

# REQUEST FOR ARBITRATION

*(Resolution of Commission Disputes)*

## Instructions:

1. A request for arbitration shall be in writing.
2. The request for arbitration **must be signed by the Principal Broker** and Complainant.
3. The Request for Arbitration **must include the name of the Principal Broker of the firm you are requesting arbitration with under Respondent** (also include the agent's name if not the Principal Broker).
4. It is also recommended that copies of any pertinent or relevant documents be included with the request (purchase agreement, listing agreement, etc.), as well as a summary of events.
5. Requests for arbitration must be filed within 180 days after the facts constituting the arbitrable matter could have been known in the exercise of reasonable diligence.
6. The request must indicate the nature of the controversy, the amount in dispute and *be accompanied by a \$100.00 filing fee*. If the Complainant (or originator of the arbitration) is successful and the Professional Standards Committee so determines, the filing fee shall be returned to the Complainant. **IMPORTANT: a request for arbitration is not considered filed until the \$100.00 filing fee is received.**

**Important Note Regarding Filing Arbitrations:** When arbitration occurs between two or more cooperating brokers and where the listing broker is not a party, the amount in dispute and the amount of any potential resulting award is limited to the amount paid to the respondent by the listing broker. Alternatively, the arbitration request may be brought against the listing broker who may name the first cooperating broker as a party to the arbitration.

## PROCEDURE

When an arbitration request is filed, a response is requested. Once the arbitration response is received at MIBOR, the request and response are promptly referred to the Chairman of the Grievance Committee for the determination of the Committee as to whether the matter is subject to arbitration.

The function of the Grievance Committee is to make only such preliminary investigation and evaluation of the request for arbitration as required to determine: (1) whether the matter is properly arbitration, (2) whether the proper parties are named in the request (3) whether the arbitration is mandatory or voluntary based upon the requirements of the Code of Ethics and Arbitration Manual.

If the Grievance Committee finds the matter properly arbitrable, the Chairman will refer it to the Professional Standards Committee for a hearing.

If you have any questions regarding the procedure or the requirements, please contact the Professional Services Department at the Metropolitan Indianapolis Board of REALTORS® (317/956-1912).

# REQUEST FOR ARBITRATION

To the Grievance Committee of the Metropolitan Indianapolis Board of REALTORS®

## Petitioner

## Respondent

\_\_\_\_\_  
(Agent (Type/Print))

\_\_\_\_\_  
(Agent (Type/Print))

\_\_\_\_\_  
(Principal Broker (Type/Print))

\_\_\_\_\_  
(Principal Broker (Type/Print))

\_\_\_\_\_  
(Firm (Type/Print))

\_\_\_\_\_  
(Firm (Type/Print))

Petitioner claims that on/or about \_\_\_\_\_, a dispute arising out of the Real Estate Business as defined by Article 17 of the Code of Ethics exists between Petitioner and above named Respondent concerning Property located at: \_\_\_\_\_.

The amount in dispute is: \_\_\_\_\_.

Petitioner's claim is supported by the *attached statement*, signed and dated by Petitioner (be specific: time, date, person, location). Any *supporting documentation* (i.e. Listing Contract, Purchase Agreement, etc.) is also attached.

This claim and the allegations contained herein are true and correct to the best knowledge and belief of the undersigned Petitioner and is filed within 180 days after the facts constituting the dispute could have been known in the exercise of reasonable diligence.

Petitioner encloses a check in the sum of **\$100.00** for the *arbitration filing fee*.

Is there any current legal action relating to these circumstances? \_\_\_\_\_ Yes \_\_\_\_\_ No

PETITIONER:

\_\_\_\_\_  
(Agent Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Principal Broker Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Firm)

ADDRESS and PHONE#:  
  
\_\_\_\_\_  
  
\_\_\_\_\_

**Mail: 1912 N. Meridian Street, Indianapolis, IN 46202**  
**FAX: 317/956-5050**