



## **CID AWARDS** **RULES & REGULATIONS**

Modified December 2019

### **OBJECTIVE**

The Commercial Investment Division (CID) of the New Orleans Metropolitan Association of Realtors (NOMAR) holds an Annual Awards Program for the purpose of recognizing commercial realtors for their outstanding sales and leasing production and to promote the Commercial Real Estate Community as a whole. This event provides recognition and publicity for the commercial real estate market and community in the Greater New Orleans Area for each single calendar year (each, an "Awards Year").

### **ELIGIBILITY**

A licensee submitting an application must be both a NOMAR and a CID member and must be licensed as a salesperson or agent under the Louisiana Real Estate License Law, La. R.S. §37:1430 et seq. Before submitting an application, the licensee's CID and NOMAR dues must be current, including all dues for past years. Applications received from licensees holding Non-Primary (Dual) or Non-Resident Membership in NOMAR will not be accepted. A Licensee that satisfies this paragraph is an "Eligible Licensee."

Only sales or leases of Commercial Property in the Asset Classes described below that closed during the Awards Year are eligible for submission. For a property sale or lease to qualify, the licensee must have received a commission on that transaction. If the commission was waived for a transaction, then that transaction cannot be submitted, and no Credit can be given for it. There are no restrictions on the location of the property. Transactions that satisfy this paragraph are "Eligible Transactions."

### **DESCRIPTION OF AWARDS**

**1) ACHIEVEMENT AWARDS:** To be given to the Eligible Licensees who obtain "Credits" in the aggregate amount of \$2,000,000 or higher for the Awards Year. Credits are determined and calculated as set out below under the section entitled METHOD OF CALCULATING SALE AND LEASE CREDITS. All Credits on all Eligible Transactions in which an Eligible Licensee participated are aggregated to determine the Eligible Licensee's "Total Credit Volume" for the Awards Year.

For the Achievement Awards, the Total Credit Volume levels for each Eligible Licensee are as follows:

Diamond - \$15,000,000 +  
Platinum - \$10,000,000 to \$14,999,999  
Gold - \$5,000,000 to \$9,999,999  
Silver - \$2,500,000 to \$4,999,999  
Bronze - \$2,000,000 to \$2,499,999

### **2) SPECIAL AWARDS:**

Retail, Office, Industrial, Land and Special Purpose (each, along with Multifamily, is an "Asset Class") will each have the following awards for each Awards Year:

- Sales Associate of the Year – Based on an Eligible Licensee's Total Credit Volume in the Asset Class.
- Sale of the Year – Based on the total Credits for all Eligible Licensees that participated in a single sale transaction in the Asset Class, including Credits for representation on both sides of transaction. This Award may recognize a single Eligible Licensee, multiple Eligible Licensees, or a Brokerage Firm/Team (to the extent that such firm or team is a member of NOMAR and CID and otherwise an Eligible Licensee).

- Lease of the Year – Based on total Credits for a single lease transaction in the Asset Class, including Credits for representation on both sides of transaction. This Award may recognize a single Eligible Licensee, multiple Eligible Licensees, or a Brokerage Firm/Team (to the extent that such firm or team is a member of NOMAR and CID and otherwise an Eligible Licensee).

Multifamily will each have the following awards for each Awards Year:

- Sales Associate of the Year – Based on an Eligible Licensee’s Total Credit Volume in the Asset Class.
- Sale of the Year Based on the total Credits for a single Eligible Transaction in the Asset Class, including Credits of representation on both sides of transaction. This Award may recognize a single Eligible Licensee, multiple Eligible Licensees, or a Brokerage Firm/Team (to the extent that such firm or team is a member of NOMAR and CID and otherwise an Eligible Licensee).

NOTE: If the same Eligible Licensee wins both the Sale of the Year or Lease of the Year and the Sales Associate of the Year award in the same Asset Class, he/she will be recognized for all three awards with one trophy.

**3) DEAL OF THE YEAR:** Nominees shall be comprised of the “Sale of the Year,” “Lease of the Year,” and “Sale/Lease of the Year” winners for each Asset Class for that Awards Year, as well as any transaction with a base value of \$5 million or above that elects to be considered.

Criteria for selection include, but are not limited to:

- Economic Development/ Community Impact
- Complexity (Such as Tax Credits, P.I.L.O.T. s, T.I.F. s, Opportunity Zones, Zoning Variances/Changes, Public Private Partnerships, Neighborhood Transformation, Property)
- Other intangible qualities and/or factors that are not easily quantified (such as, but not limited to, design, construction methods/materials, amenities, etc.

The **Deal of the Year** will be selected by a **Blue-Ribbon Committee** comprised of **five (5) voting members**, each of whom is a seasoned professional who has been actively engaged in one or more specialty areas within the Commercial Real Estate Industry for more than ten (10) years. The specialty areas from which the members of the Blue-Ribbon Committee may be selected include, but are not limited, to the following:

- Architects
- Insurance Brokers
- Commercial Lenders
- Attorneys
- Title Company Representatives or Agents
- Commercial Contractors
- Commercial Engineers
- ULI/ICSC/SIOR/CCIM/IREM Louisiana Chapter Representatives
- Economic Development Agency Representatives
- Developers

The Blue-Ribbon Committee shall also include **three (3) non-voting** advisory members comprised of the following:

- A past President of CID;
- The CID Awards Committee Chair or Awards Committee Member; and
- A Third-Party Auditor.

The primary duties of the non-voting Blue-Ribbon Committee members shall be general oversight for purposes of assuring compliance with these Awards Rules and Regulations. In addition, the duty of the 3<sup>rd</sup> Party Auditor shall be to facilitate voting (all votes will be on-line).

All voting and non-voting members of the Blue-Ribbon Committee shall be selected by the Board of Directors of CID, and each shall sign a non-disclosure agreement prepared by CID. To avoid a conflict of interest, no more than one (1) voting member may be from the same firm, company, or household. If a conflict of interest of any type exists, be it perceived or actual, a voting member must disclose said conflict and recuse him or herself from voting. In the event of recusal due to a conflict, the past President of CID, who is a non-voting member, will either vote in place of the voting member with a conflict or appoint another person to do so.

**4) HONOR AWARDS:** Rising Star and Service to the Industry

- Nominated by CID Members, and the CID Awards Committee to select the winners

- Not necessarily awarded every year

## **COMMERCIAL CATEGORIES**

**OFFICE:** Office properties are those used for general office purposes and to house management and clerical operations.

**RETAIL:** Retail properties are those used for displaying and selling various kinds of goods and services to the public at retail. Retail properties fall into three general categories: shopping centers, free standing/single tenant stores, and commercial strip center properties.

**INDUSTRIAL:** Industrial properties are those used primarily for the production, manufacturing, warehousing, fabrication, distribution, and transportation of raw materials and/or finished products.

**MULTI-FAMILY:** Multi-Family properties are those containing **five (5)** or more separate housing units for residential inhabitants either within one building or in more than one building if the buildings and the property on which they are located are sold or leased in a single transaction.

**LAND:** A property containing no improvements or containing only improvements that are intended to be removed immediately after the Act of Sale. Single residential lots are excluded, but residential developments containing five (5) or more lots qualify if sold or leased in a single transaction.

**SPECIAL-PURPOSE:** Property that does not fit into any of the above categories such as a hotel, church, school, hospital, or parking lot, but residential property with fewer than four (4) dwelling units and not sold or leased as part of a Multifamily transaction is not considered Special Purpose property and not eligible for an award.

**NOTES:**

- The category of a property is determined by the most recent use prior to the Act of Sale.
- Mixed-Use Commercial Category Determination: The Commercial Category of a mixed-use development containing more than **one (1)** commercial unit, will be determined by the development's asset class under which the highest volume of square footage falls.

## **METHOD OF CALCULATING SALE AND LEASE CREDITS**

**1) GENERAL RULES:**

- The "Credit" for a transaction is equal to the value of that transaction, determined as set out in this Section.
- Sales:
  - Sales are considered in the Awards Year in which the sale closes.
  - The maximum Credit available for the sale of a property is equal to the sale price of the property (the "Sale Price").
- Leases:
  - Leases are considered in the Awards Year in which the Lease is executed.
  - The exercise of a renewal option is considered in the Awards Year in which the option is exercised.
  - The maximum Credit available for the lease of a property is equal to the aggregate fixed rent payable for the "Current Term" only (the "Lease Value").
  - For a lease executed during the Awards Year, the Current Term is the initial term. For example, if a lease executed during the Awards Year has an initial term of **five (5)** years, fixed rent of \$5,000 per year, and two five-year options, the maximum Credit for that lease will be equal to \$25,000 because only the initial term will be considered.
  - Notwithstanding the above rules, if the commission was calculated based on the fixed rent payable during a portion of the term, then Lease Value will be the aggregate fixed rent payable for the time period used in the calculation of the commission, and the "Current Term" will be the portion of the term for which that fixed rent was payable. For example, if a lease has a term of **ninety-nine (99)** years, but commissions are calculated based only on fixed rent payable during the first **ten (10)** years of the term, then the "Current Term" of the lease will be the first **ten (10)** years, and the Lease Value will be the

- fixed rent payable during those first ten (10) years.
  - With respect to the exercise of a renewal option, the Current Term is the option term.
  - Expense pass throughs and percentage rent will not be considered.
- Credits are given only for Eligible Transactions, as set out above.

## 2) ALLOCATION OF CREDITS:

- If only one licensee is involved in a transaction, then that licensee will receive a Credit in the amount of full Sale Price or Lease Value, as the case may be. For example, if property having a Sale Price of \$100,000.00 was sold, then the licensee will receive Credit in the amount of \$100,000.00.
- If only one licensee was involved, but that licensee represented only one side of the transaction, and if fifty percent (50%) or more of the commission was waived, then the Credit will be fifty percent (50%) of the Sale Price or Lease Value, as the case may be. For example, if property having a Sale Price of \$100,000.00 was sold, the licensee represented only the seller, and fifty percent (50%) of the commission was waived, the licensee will receive Credit in the amount of \$50,000.00. If each side of the transaction has its own representative licensee who each receive a commission, then each of these licensees will receive a Credit in the amount of fifty percent (50%) of the Sale Price or Lease Value, as the case may be. For example, if property having a Sale Price of \$100,000.00 is sold and two licensees (a listing agent and selling agent) are involved, then each licensee shall receive a \$50,000 credit for the sale. If two or more licensees share either the listing or selling side of a transaction, then each of those licensees will receive Credit equal to the same percentage of the Sale Price or Lease Value as its percentage share of the aggregate commissions. For example, if **two (2)** licensees co-list a property and agree to share the listing portion of the commission equally, , a third licensee represents the purchaser and receives fifty (50%) of the commission, and this purchaser buys the property for a Sale Price of \$100,000.00, then the co-listing licensees will each receive a Credit of \$25,000 (25% of the Sale Price), and the purchaser's licensee will receive a Credit of \$50,000 (50% of the Sale Price).
- If any other real estate professional, whether a Louisiana licensee, an out-of-state broker or agent, or another professional, whether acting as a broker or agent, as a consultant, or in any other capacity, receives a commission or other fee, including a referral fee, by reason of the closing of an Eligible Transaction, the applicable licensee's Credit shall be equal to the same percentage of the Sale Price or Lease Value as its percentage share of the aggregate commissions and fees paid on the transaction.

## **SUBMISSION OF APPLICATION**

- Applicants must submit ALL TRANSACTIONS on their application
- All applications must be submitted online
- Applications must be signed by applicant and applicant's manager verifying that the records of the submitted transaction or transactions for the Awards Year are true and accurate;
- All applicants are subject to AUDIT by the Awards Committee, whose decision is final.

## **CONFIDENTIALITY**

All applications will be audited by a third party and will be held in confidence. Notwithstanding the foregoing, and except to the extent an applicant has requested that a specific transaction or specific transaction volumes be confidential, and if the applicant receives an Award, CID and NOMAR may publicly announce the transaction volume or sales of lease information used as a basis for the Award. No one from the CID Board or Awards Committee will be allowed to review the applications other than to the extent necessary for clarification.

## **COMMITTEE STRUCTURE**

A committee appointed by the CID Board will supervise the judging of all awards. ALL DECISIONS RENDERED BY THE COMMITTEE ARE FINAL.

## **MISREPRESENTATION**

An applicant reporting information that is inaccurate or otherwise contrary to the rules and regulations will be disqualified and shall be ineligible to participate in the awards for a period of two (2) years thereafter. This applicant and his, her, or its sponsoring broker may be subject to further disciplinary action by the CID Board of Directors for violation of these rules and regulations.

### **ADVERTISING**

Following the awards event, the CID Board will advertise the awards in the format decided by the Awards Committee. Announcement of a winner by anyone in the form of advertising or similar communication prior to the awards event is strictly prohibited and will subject the award recipient violating this rule to disqualification.

### **AWARDS DISCLOSURE**

By submitting an application, each applicant acknowledges that CID and NOMAR will publicly announce each Award, its winner, and the value or volume of the transaction or transactions that formed the basis of the Award (except to the extent that the winner expressly limited in its application the disclosure of this information). Unless otherwise specifically agreed upon by the applicant, CID and NOMAR, acceptance of an award shall serve serves as the applicant's consent to release this information by NOMAR and CID and shall constitute a waiver of any and all claims the applicant has or may have against CID and NOMAR and their officers or directors for disclosure of information relating to the sale and lease transactions submitted within its application.

Any questions please contact:

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