

# DISCUSS AMONGST YOURSELVES

Avoid unnecessary complaints by improving communication



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I HAVE HAD THE PRIVILEGE TO SERVE ON THE IREM ETHICS AND DISCIPLINE COMMITTEE AS A MEMBER OF THE HEARING BOARD, AND RECENTLY, THE INQUIRY BOARD. The Inquiry Board reviews complaints filed against IREM Members and determines if a complaint should be dismissed, investigated or forwarded for hearing. If a probable violation of the Code of Ethics is found, the complaint is forwarded to the Hearing and Discipline Board. The Hearing Board has the responsibility to hear the complaint; decide if one or more of the articles of the Code has been violated; and establish disciplinary action, which can be a letter of censure, suspension or termination of membership status.

As a complaint is reviewed, it is often apparent that if the parties had been more diligent in the promptness and detail of their communication with each other, a complaint may have been unnecessary. In cases where communication has broken down completely, it is not unusual for the board to review 20 to 30 pages of unanswered e-mails.

While virtually all of the requirements of our employment, and obligations to tenants and clients are spelled out in contracts or lease agreements, it is simply impossible to cover every situation that may develop in a business environment. It is critical to recognize when a situation is not clearly covered in writing and take steps to involve all parties in a discussion

of the issue. There must be more, not less, input prior to making a decision and taking action.

When making a decision involving other parties, we should first determine if the situation is clearly covered by the written lease, contract, agreement or bid. If the situation does not seem to be clearly covered in writing, then ask if the facts available are truthful and disclosed to all parties involved. Better to do some checking, and to ask the other parties involved for documentation and input to assure all possible information is considered. You should also ask yourself whether this decision will create a conflict of interest for your client or employer.

Too often, complaints are filed because a party believes their interests are being violated by a current or former employee, and the employee believes that there is not a policy, or the policy is vague and does not apply to the particular situation. If grey areas exist, it should be our desire and obligation to reach an understanding that can be placed in writing. The interest of the client and our employer must always be foremost in our decisions.

Ask yourself when you are placed in a position to make a decision, "From the perspective of my client or employer, could my actions in any way cause damage to them and my ability to work with them in the future?" If you have any reservations, further discussion can become your best friend. ■



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