

REQUEST AND AGREEMENT TO ARBITRATE

1. The undersigned, by becoming and remaining a member of the Ann Arbor Area Board of REALTORS (or a participant in its MLS) has previously consented to arbitration conducted pursuant to the Code of Ethics Manual of the Board.
2. I am informed that each person named below is a member in good standing of the Board, a participant in its MLS, or was a member of the Board of REALTORS® or a participant in its MLS 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 you wish to name as Respondents to this arbitration, attach additional sheet if necessary.)
NOTE: Arbitration is generally conducted between Realtors (Principals) or between firms comprised of Realtor Principals. Naming a Realtor principal as Respondent enables the complainant to know who will participate in the hearing from the Respondent's firm; naming a firm may increase the likelihood of collecting any resulting award.*

Name (Responsible Broker) _____ For: (Company) _____

Name (Salesperson) _____ 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 1 and incorporated by reference into this application.
5. I request and consent to arbitration through the Board in accordance with the professional standards procedures set forth in the Bylaws of the Board. I agree to abide by the arbitration award and, if I am the non-prevailing party, to, within ten (10) days following transmittal of the award, either (1) pay the award to the party(ies) named in the award, or (2) deposit funds with the Professional Standards Administrator to be held in escrow or a trust account maintained for this purpose. Failure to satisfy the award or to deposit the funds in the escrow or trust account within this time period may be considered a violation of a membership duty and may subject the member to disciplinary action at the discretion of the Board of Directors consistent with Section 3, The Award, Code of Ethics and Arbitration manual.

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 deposit.
7. I understand that I may be represented by 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 Board. Failure to provide this notice may result in a continuance of the hearing, if the Hearing Panel determines that the rights of any other party require representation by legal counsel.
8. The Complainant must provide a list of witnesses he/she intends to call at the hearing and copies of exhibits to the Board and to all other parties not less than fifteen (15) days prior to the hearing. The Respondent must provide a list of witnesses he/she intends to call at the hearing and copies of exhibits to the Board and to the other party not less than seven (7) days prior to the hearing. Each party shall arrange for his/her witnesses to be present at the time and place designated for the hearing. The following Realtor non-principal affiliated with my firm has a financial interest in the outcome of the proceeding and may be called as a witness and has the right to be present throughout the hearing. All parties appearing at the hearing may be called as witnesses without advance notice.
9. Failure to provide a list of witnesses and copies of exhibits within the time specified will constitute a waiver of the right to call those witnesses or use exhibits at the hearing, unless the Chairperson agrees to allow their testimony or use of exhibits.
10. 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.
11. Are the circumstances to this arbitration request the subject of civil litigation? _____ Yes _____ No _____

12. This shall be deemed an arbitration agreement within the meaning of the Revised Judicature Act, section 5001, et seq; MSA 27a.5001 et seq; MCLA 600.5001 et seq; and Michigan Court Rule 3.602 and the undersigned agree that such judgment may be entered in any circuit court upon the award.
13. 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 the 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.
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, seller, or landlord and any amount credited or paid to a party to the transaction at the direction of the respondent.
15. Agreements to arbitrate are irrevocable.

Dated: _____

Complainant(s): _____

Signature of Responsible Broker

Signature of Agent

Company Name _____

Name (Type or Print) _____

Street Address _____

Street Address _____

City _____ State _____ Zip _____

City _____ State _____ Zip _____

Phone (____) _____

Phone (____) _____

Email _____

Email _____

*Complainants may name one or more Realtor principals or a firm comprised of Realtor principals as respondents. Or, Complainants may name Realtor principals and firms as respondents.