



Valley Board of REALTORS®

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Valley Board of REALTORS® Mediation Procedure

1. A REALTOR® or a client requests a Dispute Resolution Package (Mediation).
2. Each party pays \$300. The Complainant files and pays \$300. Then I proceed as shown below. If the Respondent either does not respond or refuses to mediate, I refund the entire \$300 to the Complainant. I don't keep the money if mediation does not occur.
3. I ask the person if they would like an overview of the procedure.
4. Mediation is the least expensive, most civilized method for dispute resolution.
5. The mediator is a facilitator, not a judge. The mediator assists the parties in reaching resolution.
6. Traditionally, the REALTOR® does not participate in the actual mediation. Parties may bring legal counsel but they are there only to advise their party. (We find that the fewer people in the room, the most likely parties are to reach resolution).
7. The parties are separated until the mediation begins.
8. All parties sign confidentiality agreement.
9. Mediator has complete control as to conduct of mediation.
10. Although the real estate documents state that if a problem arises, mediation is required, sometimes the Respondent refuses to respond. The Respondent could simply ignore the request or state that he will not participate in mediation. The board has no authority. If this occurs, a full refund is given to the Complainant. If mediation does not occur, the board does not retain the fee.
11. Complainant filed a request. I write a cover letter to the Respondent, include a copy of the complaint and include a blank package for the Respondent to return to the board. As soon as I have both documents I schedule a mediation.
12. The mediator will have no affiliation with the parties or with the brokerage(s) of either the Complainant or the Respondent. VBR does not offer parties choice in mediator – parties are assigned mediator based on availability.
13. Schedule mediator, Complainant & Respondent for mediation. Provide private venue. Upon resolution, all parties sign Mediation Resolution Agreement. Each party is

provided a copy of the executed agreement. I keep a copy of the Mediation Resolution Agreement. All other documents are shredded.

14. Each Board must keep an on-going register of all professional standards matters including mediation.

This is VBR's procedure. You can develop your own procedure. I have included the pertinent section from NAR's Code of Ethics and Arbitration Manual. Each board should have a current copy. Manual updated annually.