponed.

Change 9

ARTICLE XIII – COMMITTEES

Section 5. Virtual Attendance ~~by Telephone~~

Reason for Amendment: This amendment updates the bylaws to reflect current technology by replacing "attendance by telephone" with "virtual attendance," allowing participation through modern electronic meeting platforms

Change 10

ARTICLE XVI – AMENDMENTS

Section 2.

Notice of all meetings at which amendments are to be considered shall be ~~mailed~~ provided to every member eligible to vote at least one (1) week prior to the meeting. Notice may ~~also~~ be given by electronic means as prescribed in Article XII Section 6. Amended 6/08

Reason for Amendment: This change is consistent with the current Bylaws Article XII, Section 6 – Electronic Transaction of Business, which authorizes the Association to conduct business by electronic means to the fullest extent permitted by law.