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**IN THE MONTANA FOURTH JUDICIAL DISTRICT COURT  
MISSOULA COUNTY**

BRANDON HUBER,	)	
	)	Cause No. _____
Plaintiff,	)	
v.	)	<b>VERIFIED COMPLAINT FOR</b>
	)	<b>DECLARATORY RELIEF</b>
MISSOULA ORGANIZATION OF	)	
REALTORS, INC.,	)	
	)	
Defendant.	)	
	)	

Plaintiff Brandon Huber, by and through his attorney, for his Complaint  
against Defendant Missoula Organization of Realtors, Inc., alleges the following:

## SUMMARY OF THE CASE

1. In November 2020, the National Association of Realtors inserted a “hate speech” prohibition into its ethics code.
2. The “hate speech” prohibition applies to all speech made by a realtor, not just speech relating to the realtor’s job.

3. Local chapters such as Defendant Missoula Organization of Realtors, Inc., enforce the ethics code – including the newly minted hate-speech prohibition.

4. Plaintiff Brandon Huber is a part-time realtor and a member of the Missoula Organization of Realtors.

5. He is also the lead pastor of Clinton Community Church (Church) in Clinton, Montana.

6. The Church in prior years has partnered with the Missoula Food Bank to distribute free lunches to children during summer months.

7. The Church declined to participate this year after it discovered that the Missoula Food Bank included an LGBTQ “Pride” insert in the lunches.

8. Pastor Huber wrote an open letter to his congregation explaining the Church’s decision.<sup>1</sup>

9. Publication of this letter resulted in a Clinton resident – one who was neither a client of Pastor Huber’s nor a congregant of his Church – to file an ethics complaint with the Missoula Organization of Realtors based upon Pastor Huber’s “hate speech.”

10. The Missoula Organization of Realtors has made a preliminary finding that Pastor Huber’s statement violates its hate-speech prohibition and is

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<sup>1</sup> A copy of the Church’s letter is attached as **Exhibit A** at p. 4.

requiring Pastor Huber to submit to an ethics hearing where he could be assessed a \$5,000 fine for his “hate speech.”

11. Pastor Huber’s speech was not “hateful” under any reasonable definition of that term.

12. Moreover, the Realtors’ hate-speech prohibition violates the Montana Constitution and is too vague under Montana contract law to be enforced.

13. Pastor Huber is therefore entitled to relief from this Court.

### **JURISDICTION AND VENUE**

14. This Court has jurisdiction under Mont. Code Ann. § 3-5-302.

15. Defendant Missoula Organization of Realtors, Inc., is a corporation with its principal place of business in Missoula County and therefore venue is proper in this Court under Mont. Code Ann. § 25-2-118.

### **PARTIES**

16. Plaintiff Brandon Huber is, and at all times pertinent to this action has been, a resident of Missoula County, Montana.

17. Defendant Missoula Organization of Realtors, Inc., is a corporation with its principal place of business in Missoula County.

## **STATEMENT OF FACTS**

### **A. The National Association of Realtors' Hate-Speech Prohibition**

18. In November 2020, the National Association of Realtors amended Article 10 of its Code of Ethics and Standards of Practice (“Ethics Code”) by adding Standard of Practice 10-5, which states as follows:

Realtors must not use harassing speech, hate speech, epithets, or slurs based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity.

19. An appendix to the Ethics Code offers an “appropriate interpretation” for terms contained in Standard of Practice 10-5:

“Harassment” includes inappropriate conduct, comment, display, action, or gesture based upon another’s sex, color, race, religion, national origin, age, disability, sexual orientation, gender identity, and any other protected characteristic.

Hate speech: speech that is intended to insult, offend, or intimidate a person because of some trait (as race, religion, sexual orientation, national origin, or disability).

Epithet: a characterizing word or phrase accompanying or occurring in place of the name of a person or thing; a disparaging or abusive word or phrase.

Slur: an insulting or disparaging remark or innuendo: ASPERSION; a shaming or degrading effect: STAIN, STIGMA.



20. The Appendix makes clear that Standard of Practice 10-5 applies to all facets of a realtor's life, not just his or her activities as a realtor:

Under Statement of Professional Standards Policy #29, Realtors are subject to the Code of Ethics' standards in all their activities. Thus, a violation of Article 10, as supported by Standard of Practice 10-5, can occur when a Realtor uses harassing speech, hate speech, epithets and slurs based on the protected classes in any media or context, regardless of whether related to their activities in the real estate business or their identification as a Realtor.

21. Penalties for violating Standard of Practice 10-5 include a \$5,000 fine and suspension or termination of membership privileges, including denial of access to the Multiple Listing Service (MLS), a searchable online database that sorts available real estate properties by parameters such as square footage, acreage, and architectural style.

22. Defendant Missoula Organization of Realtors is a trade association of persons in Missoula County who serve as agents for buyers and sellers of real property.

23. Defendant is affiliated with the National Association of Realtors and "subscribes to its strict Code of Ethics," including Standard of Practice 10-5.

## **B. Pastor Huber's Background as a Realtor and a Minister**

24. Pastor Huber works part-time as a realtor for Windermere Real Estate in Missoula, Montana.

25. Pastor Huber has been a member of the Missoula Organization of Realtors since August 2020 and pays annual membership fees.

26. This enables Pastor Huber to access MLS listings.

27. Without MLS access, Pastor Huber could not work as a realtor.

28. Pastor Huber began his career as a realtor in Washington State in 2011 and received the "Rookie of the Year" award that year from the North Central Washington Association of Realtors.

29. Pastor Huber had never received any complaints about the quality of his services as a realtor.

30. All of Pastor Huber's client reviews are excellent.

31. Brandon Huber also serves as lead pastor for Clinton Community Church in Clinton, Montana.

32. He has held that position since February 2021 and previously served as an associate pastor of the Church beginning in 2019.

33. Pastor Brandon is a member of the Board of Trustees for the Clinton School District as well as the Clinton Rural Fire Department.

34. For many years, the Church had partnered with the Missoula Food Bank for the “Kids Eat Free” summer lunch program, which involved the distribution of free lunches throughout the summer to families with children.

35. In June 2021, the Church discovered that the Missoula Food Bank included an LGBTQ “Pride” insert in its lunches that was contrary to the Church’s teachings.

36. After discussing the matter with the Missoula Food Bank, the Church declined to participate further in the food bank’s program.

37. Instead, the Church began providing a separate lunch program for the community.

38. The Church announced its reasoning for this change on July 2, 2021, in a letter distributed to congregants as well as on the Facebook page of a local Clinton community group. **Exhibit A**, pp. 4, 11.

39. This announcement included the following paragraph:

This year, as well as the past two years, we have partnered with the Missoula Food Bank for the “Kids Eat Free” summer lunch program. This has been a great honor for us to be able to support the kids and families in our community with these meals throughout the summer months. This past week we found printed material in the lunches that we were handing out, that went against our biblical doctrine. After conversations with the food bank, we have found out that our beliefs and that of the Missoula Food Bank do not align. Due to this, Clinton Community Church has decided to end our partnership with the Missoula food bank effective today July 2, 2021.

40. The Church emphasized in that same announcement that its actions were not based upon “hate”:

Clinton Community Church wants our community to know that we love and support each and every one of you, no matter your background or where you are in life. As a church we strive to show the love of Jesus in all we do throughout this community, while standing up for biblical principles, biblical truths, and our beliefs. It is our goal to continue to serve the FREE lunches to kids in our community.

41. The Church commenced its own lunch program on July 5, 2021.

42. The program consisted of the Church providing lunches on weekdays from 10 a.m. to 11 a.m. to any member of the community needing a meal.

43. The Church performed this service throughout the summer and distributed approximately 680 lunches to the community.

### **C. The Ethics Complaint**

44. A resident of Clinton filed an ethics complaint with the Grievance Committee of the Missoula Organization of Realtors against Pastor Huber on July 29, 2021.<sup>11</sup>

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<sup>11</sup> The caption page of the ethics complaint erroneously lists the filing date as June 29, 2021.

45. The complainant has never been one of Pastor Huber’s clients and has never been a congregant of the Church.

46. The complainant alleges that Pastor Huber violated Standard of Practice 10.5. **Exhibit A**, p. 1.<sup>12</sup>

47. The bulk of ethics complaint consists of a long-winded rant against the Church for terminating its partnership with the Missoula Food Bank.

48. The complainant admits that she is “wary of food programs that are ‘run by a church’ and I do not feel the same way about the community food bank programs.”

49. The complainant does not explain how the Church’s operation of its community lunch program relates to Pastor Huber’s work as a realtor.

50. The complainant alleges that “[a]ll of [Pastor Huber’s] comments about gays being an abomination, and defilement of scripture were taken down. I can only hope that someone else screenshotted it.”

51. No such screenshots exist because Pastor Huber never made any such comments.

52. The complainant insists that Pastor Huber “cannot separate his religious bias from his entire person and will continue to be inherently biased

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<sup>12</sup> The complainant also alleged violations of Article 12 of the Ethics Code, but it appears that the Grievance Committee dismissed the Article 12 allegations. See **Exhibit B**.

against the LGBTQIAS+ community in any and all circumstances,” but cites no evidence in her complaint supporting her claim.

53. She included the following question in her complaint, “Are realtors even allowed to be Pastors too?”

54. The Grievance Committee of the Missoula Organization of Realtors reviewed the ethics complaint on August 10, 2021, and determined that “the complaint, if taken as true on its face, constitutes potentially unethical conduct and will be forwarded to the Professional Standards Committee.” See **Exhibit B**.

55. The Professional Standards Committee of the Missoula Organization of Realtors intends to subject Pastor Huber to an ethics hearing on December 2, 2021, concerning the allegations made by the complainant in her ethics complaint.

### **FIRST CAUSE OF ACTION**

#### **Declaratory Relief Based Upon Mont. Const. Art. II, § 4**

56. Pastor Huber re-alleges the allegations from the previous paragraphs.

57. Montana’s Uniform Declaratory Judgments Act states as follows:

Any person interested under a deed, will, written contract, or other writings constituting a contract or whose rights, status, or other legal relations are affected by a statute, municipal ordinance, contract, or franchise may have determined any question of construction or validity arising under the instrument, statute, ordinance, contract, or franchise and obtain a declaration of rights, status, or other legal relations thereunder.

Mont. Code Ann. § 27-8-202.

58. Article II, section 4 of the Montana Constitution states as follows:

The dignity of the human being is inviolable. No person shall be denied the equal protection of the laws. Neither the state nor any person, firm, corporation, or institution shall discriminate against any person in the exercise of his civil or political rights on account of race, color, sex, culture, social origin or condition, or political or religious ideas.

(emphasis added).

59. Pastor Huber's religious ideas include the belief that his church should not aid the distribution of documents endorsing the activities of the LGBTQ community.

60. Pastor Huber exercised his civil rights by expressing this idea to his congregation on July 2, 2021.

61. Defendant Missoula Organization of Realtors is a Montana corporation and therefore subject to Mont. Const. Art. II, § 4.

62. Because Pastor Huber expressed his religious idea concerning the distribution of LGBTQ literature by his church, Defendant Missoula Organization of Realtors is forcing him to stand "trial" on December 2, 2021, and may well impose monetary penalties and eventually termination of membership if he continues expressing his religious ideas.

63. Defendant Missoula Organization of Realtors does not force similarly situated realtors who support LGBTQ positions to stand trial and face potential monetary penalties and termination of membership.

64. Defendant Missoula Organization of Realtors is therefore violating Mont. Const. Art. II, § 4 by discriminating against Pastor Huber in the exercise of his civil rights on account of his religious ideas.

**SECOND CAUSE OF ACTION**  
**Declaratory Relief Based Upon Montana Contract Law**

65. Pastor Huber re-alleges the allegations from the previous paragraphs.

66. Montana’s Uniform Declaratory Judgments Act states as follows:

Any person interested under a deed, will, written contract, or other writings constituting a contract or whose rights, status, or other legal relations are affected by a statute, municipal ordinance, contract, or franchise may have determined any question of construction or validity arising under the instrument, statute, ordinance, contract, or franchise and obtain a declaration of rights, status, or other legal relations thereunder.

Mont. Code Ann. § 27-8-202.

67. A valid contract requires, *inter alia*, consent of the parties – and such consent “must be mutual, and the parties must agree on the same thing, in the same sense.” *Covenant Investments, Inc. v. First Security Bank*, 2014 MT 14, ¶ 14, 373 Mont. 353, 317 P.3d 197.

68. A lack of such consent concerning a contractual provision renders the provision void for lack of certainty. *Id.*, ¶ 15; see also *Gray v. City of Billings*, 213 Mont. 6, 11, 689 P.2d 268, 271 (Mont. 1984) (“[n]o contract exists where an



essential term is understood by one party to mean one thing and by the other party to mean a different thing.”).

69. Pastor Huber and Defendant Missoula Organization of Realtors have a contractual relationship.

70. An actual and justiciable controversy exists between the parties regarding the enforcement of Standard of Practice 10-5.

71. Pastor Huber seeks an order from this Court declaring that the material terms contained in Standard of Practice 10-5, *e.g.*, prohibitions against “inappropriate” comments and “insulting” remarks relating to protected classes are inherently vague and ambiguous and therefore void for lack of certainty.

**WHEREFORE**, Plaintiff Brandon Huber requests the following relief:

1. An order declaring that Defendant Missoula Organization of Realtors is violating Mont. Const. Art. II, § 4.
2. An order declaring that the prohibitions contained in Standard of Practice 10-5 are inherently vague and ambiguous and therefore void for lack of certainty;  
and
3. An order granting Plaintiff reasonable attorneys fees and costs; and
4. Any other relief this Court deems just and equitable.

DATED: November 3, 2021

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Matthew G. Monforton". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Matthew G. Monforton, Esq.  
Attorney for Plaintiff

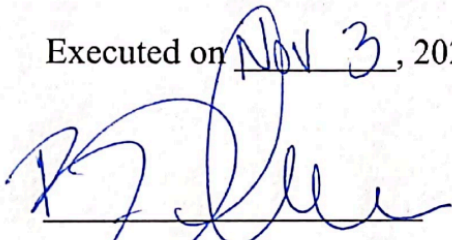
## VERIFICATION BY BRANDON HUBER

I, Brandon Huber, declare as follows:

1. I am the Plaintiff in this action.
2. I have reviewed the attached Complaint and declare that the allegations contained therein are true, except in so far as they are stated to be on information, and that, so far as they are stated to be on information, I believe them to be true.

I declare under penalty of perjury under the laws of the State of Montana that the statements contained in this Verification are true and correct.

Executed on Nov 3, 2021, in Clinton, Montana.



Brandon Huber

# **EXHIBIT A**

**Form #E-1**

Missoula Organization of REALTORS®

Board or State Association

724 Burlington Ave, Missoula MT 59801

Address

City

State

Zip

**Ethics Complaint**To the **Grievance Committee** of the

Missoula Organization of REALTORS®

Board or State Association

Filed June 29, 2021Brandon Huber**REDACTED**

Complainant(s)

Respondent(s)

Complainant(s) charge(s):

An alleged violation of Article(s) 10.5, 12.8, 12.10 of the Code of Ethics and/or other membership duty as set forth in the bylaws of the Board in 10.5, 12.8, 12.10 and alleges that the above charge(s)

Article, Section

(is/are) supported by the attached statement, which is signed and dated by the complainant(s) and which explains when the alleged violation(s) occurred and, if a different date, when the complainant(s) first knew about the alleged violations.

This complaint is true and correct to the best knowledge and belief of the undersigned and is filed within one hundred eighty (180) days after the facts constituting the matter complained of could have been known in the exercise of reasonable diligence or within one hundred eighty (180) days after the conclusion of the transaction, or event, whichever is later.

Date(s) alleged violation(s) took place: 7/1/2021Date(s) you became aware of the facts on which the alleged violation(s) (is/are) based: 7/2/2021

I (we) declare that to the best of my (our) knowledge and belief, my (our) allegations in this complaint are true.

Are the circumstances giving rise to this ethics complaint involved in civil or criminal litigation or in any proceeding before the state real estate licensing authority or any other state or federal regulatory or administrative agency?

☐ Yes ☒ No

You may file an ethics complaint in any jurisdiction where a REALTOR® is a member or MLS participant. Note that the REALTORS® Code of Ethics, Standard of Practice 14-1 provides, in relevant part, "REALTORS® shall not be subject to disciplinary proceeding in more than one Board of REALTORS® . . . with respect to alleged violations of the Code of Ethics relating to the same transaction or event."

Have you filed, or do you intend to file, a similar or related complaint with another Association(s) of REALTORS®?

☐ Yes ☒ No

If so, name of other Association(s): \_\_\_\_\_ Date(s) filed: \_\_\_\_\_

I understand that should the Grievance Committee dismiss this ethics complaint in part or in total, that I have twenty (20) days from transmittal of the dismissal notice to appeal the dismissal to the Board of Directors.

Complainant(s):

**REDACTED**

Type/Print Name

Signature

Type/Print Name

Signature

Address

Phone

Email

(Revised 11/15)



To whom it may concern;

On July 2nd, 2021, I became aware that the person I knew as Realtor Brandon Huber, Missoula Food Bank Volunteer for the Kids Table Free lunch Program in Clinton, Montana, made a statement that Missoula Food Bank would no longer be providing lunches to our community due to a pride coloring page that was inside the lunch bags for the children.

He made this statement as Pastor Brandon Huber of Clinton Community Church, on Facebook in a private group for our community called "Clinton Area News, Happenings and Neighborhood Watch". Since the community is private, no one can see and read the posts unless they are in the group. We have about 1500 members. I have screenshotted all of my post.

I was unaware that Realtor Brandon was also a Pastor until this post was made. Realtor Brandon had also mentioned to me in a discussion that he made websites as well. So I was also under the impression that he was a web designer. He never introduced himself, nor referred to himself as Pastor Brandon in the two years I have known of him. Please read his following statement to the congregation and then the community.

Dear Clinton Community and surrounding areas,

This year, as well as the past two years, we have partnered with the Missoula Food Bank for the "Kid's Eat Free" summer lunch program. This has been a great honor for us to be able to support the kids and families in our community with these meals throughout the summer months. This past week we found printed material in the lunches that we were handing out, that went against our biblical doctrine. After conversations with the food bank, we have found that our beliefs and that of the Missoula Food Bank do not align. Due to this Clinton Community Church has decided to end our partnership with the Missoula Food Bank effective today July 2, 2021.

What does this mean for you?

- The summer lunch program starting July 6<sup>th</sup> will continue to be held at Clinton School
- We will only be providing lunches (breakfast will no longer be provided) through August 20<sup>th</sup>
- The time will still be 10:00am – 11:00am
- Lunches will still be grab and go style lunches
- We need volunteers to help us make and prepare lunches

Clinton Community Church wants our community to know that we love and support each and every one of you, no matter your background or where you are in life. As a church we strive to show the love of Jesus in all we do throughout this community, while standing up for biblical principles, biblical truths, and our beliefs. It is our goal to continue to serve FREE lunches to kids in our community.

If you would like to volunteer, please contact Meagan through one of the following.

E-Mail: [clintoncommunitychurchmt@gmail.com](mailto:clintoncommunitychurchmt@gmail.com)

Text: (406) 221-8285

Or send Clinton Community Church a message through Facebook messenger.

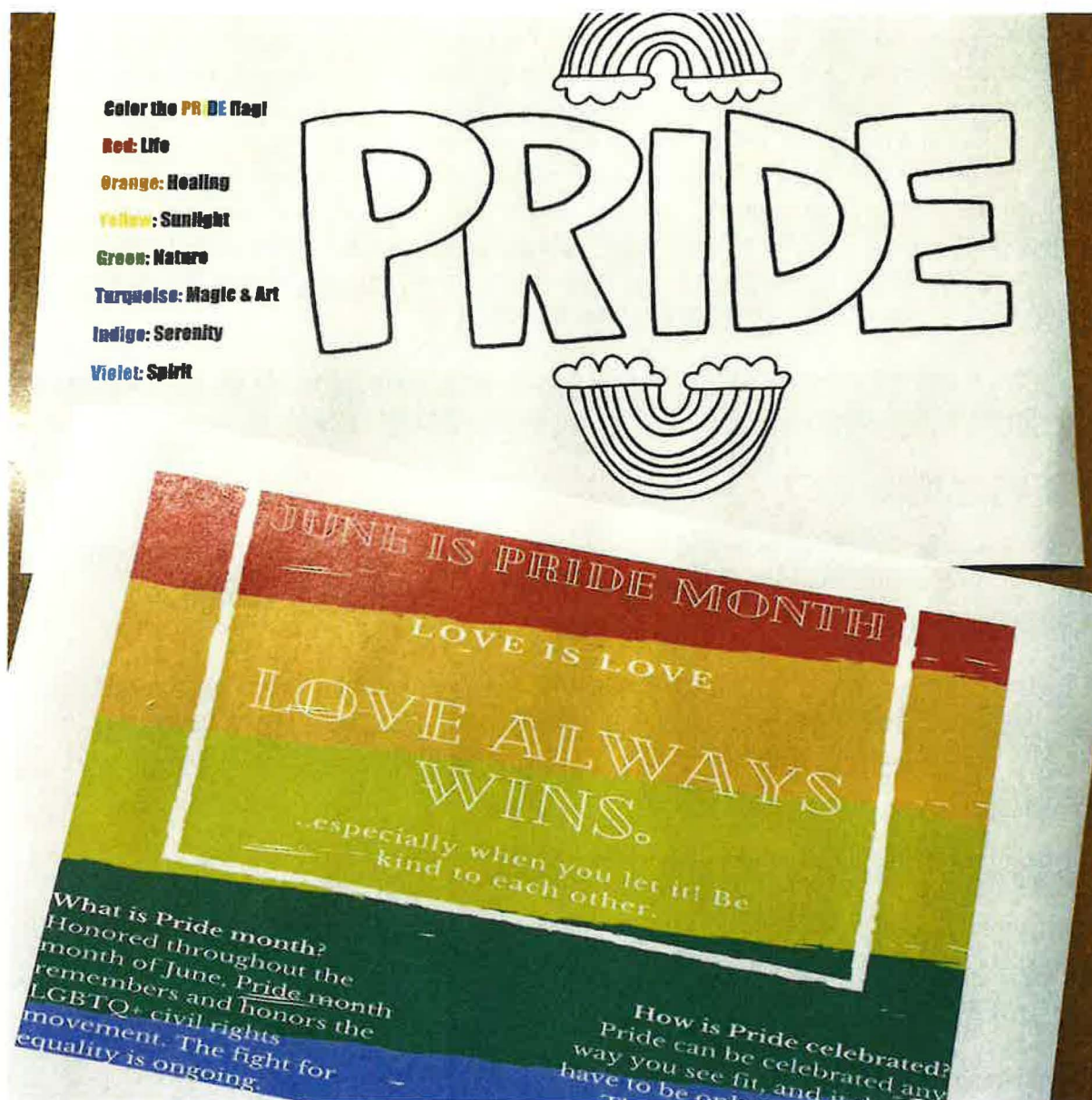
Sincerely,

Brandon Huber  
Lead Pastor

The original post that was made has been deleted, although many people read and responded to it. We wanted to know what exactly went against his religious doctrine? That's where the pride picture comes into play.

HUBER 0004





Brandon took it down the next day and replaced it with the same picture (The letter to his congregation pictured above), but no comments. Again, people responded, although not as many, and this post remains in the group page. All of his original comments about gays being an abomination, and defilement of scripture were taken down. I can only hope that someone else screenshotted it.

It was the deleted post that I felt compelled to write a response to, since no one really had a way to voice concern for what had happened. There was no discussion for any other volunteers to take over handing out food for the foodbank. Had there been, I would have volunteered.

On top of that, I was left with so many questions, such as where is my kids' food now being stored and prepared. Who is handling it? How did I not know this was a church run thing on public school property? Are realtors even allowed to be Pastors too? Where is the ethics of discrimination in a situation like this? How does a realtor not know that his church kitchen needs to be licensed and registered with the health department and undergo inspection before serving food to the public? How does a Pastor not know that his church cannot serve food off of its own premises without health department inspection and approval, as well as at least one person serving as a Certified Food Service Manager? These are things that I would expect someone in their respective roles to know. When these roles are combined into one person. Surely, that person must realize they are breaking the rules somewhere?

SO I wrote a post on facebook expressing my dissatisfaction with the whole situation and what ensued was an epic attack from the church. I will let you read for yourselves.

These are my words.

All over Missoula County, schools and churches alike support our local food bank no matter race, religion or sexual orientation, among other things. I'm proud to support them. I passionately support all they stand for with pride.

In the pictures below you will see a list of safe and inclusive places for kids to get the kids eat free meals for the rest of the Summer. It reminded me that Clinton is no longer on the list, because the pride picture, also displayed below, offended the gracious volunteers. Or something... 🙄

This did nothing but hurt our community in my opinion.

I don't know if you all are aware of the meticulously high standards the Missoula food bank and the Missoula health department work together to implement, but I can tell you as a former service industry worker, it's unprecedented. Their facility is top notch and cleaner than any kitchen you will ever walk into in Missoula county. Don't believe me? Go tour it. It definitely something to have pride in.

Not to mention the quality of food the children had access to. The food bank forged incredible partnerships with farmers market donations all summer long, Costco, Albertsons, and many others including local restaurants; the lunches and food provided by the food bank program is high quality, fresh food. Food that you can take pride in serving. Ready to roll out to the masses. That's their lane. Their winning that race.

They are responsible for meals on wheels. They provide the snacks at the after school programs all year long. They support the YMCA programs that our kids are in and so many more. They provided the food boxes at the fire station that so many of us were utilizing during the hardest year of our lives. They are a treasure. Our kids are familiar with them, their mission and their food, no matter who is providing the lunches during the summer.

What I'm saying is, you could trust your kids were getting fed well in the safest and healthiest way possible. The volunteers have to follow health department rules. There's training involved. There's inspections that happen. There's agreements that are signed. And one coloring page that some adults deemed offensive, ruined that. For an entire community of children. I'm sad the community didn't have a say in it.

I'm sad the offended parties couldn't give the option for discussion for anyone else to volunteer... Who might not be so easily offended.

I'm sad that free pride material is offensive to one group and can be excluded, while vacation bible school material can't possibly be offensive to the other group and thereby included. (All food bank programs are free btw)

I'm sad that there are people in our community who tried to speak about it and got attacked. I'm sad because I know I will also be attacked for this.

But I really really hate it, when the few get to decide for the many. And sometimes I just can't hold back my disappointment. I'm offended for the food bank. The place that has done so much for our community and will continue to do so unconditionally and without judgment. I'm offended, because they don't have the spoons to be offended. Their skin is thicker than mine. And they got people to feed and include.

Next year, I will plan my summer accordingly, and volunteer my time to hand out food bank lunches in our community so that EVERY child in our community can feel comfortable getting the food if they need it. Yes, even the weird ones and the non cis ones, the gays, and the nerds and the outcasts. Identify as an alien? Do you have Ecclesiophobia? If your in need, I'll find some food for you too.

Because inclusion is inherently in the same lane as providing food to those in need. Even the kids with two mothers or two fathers. Especially the ones who are shunned elsewhere. Pride is making sure those people are reached, to feel included and welcomed. All of them. Everyone deserves food access. The Missoula food bank is so far ahead in that lane that someone implied they were off course, when indeed, their just forging the path ahead. Modeling good citizenship for everyone else.

The only way to change things is to speak up and volunteer. Model good citizenship for those who need some coaching.

And to all the kids (and other humans) in our community who don't "fit in" or "feel comfortable" with the rest...I see you. I'm here for you. I will always speak up and do my best to hold safe space for you. And if you need food now or any time, please reach out to me, because I will personally go get you a food box and discretely deliver it to you if you prefer. Here's to doing better. For everyone.



It's a sad day when supporting inclusivity means being excluded and even shunned from an entire community.

If you love and support our food bank, now would be a great time to donate if you are financially able.

If you plan on responding to this post, I will not be checking back in every few minutes. I will not be responding to hate. It was hard to post this knowing I will initially be attacked. But someone had to say it.

End of Post.

As you can see, I was passionate about the subject. I knew I was opening myself up to attack like the ones that happened in the original post. However, I would like to point out that I never once mentioned Brandon, nor his church. I was trying to stay kinda partial on the weird realtor/church subject.

The comments that ensued are rageful. The context can only be understood by reading them in order. While I cannot give you a particular post on my thread that is actual hate speech, you will see that others in the community read his comments in his deleted thread as well and we refer to it throughout. My original screenshot album was hard to read. So I have made a new one with comments only. <https://photos.app.goo.gl/2trV21g9aHN2kjTE9>

Finally, the following picture is from the original post (but posted as a screenshot by Brandon himself in my post) and sticks out to me. After reading this, It is clear to me that the Realtor Brandon Huber that I was under the impression was handing out food to the kids of Clinton, cannot separate his religious bias from his entire person and will continue to be inherently biased against the LGBTQIAS+ community in any and all circumstance.

Some final thoughts on the subject.

I never attacked the church. I was defending the food bank. A place where I have donated my time that can be quantified in "literal tons" of fresh produce and hundreds of back breaking hours.

I honestly thought we could have a serious community discussion and maybe even some new volunteers surrounding the issue. I was hoping that we could talk about healthy volunteerism and volunteering for the right reasons. I was hoping that we could talk about burn out syndrome and knowing when to gracefully bow out.. I was hoping that it would lead to discussions about

how the kids in our community need more than what we are giving them. Food and stability and inclusion is at the root of the problem. Our community needs more programs so we can get back to work and maybe even grow. I was hoping that was where this conversation was going to go.

I had no idea that Brandon had so much "beef" with so many people in the community. (Meaning that I didn't know how much "other" drama was going to be attracted to this post). Had I known, I may have kept my opinion to myself, he clearly has enough on his plate)

I was under the impression that "Relator Brandon" and his wife were organizing the volunteering to hand out foodbank lunches for the foodbank program. Before the church announced on July 2nd that they would be ending foodbank supplied lunches, I was unaware that it was actually "Pastor Brandon", his wife and congregation organizing and volunteering a church run program, with food supplied by the foodbank. I think that's a significant difference. I am wary of food programs that are "run by a church" and I do not feel the same way about the community food bank programs. Let me explain.

When I get a foodbank "anything", from a public school or public place in general, I expect them to include their "marketing materials" (read also "pride coloring page") inside of whatever I just received. That's their right. They fundraised and allocated that money to specifically get the word out to literally everyone about the services they provide and how they can help. I choose to receive this. I know I am welcomed there. My gay family is welcome there. That's what I knew was being provided.

The church has the same right as far as I am concerned. To knowingly include their own scripture and schedules in whatever service they are providing. In the end, everyone is looking for a bigger audience.

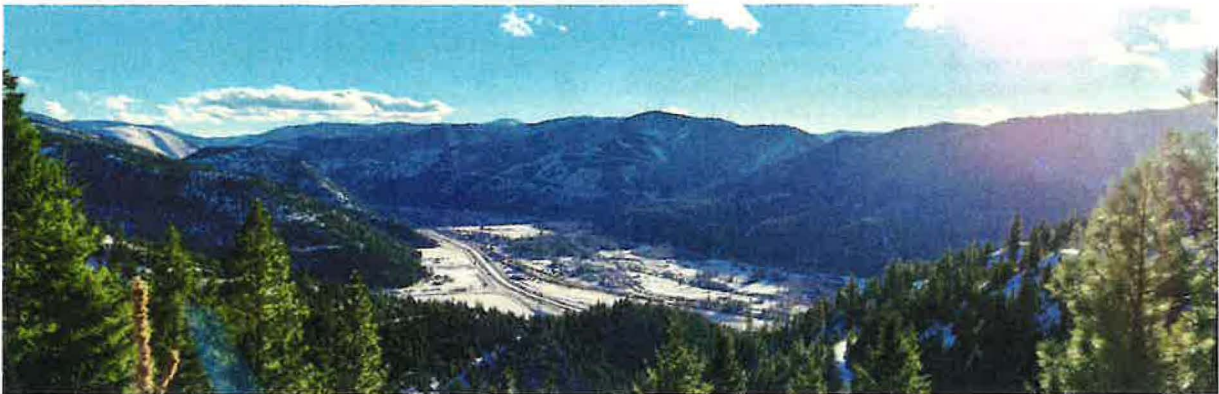
But they were not the ones who were providing the service in this case. It was the food bank, and they were volunteers for that service. No matter if they were representing their church or their real estate while handing out the lunches, they were representatives of the foodbank.

I did not knowingly go to church-run organizations to get food assistance. I don't want to accept the marketing material that I would assume they would provide with their programs, such as vbs and Bible study. I don't want the chance of them slipping their scripture defilement or gay abomination propaganda into my food box (or mail box). Because as I stated above, everyone has that right. I would assume they would include it. If I wanted that kind of help, I would go to a church and ask for help.

But in this case, it's different. I didn't know the program was being run by the church. The fact that they continue on the public school property, feels like a bait and switch tactic. The fact that they now ask our already poor and needy community for money to help pay for them to make lunches that were already allocated and paid for by the food bank seems dirty and wrong. That's why I speak up.

Finally, As I finished typing this, someone forwarded me a pdf of the original post before it was deleted. The comments are not expanded, but you can see where the community was going with this. I will include it with my email and official forms.

Thank you for listening.



# Clinton Area News, Happenings, & Neighborhood Watch

Private group · 1.4K members



Invite



Clinton Community Church shared a post.  
July 2 at 9:57 AM ·

**\*UPDATE\***  
There's been a lot of questions and concerns over the elimination of breakfast. The reason we eliminated breakfast is because the kids were not taking it. The food was going to waste. If there becomes interest in breakfast, we will begin serving it again.  
  
Also, we'd love volunteers to come help us prepare and package meals, to continue to feed ALL kids in this community. Thank you.  
  
**\*\*Notice to Clinton Community\*\***  
  
Please see attached letter from our Lead Pastor. Today we do not have the normal lunch and breakfast, but we will have empower packs to hand out. We will be at the Clinton School today from 10am - 11am.  
  
Also, we will not be handing out summer lunches on Monday July 5th. Have a FUN & SAFE 4th of July!

Dear Clinton Community and surrounding areas,  
  
This year, as well as the past two years, we have partnered with the Missoula Food Bank for the "Kid's Eat Free" summer lunch program. This has been a great honor for us to be able to support the kids and families in our community with these meals throughout the summer months. This past week we found printed material in the lunches that we were handing out, that went against our biblical doctrine. After conversations with the food bank, we have found that our beliefs and that of the Missoula Food Bank do not align. Due to this Clinton Community Church has decided to end our partnership with the Missoula Food Bank effective today July 2, 2021.

- What does this mean for you?
- The summer lunch program starting July 6<sup>th</sup> will continue to be held at Clinton School
  - We will only be providing lunches (breakfast will no longer be provided) through August 20th
  - The time will still be 10:00am – 11:00am
  - Lunches will still be grab and go style lunches
  - We need volunteers to help us make and prepare lunches

Clinton Community Church wants our community to know that we love and support each and every one of you, no matter your background or where you are in life. As a church we strive to show the love of Jesus in all we do throughout this community, while standing up for biblical principles, biblical truths, and our beliefs. It is our goal to continue to serve FREE lunches to kids in our community.

If you would like to volunteer, please contact Meagan through one of the following.  
  
E-Mail: [clintoncommunitychurchmt@gmail.com](mailto:clintoncommunitychurchmt@gmail.com)  
Text: (406) 221-8285  
  
Or send Clinton Community Church a message through Facebook messenger.

Sincerely,  
  
Brandon Huber  
Lead Pastor



## All Comments



Brandon Huber +2

We could use your help at Clinton Community Church preparing lunch's on Monday July 5th at 5pm. Please reach out to Meagan if you are interested in helping 😊

Like · 3w · Edited



Dawn Falch

Some of us would like to know what this "printed material" contained..... was what it said really worth eliminating breakfast for needy children? So does "no matter your background or where you are in life" NOT apply to these 'written materials'? Could i... See More

Like · 3w



Mary Panchot replied · 8 Replies



Clinton Community Church Author

The breakfasts were not being utilized, we had a lot of leftovers, that is why we made the decision to eliminate breakfast. If there is enough interest/requests for breakfast we are absolutely willing to offer it again. The materials and beliefs of the food bank contradict our biblical beliefs, that is why we decided to end our relationship with them. It is something that just came about this year, we have never had an issue with them in the past. We were not notified of this change or given an explanation as to why the propaganda was placed in the children's lunches. It is our goal to serve these meals to the kids in our community, not to push any agenda, for any reason. We simply want to provide where needs arise. Hands of Harvest is another resource available for food. It is the food pantry currently housed in the church, but will be going mobile soon. The Clinton Market has been a great support for this program. Right now, you can choose to "round up" your purchase and the extra change goes to the Hands of Harvest ministry to help provide food for the community.

Like · 3w



Dawn Falch replied · 11 Replies



Clinton Community Church Author

Again, our goal with the lunch program is to serve meals to kids in the community. Whoever comes to us and asks for food, will be given food, no matter their background or where they are in life. Condoning/promoting a lifestyle that is clearly considered a sin in the Bible goes against our church's doctrine and God's Word. We do not discriminate against people and will never treat them any different because of their choices in life. We have the choice of which organizations we partner with and which we break ties with. Things ended amicably with the Food Bank, there are no harsh feelings towards them. We simply disagree on some things, which is ok. We do not expect everyone to agree with us and would appreciate the same in return. In the end, meals are still being provided to the community, the only thing that is different is who is providing the food.

Like · 3w



Tracie McMillan replied · 4 Replies



Tracy Warneke-Klepzig

How was it ok for the church to put VBS papers out there in kids hands but not let them have a coloring page that said pride? How is pushing your agenda on children ok but giving them a coloring page with one word on it not ok? To a child who has no li... See More

Like · 3w





**Clinton Community Church** Author  
Sorry for the late response. We were out this evening. I know that a lot of you have asked about the coloring page and what the context of it was, so here is the front and back of the half sheet of paper. As a church we felt that we should have known that this material was going to be placed into lunches before we handed them out, and the church given the option to remove them from the lunches. We also feel that it is not the responsibility of the Church or the food bank to push something like this to any age group. It is the Food Bank and Church's responsibility to hand out food to our community. We are not here to judge anyone, that is not our job. Our job is to love our neighbor as we would love ourselves, and that is exactly what we are doing. We are still offering food to the same kids that come and any others that want to come. We aren't excluding anyone.

As far as the VBS flyer goes, we handed them out. Anyone who did not want one had the option to reject it, unlike the coloring page, placed in the lunches without the knowledge of the church or anyone receiving the lunch that day. We did receive some complaints from community members because of the coloring page in the lunches. This is what led to us having a discussion with the Missoula Food Bank, and also which led us to our decision. As stated before, we did not leave on bad terms with the Food Bank, we recognized that our beliefs did not line up and left it at that.

We felt the need to share it with the community because of the fact that we were going to be asking for help with preparing the lunches and tried to not make a big ordeal



### Clinton Area News, Happenings, & Neighborhood Watch

Invite

church we believe that God's word is the truth, and we will follow God's word as it is written.

If any of you would like to help continue to feed the children of this community, please help us to do just that, because in the end that is what the church has volunteered to do for the last two and a half years and will continue to do so in the future.



Like · 3w



**Clinton Community Church** Author  
Here is the other side



Like · 3w

Tracie McMillan replied · 1 Reply



Freyja Lundin  
Somehow, I don't think this is what Jesus would do.

Love · 3w



Dawn Falch replied · 1 Reply

An admin turned off commenting for this post.

### About

Inspired by a similar group up in Seeley Lake where people post about lost dogs, mountain lion sightings, school closures, sporting and cultural... [See More](#)

#### Private

Only members can see who's in the group and what they post.

#### Visible

Anyone can find this group.

Clinton, Montana

General



# **EXHIBIT B**

# Grievance Committee Report Form

(Return to Association when completed)

Form #E-5.1

Case #: 2021- E11

**REDACTED**

Brandon Huber

Complainant(s)

Respondent(s)

On August 10, 2021

Date

, the Missoula Organization of REALTORS®

Name of Board

Grievance Committee met to review the above-referenced matter which is a(n) ☐ Request for Arbitration ☒ Ethics Complaint  
 As a result of that meeting, the Grievance Committee recommends the following action.

## Arbitration Request

- ☐ The arbitration request is a matter for mandatory arbitration and shall be forwarded to the Professional Standards Committee for a hearing.
- ☐ The arbitration request is a matter for voluntary arbitration and shall be forwarded to the Professional Standards Committee for a hearing, provided that all parties agree.
- ☐ The arbitration request is not a matter for arbitration and the Grievance Committee dismisses the request. The complainant has the right to appeal the dismissal to the Board of Directors within 20 days from the date that staff transmits the dismissal notice.
- Reason for dismissal: ☐ not timely filed ☐ not arbitrable ☐ board does not have jurisdiction
- ☐ other (explain) \_\_\_\_\_

## Ethics Complaint

- ☒ The complaint, if taken as true on its face, constitutes potentially unethical conduct and will be forwarded to the Professional Standards Committee for a hearing. Articles originally charged: 10 and 12
- ☐ The complaint is amended by adding and/or deleting the following Articles and will be forwarded to the Professional Standards Committee for a hearing:

12

Articles Added

Articles Deleted

Rationale for Article(s) added: \_\_\_\_\_

Reason for dismissing Articles: ☐ not timely filed ☒ allegations do not demonstrate a possible violation of the Code

☐ other (explain) \_\_\_\_\_

Note which reason is applicable to which Article(s) dismissed. If the complainant does not agree with deleting an Article(s), complainant may appeal the dismissal of the Article(s) to the Board of Directors within 20 days of transmittal of the dismissal notice.

If no appeal is filed, the complaint, as amended, shall be forwarded to the Professional Standards Committee for hearing. If an appeal is filed, then no hearing will be held until the appeal is heard.

Reason for dismissing complaint: ☐ not timely filed ☐ allegations do not demonstrate a possible violation of the Code

☐ association does not have jurisdiction over the respondent

☐ other (explain) \_\_\_\_\_

If the complainant does not agree with the dismissal of the complaint, the complainant may appeal the dismissal to the Board of Directors within 20 days from transmittal of dismissal notice.

Grievance Committee Chairperson

Date

(Revised 11/14)