



Blue Bell Executive Campus
470 Norristown Road, Suite 300, Blue Bell, PA 19422
610-260-9931 / F: 610-260-9951 / www.mcarealtors.org

Arbitration Instructions and Form # A-1 (Request for Arbitration)

To file for Arbitration with an MCAR member, please complete the Request to Arbitration Form (#A-1), located below, and submit it with a check in the amount of \$500.00* made payable to MCAR. Your request should be typewritten, signed and dated along with four (4) copies for our files. Please also note that Requests for Arbitration must be filed by a *REALTOR[®] Principal* (Broker, Designated *REALTOR[®]* or Office Manager) and must name a *REALTOR[®] Principal* as the responding party.

Your Request for Arbitration will go before the Montgomery County Association of REALTORS[®] Grievance Committee who will determine whether or not evidence exists sufficient to warrant the holding of a Professional Standards hearing. Should a hearing be warranted, you will be notified well in advance in order that you may be represented by counsel, if you wish, and in order that you may call whatever witnesses you desire. MCAR will also provide you with information about an alternative to Arbitration called Mediation, in which a professional mediator can assist the parties to resolve the issue without a hearing.

If you should have any questions please do not hesitate to call Edie Szczypiorski at the Association office at 610-260-9931, or email edies@mcarealtors.org.

*Please be advised that the Association will retain one-half of the deposit per party, for processing fees, should the case settle prior to a scheduled hearing and/or mediation meeting.

(Scroll down to see Form)



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Form #A-1

Request and Agreement to Arbitrate

- 1. The undersigned, by becoming and remaining a member of the Montgomery County Association of REALTORS (or Participant in its MLS), has previously consented to arbitration through the Board under its rules and regulations.
2. I am informed that each person named below is a member in good standing of the Board (or Participant in its MLS), or was a member of said Board 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):

Form fields for Name, Address, and Firm information for respondents.

- 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 1 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, 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 \$500.00 for the arbitration filing fee.*
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 to 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 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.

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 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
11. Would you consider mediation as an alternative to arbitration? _____ Yes _____ No

Complainant(s):

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

Address: _____ Telephone: _____

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

Address: _____ Telephone: _____

Name of Firm* Address

The following REALTOR® nonprincipal 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 (Type/Print)

*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 co-complainant.

Note: A \$500.00 Arbitration Filing Fee made payable to MCAR must be submitted to the Association with this form, along with an explanation of the Grievance, marked "Exhibit 1."

To:

*Professional Standards Administrator
Montgomery County Association of REALTORS®
Blue Bell Executive Campus
470 Norristown Road, Suite 300
Blue Bell, PA 19422
Tel (610) 260-9931*