

DECISION PROCESS AND OUTCOMES

After the case has been presented and all parties have been heard from, the Hearing Panel will retire for its deliberations on each allegation of misconduct. The Hearing Panel must reach a decision regarding:

- the facts & evidence;
- the breaches of the AREA Rules, AREA Bylaws and/or REALTOR® Code;
- the penalty and costs.

Each allegation of misconduct is dealt with individually. The Hearing Panel will review the evidence and all testimony put before them from the hearing to reach their decision.

Reasons for the Decision

Hearing Panels understand how important these decisions are to all the parties involved and they strive to explain how they arrived at their decision. They do this by providing reasons for their decision in the decision letter. The reasons provided by the Hearing Panel become increasingly important if a Respondent disagrees with the decision and plans to appeal.

Aggravating and Mitigating Factors

The Hearing Panel will also consider aggravating and mitigating factors when determining an appropriate penalty. If the Hearing Panel accepts factors as aggravating and/or mitigating, they will outline their reasoning to support this in the decision letter.

All the above factors are considered as the Hearing Panel reaches a decision.

Possible Outcomes

AREA Rule 4.01 outlines the authority and powers of the Professional Standards Committee in relation to potential outcomes of a hearing.

The Professional Standards Committee have powers as follows:

- a. Forward to any governing, regulatory and policing bodies;
- b. Advisory letter;
- c. Letter of reprimand;
- d. Order to attend any educational course;



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- e. Assess costs;
- f. Fine to a maximum of \$30,000.00;
- g. Suspend AREA membership;
- h. Expel a member from membership with AREA.
- i. Recommend a member be suspended or expelled from their Board or Association.

Additionally, the Professional Standards Committee has the authority to dismiss a case at their own discretion.