

How to File a Request for Arbitration:

From Article 17

In the event of contractual disputes or specific non-contractual disputes as defined in Standard of Practice 17-4 between Realtors® (principals) associated with different firms, arising out of their relationship as Realtors®, the Realtors® shall submit the dispute to arbitration in accordance with the regulations of their Board or Boards rather than litigate the matter.

In the event clients of Realtors® wish to arbitrate contractual disputes arising out of real estate transactions, Realtors® shall arbitrate those disputes in accordance with the regulations of their Board, provided the clients agree to be bound by the decision. The obligation to participate in arbitration contemplated by this Article includes the obligation of Realtors® (principals) to cause their firms to arbitrate and be bound by any award. (Amended 1/01)

Realtors are required by the Code of Ethics to Arbitrate, rather than litigate, when financial disputes arise. The local Association administers the Arbitration proceeding, which requires that parties attend a professional standards hearing. The hearing panel is made up of Realtors® who determine which party should be awarded the amount in dispute.

Prior to the professional standards hearing being held, the parties to Arbitration proceeding will be offered the opportunity to Mediate their dispute. Mediation is provided at no cost to parties to an Arbitration proceeding, and can result in a win-win situation for the brokers. If Mediation is not successful, or if the brokers do not wish to attempt to Mediate, then the hearing is held as scheduled and the outcome is determined by the hearing panel.

To file for Arbitration with a BCAR member, please complete the Request to Arbitration Form (A-1), and submit it with a check in the amount of \$350.00.

Your request should also include a typewritten narrative (explanation) of your grievance signed and dated for our files. You can also include any supporting documents, exhibits or attachments to the complaint.

Please also note that Requests for Arbitration must be filed by a Realtor® Principal (Broker, Designated Realtor or Office Manager) and must name a Realtor® or Office Manager) and must name a Realtor® Principal as the responding party. Your Request for Arbitration will go before the BCAR Grievance Committee who will determine whether or not the request is properly Arbitrable and warrants a Professional Standards hearing. Should a hearing be warranted; BCAR will also provide you with the proper notification and outline of hearing. As well as offer information to both parties to the dispute an alternative to Arbitration called Mediation, in which a professional mediator can assist the parties to resolve the issue without a hearing. If the parties do not choose this option, a hearing will be scheduled.