

## **WHAT YOU SHOULD KNOW ABOUT ARBITRATION**

### **WHO IS ENTITLED TO ARBITRATION?**

1. REALTORS® or non-resident member principals of different firms.
2. REALTORS® or non-resident members other than principals or REALTORS® in different firms provided the REALTOR® or non-resident principals with whom they are affiliated join in.
3. A client of a REALTOR® or non-resident member principal provided the client agrees in writing to arbitrate the dispute arising out of their agency relationship and the matter is found to be properly arbitrable.

### **WHO IS ENTITLED TO REQUEST VOLUNTARY ARBITRATION?**

1. REALTORS® and non-resident members who are or were affiliated with the same firm, if each party voluntarily agrees in writing and if the association finds the dispute properly arbitrable.
2. A REALTOR® or non-resident member principal may request arbitration with a nonmember broker, providing that each party agrees in writing to arbitration and providing the association finds the matter properly arbitrable.
3. A REALTOR® or non-resident member principal and a customer provided that a written contractual relationship has been created between the customer and a client, the customer and the REALTOR® or nonresident member agrees in writing to arbitrate the dispute and the matter is found to be properly arbitrable.

### **MUST THE ASSOCIATION ARBITRATE ALL DISPUTES?**

No, the board association may decline to arbitrate if its' Grievance Committee determines that the dispute is not properly arbitrable.

The filing of litigation and refusal to withdraw from it by the REALTORS® in an arbitrable matter constitutes a refusal to arbitrate. (Adopted 2/86) in accordance with Article 17, Standard of Practice 17-1 of the NAR Code of Ethics).

### **ARBITRATION ALTERNATIVES**

Currently the association offers mediation to resolve monetary disputes between REALTOR® Brokers who are members of the Clark County Association of REALTORS®.