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## MEMORANDUM

TO: Complainant

FR: Raymond Joseph  
CEO and Executive Vice President

RE: Ethics Complaint

Enclosed please find the materials necessary to file an ethics complaint against a member of West Virginia Association of REALTORS®. If you wish to file an ethics complaint, please review the enclosed Code of Ethics of the National Association of REALTORS®. While the West Virginia Association of REALTORS® is not the licensing body for Real Estate Agents in West Virginia, the Articles in the Code of Ethics are specific obligations that can subject the member to disciplinary action after a due process hearing.

After carefully reading the Code and the enclosed information packet, complete the ethics complaint form, including an explanation of why you believe a specific Article (or Articles) has been violated (see enclosed sample complaint forms). Any ethics complaint must cite an Article or Articles. A Standard of Practice may only be cited in support of a charge that an Article was violated. You must include the date you became aware there was a potential violation. The Code is the standard by which our Grievance Committee reviews the allegations of potential violations.

Please understand ethics complaints must be filed within one hundred eighty (180) days after the facts constituting the matter complained of was known, or could have been known in the exercise of reasonable diligence.

You may add additional materials to the complaint form. Please submit three copies of the complaint in its entirety. When we receive an ethics complaint, we will forward it to the Grievance Committee which will review the matter and decide if there are sufficient grounds for a hearing by the Professional Standards Committee.

Thank you.

## Before You File an Ethics Complaint

### **Background**

Boards and associations of REALTORS® are responsible for enforcing the REALTORS® Code of Ethics. The Code of Ethics imposes duties above and in addition to those imposed by law or regulation which apply only to real estate professionals who choose to become REALTORS®.

Many difficulties between real estate professionals (whether REALTORS® or not) result from misunderstanding, miscommunication, or lack of adequate communication. If you have a problem with a real estate professional, you may want to speak with them or with a principal broker in the firm. Open, constructive discussion often resolves questions or differences, eliminating the need for further action.

If, after discussing matters with your real estate professional or a principal broker in that firm, you are still not satisfied, you may want to contact the local board or association of REALTORS®. Many boards and associations have informal dispute resolving processes available to consumers (e.g. ombudsmen, mediation, etc.).

If, after taking these steps, you still feel you have a grievance, you may want to consider filing an ethics complaint. You will want to keep in mind that . . .

- Only REALTORS® and REALTOR-ASSOCIATE®s are subject to the Code of Ethics of the National Association of REALTORS®.
- If the real estate professional (or their broker) you are dealing with is not a REALTOR®, your only recourse may be the state real estate licensing authority or the courts.
- Boards and associations of REALTORS® determine whether the Code of Ethics has been violated, not whether the law or real estate regulations have been broken. Those decisions can only be made by the licensing authorities or the courts.
- Boards of REALTORS® can discipline REALTORS® for violating the Code of Ethics. Typical forms of discipline include attendance at courses and seminars designed to increase REALTORS®' understanding of the ethical duties or other responsibilities of real estate professionals. REALTORS® may also be reprimanded, fined, or their membership can be suspended or terminated for serious or repeated violations. Boards and associations of REALTORS® cannot require REALTORS® to pay money to parties filing ethics complaints; cannot award "punitive damages" for violations of the Code of Ethics; and cannot suspend or revoke a real estate professional's license.
- The primary emphasis of discipline for ethical lapses is educational, to create a heightened awareness of and appreciation for the duties the Code imposes. At the same time, more severe forms of discipline, including fines and suspension and termination of membership may be imposed for serious or repeated violations.

### **Filing an ethics complaint**

The local board or association of REALTORS® can provide you with information on the procedures for filing an ethics complaint. Here are some general principles to keep in mind.

- Ethics complaints must be filed with the local board or association of REALTORS® within one hundred eighty (180) days from the time a complainant knew (or reasonably should have known) that potentially unethical conduct took place (unless the Board's informal dispute resolution processes are invoked in which case the filing deadline will momentarily be suspended).
- The REALTORS® Code of Ethics consists of seventeen (17) Articles. The duties imposed by many of the Articles are explained and illustrated through accompanying Standards of Practice or case interpretations.

- Hearing panels base their decisions on the evidence and testimony presented during the hearing. If you have information relevant to the issue(s) under consideration, be sure to bring it up during your presentation.
- Recognize that different people can witness the same event and have differing recollections about what they saw. The fact that a respondent or their witness recalls things differently doesn't mean they aren't telling the truth as they recall events. It is up to the hearing panel, in the findings of fact that will be part of their decision, to determine what actually happened.
- The hearing panel will pay careful attention to what you say and how you say it. An implausible account doesn't become more believable through repetition or, through volume.
- You are involved in an adversarial process that is, to some degree, unavoidably confrontational. Many violations of the Code of Ethics result from misunderstanding or lack of awareness of ethical duties by otherwise well-meaning, responsible real estate professionals. An ethics complaint has potential to be viewed as an attack on a respondent's integrity and professionalism. For the enforcement process to function properly, it is imperative for all parties, witnesses, and panel members to maintain appropriate decorum.

### **After the hearing**

- When you receive the hearing panel's decision, review it carefully.
- Findings of fact are the conclusions of impartial panel members based on their reasoned assessment of all of the evidence and testimony presented during the hearing. Findings of fact are not appealable.
- If you believe the hearing process was seriously flawed to the extent you were denied a full and fair hearing, there are appellate procedures that can be involved. The fact that a hearing panel found no violation is not appealable.
- Refer to the procedures used by the local board or association of REALTORS® for detailed information on the bases and time limits for appealing decisions or requesting a rehearing. Rehearings are generally granted only when newly discovered evidence comes to light (a) which could not reasonably have been discovered and produced at the original hearing and (b) which might have had a bearing on the hearing panel's decision. Appeals brought by ethics respondents must be based on (a) a perceived misapplication or misinterpretation of one or more Articles of the Code of Ethics, (b) a procedural deficiency or failure of due process, or (c) the nature or gravity of the discipline proposed by the hearing panel. Appeals brought by ethics complainants are limited to procedural deficiencies or failures of due process that may have prevented a full and fair hearing.

### **Conclusion**

- Many ethics complaints result from misunderstanding or a failure in communication. Before filing an ethics complaint, make reasonable efforts to communicate with your real estate professional or a principal broker in the firm. If these efforts are not fruitful, the local board or association of REALTORS® can give you the procedures and forms necessary to file an ethics complaint.

# **HOW DO I FILE A COMPLAINT?**

## **FILING ETHICS COMPLAINTS**

## **PROFESSIONAL STANDARDS**

*The National Association of REALTORS® adopted the Code of Ethics in 1913, which outlines the standard of conduct expected in the real estate profession. Since then, REALTORS® everywhere have agreed to meet the Code's high standards.*

*The professional standards process plays a very important role in an Association of REALTORS®. It helps to ensure honorable, faithful and competent service to clients and other members of the public by enforcing the Code of Ethics. It allows members to settle monetary business disputes through Arbitration and Mediation.*

## THE PUBLIC OR A REALTOR®

**Q: Who may file an ethics complaint?**

**A:** *Anyone. Any person, whether a member or not, may file a complaint against an Association member, alleging a violation of any of the Articles of the Code. However, the complaint must:*

- 1) *Be in writing on an Ethics Complaint form*
- 2) *Be signed by the Complainant*
- 3) *State the facts surrounding the case*
- 4) *Be filed within 180 days after the facts could all be known.*

A Complainant may file a complaint from any location. However, the Complainant must file it with the Association having jurisdiction over the individual named the Respondent in the complaint.

If the complaint is forwarded to a hearing the Complainant must appear.

No award of money or "punitive damages" is ever considered in an ethics hearing.

**Q: Do I have a complaint concerning a REALTOR®?**

**A:** *Before processing a complaint with an Association of REALTORS®, you must first determine if the agent involved is a REALTOR®. Not all real estate agents are REALTORS®. Only those who belong to an Association of Realtors® may use the term REALTOR®. Therefore, you must determine to which Association of REALTORS® an agent belongs.*

When joining an Association, all members agree to abide by the Code of Ethics as a continuing condition of membership. It is because of a REALTOR'S® obligation to abide by the Code of Ethics that you can file a complaint through an Association of REALTORS®.

**Q. What can the Association do?**

**A.** *The Association can administer discipline to a REALTOR®. This would happen only in the case of a violation of the Code of Ethics as determined by an ethics-hearing panel. The Association can use one or more of the following ways to discipline a member:*

- a) *A letter of warning or reprimand to the member*
- b) *Direct the member to attend an ethics class or other training appropriate to the violation*
- c) *Fine the member up to \$2,500 (not awarded to the Complainant)*
- d) *Place the member on probation*
- e) *Suspend the membership of the member*
- f) *Expel the member from membership.*

An Association of REALTORS® possesses limited authority regarding its members. Note the following limitations:

- 1) *The Association cannot charge a member with violations of the State real estate license law or any other law. Its jurisdiction covers only violations of membership duties. The State Real Estate Commission controls the real estate agent's license to sell real estate. If you think a person has violated any license law, you should contact this agency. The number is (304) 558-3555.*

For the same reason, the Association cannot suspend or terminate the license of one of its members.

**Q: How do I file an ethics complaint?**

**A: Follow these steps:**

- 1) *Complete and sign the complaint form (supplied by the Association Staff). This form requests you to name the REALTOR® in question as the Respondent.*
- 2) *List the Articles of the Code of Ethics that you think the REALTOR® violated.*
- 3) *Attach an explanation of the situation surrounding the complaint. Be as specific as possible, referring at all times to the specific Articles of the Code. State what, when, where, why, and how you think the REALTOR® violated each Article.*
- 4) *Attach copies of any and all pertinent documents such as listing agreements, purchase agreements, correspondence, etc. If you have notarized statements from witnesses, include those also.*
- 5) *Keep a copy for your records, and send the entire package (ATTN: Professional Standards Administrator) to the Association. The Grievance Committee will then process your complaint.*

## THE PUBLIC AND THE REALTOR®

**Q: How does the Association process the complaint?**

**A: Two committees of the Association handle complaints - The Grievance Committee and the Professional Standards Committee. Their functions are described below:**

### GRIEVANCE COMMITTEE

**Ethics:** The Grievance Committee reviews complaints received by the Association. The Committee determines whether the complaint merits further consideration. It does not determine guilt or innocence. The Committee considers the following:

- 1) *Is the complaint in an acceptable form?*
- 2) *Are all necessary parties named in the complaint?*
- 3) *Is the respondent named in the complaint a member of the Association, and was the respondent a member of any Association at the time of the alleged offense?*
- 4) *Is litigation or any government agency investigation or other action pending related to the same transaction?*

- 5) *Was the complaint filed within 180 days of the time that the complainant in the exercise of reasonable diligence could have known the alleged offense and facts relating to it?*
- 6) *Is there any reason to conclude that the Association would be unable to provide an impartial Hearing Panel?*
- 7) *Are the specific Articles cited in the complaint appropriate? Should additional Articles be cited? Should Standards of Practice be cited in support of the Articles charged? Are any inappropriate Articles cited?*
- 8) *If the facts alleged in the complaint were taken as true on their face, is it possible that a violation of the Code of Ethics occurred?*

After reviewing the complaint, the Committee will:

- 1) *Forward the case for a hearing or*
- 2) *Dismiss it, if the complaint is determined to be frivolous, harassing, or unfounded,*  
*or*
- 3) *Amend the complaint, if approved by the Complainant, to add or delete Articles of the Code that are more appropriate to the complaint*

If the Committee dismisses your complaint, you have the right to appeal the dismissal to the Board of Directors of the Association. In an appeal, the Directors re-examine the materials submitted to the Grievance Committee. The Directors can then either uphold or overturn the Committee's decision.

## **PROFESSIONAL STANDARDS COMMITTEE**

The Professional Standards Committee is a list of panelists qualified and trained to hold ethics and arbitration hearings. When the Committee schedules a hearing, you will be notified of the date, time, and place. These hearings provide an opportunity for the Complainant and Respondent to explain their side of the story by presenting testimony, evidence, and witnesses. Every party may be represented by legal counsel.

Once all of the facts have been presented, the Hearing Panel will determine whether the Code of Ethics has been violated, or in the case of arbitration, how the dispute should be settled.

The Association will inform you about each step of this process as it occurs. The Association will also provide you with instructions about the hearing procedure, well in advance of the hearing. The entire process usually takes about ninety days, but sometimes is longer, depending on individual circumstances.

*The term REALTOR® is a registered collective membership mark, and may be used only by real estate professionals who are members of the National Association of REALTORS® and who subscribe to its strict Code of Ethics.*

# **HOW DO I FILE A AN ARBITRATION REQUEST?**

## **FILING AN ARBITRATION REQUEST**

### **PROFESSIONAL STANDARDS**

*The National Association of REALTORS® adopted the Code of Ethics in 1913, which outlines the standard of conduct expected in the real estate profession. Since then, REALTORS® everywhere have agreed to meet the Code's high standards.*

*The professional standards process plays a very important role in an Association of REALTORS®. It helps to ensure honorable, faithful and competent service to clients and other members of the public by enforcing the Code of Ethics. It allows members to settle monetary business disputes through Arbitration and Mediation.*



## THE REALTOR®

**Q: Who may file an arbitration request?**

**A:** *Only the following may request arbitration: REALTORS® who are principal brokers; Realtors® who are not principals, provided the principal broker joins in the request; clients of a REALTOR®.*

*An arbitration request must:*

- 1) *Be in writing on a Request for Arbitration form*
- 2) *Be signed by the Complainant*
- 3) *Indicate the amount in dispute*
- 4) *Be filed within 180 days after the facts could all be known*

The Association provides arbitration as a service to its members. Arbitration is not a disciplinary proceeding, nor may a participant be awarded damages in arbitration. By becoming and remaining a REALTOR®, each member promises to arbitrate certain disputes.

*Not every situation may be arbitrated at the Association. Conditions and limitations exist which you must consider. The Association Staff will explain these conditions and limitations to you as the process continues.*

**NOTE:** *Disputes involving clients of REALTORS® require that they sign an agreement to arbitrate and be bound by the arbitration. The Association's Grievance Committee will determine whether or not the dispute is one that the Association can process.*

**Q: How do I file an arbitration request?**

**A:** *Follow these steps:*

- 1) *Complete and sign the request for Arbitration form (supplied by the Association of REALTORS®). Name the REALTOR® in question as the Respondent*
- 2) *Indicate the amount in dispute.*
- 3) *Include an explanation of the circumstances surrounding the situation. State why you feel you are entitled to an award of some kind. **(Do not include allegations of unethical conduct in your request for arbitration.)** If you think the REALTOR® violated the Code of Ethics, file a separate Ethics Complaint*
- 4) *The Association will ask you to sign an arbitration agreement. This indicates your commitment to abide by the decision of the Hearing Panel.*
- 5) *Attach copies of any pertinent documents such as listing agreements, purchase agreements, closing statements, etc. Also include any notarized statements from witnesses.*
- 6) *Include a \$ \_\_\_\_\_ deposit with your arbitration request.*
- 7) *Send all items to the Association (ATTN: Professional Standards Administrator). The Grievance Committee will then process your request.*

Remember that it is not unusual for an Association to receive an ethics complaint and an arbitration request regarding the same set of circumstances. If you think a REALTOR® violated the Code of Ethics, and the situation also involves a monetary dispute, you must complete both forms; request for arbitration and ethics complaint.

## THE PUBLIC AND THE REALTOR®

**Q: How does the Association process the complaint?**

**A:** *Two committees of the Association handle complaints - The Grievance Committee and the Professional Standards Committee. Their functions are described below:*

### GRIEVANCE COMMITTEE

#### Arbitration:

*The Grievance Committee's role in arbitration is to review the request and determine if the paperwork is in order and to determine the following:*

- 1) Whether you are authorized, under the rules, to request arbitration.*
- 2) Whether the controversy described is an arbitrable matter.*
- 3) Whether the arbitration is mandatory or voluntary for the people involved.*
- 4) Whether the amount in dispute is either too little or too large, or too legally complex.*
- 5) Whether the matter is currently the subject of litigation.*

Such a review could result in releasing the Association members from their obligation to arbitrate. This would free you to seek other recourse in order to resolve the dispute.

If the Grievance Committee determines that a matter is subject to arbitration, it will notify the parties that Mediation is available as a preliminary, voluntary alternative to arbitration.

### PROFESSIONAL STANDARDS COMMITTEE

The Professional Standards Committee is a list of panelists qualified and trained to hold ethics and arbitration hearings. When the Committee schedules a hearing, you will be notified of the date, time, and place. These hearings provide an opportunity for the Complainant and Respondent to explain their side of the story by presenting testimony, evidence, and witnesses. Every party may be represented by legal counsel.

Once all of the facts have been presented, the Hearing Panel will determine whether the Code of Ethics has been violated, or in the case of arbitration, how the dispute should be settled.

The Association will inform you about each step of this process as it occurs. The Association will also provide you with instructions about the hearing procedure, well in advance of the hearing. The entire process usually takes about ninety days, but sometimes is longer, depending on individual circumstances.

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June 10, 2002

Grievance Committee  
Truly Fine Board of REALTORS®  
410 East End  
Morris, IN 66666

RE: Ethics Complaint against Sam O'Connor

Dear Grievance Committee:

I am writing to report the unethical conduct of Sam O'Connor. My buyer-client, Brian Keller, went to Sam's open house at 124 Taylor Street. My client told Sam he was exclusively represented by me. Brian was also quite familiar with the house because a good friend of his used to own it, so I did not accompany him to the open house.

Brian told Sam he was interested in purchasing the property, but was going to talk to me about it. Sam told him there were several buyers interested and convinced him that he could lose the property if he went back to me. He did this by saying things such as, "You can go back and discuss this with Ted, or I can help you write a purchase contract now. It is your choice but, if it was me, I'd make an offer today." Brian was really interested in this property so he wrote the offer through Sam. But Sam took advantage of Brian by insinuating that he'd lose out if he wrote the offer through me. Not only was Sam unethical, but he cost me a commission. I am filing a request for arbitration, too.

Sam interfered with my client relationship and I'm charging him with violating Standard of Practice 16-13 of the Code of Ethics.

Sincerely,

Ted Edwards, REALTOR-ASSOCIATE®  
Green Realty

Form #E-1

Truly Fine Association of REALTORS®  
Board or State Association

410 East End Morris IN 66666  
Address City State Zip

Ethics Complaint

To the Grievance Committee of the Truly Fine Association of REALTORS®  
Board or State Association

Filed June 10, 2002

Ted Edwards

Sam O'Connor

Complainant(s)

Respondent(s)

Complainant(s) charge(s):

An alleged violation of Article(s) Standard of Practice 16-13 Code of Ethics or other membership duty as set forth in the bylaws of the Board in (Article, Section) and alleges that the above charge(s) (is/are) supported by the attached statement, which is signed and dated by the complainant(s).

This complaint is true and correct to the best knowledge and belief of the undersigned and is filed within one hundred eighty (180) days after the facts constituting the matter complained of could have been known in the exercise of reasonable diligence.

I (we) declare that to the best of my (our) knowledge and belief, my (our) allegations in this complaint are true.

Are the circumstances giving rise to this ethics complaint involved in civil or criminal litigation or in any proceeding before the state real estate licensing authority or any other state or federal regulatory or administrative agency?  
 Yes  No

You may file an ethics complaint in any jurisdiction where a REALTOR® is a member or MLS Participant. Note that the REALTORS® Code of Ethics, Standard of Practice 14-1 provides, in relevant part, "REALTORS® shall not be subject to disciplinary proceeding in more than one Board of REALTORS® . . . with respect to alleged violations of the Code of Ethics relating to the same transaction or event."

Have you filed, or do you intend to file, a similar or related complaint with another Association(s) of REALTORS®?  
 Yes  No

If so, name of other Association(s)

date(s) filed

I understand that, should the Grievance Committee dismiss this ethics complaint in part or in total, I have twenty (20) days from my receipt of the dismissal notice to appeal the dismissal to the Board of Directors.

Complainant(s):

Ted Edwards

444-212-1111

Type/Print Name

Phone

Signature

Green Realty 15 E. First Street Morris, IN 66666

Address



Ethics Complaint

To the Grievance Committee of the West Virginia Association of REALTORS®:

Date: \_\_\_\_\_

Complainant(s) Respondent(s)

Complainant(s) charge(s):

An alleged violation of Article(s) \_\_\_\_\_ of the Code of Ethics or other membership duty as set forth in the bylaws of the Board in \_\_\_\_\_ (Article, Section) and alleges that the above charge(s) (is/are) supported by the attached statement, which is signed and dated by the complainant(s).

This complaint is true and correct to the best knowledge and belief of the undersigned and is filed within one hundred eighty (180) days after the facts constituting the matter complained of could have been known in the exercise of reasonable diligence.

I (we) declare that to the best of my (our) knowledge and belief, my (our) allegations in this complaint are true. Are the circumstances giving rise to this ethics complaint involved in civil or criminal litigation or in any proceeding before the state real estate licensing authority or any other state or federal regulatory or administrative agency?
\_\_\_Yes \_\_\_No

You may file an ethics complaint in any jurisdiction where a REALTOR® is a member or MLS participant. Note that the REALTORS® Code of Ethics, Standard of Practice 14-1 provides, in relevant part, "REALTORS® shall not be subject to disciplinary proceeding in more than one Board of REALTORS®."

Have you filed, or do you intend to file, a similar or related complaint with another Association(s) of REALTORS®?
\_\_\_Yes \_\_\_No

If so, name of other Association(s) \_\_\_\_\_ Date(s) filed \_\_\_\_\_

I understand that should the Grievance Committee dismiss this ethics complaint in part or in total, that I have twenty (20) days from my receipt of the dismissal notice to appeal the dismissal to the Board of Directors.

Complainant(s):

Type/Print Name Phone Signature
Address



WEST VIRGINIA ASSOCIATION OF REALTORS®  
*The Voice for Real Estate™* in West Virginia

2110 Kanawha Boulevard, East  
 Charleston, WV 25311-2205  
 (304) 342-7600 or (800) 445-7600 (WV Only)  
 FAX (304) 343-5811  
 http://www.wvrealtors.com/  
 email: wvar@wvrealtors.com

### Request and Agreement to Arbitrate

- (1) The undersigned, by becoming and remaining a member of the West Virginia Association of REALTORS® has previously consented to arbitration through the Association under its rules and regulations.
- (2) I am informed that each person named below is a member in good standing of the West Virginia 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 (list all persons and/or firms you wish to name as respondents to this arbitration):

\_\_\_\_\_, REALTOR® principal \_\_\_\_\_  
 Name Address

\_\_\_\_\_, 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, marked Exhibit I and incorporated by reference into this application.
- (5) I request and consent to arbitration through the Board in accordance with its Code of Ethics and Arbitration Manual (alternatively, "in accordance with the professional standards procedures set forth in the bylaws of the Association"), 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) I enclose my check in the sum of \$250.00 for the arbitration filing deposit.\*
- (7) I understand that I may be represented by legal counsel, and that I should give written notice no less than fifteen (15) days before the hearing of the name, address, and phone number of my attorney to all parties and the Board. 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 the names of witnesses he intends to call at the hearing to the Association and to all other parties not less than fifteen (15) days prior to the hearing. Each party shall arrange for his witnesses to be present at the time and place designated for the hearing. The following REALTOR® non-principal (or REALTOR-ASSOCIATE® non-principal) affiliated with my firm has a financial interest in the outcome of the proceeding and has the right to be present throughout the hearing:

\_\_\_\_\_  
 Name

\*Not to exceed \$500

(8) 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 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.

(9) If either party to an arbitration request believes that the Grievance Committee has incorrectly classified the issue presented in the request (i.e., mandatory or voluntary), the party has twenty (20) days from the date of receipt of the Grievance Committee's decision to file a written appeal of the decision. Only those materials that the Grievance Committee had at the time of its determination may be considered with the appeal by the Board of Directors.

(10) Are the circumstances giving rise to this arbitration request the subject of civil litigation? Yes  No

**Complainant(s):**

Name of REALTOR® Principal	Signature of REALTOR® Principal	Date
Address		Telephone
Name of REALTOR® Principal	Signature of REALTOR® Principal	Date
Address		Telephone
Name of Firm	Address	

\* In cases where arbitration is requested in the name of a firm comprised of REALTORS® (principals), the request must be signed by at least one of the REALTOR® principals of the firm as a complainant.

(Revised 5/01)