

PROFESSIONAL STANDARDS MEDIATION OF A BUSINESS DISPUTE PROCESS



The pre-printed portion of this form has been drafted by the Arizona Association of REALTORS®. Any change in the pre-printed language of this form must be made in a prominent manner. No representations are made as to the legal validity, adequacy and/or effects of any provision, including tax consequences thereof. If you desire legal, tax or other professional advice, please consult your attorney, tax advisor or professional consultant.



MEDIATION OF A BUSINESS DISPUTE

1. Mediation of a business dispute is an alternative dispute resolution process (ADR) offered by Arizona Association of REALTORS® (AAR).
2. A mediation conference will be arranged when all parties agree to participate – mediation is voluntary.
3. There is no fee associated with mediation, unlike arbitration.
4. A trained REALTOR® mediator will work with the parties to resolve the dispute and arrive at a mutually agreed upon settlement.
5. The parties to the dispute decide the settlement rather than a hearing panel decision for them.
6. Mediation = win-win, whereas a Hearing Panel = one winner, one loser.
7. If the parties to the dispute cannot agree on a settlement they may terminate the mediation.
8. Mediation is a confidential process.
9. Mediation moves faster than a formal arbitration process.

SUBMISSION OF A REQUEST FOR MEDIATION

1. Have the Designated Broker [REALTOR® Principal] sign and approve request for mediation.
2. Include a written narrative describing the circumstances and label the narrative as Exhibit 1. Supporting documents are optional.
3. Once AAR receives the completed Request for Mediation AAR will contact the opposing party to offer mediation and describe the process.
4. If all parties agree in writing, AAR will arrange a mutually agreeable conference date.
5. In the event a resolution is not successful, the Complainant can file a formal arbitration request or can continue with a previously filed request.

PROFESSIONAL STANDARDS REQUEST FOR MEDIATION OF A BUSINESS DISPUTE



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File # _____

1. IN THE MATTER OF

1.a _____ vs. _____
[Complainant(s)] [Respondent(s)]

1. I am requesting Mediation with the above-named respondent.
2. I allege that there is due, unpaid, and owing to me (or I retain) from the above-named person the sum of \$ _____.
3. My claim is predicated upon the statement attached, marked "Exhibit "1 and incorporated by reference into this application.

2. I ACKNOWLEDGE

2a. I have not, as of this date, requested arbitration of this dispute before this or any other Association of REALTORS®.

REALTOR® Principal:

4. _____
Signature of REALTOR® Principal / Authorized Designee Date
5. _____
Type / Print Name Telephone
6. _____
Email
7. _____
Address City State Zip

REALTOR® Associate:

8. _____
Signature of REALTOR® Associate Date
9. _____
Type / Print Name Telephone
10. _____
Email
11. _____
Address City State Zip

ARIZONA ASSOCIATION OF REALTORS®
255 East Osborn Road, Suite 200, Phoenix AZ 85012
(602)248-7787 - (800)426-7274 - (602)351-2474 - ethics@aaronline.com