



HGAR MEMBER CODE OF CONDUCT

Approved January 17, 2024

PURPOSE:

HGAR is committed to providing a productive, safe, and welcoming environment that is free from discrimination, harassment, and retaliation. Members are expected to act with courtesy and mutual respect toward each other, HGAR staff, service providers, speakers, and event participants and to comply with the HGAR Member Code of Conduct. The HGAR Member Code of Conduct is subject to change without advance notice.

DISCRIMINATION:

HGAR prohibits discrimination based on another person's protected class characteristic pursuant to the National Association of REALTORS® Code of Ethics and any applicable Federal, State or local laws, whether now or in the future.

HARASSMENT:

Harassment includes inappropriate conduct, comment, display, action, or gesture based on another person's protected class characteristics pursuant to the National Association of REALTORS® Code of Ethics, and or any other applicable federal, state or local law.

HGAR prohibits the harassment of its members, staff, service providers, speakers, and event participants, or any other individual while the member is acting on behalf of or as a representative of HGAR, or as a participant or attendee at any HGAR event. Prohibited harassment includes all unwelcome behavior based on a protected class characteristic where the purpose or effect of the behavior is to create a hostile, abusive, or intimidating environment, or where the behavior otherwise adversely affects an individual's ability to participate, or any other conduct with the purpose or effect of unreasonably interfering with an individual's work performance in violation of this Member Code of Conduct. Prohibited harassment may take various forms, including, but not limited to, the following examples:

- Verbal conduct, such as epithets, derogatory comments, slurs, negative stereotyping, or denigrating jokes, or unwanted sexual advances, solicitations, or comments.
- The use of abusive, foul, obscene and/or explicit language.
- Visual conduct, such as derogatory or sexually oriented posters, cartoons, drawings, or gestures, or the display or circulation of written or graphic material that denigrates or shows hostility toward an individual, or group, based upon a protected class characteristic.
- Physical conduct, such as unwelcome contact or touching, kissing, hugging, assault, impeding, or blocking movement based upon another person's protected class characteristic.
- Harassment via technology or computers, including to transmit, communicate or receive derogatory, inappropriate pornographic, sexually suggestive, or explicit pictures, cartoons, messages, jokes, or material.
- Requests for sexual favors, whether explicit or implicit, such as unwanted sexual advances, which condition a benefit upon the exchange of the sexual favors.
- Threats, violence, threats of violence, demands, or hostile acts based upon another person's protected class characteristics.
- Inappropriate conduct, comment, display, action, or gesture based on another person's protected class characteristics pursuant to the National Association of REALTORS® Code of Ethics, and or any other applicable federal, state or local law.

SEXUAL HARASSMENT:

Sexual harassment is one form of prohibited harassment. Sexual harassment includes but is not limited to 1) unwelcome sexual advances and other unwelcome verbal, visual or physical conduct of a sexual nature, or 2) requests for sexual favors or conduct of a sexual nature when (a) submission to or rejection of such advances, requests, or conduct is made either explicitly or implicitly a term or condition of membership, a benefit associated with membership, or employment; (b) an individual's submission to or rejection of such conduct is used as a basis for a decision affecting that individual; or (c) the purpose or the effect of such conduct is to substantially interfere with the affected individual's membership or employment or to create an intimidating, hostile or offensive work environment; or 3) sexual misconduct, which means any behavior of a sexual nature which also involves coercion, abuse of authority, or misuse of an individual's leadership position.

Harassing conduct, including sexually harassing conduct, can be committed by a person of either the same sex or gender or the opposite sex or gender (or any other protected category) of the person subjected to the harassment. A person may be the victim of harassment even though the offensive conduct has not been directed at the person alleging harassment, regardless of the sex, gender, gender identity, gender expression, sexual orientation or other class status of the perpetrator. Additionally, sexually harassing conduct need not be intentional or motivated by sexual desire.

The following are examples, but do not represent an inclusive list of conduct that may constitute prohibited sexual harassment:

- Unwelcome sexual flirtations, propositions, advances or other unwelcome verbal, visual, or physical conduct of a sexual nature.
- Unwanted physical touching or closeness, such as massaging a person's back, neck or shoulders, hugging, kissing, patting, pinching, fondling, or touching/pulling an individual's clothing or hair, or any other touching that is nonconsensual.
- Physical gestures that imply a sexual act or sexual anatomy, touching oneself in a sexual nature.
- Brushing up against another person, standing too close, or lingering.
- Using vulgar words of a sexual nature, describing body parts, or sexual acts.
- Discussions or inquiries about sexual fantasy, preferences, history, or sex life about self or others.
- Displaying sexually suggestive or demeaning objects, pictures cartoons, or other materials on a personal or company-owned device shared in the workplace.
- Giving personal gifts that imply an intimate relationship or otherwise lavishing someone with gifts.
- Repeated invitations and/or pressuring/coercion for dates or sexual favors; harassing phone calls, emails, texts, social media posts, or other communication.
- Any suggestion that an individual's committee assignment, leadership position, job security, project assignment, or the terms or conditions of employment depend at all on the submission to or rejection of requests for sexual favors or relations.
- Requests for sexual favors or conduct of a sexual nature when: submission to or rejection of such advances, requests, or conduct is made either explicitly or implicitly a term or condition of membership, a benefit associated with membership, or employment; an individual's submission to or rejection of such conduct is used as a basis for a decision affecting that individual; or, the purpose or the effect of such conduct is to substantially interfere with the affected individual's membership or employment or to create an intimidating, hostile or offensive work environment.
- All other unwelcome behavior based on a person's protected class characteristics where the purpose or effect of the behavior is to create a hostile, abusive, uncomfortable, or intimidating environment, or where the behavior otherwise adversely affects an individual's ability to participate in or at HGAR-related activities.

HOW TO REPORT INCIDENTS OF HARASSMENT OR INAPPROPRIATE BEHAVIOR:

Any HGAR member who believes they experienced or witnessed discrimination, harassment, retaliation, or any other inappropriate behavior in violation of this Code should promptly report the incident to HGAR's General Counsel, or Chief Executive Officer.

HGAR Officers, Directors and Committee Chairpersons must promptly report to HGAR any possible violation of this Code they observe or become aware of, and failure to do so will generally be deemed to be a violation of this Code.

Reporting incidents of harassment or other inappropriate behavior does not prohibit the individual from filing an ethics complaint asserting a violation of the NAR Code of Ethics, as adopted by HGAR.

INVESTIGATION AND DISCIPLINE:

Upon receipt of a report of possible discrimination, harassment, retaliation, or any other inappropriate behavior in violation of this Code, HGAR will promptly conduct an investigation at the direction of HGAR's General Counsel, who may, on a case-by-case basis, consult with independent outside counsel. Members have a duty to cooperate with and participate in an investigation into any reported violation of this Code when asked by HGAR, to do so in good faith, and to provide complete and truthful information to HGAR. During the investigation, HGAR will involve only those deemed necessary to the investigation, and disclosures will only be made on an as-needed basis.

If it is determined that the investigation substantiates that a violation of this Code has occurred, HGAR's Executive Committee and Chief Executive Officer will be briefed on the investigation and, in consultation with HGAR's General Counsel, and in accordance with HGAR's Bylaws and Policies and Procedures, will determine any disciplinary action. If one or more of the foregoing officers are named in the complaint, HGAR's General Counsel will identify a substitute to be selected from the HGAR Board of Directors.

HGAR reserves the right to take any necessary and appropriate action against a member who engages in any form of discrimination, harassment, retaliation, or inappropriate behavior in violation of this Code. Such actions may include, but are not limited to, prohibition from attendance at future HGAR meetings or events, suspension from HGAR-related travel, removal from a leadership or committee appointment, expulsion from membership, or any other action deemed appropriate by HGAR.

HGAR strictly prohibits all individuals from retaliating against any person who in good faith reports, or participates in the investigation of, possible discrimination, harassment, retaliation, or other inappropriate behavior in violation of this Code.

To the greatest extent allowed by law, HGAR is not and will not be held responsible for any member's alleged violation of this Code or otherwise inappropriate or unlawful act.