

FILING FOR MEDIATION/ARBITRATION

If you intend to file an arbitration request please read the following instructions and uses these forms:

- Form #A-1 Request and Agreement to Arbitrate
- Form #A-10 Outline of Procedure for Arbitration Hearings/Due Process Procedure
- Request for Mediation
- Agreement to Mediate

Mediation prior to Arbitration is required by CWBR. Please complete the request for mediation and file it with your request for Arbitration. We will forward this request to the other party involved and mediation for this request will be set up. If the mediation is unsuccessful we will then forward your request for Arbitration to a grievance committee. Complete Form #A-1 and the Request for Mediation form, attach a statement detailing the series of events that led you to file this request, all documentation that you intend to bring to any subsequent hearing (must be typewritten). There is a **\$300.00 filing fee payable to the Central Wisconsin Board of REALTORS** for all arbitration hearings. **PLEASE NOTE: THE \$300.00 FILING FEE IS ONLY PAYABLE IF MEDIATION IS UNSUCCESSFUL AND THE COMPLAINT GOES TO AN ARBITRATION HEARING.** Both parties requesting arbitration are required to pay the filing fee. If the complaint goes to a hearing the filing fee will not be returned to the non-prevailing party. Also, please keep in mind that an arbitration request must be filed within 180 days of the dispute (*#47-A "Requests for arbitration must be filed within one hundred eighty (180) days after the closing of the transaction, if any, or within one hundred eighty (180) days after the facts constituting the arbitrable matter could have been known in the exercise of reasonable diligence, whichever is later."*), and that arbitration requests must name the PRINCIPAL BROKERS AND MAY ALSO NAME THE OFFICE CONCERNED as the Complainant and Respondent. (Sales Associates can be named as witnesses only. In the event that a Sales Associate is named as a witness due to his/her major role in the real estate transaction, that Sales Associate may attend any subsequent hearing in its entirety.)

If Mediation is unsuccessful a Review Panel will review your request for arbitration. After reviewing your Request for Arbitration and receiving your filing fee, the complaint will be either referred to the Hearing Panel or dismissed. The Review Panel does not determine who is or is not awarded money. The Review Panel reviews the Request to determine whether or not the matter is in proper form, includes all pertinent documentation, and is subject to arbitration on a mandatory or voluntary basis. If the Review Panel decides the case should be forwarded for a hearing, the information is given to the Hearing Panel Chair for scheduling. At the same time, the Central Wisconsin Board of REALTORS® will notify the other party to the dispute and request a Reply and their filing fee. When the Reply is received, our office will send you a copy of it.

If the Review Panel dismisses the request as not being properly subject to arbitration, you will have the right to appeal within the stated period of time. At that appeal, only those materials which were originally presented to the Review Panel, will be considered by the Directors of the CWBR. You do not have the right to attend that appeal.

Please contact CWBR at cwbr@cwbr.org or 715-693-7325 with any questions.

Documents can be emailed to cwbr@cwbr.org or mailed to CWBR, 925 S Park View Circle, Mosinee WI 54455