ARBITRATION RESPONSE

_____ ASSOCIATION OF REALTORS®

Case No. _____ _____ vs. _____
Complainant(s) Respondent(s)

1. At the time the facts and circumstances giving rise to this dispute occurred, I (we) was a:

   ☐ REALTOR®/REALTOR-ASSOCIATE® Member of the Association
   ☐ Participant/subscriber of the Association's MLS

   As such, I have previously agreed to resolve this dispute with the named complainants through binding arbitration using the Association's facilities and its rules and procedures for arbitration. Accordingly, I reaffirm my agreement to bind myself and any firm for which I am the designated broker of record to be bound by arbitration through the Association. Furthermore, I reaffirm my agreement to abide by the Association's rules and procedures for arbitration and to comply with the arbitration award. I understand and agree that this constitutes an arbitration agreement within the meaning of Part 3 Title 9 of the California Code of Civil Procedure. **In the event I or my firm does not comply with the arbitration award and it is necessary for any party to this arbitration to obtain judicial confirmation and enforcement of an arbitration award against me or my firm, I and my firm agree to pay the party obtaining such confirmation their costs and reasonable attorneys' fees incurred in obtaining such confirmation and enforcement. I also understand that if I do not comply with the arbitration award, I may be disciplined by the Association following a "show cause" hearing pursuant to the arbitration enforcement policy.**

2. I acknowledge the existence of a dispute arising out of the real estate business but deny any indebtedness to the complainants as alleged in their complaint. My denial is based upon the statement attached, marked "Exhibit A," which is hereby incorporated by reference and made part of this response. If I object to the Association's jurisdiction to process this matter, I have stated those objections in my Exhibit A and I understand that the hearing Panel for this matter will ultimately rule on such objections.

3. **COUNTERCLAIM (if applicable):** Furthermore, I assert a counterclaim against the following complainant(s):

   _____

   owes me the sum of $_____. My claim is based upon the statement attached, marked "Exhibit B," which is hereby incorporated by reference and made part of this response. I understand that if I claim a person(s) other than the complainant(s) owes me money related to this dispute, I must file a separate arbitration complaint with the Association naming that person(s), assuming such person(s) is subject to the jurisdiction of the Association's arbitration process.

4. I understand there will be a mechanical tape recording of the arbitration hearing. I understand that I may purchase a copy of the tape recording solely for the purpose of requesting a procedural review of the arbitration procedures and hearing by the Association's Board of Directors or an appointed review Panel thereof.

5. I understand that I may be represented by legal counsel at any time, including at the arbitration hearing and any procedural review. I further understand and agree that if I intend to have legal representation, I must give written notice of my legal representative's name, law firm name, address and phone number to all parties and the hearing and/or review Panel at least fifteen (15) calendar days before the scheduled date of the hearing. I understand and agree that failure to comply with this notice requirement may result in a continuance being granted and a continuance fee assessed against me.

   I understand that the nature of these proceedings are confidential and that I have an obligation to maintain and protect the confidentiality of these proceedings and any resulting decision. I hereby agree to do so unless disclosure is authorized by the Association's rules and procedures or required by law.

6. I hereby affirm that the facts and circumstances and the parties in this matter are not related to any pending bankruptcy, civil litigation matter or criminal investigation, including a proceeding before a governmental regulatory agency. If I am unable to make this affirmation, I have attached a written statement describing the pending matter on a separate sheet of paper and have included it with this complaint.

7. I will be represented by an attorney, whose name, address, telephone number, and email address are:

_____
_____
_____
_____

8. Under the penalties of perjury, I declare that this arbitration response and the statements contained herein are true and correct to the best of my knowledge and belief.

Dated: _____

RESPONDENT(S):

(1)_____
Signature of Authorized Person

_____
Name of Respondent Brokerage (Type or Print)

_____
Firm

_____
Street Address

_____
City, State, Zip

_____
Phone email

(2)_____
Name (Type or Print)

_____
Signature

_____
Street Address

_____
City, State, Zip

_____
Phone email

(3)_____
Signature

_____
Name of Responsible Broker (Type or Print)

_____
Firm

_____
Street Address

_____
City, State, Zip

_____
Phone email

(4)_____
Name (Type or Print)

_____
Signature

_____
Street Address

_____
City, State, Zip

_____
Phone email

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