
Mediation Procedures

- (1) Arbitration request received by the Board*
- (2) The Professional Standards Administrator will advise parties of their mediation obligations and options to participate in mediation prior to review of the arbitration request by the Grievance Committee.
Send to complainant:
Request for Mediation form — *Boards may prefer to complete this step by telephone rather than mail*
Agreement to Mediate form
(Set time frame for completed and signed forms to be returned to the Board)
- (3) Upon receipt of completed forms from complainant, **send to respondent:**
Notice of Request for Mediation form with attached copy of complainant's completed Request for Mediation form — *Boards may prefer to complete this step by telephone rather than mail*
Agreement to Mediate form
Mediation Officer Selection form (should be sent to both complainant and respondent)
(Set time frame for completed and signed forms to be returned to the Board)
- (4) Upon receipt of all completed forms, the Board may assign any Mediator not challenged to serve as the Mediation Officer.
Send to both complainant and respondent:
Notice of Selection of Mediation Officer form
- (5) The Mediation Officer should contact the complainant and respondent directly to set an acceptable time and location for the mediation conference.
Send to both complainant and respondent:
Mediation Officer form letter confirming date, time, and location of conference.
(Adequate prior notice should be given parties for scheduling mediation conference — ten [10] days suggested)
- (6) (a) **If the mediation conference successfully resolves the dispute:**
Original signed Mediation Resolution Agreement (Form #A-17) should be forwarded to the Board by the Mediation Officer.
The Resolution Agreement should be kept in the file with all pertinent records pertaining to that case.

Both the complainant and respondent should receive a copy of the Resolution Agreement.
- (b) **If the mediation conference does not successfully resolve the dispute:**
If the parties are unable to resolve their dispute, the Mediation Officer may make the determination that the parties have reached an impasse, and may recommend an equitable solution. The recommendation for resolution can be oral or in writing, and may be provided to both parties at the conclusion of the mediation procedure. (Set time frame for response from parties — not to exceed forty-eight [48] hours)

Any party who does not respond to the Mediation Officer within seventy-two (72) hours will be considered to have rejected the suggested solution.

Mediation Officer should advise the Board that the mediation conference has been terminated without resolution of the dispute.

Mediation Officer will send Termination of Mediation Conference form to Board.

Request for Arbitration will be forwarded to the Board's Grievance Committee for review.

*Boards may also offer disputing parties an opportunity to mediate prior to an arbitration request being filed.

(Amended 11/12)

Board or State Association

Address City State Zip

Request for Mediation

In the matter of Complainant vs. Respondent

I am requesting mediation with the above-named disputant. There is due, unpaid, and owing to me (or I retain) from the above-named person the sum of \$. My claim is predicated upon the statement attached, marked Exhibit I and incorporated by reference into this application.

Signature of REALTOR® Principal/Authorized Designee

Date

Type/Print Name

Phone

Address City State Zip

Form Optional: This may be accomplished by telephone.

(Amended 11/12)