



## ARBITRATION COMPLAINTS

### General Instructions and Information

An arbitration request involves a dispute over entitlement to a monetary transaction (e.g., commissions). A customer, client, or principal broker can file an arbitration request. A non-principal broker can also request arbitration with their current or former principal broker.

#### Before you file an Arbitration Request, please keep in mind the following:

- Arbitration is not a disciplinary proceeding – *Arbitration is a dispute over money. The end result of an Arbitration request will be the determination of the Hearing Panel as to who is entitled to the funds being disputed.*
- There will **not** be damages awarded as a result of an Arbitration – *Only the funds being disputed will be considered. A panel of the Association cannot award funds in addition to those being disputed.*
- Submitting to an Arbitration is NOT always mandatory – *MANDATORY Arbitration occurs when a dispute is between REALTORS® who are both principals OR between a principal and their clients. VOLUNTARY Arbitration occurs when a dispute is between REALTORS® in the same firm, a REALTOR® who is a broker-in-charge and a non-broker-in-charge.*
- A complaint must be filed within 180 days after the closing of the transaction or within 180 days after the facts could have been known.

#### What you need to know to file an Arbitration request:

- Complete and sign the Request for Arbitration form provided.
- Indicate the exact amount in the dispute.
- Attach an explanation of the circumstances surrounding the request. Please be as specific as possible; state exactly why you feel entitled to an award of some kind. **Do not include allegations of unethical conduct in your request for arbitration – if you feel the REALTOR® violated the Code of Ethics, please file an Ethics Complaint.**
- Attach copies of any and all pertinent documents, contracts, agreements, emails/correspondence, etc.
- Keep a copy of everything for your records.
- Include a \$150 filing deposit.

- Complaints must be submitted by email to [coleen@ar-nc.com](mailto:coleen@ar-nc.com) or by mail/in person to:

Albemarle Area Association of REALTORS®, Inc.

426A McArthur Drive

Elizabeth City, NC 27909

Attn: Professional Standards Administrator

### **What happens next?**

All complaints will be referred to AAAR's Executive Officer and/or Professional Standards Administrator and a representative of the Grievance Committee. If the Grievance Committee finds the matter submitted to warrant a hearing, it will be referred to the Professional Standards committee for a hearing. If the matter submitted is not found to constitute a proper cause of action, it will be returned to you with the decision of the Grievance Committee, together with information advising you of the procedures by which the Grievance Committee's decision may be appealed to the Board of Directors.

If a hearing is scheduled, the respondent to the complaint will have 15 days to reply. The copy of the reply will be sent to the complainant. The date for hearing will be set and all parties will be notified of the date and place of hearing at least 21 days in advance.