

# **2009 TRAINOR FAIRBROOK HUMANITARIAN AWARD**

**RULES AND REGULATIONS GOVERNING THE  
NOMINATION AND SELECTION OF THE WINNER OF THE  
2009 TRAINOR FAIRBROOK HUMANITARIAN AWARD  
IN ASSOCIATION WITH THE ASSOCIATION OF COMMERCIAL REAL ESTATE  
TO BE PRESENTED AT  
THE ASSOCIATION OF COMMERCIAL REAL ESTATE'S  
2009 CHARITY BENEFIT BROKER OF THE YEAR AWARDS  
TO BE HELD ON THURSDAY, MARCH 11, 2010**

The *2009 Trainor Fairbrook Humanitarian Award*, sponsored by the commercial real estate law firm, *Trainor Fairbrook*, was established to recognize and honor the Sacramento area real estate professional who has made the most significant individual contribution to charitable or philanthropic organizations or other community activities. In honoring the recipient of the Humanitarian Award, *Trainor Fairbrook*, in association with the Association of Commercial Real Estate ("ACRE"), wishes to recognize the outstanding charitable efforts of the recipient and the recipient's contribution to the good reputation of the commercial real estate industry in our community. In further recognition of the winner's achievements, *Trainor Fairbrook* will contribute \$5,000.00 in the name of the winner to a charity or charities chosen by the winner.

The following are the Rules and Regulations Governing Nomination and Selection of the *2009 Trainor Fairbrook Humanitarian Award* ("**Rules**") established by the Selection Committee ("**Committee**") for the Association of Commercial Real Estate's 2009 Charity Benefit Broker of the Year Awards ("**BOYA**"). These Rules shall govern both the completion of the nomination forms that are used to nominate each Candidate for the *2009 Trainor Fairbrook Humanitarian Award* ("**Candidate**") and the Judges' selection of the winner. The Candidate's submission of a nomination form, or the submission of a nomination form on behalf of the Candidate with the Candidate's tacit or express permission, shall constitute the Candidate's agreement to be bound by these Rules and any revisions or amendments hereto made by the Committee from time to time.

## **1. Eligibility Requirements for Candidates**

For a Candidate to be eligible, he or she must satisfy the following Eligibility Requirements:

- a. The Candidate must devote a minimum of 75% of his or her working time in the field of commercial real estate. A brokerage house manager, however, who otherwise meets these Eligibility Requirements for Candidates may be a Candidate. The Candidate need not be a candidate for a real estate specialist of the year, and the candidate need not have a real estate license; and
- b. The Candidate's principal place of business must be located in the greater Sacramento area (that is, Sacramento, Yolo, Placer or El Dorado Counties);
- c. The Candidate must not have received the *Trainor Fairbrook Humanitarian Award* in any of the previous four years. (For example, any winner of the Humanitarian Award for 2005, 2006, 2007 or 2008 is not eligible to win the 2009 Humanitarian Award.)

## **2. Nomination Process**

- a. Candidates may be any person associated with the commercial real estate industry in the greater Sacramento area.
- b. The nomination form may include additional pages, if needed, and printed material describing the charitable or philanthropic organization or activities listed on the nomination form. If the Candidate desires that any specific information contained on the Candidate's nomination form be held as confidential, the person completing the Candidate's nomination form should clearly indicate on such form those items that are to remain confidential. It should be noted, however, that confidential information may be disclosed to the Judges for the purposes of selecting a winner of the *Trainor Fairbrook Humanitarian Award*.
- c. ***All nomination forms must be typewritten or word processed.*** As a courtesy to the Judges, the Committee reserves the right to disqualify any nomination form that (i) is not typewritten or word processed and legible after being photocopied, or (ii) which contains inaccurate or untruthful

information. The nomination form and these Rules are available via electronic mail from ACRE. The ACRE e-mail address is . Alternatively, the forms may be downloaded from the ACRE website at: .

d. ***The nomination form must be reviewed and certified as accurate by the Candidate. The Committee or Trainor Fairbrook has the right to investigate the veracity of the information provided in the nomination form by contacting the Contact Person listed for each charitable or philanthropic activity or contribution.***

e. ***The nomination form must be submitted in hard copy -- forms submitted by electronic mail or facsimile will be rejected.***

f. ***A professional-quality digital photo of the Candidate (200 dpi or better), on computer disk saved as a JPEG or TIF document, must accompany the nomination form.***

g. ***The name of the charity or charities to which the \$5,000 award will be contributed by Trainor Fairbrook must be completed on the nomination form, so that it can be announced during the presentation of the Humanitarian Award at the BOYA event.***

### **3. Judges' Voting Procedures**

It is the expectation of the Committee that, to the extent possible, the winner is to be the unanimous choice of the Judges. In the event that unanimity cannot be achieved, the Candidate with a majority of the votes will be declared the winner. In the case of a tie, the President of ACRE will break the tie and choose the winner.

### **4. Criteria for Judging**

The Judges are to evaluate the Candidates based on the following criteria:

a. The quality and quantity of the Candidate's direct and active participation in the charitable and philanthropic activities and organizations (e.g., specific duties with the organization(s) and board, committee and leadership positions held).

b. The Candidate's individual financial contributions to charitable and philanthropic activities and organizations.

c. The conformity of the charitable or philanthropic purpose of the Candidate's activity(ies) or organization(s) with the purpose of the ***Trainor Fairbrook Humanitarian Award*** to promote the reputation of the commercial real estate industry in the community.

d. The ability of the Judges to verify the information submitted in support of the Candidate's nomination.

e. The specificity and thoroughness of the description of the Candidate's involvement in each charitable or philanthropic activity. [Simply listing organizations in which the Candidate may be involved (e.g., "United Way") does not give the Judges sufficient information to evaluate the Candidate's participation.]

f. Whether the Candidate satisfies the Eligibility Requirements for Candidates set forth in Section 1 above and the degree to which the Candidate satisfies such requirements, which determination shall be made in the Judges' sole and absolute discretion.

### **5. Period of Consideration**

The most recent contribution to and participation in charitable and philanthropic activities and organizations by the Candidate will be given greater consideration by the Judges, but all contributions and participation will be taken into account and should be listed.

### **6. Judges' Panel**

All winners will be selected by a panel of three (3) or more Judges comprised of members of ACRE selected by the President of ACRE (each of whom is referred to individually as a "**Judge**"). No person who is a Candidate for the ***2009 Trainor Fairbrook Humanitarian Award*** may serve as a Judge.

### **7. Verification**

The Committee reserves the right (but not the obligation) to verify the information in the nomination forms, without the prior consent of the Candidate, except for any specific information that is clearly designated on the Candidate's nomination form to remain confidential (see Section 2(b) above).

The ultimate responsibility for correctly completing the nomination form, however, rests with the Candidate. The Candidate agrees that the Committee does not have the resources to verify all nomination forms, and assumes the risk that the nomination forms submitted by other Candidates may contain inaccurate or incomplete information.

#### **8. Deadline for Submission of Nomination Forms**

Completed nomination forms must be *received* on or before **3:00 pm on Wednesday, February 3, 2010** at the following address:

**BOYA Humanitarian Award Nominations  
Attn: Gordon J. Duff  
Boyden, Cooluris, Livingston & Saxe PC  
400 Capitol Mall, Suite 2555  
Sacramento, California 95814**

Candidates are encouraged to hand-deliver the nominations to avoid missing the deadline. **The Committee, in its sole and absolute discretion, may disqualify any Candidate whose nomination form is illegible or not timely received or fully completed in strict accordance with these Rules.**

#### **9. Trainor Fairbrook Charitable Contribution**

Each Candidate will designate the charity or charities of his or her choice to receive the \$5,000.00 contribution from *Trainor Fairbrook*. If more than one charity is designated, the amount for each charity should be indicated on the nomination form. In the sole discretion of the Committee and *Trainor Fairbrook*, the goals and reputation of that charity must not detract from or be detrimental to the interests or reputation of the BOYA event, *Trainor Fairbrook*, ACRE or the commercial real estate profession in general.

#### **10. Presentation**

The **2009 Trainor Fairbrook Humanitarian Award** will be presented at the BOYA event, to be held at the Hyatt Regency Sacramento on the evening of Thursday, March 11, 2010.

#### **11. ACRE Membership**

BOYA is sponsored by ACRE. All Candidates are encouraged to become members of ACRE and to participate in ACRE's many networking and educational programs. More information is available at .

#### **12. Questions?**

Any questions should be sent via electronic mail to ACRE at .

**2009 TRAINOR FAIRBROOK  
HUMANITARIAN AWARD NOMINATION FORM**

*THIS NOMINATION FORM MUST BE TYPED AND COMPLETED IN STRICT COMPLIANCE WITH  
THE RULES AND REGULATIONS GOVERNING THE NOMINATION AND SELECTION OF THE WINNER OF  
THE 2009 TRAINOR FAIRBROOK HUMANITARIAN AWARD*

**I. CANDIDATE'S INFORMATION**

**Candidate's Name:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Firm Name:** \_\_\_\_\_ **Address:** \_\_\_\_\_

General description of area(s) in the field of commercial real estate within which the Candidate devotes at least 75% of his or her working time:

\_\_\_\_\_  
\_\_\_\_\_

**II. CHARITABLE ACTIVITIES AND CONTRIBUTIONS**

A. Name of Charitable Organization or Activity: \_\_\_\_\_

Address: \_\_\_\_\_

Name and Telephone Number of Contact Person (who may be contacted to verify the information given regarding Candidate's Activities, Duties, Accomplishments and Financial Contributions with this Organization or Activity): \_\_\_\_\_

Detailed Description of Charitable Purpose/Goal of Organization or Activity: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Board, Committee or Other Leadership Positions Held by Candidate with this Organization or Activity and Dates Held:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Detailed Description (Including the Dates When the Following Occurred) of Candidate's Activities, Duties, Accomplishments and Individual Financial Contributions with this Organization or Activity: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B. Name of Charitable Organization or Activity: \_\_\_\_\_

Address: \_\_\_\_\_

Name and Telephone Number of Contact Person (who may be contacted to verify the information given regarding Candidate's Activities, Duties, Accomplishments and Financial Contributions with this Organization or Activity): \_\_\_\_\_

Detailed Description of Charitable Purpose/Goal of Organization or Activity: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Board, Committee or Other Leadership Positions Held by Candidate with this Organization or Activity and Dates Held:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Detailed Description (Including the Dates When the Following Occurred) of Candidate's Activities, Duties, Accomplishments and Individual Financial Contributions with this Organization or Activity: \_\_\_\_\_

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C. Name of Charitable Organization or Activity: \_\_\_\_\_  
Address: \_\_\_\_\_  
Name and Telephone Number of Contact Person (who may be contacted to verify the information given regarding Candidate's Activities, Duties, Accomplishments and Financial Contributions with this Organization or Activity): \_\_\_\_\_

Detailed Description of Charitable Purpose/Goal of Organization or Activity: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Board, Committee or Other Leadership Positions Held by Candidate with this Organization or Activity and Dates Held: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Detailed Description (Including the Dates When the Following Occurred) of Candidate's Activities, Duties, Accomplishments and Individual Financial Contributions with this Organization or Activity: \_\_\_\_\_

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D. Name of Charitable Organization or Activity: \_\_\_\_\_  
Address: \_\_\_\_\_  
Name and Telephone Number of Contact Person (who may be contacted to verify the information given regarding Candidate's Activities, Duties, Accomplishments and Financial Contributions with this Organization or Activity): \_\_\_\_\_

Detailed Description of Charitable Purpose/Goal of Organization or Activity: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Board, Committee or Other Leadership Positions Held by Candidate with this Organization or Activity and Dates Held: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

Detailed Description (Including the Dates When the Following Occurred) of Candidate's Activities, Duties, Accomplishments and Individual Financial Contributions with this Organization or Activity: \_\_\_\_\_

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**PLEASE USE ADDITIONAL PAGES IF NECESSARY.**

**III. CANDIDATE'S SELECTION OF RECIPIENT CHARITY OR CHARITIES TO  
RECEIVE THE \$5,000.00 CONTRIBUTION FROM TRINOR FAIRBROOK**

Name of Charity: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Contact: \_\_\_\_\_  
Amount of Contribution: \_\_\_\_\_

Name of Charity: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Contact: \_\_\_\_\_  
Amount of Contribution: \_\_\_\_\_

Name of Charity: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Contact: \_\_\_\_\_  
Amount of Contribution: \_\_\_\_\_

Name of Charity: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Contact: \_\_\_\_\_  
Amount of Contribution: \_\_\_\_\_

Nomination Made By: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Date: \_\_\_\_\_

**Candidate's Certification** (Required):

I have reviewed the foregoing nomination form and certify that it is true and accurate to the best of my knowledge.

Name: \_\_\_\_\_

Date: \_\_\_\_\_

***THIS NOMINATION FORM MUST BE ACCOMPANIED BY A PROFESSIONAL-QUALITY DIGITAL PHOTO OF THE CANDIDATE (200 DPI OR BETTER) ON COMPUTER DISK SAVED AS A JPEG OR TIF DOCUMENT.***