

**GENERAL INSTRUCTIONS AND INFORMATION FOR
FILING AND RESPONDING TO REQUESTS FOR ARBITRATION
Complaints are Broker to Broker**

1. The "Request and Agreement to Arbitrate" must be filled out and submitted with any documentation you feel will support your claim to the Professional Standards Administrator of the Pikes Peak Association of REALTORS®. (No letter complaints will be accepted.) All complaints must be filed on "**Form #A1 "Request and Agreement to Arbitrate"**" and all documents supporting the claim must be included.
2. The request 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.
3. Each party to an Arbitration Hearing must submit a **\$500.00 filing fee** along with their Request or Response to Arbitrate. (Checks are made payable to PPAR)
4. After the request for arbitration has been filed, Respondent will be notified and offered a chance to mediate the issue at no cost, if the Complainant has also submitted the Request for Mediation. Mediation is voluntary and must be agreed to by both parties to move forward. If the dispute is mediated at this point in the process, the full \$500 will be refunded to the Complainant. If Mediation is accepted by the Respondent, Respondent will receive a full copy of Complainant's Arbitration request.
5. Arbitration Requests will be reviewed by the Grievance Committee of the Pikes Peak Association of REALTORS®.
6. If Arbitration Request is found to not constitute a proper cause of action by the Grievance Committee, it will be returned to the Complainant with the decision of the Grievance Committee, along with information advising the complainant of the procedures by which the Grievance Committee's decision may be appealed to the Board of Directors.
7. If the Grievance Committee finds the matter to constitute a proper cause of action, it will be referred back to the Professional Standards Administrator. Respondent will have fifteen (15) days from receipt of their notice to file their "Response & Agreement to Arbitrate" (Form # A4). Reply must be submitted with any documentation available to support Respondent's case. Reply is returned to the Professional Standards Administrator of the Pikes Peak Association of REALTORS®. A filing fee of \$500.00 is due at the time the reply is filed.
8. Respondent's reply will be furnished to Complainant within five **(5) days** of receipt by Professional Standards Administrator.
9. At this time both parties will be offered Mediation a second time, unless Mediation was previously declined by either party during this process. If Mediation is successful or if the dispute is settled in any other manner, the parties shall notify the Professional Standards Administrator of any such settlement and \$400.00 of the \$500.00 filing fee will be returned to each individual party.
10. If the matter cannot be settled through Mediation, the Professional Standards Administrator will proceed with a hearing date.
11. Parties will be e-mailed a list of possible Hearing Panel Members and have an opportunity to challenge anyone on the list for good and solid reasoning. Challenge lists are to be returned within ten **(10) days** of receipt by parties, to Professional Standards Administrator at: ethics@ppar.org
12. A hearing date will be set and all parties will be notified of the date, time and place of hearing at least twenty-one **(21) days** prior to the hearing.
13. All parties may be represented by legal counsel. This notice of intent to be represented must be submitted to the Professional Standards Administrator at least fifteen **(15) days** prior to the date of the hearing. Failure to provide timely notice may result in a continuance of the hearing.
14. If parties intend to have witnesses present at the hearing, they must submit the names in writing to the Professional Standards Coordinator at least fifteen **(15) days** prior to the hearing date. It is the responsibility of each party to notify witnesses and legal counsel of the date, time and place of the hearing.
15. All parties are strongly encouraged to return all documentation relating to their case with the Request or Response form. Parties may submit additional documentation until fifteen **(15) days** prior to the hearing date, but this action may cause a continuance of the hearing. Any additional documentation may be brought the day of the hearing and the Chairperson for the hearing will determine if it is admissible.
16. Parties shall not discuss the case with any member of the Hearing Panel at any time prior to announcement of a decision in the case.
17. No hearing will be held in the absence of a complainant. An arbitration hearing may (depending on state law and the option selected by the Association) proceed in the absence of the respondent.