

# **MBBA** Michigan Business Brokers Association

## *Code of Ethics*

Adopted July 7, 1987

Reaffirmed February 1, 2022

### ▶ ARTICLE 1

The MBBA MEMBER shall keep themselves informed on pertinent matters affecting the business community, proposed legislation, government regulations, public policies, and current market conditions in order to be in a position to advise their clients properly and contribute responsibly to client and public awareness.

### ▶ ARTICLE 2

The MBBA MEMBER has the duty in their dealings and transactions to protect their clients and the public against fraud, misrepresentation, and unethical practices, and shall endeavor to eliminate them.

### ▶ ARTICLE 3

In the best interest of the public, MBBA MEMBERS shall share with other MBBA MEMBERS the lessons of their experience in the business brokerage profession.

### ▶ ARTICLE 4

To the extent the MBBA MEMBER can do so without violating a fiduciary obligation, they shall share with any other MBBA MEMBER who requests information regarding any Buyers, Sellers, or businesses of which they have knowledge. The MBBA MEMBER receiving such information shall keep said information in the strictest confidence.

### ▶ ARTICLE 5

MBBA MEMBERS acknowledge that all information provided by other members contains certain confidential and proprietary information. It is not to be duplicated or otherwise disclosed to anyone without specific authorization of the disclosing MBBA MEMBER.

### ▶ ARTICLE 6

All MBBA MEMBERS shall recognize that their membership is by invitation only and exclusively to them individually and shall advocate membership in the Michigan Business Brokers Association to all other agents or brokers in their firm that are involved in the listing and selling of businesses. And they shall not otherwise take advantage of the benefits of membership, without actually joining.

### ▶ ARTICLE 7

The MBBA MEMBER shall not deny equal professional services to any person for reasons of race, color, national origin, age, sex, marital status, or handicap and will deal fairly and honestly with all parties to any transaction.

▶ ARTICLE 8

The MBBA MEMBER shall not undertake to provide professional services concerning a business or its value where they have a present or contemplated interest unless such interest is specifically disclosed to all affected parties.

▶ ARTICLE 9

In the event of a controversy between MBBA MEMBERS arising out of their relationship as members, the MBBA MEMBERS shall submit the dispute to the Chapter Board of Directors which shall convene a Professional Ethics Committee for arbitration which shall be binding.

▶ ARTICLE 10

If an MBBA MEMBER is charged with unethical practice or is asked to present evidence in any proceeding or investigation, they shall place all pertinent facts before the Board of Directors or the Professional Ethics Committee.

▶ ARTICLE 11

The MBBA MEMBER shall not, unless so licensed and/or qualified, engage in giving legal nor tax advice, and shall recommend that legal and tax counsel be obtained regarding any transaction.

▶ ARTICLE 12

The MBBA MEMBER shall neither publicly or privately disparage the business practices of any other member nor volunteer an opinion of their transactions. However, if their opinion is sought and if the MBBA MEMBER deems it appropriate to respond, such opinion shall be professionally and courteously rendered.

▶ ARTICLE 13

Where the word MBBA MEMBER, or MEMBERS is used in this Code of Ethics, it shall be deemed to include all MBBA MEMBERS, anyone under the member's employ, and all his/her agents and affiliates.