

OMBUDSMAN PROGRAM

at the
Arizona Association of REALTORS®

Serving Local Member Signatory Associations:

Bullhead City / Mohave Valley * Central Arizona * Douglas * Graham / Greenlee * Green Valley * Kingman / Golden Valley
Lake Havasu * La Paz * Northern Arizona * Phoenix * Prescott Area * Santa Cruz * Sedona / Verde Valley * Southeast Arizona
Scottsdale Area * Tucson * West Maricopa County Regional Western Pinal * White Mountain * Yuma

History

In 1809, the Swedish legislature developed the first ombudsman program to respond to public complaints against government actions. The first ombudsmen were officials appointed to investigate complaints against government institutions and the people working for them. In the 1960's, U.S. universities adopted the ombudsman process to respond to the student protest movements. Modern day ombudsmen are individuals who assist parties to resolve all types of disputes.

NATIONAL ASSOCIATION OF REALTORS® (NAR) ADOPTION

The NAR adopted ombudsman procedures to provide enhanced communications and initial problem-solving at the local and state level. NAR allows local and state associations to adopt and utilize these procedures at their discretion.

AAR'S IMPLEMENTATION

The AAR uses ombudsmen to serve as informal peer mediators. Ombudsmen attempt to resolve disputes between parties in a real estate transaction by telephone. Their primary role is one of communication and conciliation, not adjudication.

AAR Ombudsmen respond to a wide variety of inquiries and complaints, including general questions about real estate practice, transaction details, ethical practice, enforcement issues, and monetary disputes. Most ombudsman requests are result of a lack of communication. An important benefit of the AAR Ombudsman Program is the ability to resolve a dispute within days, as opposed to mediation (which can take up to 30 days) or the hearing process (which can take up to 90-120 days).

In selecting individuals to serve as ombudsmen, the AAR trains REALTOR® volunteers who are fair and

credible; impartial; confidential; and are knowledgeable of the NAR's Code of Ethics, state license laws, real estate contracts, and general real estate business practices.

If the dispute cannot be resolved through the AAR Ombudsman Program, the complainant still has the opportunity to file an ethics complaint or an arbitration request. While the parties participate in the AAR Ombudsman program, the 180 day filing deadline is suspended from the date of the ombudsman request was received until the date the ombudsman effort is concluded.

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