



PUEBLO ASSOCIATION OF REALTORS,® INC.

2220 Kachina Dr
PUEBLO, COLORADO 81008
TELEPHONE 719/545-3666
FAX 719/545-3668

Regarding: Filing Grievance's & Arbitration's

In order to process a Grievance complaint against a REALTOR, you must first put it in writing (Anonymous is not accepted) please use Form #E-1. Please review the National Assoc. of Realtors Code of Ethics and Standards of Practice (see attachment to this web page and list which code(s) you feel were violated and why. Please be code specific for each code violated. There is no charge to file a Grievance.

You may also file Arbitration. Arbitration is filed if you wish to receive any monies back from an individual. You cannot receive any monies when you file a grievance. You may file for both, but the arbitration will be heard first. In order to file arbitration, you must submit \$100.00 for a filing fee along with your original complaint using either Form #A-1 if you are a REALTOR or Form #A-2 if you are not a REALTOR. If the arbitration needs to be sent to State level for processing, the fee is raised by another \$250.00

One question I like to ask anyone filing a complaint is, have they contacted the Broker of the office involved? Most of the times, these complaints can be solved with a simple phone call.

Penalties for any violations can result in punishments from a letter of reprimand placed permanently in the REALTORS file, or up to termination of the REALTOR membership along with fines ranging from \$150 to \$5,000 payable to the Pueblo Association of REALTORS. Arbitration's can be for any value, but if the request is for over \$50,000 then the complaint is automatically forwarded to the state association. **Arbitration's can only be for actual damages, punitive damages are not allowed.**

A complainant may be frustrated by what appears to be unnecessary delay. However, the association operates a quasi-judicial system and must ensure due process. It is important to understand that we do not process legal complaints, nor do we award damages or cancel a real estate license.

Arbitration's & Ethics complaints must be filed within six months from the date or when facts are known.

**Mail the complaint to the Pueblo Association of REALTORS, Inc. at 2220 Kachina Dr, Pueblo Colorado, 81008
Along with your complaint please attach Fifteen (15) copies of your complaint. Please be very specific, detailed and attach any supporting documentation.**

Upon receipt, the complaint will be forwarded to the respondent and they will have 15 days to respond to the complaint. You will receive a copy of the response when a hearing is scheduled or the complaint is dismissed. When both complaint and response has been received, the Grievance Committee will then review the complaint and they can #1. Request additional information, #2. Add more articles or delete articles that are/aren't appropriate #3 Consider the complaint as an arbitration rather than for ethics (and vice versa); #4 They can dismiss the complaint or #5 Have the complaint scheduled for hearing. You will be notified in writing on their decision. If the complaint is to be sent to Professional Standards for processing, you will be notified of the hearing date after challenged review by both the complainant and respondent of the hearing panel.

The hearing will be held at 2220 Kachina Dr... You will have a chance to give your testimony in person, and you may have witnesses, cross-examine the complainant and vice versus. Legal Counsel may also represent you. All witness's and legal counsel names must be provided to the Executive Vice President seven (7) days prior to the hearing. After all sides present their information the hearing panel will make their decision and it will be mailed to all parties.

After a hearing has concluded, the complainant or respondent can petition for a rehearing solely on the basis of new evidence that could not have been discovered and produced at the original hearing in the exercise of reasonable diligence. The complainant also has a right of appeal limited solely to alleged failures of due process. The respondent has a wider basis for appeal, including misapplication or misinterpretation of an Article(s), appropriateness of the recommended sanction, failure of due process, or other valid bases.

Should you have any further questions, please feel free to contact me at tesspick@parmls.org or call at 719-545-3666 during normal business hours.

Regards,

Tess Pickerel
Association Executive Officer
Pueblo Association of REALTORS, INC.