

## Session 2, Breaking Down The Code

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**Uniform Enforcement of the Code of Ethics and Appendix XII,  
Appropriate Interpretation of Standard of Practice 10-5 and Statement  
of Professional Standards Policy #29, *Code of Ethics and Arbitration  
Manual***

## Today's Facilitators

- ✓ REALTOR® Matt Difanis (IL)
- ✓ REALTOR® Bruce Aydt (MO)

Adopted and Effective November 13, 2020

**Standard of Practice  
10-5**

REALTORS® must not use harassing speech, hate speech, epithets, or slurs based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity.

## Standard of Practice 10-5 – A Two Step Process

**Step 1:** Is the speech harassing speech, hate speech, epithets, or slurs?

**Step 2:** If so, is the speech based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity?

## Adopted and Effective November 13, 2020

**The changes are NOT retroactive**

Standard of Practice 10-5 and Professional Standards Policy Statement #29 apply **only** to conduct occurring **November 13, 2020** and thereafter.

All other changes go into effect January 1, 2021.

# Appropriate Interpretation of Standard of Practice 10-5 and Statement of Professional Standards Policy 29

## **Appendix XII to Part IV, *Code of Ethics and Arbitration Manual***

Additional guidance with further explanation provided regarding “harassment”, “hate speech”, “epithets” and “slurs”.

## Explanation and Guidance for Standard of Practice 10-5

### Examples of Harassment Include, but are not Limited to:

#### **NAR's Code of Conduct and Anti-Harassment Policy**

Epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and the display or circulation of written or graphic material that denigrates or shows hostility toward an individual or group based on a protected characteristic.

## Explanation and Guidance for Standard of Practice 10-5

### Merriam-Webster's definition of "hate speech"

Speech that is intended to insult, offend, or intimidate a person because of some trait (as race, religion, sexual orientation, national origin or disability).



## Explanation and Guidance for Standard of Practice 10-5

### Merriam-Webster's definition of “epithet” and “slur”

**Epithet:** **1a.** a characterizing word or phrase accompanying or occurring in place of the name of a person or thing; **b.** a disparaging or abusive word or phrase.

**Slur:** **1a.** insulting or disparaging remark or innuendo: ASPERSION, **b.** a shaming or degrading effect: STAIN, STIGMA.

## Statement of Professional Standards Policy #29

### ***29. Applicability of the Code of Ethics ~~to non-real estate-related activities~~***

~~*While REALTORS® are encouraged to follow the principles of the Code of Ethics in all of their activities, a*~~ *A REALTOR® shall be subject to disciplinary action under the Code of Ethics ~~only~~ with respect to real estate-related all of their activities, and transactions involving the REALTOR®.*

# THANK YOU.

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