

Association of REALTORS® Form #A-1
Request and Agreement to Arbitrate

1. The undersigned, by becoming and remaining a member of the Minnesota Association of REALTORS® (or Participant in a local or Regional MLS), has previously consented to arbitration through the Association under its agreement with the local Board.
2. I am informed that each person named below is a member in good standing of the Minnesota Association (or Participant in a local or Regional MLS), or was a member of said Association of REALTORS® at the time the dispute arose.
3. A dispute arising out of the real estate business as defined by Article 17 of the Code of Ethics exists between me (or my firm) and:

_____, REALTOR® Principal _____
Name Address

Firm Address

4. There is due, unpaid and owing to me (or I retain) from the above-named persons the sum of \$_____. My claim is predicated upon **the statement attached and attached exhibits**. The disputed funds are currently held by: _____.
5. I request and consent to arbitration through the Minnesota Association in accordance with its *Code of Ethics and Arbitration Manual*, and I agree to abide by the arbitration award and to comply with it promptly.

In the event I do not comply with the arbitration award and it is necessary for any party to this arbitration to obtain judicial confirmation and enforcement of the arbitration award against me, I agree to pay the party obtaining such confirmation the costs and reasonable attorney's fees incurred in obtaining such confirmation and enforcement.

6. Enclosed is a **company check** in the amount of \$250.00 for the arbitration filing deposit made payable to the Minnesota Association of REALTORS®.
7. I understand that I may be **represented by legal counsel**, and that I should give **written notice no less than 15 days before the hearing** of the name, address and phone number of my attorney to all parties and the Association. Failure to provide this notice may result in a continuance of the hearing, if the Hearing Panel determines that the rights of the other party(ies) require representation.

Each party must **provide a list of names of witnesses** he intends to call at the hearing to the **MNAR and to all other parties not less than 15 days prior to the hearing**. Each party shall arrange for their witnesses to be present at the time and place designated for the hearing. The following REALTOR® non-principal (**agent**) affiliated with my firm **has a financial interest** in the outcome of the proceeding and **has the right to be present throughout the hearing**:

_____.

8. Under the penalties of perjury, I declare that this application and the allegations contained herein are true and correct to the best of my knowledge and belief and this request for arbitration is filed within 180 days after the closing of the transaction, if any, or within 180 days after the facts constituting the arbitrable matter could have been known in the exercise of reasonable diligence, whichever is later.

9. If either party to the arbitration request believes that the Grievance Committee has incorrectly classified the issue presented in this request as being arbitrable, the party may petition their appeal to the Hearing Panel at the scheduled proceeding before the merits of the case are heard. Proper notice should be filed with the MNAR Administrator prior to or at the start of the arbitration hearing.

10. Are the circumstances giving rise to this arbitration request the subject of civil litigation?
____yes ____no (If yes, please provide details of who the parties are to the litigation that has been filed, when the litigation was filed and the status of the litigation)

11. Address of the property in the transaction giving rise to this arbitration request:

12. The sale closed on: _____

13. **MEDIATION:** Voluntary mediation is a process in which the **parties, with the assistance of a** qualified neutral **Mediation Officer, attempt to resolve dispute.** The Mediation Officer will attempt to create and maintain an atmosphere of communication between the parties while facilitating their negotiation but will not dictate an award.. Mediation is a viable alternative to formal arbitration, if the parties are willing to compromise.

Are you interested in the option of mediation on this dispute? _____ yes _____ no

14. Important note related to arbitration conducted pursuant to Standard of Practice 17-4 (1) or (2): Where arbitration is conducted between two (or more) cooperating brokers pursuant to Standard of Practice 17-4 (1) or (2), 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 and any amount credited or paid to a party to the transaction at the direction of the respondent.**

Complainant(s):

Name (Type/Print) Signature of REALTOR® Principal (**REQUIRED**) Date

Name of Firm Address, City, State and Zip

Telephone E-mail Address

