

Practising NAAB Appraiser Code of Ethics and Personal Responsibility (April 2020)

Practising NAAB Appraisers should behave ethically. The **Practising NAAB Appraiser Code of Ethics and Personal Responsibility** has been established to promote and maintain the highest standards of service and conduct for all professionals directly or indirectly involved in monetary appraisal activities in Canada.

A *Practising NAAB Appraiser* must be in good standing with NAAB to be authorized to use the credential title/s conferred by NAAB. Implicit in the acceptance of this authorization is an obligation not only to comply with the mandates and requirements of all applicable laws and regulations within the applicable labour code and industry, but also to take responsibility to act in an ethical and professionally responsible manner. Adherence to these standards is expected from all who hold a *Practising NAAB Appraiser* credential and serves to ensure public confidence in the integrity of these individuals.

NAAB has developed five **Standards of Ethical Professional Conduct and Responsibility**, a **Conflict of Interest Policy** and **Disciplinary Process and Procedures**. Those holding a *Practising NAAB Appraiser* credential commit to the following:

Standards of Ethical Professional Conduct and Responsibility

1. Competence

- Maintain an appropriate level of professional expertise by continually developing knowledge, competencies and abilities.
- Perform professional duties in accordance with relevant laws, regulations, and technical standards.
- Provide decision support information and recommendations that are accurate, clear, concise, and timely.
- Recognize and communicate professional limitations or other constraints that would preclude responsible judgment or successful performance of an activity.

2. Confidentiality

- Keep information and appraisal reports confidential except when disclosure is authorized or legally required.
- Safeguard any restricted, personal and/or confidential information respectively.
- Refrain from using restricted, personal and/or confidential information for unethical or illegal advantage.

3. Integrity

- Mitigate actual conflicts of interest; regularly communicate with associates to avoid perceived conflicts of interest. Advise all parties of any potential conflicts.
- Refrain from engaging in any conduct that would prejudice carrying out duties ethically.
- Ensure only accurate, reliable and appropriate information is used in decisions.
- Abstain from engaging in or supporting any activity that might discredit the profession.

4. Fairness and Ethical Leadership

- Be ethical and act ethically in every professional interaction.
- Assure an environment of inclusiveness and a commitment to diversity.
- Question individual and group actions when necessary to ensure that findings and decisions are ethical and are implemented in an ethical manner.
- Seek expert advice and legal guidance if ever in doubt about ethical propriety of a situation.
- Respect the uniqueness and intrinsic worth of every individual.
- Treat people with dignity, respect and compassion to foster a trusting work environment, free of harassment, intimidation and unlawful discrimination.
- Through teaching and mentoring, ensure panel members have an equal opportunity to develop and share their skills and knowledge and become ethical leaders in the profession.

5. Professional Responsibility

- Communicate information fairly and objectively.
- Disclose all relevant information that might influence an intended user's understanding of the reports, analyses, recommendations, or findings.
- Disclose delays or deficiencies in information.
- Advocate for the appropriate use/procedures/methods and appreciation of heritage resources, with an obligation to acting in the best interest of the public.
- Comply with the law and do not engage in any conduct or commit any act which is a discredit to the reputation of NAAB or the practice of monetary appraisal in Canada.
- Must not imply that the NAAB credentials you hold are your sole claim to professional competence.
- Contribute to the NAAB profession's body of knowledge, the evolution of the profession and the growth of the human resources within the profession.

Conflict of Interest Policy

The purpose of this policy is to protect the interests and integrity of NAAB activities and operations. This conflict of interest policy applies to all appraisers (both PNAs and non PNAs) who participate on NAAB appraisal panels.

It is intended that this policy will prevent appraisers with conflicts from participating in appraisal panels, discussions, reporting or voting on any issue where there is a real or perceived conflict.

An apparent conflict of interest is a situation that may cause an observer or third party to question whether an appraiser can be objective or impartial because of a competing interest, dual allegiance, or where the appraiser's knowledge or affiliation might create an unintentional or intentional bias or prejudice, be it actual, potential or perceived. This may include, but is not limited to, engaging in activities such as participation on a NAAB appraisal panel, where the research, discussion and decision-making process may appear to compromise the integrity of NAAB or the institution requesting an appraisal. To avoid such situations, appraisers previously employed by an institution may not take part in any NAAB appraisal panel sessions requested by his/her own institution for a period of two years, or longer if otherwise stipulated by the organization. Further, an appraiser may not participate on a NAAB panel where they have provided unrelated or related professional expertise (eg. consulting) on a contract basis to an institution within the twelve months preceding the NAAB panel.

Disciplinary Process and Procedures

The NAAB disciplinary procedures have been devised to ensure a fair and reasonable process for any professional holding the *Practising NAAB Appraiser* professional credentials against whom allegations of Code of Ethical and Personal Responsibility violations are brought.

1. **Nature of the Process** – These procedures are the only means to resolve all the *Practising NAAB Appraiser's* professional ethical charges and complaints. NAAB has the authority to end any ethics inquiry or case regardless of circumstances.

By applying for certification or recertification, *Practising NAAB Appraiser* professionals agree that they will not challenge the authority of NAAB to apply the Code of Ethical and Personal Responsibility, the disciplinary procedures or other policies, and will not challenge the results of any NAAB action taken under these policies in a legal or government forum. These disciplinary procedures are not formal legal proceedings, thus many formal rules and practices of a court proceeding are not observed. The rules are intended to afford due process and fairness.

2. **Request for Investigation** – Upon receipt of a written complaint, the NAAB staff¹ will review the allegation to determine if a further allegation is warranted. No investigation will be made if the individual's certification has expired or the allegation occurred more than 24 months prior to the expiration unless the NAAB determines there is just cause for the complaint to be reviewed.
3. **Investigation** – If NAAB staff determines there is grounds to proceed with an investigation, the appropriate individual holding a Practising NAAB Appraiser professional credential will be given written notice of the investigation. That notice will contain the general nature of the allegations. That individual (complainee) will be given 30 days within which to file a written response. If no response is received within the allotted 30 days, the complaint will be presented to a Review Panel, appointed by the Board, based on the information submitted. The Review Panel, comprised of any combination of senior Practising NAAB Appraiser members or NAAB volunteers, is empowered by the Board to review the complaint and make a recommendation. If the recommendation is that no action will be taken, then the individual and the party making the complaint will be notified that the panel's final decision.
4. **Hearing Panel** – If the Review Panel determines that discipline is merited, a hearing will take place before a Hearing Panel. The complainee is entitled to appear in person or be represented at the hearing. After a final deliberation by the panel, the accused and the party making the complaint will be notified of the Hearing Panel's final decision.
5. **Resolution** – The complainee and the complainant will both receive written notification of the panel's decision.

¹ "NAAB staff" refers to the most senior paid staff officer or unpaid volunteer administrator granted authority by the NAAB Board of Directors for oversight of operational matters of the corporation.

Forms of Discipline

If grounds for discipline are deemed warranted, the *NAAB* Board may impose any of the forms of discipline below:

- 1) Private written censure
- 2) Public letter of admonition.
- 3) Suspension of the right to use a Practising *NAAB* Appraiser title for a specific period of time.
- 4) Permanent revocation of the right to use the Practising *NAAB* Appraiser title.

Grounds of Discipline

- 1) Any act or omission that violates the criminal laws of any province, state or country in which that individual resides or is employed.
- 2) Any act that is the proper basis for suspension of a professional license.
- 3) Any act or omission that violates the Practising *NAAB* Appraiser process or procedures for obtaining or maintaining certification is considered a material violation of the Code of Ethical and Personal Responsibility.
- 4) Failure to respond to a request for information concerning ethics violation allegation by the *NAAB* Board or Hearing Panel without just cause.
- 5) Obstruction of the *NAAB* Board Hearing Panel's performance of its duties.
- 6) Any false or misleading statement made to the *NAAB* Board or Hearing Panel.

This list is not exhaustive and there may be other acts or omissions amounting to unprofessional conduct that may also constitute grounds for discipline.