CLIENT INFORMATION SHEET
ARBITRATION

_____ Association of REALTORS®

Clients of REALTOR® and REALTOR-ASSOCIATE® members of the Association may elect to arbitrate real estate related disputes with these members through the Association arbitration process. However, in order to invoke Association arbitration, the person must be a "client." A "client" is defined as a person who had a legal agency relationship with the REALTOR® or REALTOR-ASSOCIATE® member. Typical situations where this relationship is created are between sellers and their listing broker and buyers and their agent representative.

If you are eligible for arbitration at the Association and elect to file an arbitration complaint with the Association, the arbitration will be processed and conducted according to the rules and procedures used by the Association for arbitration. However, please be advised of the following.

You may have a right to initiate a court action to resolve the dispute. If you elect to use the Association arbitration process, you may be waiving your rights to have this dispute heard and resolved in a court of law. As such, you may want to consult an attorney prior to filing an arbitration complaint with the Association.

If there is a written agreement between you and the REALTOR® or REALTOR-ASSOCIATE® member which contains an arbitration clause that references another arbitration service or provider, such as a listing agreement or buyer-broker agreement, the Association cannot process your arbitration complaint. Instead, you must initiate arbitration according to the terms of the written agreement.

It is strongly recommended that you review the Association's rules and procedures prior to filing an arbitration request. The Association's rules and procedures contain several differences from other arbitration service providers and civil court that should be carefully examined.

Association arbitration is only available to resolve disputes between REALTORS®/REALTOR-ASSOCIATES® members of the Association and their clients. If you have a dispute with a real estate broker or agent who is not a member of the Association or who did not represent you in a legal agency capacity, the Association does not have jurisdiction to process an arbitration complaint against or including such persons. In these situations, it is recommended you consult an attorney to determine the most appropriate course of action to resolve your dispute with that person.

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