



# DURANGO AREA

## ASSOCIATION OF REALTORS®

### Board Policy Manual

Revised April 2025

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## I. POLICY PURPOSE AND FORMULATION

1. Policy statements establish guidelines and standards for internal Association operations. All policies shall become effective upon adoption and approval by the Board of Directors. Upon adoption, the Executive Officer shall give reasonable notice of new or changed policies to each employee of the Association. Approved policy statements remain in effect until the Board of Directors makes changes and such changes are recorded in the Board meeting minutes.

## II. BOARD OF DIRECTORS

1. **APPEARANCE BEFORE BOARD OF DIRECTORS** – Anyone other than Association Directors wishing to make a presentation to the Board of Directors must have prior approval by the President.
2. **AUTHORIZED SPOKESPERSON** – The President, President-Elect, and the Executive Officer shall be the only authorized spokespersons for the Association. No other individual shall speak for the Association on matters affecting the Association or its membership as a whole without prior approval of the President.
3. **Alliance MEMBERSHIP** – The Association shall maintain a membership with the La Plata County Economic Development Alliance. A representative will be chosen by the President to represent the REALTOR® community at Alliance Investor meetings.
4. **AGENDA** – Agendas are prepared by the Executive Officer with final approval by the President. Whenever possible, agendas and back up materials are prepared and sent to the Directors as soon as available, prior to their meetings for review.
5. **INVITATIONS – CREN Directors and** Committee chairs are invited to attend the Regular Business and Special Reports portion of the Directors meetings to report on actions by committees. Alternately, the Director may report on the actions of committees under their supervision if they attend the committee meeting.

## III. MEMBERSHIP

1. **COMMITMENT TO FREE TRADE AND COMPETITION** – The Association does not and will not establish or maintain fixed or recommended commission rates, listing terms, or services provided by brokers to buyers and sellers. Commissions, listing terms, and services are a matter of negotiation between the broker and the client. The Association will not interfere in such negotiations or inhibit or restrict in any way the freedom of members to negotiate their own business agreements. In order to avoid even the appearance of anti-competitive behavior or purpose, participants in all meetings called or sponsored by the Association shall discuss only the legitimate business purposes of the Association as prescribed in the meeting agenda and recorded in the minutes of the meeting. The chairperson of any meeting called or sponsored by the Association shall not allow discussion of commission rates, listing terms, services or other subjects that might be viewed as potentially anti-competitive and will remind those in attendance of the Associations commitment to free trade and competition. If anyone in

attendance at a meeting called or sponsored by the Association persists with discussions that could give the appearance of anti-competitive behavior or purpose the meeting shall be adjourned. The minutes of the meeting shall reflect the reason for adjournment.

2. **REFERRALS AND RECOMMENDATIONS** – The Association does not respond to requests from the public, written or verbal, for references or recommendations of individual members.
3. **ASSOCIATION MEETINGS** – All Association and Board of Directors meetings shall be open to all members with the exception of those portions of meetings of the Board of Directors devoted to consideration of Elections, Awards, Legal Action and other Executive sessions which may be attended only by members of the Board of Directors or upon receiving prior approval of the President.
4. **MAILING LISTS** - The Association maintains a membership mailing list, which is made available only to REALTORS® or Affiliates of CREN Boards who are members in good standing. Exceptions to this policy may be made on an individual case basis by the Executive Officer or President.
5. **REQUEST FOR SPEAKERS** – Requests for speakers or other resource people relative to the Association policies, programs, procedures, and activities shall be coordinated through the Executive Officer.
6. **PROFESSIONAL STANDARDS SERVICES** – The Association shall retain a professional standards agreement with and refer all requests for professional standards services to the Colorado Association of REALTORS®.
7. **MEMBERS FOUND WITH INACTIVE LICENSE** - In the event that a member of DAAR is found to have an inactive license as stated by the CREC (Colorado Real Estate Commission), an immediate suspension of REALTOR® membership will be enacted, and the member will be notified that they will have 30 days to correct the issue before DAAR membership is terminated. In the case that a managing broker in charge of an office would have an inactive license the whole office would be suspended, and the managing broker would be given notice to correct the issue within 30 days before DAAR membership is terminated.
8. **REALTOR® EMERITUS STATUS** – Any person who has held membership in the National Association as a REALTOR®, REALTOR-ASSOCIATE®, or a combination of both, for a cumulative period of 40 years in one or more Associations of REALTORS® and has completed at least one (1) year of service at the National Association level is eligible for REALTOR® Emeritus status.
  1. Upon approval by the Board of Directors of the NATIONAL ASSOCIATION OF REALTORS®, no further payment of Local, State, or National dues is necessary to the Association by which the REALTOR® Emeritus is a member.
  2. NAR REALTOR® Emeritus members are exempt from the Quadrennial Ethics and Fair Housing Training requirement as well as the NAR Public Awareness Campaign special assessment.
  3. DAAR members who have reached 40 years of service as a REALTOR® are eligible for local Emeritus status. Local annual dues and monthly fees for all local Emeritus members will be waived as long as the member maintains active membership.

*Note: The NAR dues waiver does not take effect until the following 'dues billing year.*

9. **NEWSLETTER INSERTS** – Only Members and Affiliates will be allowed to put inserts into the newsletter. Local events and news will be considered and approved by the Executive Officer.

#### IV. COMMITTEES

1. **COMMITTEE COMMUNICATIONS** – Communications from each Committee regarding the committee's functions, responsibilities, and programs shall come from the Chairperson or at the direction of the Chairperson. Staff will facilitate such communications, and staff will forward copies to elected leadership when appropriate.
2. **SOLICITATION** – No charitable funding, project, financing, or endorsements will be promised of or made by on behalf of the Association without the prior approval of the appropriate

committee or Board of Directors. Donation requests from religious, educational, philanthropic or civic organizations will be treated as solicitations.

3. **COMMITTEE ABSENCES** – Committee members who are not diligent in the performance of their committee duties may be replaced by the President after consultation with the committee Chairperson.
4. **COMMITTEE MINUTES** – Minutes will be recorded and approved for all committee meetings. Minutes are given to the Board of Directors for review and shall be made available at the Association office for members following approval by that committee.

V. **GOVERNMENT AFFAIRS**- the association has adopted the following advocacy policies:

1. **HOUSING**- A basic need for an individual or family is shelter. This means that the housing stock in area neighborhoods must be diverse and complement the community's needs. To make housing more affordable for all, the Durango Area Association of REALTORS® supports reducing the regulatory costs, streamlining the process to develop new housing while ensuring proper controls are in place, and easing the restrictions on the development of companion units in existing residential areas. DAAR opposes the barriers that prevent the smart and sustainable growth of housing supply in La Plata and San Juan Counties.
2. **INFASTRUCTURE**- The Durango Area Association of REALTORS® believes the desirability of a region's real estate markets hinges on the quality of its infrastructure. Regions with superior infrastructure, like convenient transportation systems and access to walking trail systems, experience higher property values. Adequate infrastructure is vital for ensuring a sufficient housing supply, including affordable housing options. We believe improved infrastructure fosters economic development, leading to an enhanced quality of life for local residents. We support public/private partnerships that help expand infrastructure options, provide more housing opportunities, and enable the creation of mixed-use developments that offer various services to nearby residents
3. **LAND USE AND PLANNING**- The Durango Area Association of REALTORS® supports local planning and zoning policies that accommodate the sustainable development of adequate and affordable housing for individuals at all income levels including:
  - Policies that support adequate land use for all types of housing and economic vitality.
  - Policies that do not attempt to limit growth or restrict sustainable residential and commercial development.
  - Zoning policies that encourage maximum site utilization, promote a balance of open space and housing, and reduce the per-unit cost of housing including clustered housing, zero lot-line limits, and flexible setbacks.
  - Policies that streamline the permit and approval process.
  - Policies that encourage innovations in development and construction techniques and materials.
  - Policies that promote the use of land for mixed-use development of affordable housing in conjunction with market value housing close to transit hubs, shopping, schools, and other community amenities.

We continuously monitor entitlement fees, land dedications, development moratoriums and transfer tax proposals.

4. **PROPERTY TAX**- The Durango Area Association of REALTORS® supports fair and equitable property taxation and regularly monitors issues affecting real property owners.
5. **SHORT TERM RENTALS**- The Durango Area Association of REALTORS® advocates for property owners' right to rent all or part of their residence, with certain limitations. Short-term rentals benefit property owners and support economic vitality in a community. We acknowledge that

visitor accommodations may pose unique challenges, but these issues should be addressed by targeting disruptive individuals – hosts and visitors – who disturb the peaceful enjoyment of the neighborhood for other homeowners. To tackle these challenges, increased code enforcement is called for to prevent nuisance behaviors while still considering a property owner's right to earn income from their property. We encourage individual Homeowners Associations to create their own policies to advocate for the needs of their communities. Additionally, the association believes that property managers of short-term rentals should adhere to the same licensing requirements as property managers of other rental properties.

## VI. AWARDS

1. **ASSOCIATION AWARDS CRITERIA** - Awards will be selected using the following criteria:

**a. REALTOR® OF THE YEAR**

Criteria based on the last 12 months as a DAAR member

**Board Participation** -Participation in REALTOR® activities & industry related advocacy, i.e., membership or office held in local chapters of institutes, councils, and societies, and educational or professional growth.

**Community Involvement**- Local, state, or national participation in civic and service organizations, charitable activities, political commissions, fraternal & religious groups.

**REALTOR® Professionalism** - High principles, faithfulness to laws and regulations of the Code of Ethics and the member Association, and furtherance of principles of good real estate practice among other brokers and the general public.

**Business Accomplishments** - Recognized good business conduct, service to clients, and community. If there is not a clear choice, the AWARD does not need to be presented this year

**b. Chris Bettin Industry Advocacy Award**

In honor of his impact, and the legacy he left on this organization, this award celebrates a person (member or nonmember) or organization that has made substantial contributions in our community relating to housing opportunity advocacy efforts. This award may be given more than once to the same person. If there is not a clear choice, the award does not need to be presented for this year.

**c. OUTSTANDING AFFILIATE AWARD**

This AWARD honors an Affiliate Member (business or individual) who has demonstrated an outstanding commitment to the Association and industry as a whole. This award may be presented more than once to the same business or individual. If there is not a clear choice, the award does not need to be presented this year.

**d. DISTINGUISHED SERVICE AWARD**

This award fills the void of honoring continued service to the Association by someone who may have already been given an award, or for distinguished service that does not fit any of the other award criteria. This would be awarded to an Association member for outstanding community or Association activities at the discretion of the outgoing President.

**e. ROOKIE OF THE YEAR AWARD**

This is a one-time award honoring a member in good standing for their first two years of entry into the real estate industry and member of the Association. The criteria for selecting Rookie of the Year will be based on the members' pursuit of education, REALTOR® and Association involvement including committees, Association meetings and fundraisers, ethical conduct and business accomplishments. This award need not be presented unless there is a clear choice.

**f. REALTOR® SPIRIT AWARD**

This award will be presented to a REALTOR® member who embodies REALTOR® spirit. The recipient will be an active REALTOR® member, having a sales production level for the past 12 months that positions them in the top 50%. They will be actively involved in Association

activities and DAAR sponsored events, involved in community service either inside or outside the Association, be an RPAC investor, and working to further their real estate knowledge through education.

2. **AWARD RECIPIENT SELECTION** – The Association President shall appoint a committee formed of past REALTOR® of the Year members to nominate and select award recipients annually.

## VII. LEADERSHIP DEVELOPMENT

The Association actively identifies potential leaders within the membership and cultivates an environment of continuous growth and leadership development. In support of the goal of fostering leaders within the membership, the Board directs the BAF committee when formulating the annual budget, to allocate funds to be used specifically for leadership development. BAF can use their discretion, but the Board recommends a budget amount of \$1000 be allocated to the leadership development fund. Application for funds can be made by anyone in the general membership who is interested in leadership in addition to members of the Board of Directors. Awarding funds for leadership development rests solely with the Board of Directors.

## VIII. EMAIL

1. **MEMBERSHIP EMAIL** – When a member joins the association their email must be added to all membership databases and lists.
2. **ASSOCIATION MEMBERSHIP EMAIL LIST**- Association Membership email lists will be used for marketing and promotion of the business of real estate and affiliates direct business services only.
  1. It is prohibited to distribute these lists to any non-member
  2. When sending emails to members the OPT-OUT option in compliance with the FTC CAN-SPAM Act must be utilized.

## IX. SOCIAL MEDIA

- To allow The Durango Area Association of REALTORS® to engage and interact with its members using social media.
- Turn monologue into dialogue with members.
- Reach more members with our information – when and where it’s relevant to them.
- Join and influence existing conversations about NAR, CAR, DAAR, and local issues relevant to REALTORS®.
- Build deeper relationships with members and others.

### 1. **SOCIAL MEDIA**

- a. For the purpose of this policy, “using social media” means posting or uploading content to all types of interactive electronic communications including but not limited to websites, weblogs, social networks, discussion boards, and listservs.
- b. This policy pertains to member activities on social media sites maintained by the association.

### 2. **PRIVACY**

- a. The association reserves the right to monitor websites and blogs. Members who engage in social media, whether or not they are using the associations systems, should not expect their comment to be private.
- b. Comments posted on behalf of the association will be monitored on a consistent basis.

### 3. **USAGE**

Members must comply with all of the association’s written rules and policies including but not limited to the association’s Technology Use Policy, Electronic Communications Policy, Sexual Harassment and Discrimination Policy, Ethics Guidelines, and Code of Conduct.

### 4. **PROHIBITED CONTENT**

- a. Prohibited content includes obscene, profane, adult-oriented, pornographic, harassing, discriminatory, menacing, threatening, and otherwise offensive text, art, photos, videos, graphics, cartoons, and other content.

**5. CONTENT OWNERSHIP**

- a. The association owns the content of all posts on the association's social media outlets, unless otherwise shared from outside sources.

**6. SOCIAL MEDIA REQUESTS**

- a. Any media requests received as a result of using social media should be referred to the President as spokesperson of the Association.

**7. POLICY COMPLIANCE**

- a. Any member found out of compliance with any DAAR social media policy shall be subject to disciplinary action in accordance with the DAAR Employee Policy Handbook.
- b. Any and all claims of inappropriate postings by a member, such as sexually harassing statements or personal attacks on and office, member or co-worker shall be subject to removal from association's social media outlets.

**8. SOCIAL MEDIA REQUIREMENTS**

- a. Members shall identify by name as the publisher/writer of the entry.
- b. Members may not use pseudonyms, fake names, or otherwise social media anonymously.
- c. Treat readers and commenters with professional respect. Behave professionally, ethically, and responsibly on social media.
- d. Write in an honest, transparent, first-person style.
  - i. Be clear
  - ii. Be transparent
  - iii. Do not say or do anything online you wouldn't do face to face
- e. Make every effort to ensure that the posts are entirely accurate and factual.
  - i. Know the association's position: When speaking on behalf of the association on industry-related topics, it is the responsibility of the publisher to be familiar with the association's position. If you are unfamiliar with that topic, it is up to the publisher to find a more qualified person to speak, or to state that this is not within their area of expertise.
- f. May not post gossip, rumors, lies, falsehoods, defamatory comments, personal attacks and harassing, discriminatory, menacing, or otherwise inappropriate and offensive content.
  - i. May not disparage the association or its members.
  - ii. May not engage in disputes.
  - iii. Must correct any mistakes as quickly as possible.
- g. May not attack, defame, harass, discriminate against, threaten, or otherwise exhibit inappropriate or offensive behavior or attitudes toward coworkers, executives, members, customers, vendors, the media, or other third parties.
- h. May not disclose confidential, sensitive, proprietary, secret, or private information about the association, employees, executives, members, customers, vendors, business partners, or other third parties.
- i. May not disclose financial information about the association including but not limited to revenues, profits, forecasts, and other information.
- j. Be mindful of the fact that social media content creates written business records that may be retained for business, legal, and regulatory purposes.
- k. May not violate copyright law. Will secure permission of the copyright holder before publishing copyrighted material. Cite sources and link to online references and source material.
  - i. Posting pictures of members and staff: Before publishing a picture of a member, association employee, or anyone with a professional relationship with the association, ask for permission from the person who was photographed. This is

- especially important for pictures taken in social settings. Also, use good judgment and be cautious when posting photos showing people drinking or in exotic locales as it may send an unintended and unwanted message to viewers
- ii. Copyright: Use caution when publishing text, pictures, video, or other content that was not created by the association. Unless specifically licensed otherwise, all created content is protected by copyright. If you want to use copyrighted material, you must obtain written permission from the original author of this content.

## X. NEW MEMBER ORIENTATION

1. **BASIC TRAINING/ ORIENTATION** – Basic training is offered to all new member applicants at no charge.
2. **NEW MEMBERS** – New members are required to attend a New Member Orientation as well as MLS Training when available.

## XI. EDUCATION

1. **REFUNDS-** If the course is cancelled the association will issue a full refund on registration. If the student cancels/withdraws at least 5 days prior to the course, a full refund will be issued less credit card processing fees if applicable. Cancellation within 5 days of the course will result in a refund of tuition less a 25% cancellation charge. If the student fails to appear for class or fails to cancel, no refund will be issued. Any refund due to student will be issued within 30 days of cancellation, subject to receipt of a written request.
2. **NO SHOWS-** No show fees may be assessed for failure to cancel attendance twenty-four (24) hours in advance of a class.

XII. LOCKBOX- The Durango Area Association of REALTORS® shall provide an electronic lockbox system for its members. All lockboxes are leased property of the Durango Area Association of REALTORS® and are loaned out on an as needed basis to Real Estate Offices. Agents shall lease the Key directly from Supra and all requirements of the contract of this lease are between the agent and Supra. The Durango Area Association does not represent or warrant that the lockbox system may not be compromised or circumvented or that the system will prevent any loss by burglary or otherwise.

1. **LOCKBOX GOVERNANCE-** All policies, rules and regulations beyond Supra keyholder agreements are created and enforced by the DAAR Board of Directors.
2. **ELIGIBILITY** – Every REALTOR® and licensed certified appraiser who is affiliated with DAAR and who are eligible for MLS access are entitled to lease a key from Supra through the Durango Area Association of REALTOR®. ***Keys may not be used under any circumstances by anyone other than the keyholder.***
3. **LOCKBOX INVENTORY** – Offices may check out lockboxes on an as needed basis. Lockbox inventory and accountability will be the responsibility of the Designated REALTOR® of the office. DAAR shall maintain current records of all lockboxes issued and perform periodic audits for accuracy. If a lockbox is unaccounted for, the Designated REALTOR® shall be held responsible for replacement costs in the amount equal to the association's costs.
4. **INVENTORY TRANSFERS** – It shall be determined by the Designated REALTOR® whether an agent leaving an office should return their lockboxes or transfer them with their listings. Should the Designated REALTOR® decide to transfer lockboxes to an agent, they are responsible for informing the Association of this change in their inventory within 30 days of the transfer. Failure to inform the Association office will result in replacement compensation from that Designated REALTOR®.
5. **LOST, STOLEN OR DAMAGED LOCKBOXES** - Lost/stolen or damaged lockboxes need to be reported to DAAR as soon as possible. If a replacement is issued for a lost or stolen lockbox, the participant will be charged an amount equal to the association's replacement cost. If a previously lost or stolen lockbox is found, the participant will be refunded 50% of replacement cost per lockbox. Damaged

lockboxes will be replaced at no cost. However, if there is any intentional damage the participant will be charged for replacements costs. If a lockbox is defective and has to be cut off the listing the agent must bring the lockbox into the association so it may be sent back to Supra for replacement. If a damaged or defective lockbox is not returned to the association office and the agent or office disposes of it, the office will be charged for replacement costs.

6. **OWNERSHIP** - The Lockboxes shall at all times remain the sole and exclusive property of the Durango Area Association of REALTORS® and lockbox holder shall have no right, title or interest thereto. Keys will be leased by the agent from Supra. The Durango Area Association of REALTORS® will assist in the administration of the equipment but will not own the keys. Key holders will be responsible for the key under the terms of their keyholder agreement with Supra. Breach of the terms of the lease may result in loss of privilege and revocation of key as outlined in the keyholder agreement.
7. **SHOWING PROCEDURES**
  - a. Keyholder must make an appointment with the office of the listing Broker prior to all entries unless stated in listing remarks or if prior current agreement with the listing agent has been made.
  - b. Key(s) removed from the lockbox must be replaced prior to departure.  
**NOTE: Violation of this policy is legally considered Trespassing and/or Breaking and Entering which are punishable by law and may be prosecuted.**
8. **VIOLATION OF SHOWING POLICY**
  - a. **FIRST OFFENSE**- \$100 fine and 7 day suspension of lockbox/key privileges.
  - b. **SECOND OFFENSE**- \$500 fine and 30 day suspension of lockbox/key privileges.
  - c. **THIRD OFFENSE**- **Termination** of lockbox/key privileges
9. **SELLER'S AUTHORITY** - A lockbox may not be placed on a property without written authority from the seller. This authority may be established in the listing contract or in a separate document created specifically for the purpose.
10. **INDEMNIFICATION AND RELEASE** - All keyholders shall hold harmless, release, and indemnify, including but not limited to the payment of any cost of defense, the Durango Area Association of REALTORS®, Inc., their agents, officers, directors and employees, for and against any claims, lawsuits, losses or damages they may incur as a result of action by third parties, including but not limited to owners of property upon which a lockbox will be located, for property damages, personal injuries, or other losses suffered by the third parties from burglaries, premises liability, or other torts on the property upon which the lockbox is located. A lockbox must be removed within five days of listing expiration or closing of the property.
11. **LOCKBOX AND KEY LENDING:**
  - a. **Regulations for CREM Members** - the Durango Area Association shall keep on hand Supra keys for loan to CREM members and licensed Appraisers who are not part of the Durango Area Assn of REALTORS®. Requirements for CREM members to check out an electronic key are as follows:
    1. Must be a REALTOR® in good standing and subscriber of CREM
    2. Must call ahead to reserve a key
    3. Must hold a current Colorado Real Estate or Appraisers License
    4. Must sign an agreement to the terms of use upon rental of key.
  - b. **Regulations for DAAR Members**- DAAR members who are not current keyholders will be permitted to sign out a loaner key for up to two (2) business days per month.

### XIII. WHISTLEBLOWER

**1. Purpose** This Whistleblower Policy is designed to encourage employees, members, and stakeholders of the association to report any unethical, illegal, or improper conduct within the organization without fear of retaliation.

**2. Scope** This policy applies to all employees, members, contractors, vendors, and other stakeholders who interact with the trade organization.

**3. Reporting Mechanism** Individuals who become aware of any misconduct should report their concerns to the Executive Officer, executive leadership, or through a designated anonymous reporting channel.

**4. Protection Against Retaliation** The association strictly prohibits retaliation against whistleblowers who report in good faith. Any act of retaliation will be subject to disciplinary action, up to and including termination of employment or membership suspension.

**5. Investigation Process** All reports will be taken seriously and investigated promptly. Confidentiality will be maintained to the extent possible, and findings will be addressed appropriately. The organization may involve an independent committee or third-party investigator when necessary.

**6. False Reports** Knowingly making false or malicious allegations may result in disciplinary action, including termination of employment or membership suspension.

**7. Review and Updates** This policy will be reviewed periodically to ensure its effectiveness and compliance with applicable laws and industry standards.

XIV. Grants- The association will hold one grant cycle per year. Any requests made prior to or after will be asked to submit a grant request during the next cycle.