



## 2019 Advertising Rules & Enforcement

**Note:** All advertisements will be subject to the most current advertising rules of the New Jersey REALTORS® in the current year's application regardless of when the award recipient last applied or received the award.

### Advertising Rule #1:

Neither you, the agency with which you are associated, nor anyone on your behalf or with your authorization shall in any manner advertise, publish or distribute prior to February 1, 2020 that you are a recipient, qualified or eligible to receive the NJ REALTORS® Circle of Excellence Sales Award® for the year 2019. You will receive notification from your primary local board/association as to the acceptance or rejection of your application by Jan. 21, 2020.

### Advertising Rule #1 Enforcement:

The award is an individual award. In the event of any violation of Rule #1, regardless of who is responsible for the creation or submission of the paid or unpaid advertisement, promotions or any other item submitted for publication or distribution, including but not limited to, business cards, e-mails, newspapers, magazines, websites, social or digital media and any other item submitted for advertisement, publication or distribution, by you, a publisher, a broker, a manager, an assistant or anyone else on your behalf or with your authorization, NJ REALTORS® will enforce the respective penalties against you. A local board/association posting or otherwise advertising the award recipients to their respective members prior to the Feb. 1 deadline shall not be considered in violation of Rule #1.

### Advertising Rule #1 Penalties:

First Violation: \$1,000 fine or loss of the award, at the discretion of the applicant. Second And Subsequent Violations: You shall be ineligible to receive the award for the year you applied (if you otherwise would have achieved the award) or for the following year (which you would have applied and achieved the award.)

### Advertising Rule #2:

All advertisements, publications or distributions of items acknowledging your achievement of the award must contain the following two items:

- At least one year the award was achieved (can be any or all years achieved)
- One of the following three names, which must include NJ REALTORS® at the beginning of the name:
  - NJ REALTORS® Circle of Excellence Sales Award®
  - NJ REALTORS® Circle of Excellence Award
  - NJ REALTORS® Circle of Excellence

It is optional to use the level of the award (bronze, silver, gold, platinum), but if the level is used, you must use the correct level for each year you are advertising.

Any use of the award name (including multiple occurrences within the same advertisement) must adhere to the above rules.

### Advertising Rule #2 Enforcement:

This award is an individual award and, in the event of any violation of Rule #2, regardless who is responsible for the creation or submission of the paid or unpaid advertisement, promotions or any other

item submitted for publication or distribution, including but not limited to business cards, e-mails, newspapers, magazines, websites, social or digital media and any other item submitted for advertisement, publication or distribution, by you, a publisher, a broker, a manager, an assistant or anyone else on your behalf or with authorization, NJ REALTORS® will enforce the respective penalties against you. A local board/association incorrectly posting or otherwise advertising the winners of the award shall not be considered in violation of Rule #2.

### **Advertising Rule # 2 Penalties:**

Note: With regard to group advertisements, each individual included in the advertisement who does not comply with Rule #2 shall be deemed to have separately violated this rule and will be subject to the below penalties.

#### **First Violation: \$100 fine**

If you fail to pay the fine and correct the violation within 30 days of receipt of written notification, you automatically will lose the award for the last year for which you have achieved the award and will not be eligible to apply the following year for which you would have applied and achieved the award.

#### **Second Violation: \$500 fine**

If you fail to pay the fine and correct the violation within 30 days of receipt of written notification, you automatically will lose the award for the last year for which you have achieved the award and will not be eligible to apply the following year for which you would have applied and achieved the award.

#### **Third and Subsequent Violations: \$1,000 fine**

If you fail to pay the fine and correct the violation within 30 days of receipt of written notification, you automatically will lose the award for the last year for which you have achieved the award and will not be eligible to apply for the award the following two years for which you would have applied and achieved the award.

If you falsely advertise your achievement of the award, you will be ineligible the next year you apply (and would have achieved) the award. Also, if an advertisement with the same violation already has been placed in a publication prior to receiving written notice and you cannot in good faith correct that advertisement, that advertisement shall be considered to be the same violation.

PAYMENT OF THE FINE(S) IMPOSED IS A CONDITION OF THE INDIVIDUAL EVER APPLYING AGAIN FOR THE AWARD. ALL FINES MUST BE MADE PAYABLE TO THE NJ REALTORS® EDUCATIONAL FOUNDATION.

### **Examples of How to Advertise Level(s) Of Achievement**

- NJ REALTORS® Circle of Excellence Sales Award, 2003-2005-bronze; 2002-silver; 2001-bronze; 2008-platinum
- NJ REALTORS® Circle of Excellence Sales Award 2008 (no requirement to advertise you received the award in more than 1 year)
- NJ REALTORS® Circle of Excellence Sales Award 2008, 2012-2013

### **Elimination of Old Award Names**

If you have achieved the NJAR® Million Dollar Sales Club (the prior award name) and the NJ REALTORS® Circle of Excellence Sales Award, you may combine them to advertise both of those awards as the NJ REALTORS® Circle of Excellence Sales Award. You cannot jointly advertise them as only the NJAR® Million Dollar Sales Club. Members will not be penalized for using NJAR® instead of NJ REALTORS® or New Jersey REALTORS®. Please refrain from using NJR.

### **Advertising NJ REALTORS® Circle of Excellence Sales Award with Other Awards**

If your agency advertises its own or any other award and the NJ REALTORS® Circle of Excellence Sales Award® in the same advertisement, it must clearly differentiate between the two awards so that each recipient of the NJ REALTORS® Circle of Excellence Sales Award is clearly identified as provided in Advertising Rule #2. There cannot be any confusion in the advertisements concerning who received the NJ REALTORS® Circle of Excellence Sales Award and who received a company or other award.

### **Statute of Limitations on Advertising Violations**

Advertisements received by NJ REALTORS® 60 or more days after the advertisement was published will not be considered a violation of Advertising Rule #1 or Advertising Rule #2.

### **Appeal Process:**

#### **Application Denial or Level Change:**

You may file a written appeal within fifteen (15) days of the date of the written notice to you of the rejection of your application or the level for which you applied. Said written appeal must be submitted to your primary local board/association, which will forward your appeal to NJ REALTORS® for processing. You will be permitted to appear before the NJ REALTORS® committee with regard to the appeal.

#### **Advertising Violation:**

You may appeal the decision that you have violated Advertising Rules #1 or #2 within fifteen (15) days of the date of the written notice to you concerning the violation. Said written appeal must be submitted directly to NJ REALTORS®. The procedures that must be followed for the appeal are available from NJ REALTORS®. You will not be permitted to appear before the NJ REALTORS® committee with regard to the appeal. All fines must be paid prior to or with the appeal as a condition of appealing the violation.

\*\*Contributions to RPAC are not deductible for federal income tax purposes. Contributions are voluntary and are used for political purposes. The amounts indicated are merely guidelines and you may contribute more or less than the suggested amounts. The National Association of REALTORS® and its state and local associations will not favor or disadvantage any member because of the amount contributed or a decision not to contribute. You may refuse to contribute without reprisal. Your contribution is split between National RPAC and the State PAC in your state. Contact your State Association or PAC for information about the percentages of your contribution provided to National RPAC and to the State PAC. The National RPAC portion is used to support federal candidates and is charged against your limits under 52 U.S.C. 30116.