



# Reno/Sparks Association of REALTORS®

5650 Riggins Court, Suite 200, Reno, NV 89502

www.rsar.realtor • info@rsar.realtor

Phone: (775) 823-8800 • Fax: (775) 823-8805

You have indicated that you would like to pursue mediation through the Dispute Resolution Services (DRS) provided by the Reno/Sparks Association of REALTORS®. Please be aware that, when filing a mediation request, the issue being decided upon is a monetary dispute. The purpose of filing a mediation request is to bring the Complainant and the Respondent to the Association of REALTORS® as opposed to litigation, which is costly. For this reason, whereas mediation is a service offered to members of the Reno/Sparks Association of REALTORS® and/or their clients.

The following is a checklist of items that need to be included in your Request of Mediation:

1. **Request for Mediation** form detailing the amount of the claim
2. **Agreement to Mediate**, signed and dated
3. **Exhibit I** detailing the facts that give rise to the claim
4. **Mediation Officer Selection Form** completed, signed and dated
5. **Designation of Counsel** form completed, signed and dated
6. **Filing Fee** of \$100 made payable to the Reno/Sparks Association of REALTORS®

Failure to adhere to the above checklist may result in the mediation request package being returned to you. If you have any questions, please do not hesitate to contact me at 775-823-8800 or april@rsar.realtor. Let me assure you that your efforts in bringing this matter to the attention of the Association are appreciated.

The information will be forwarded to the Respondent. If the Respondent agrees to the mediation, a mediation conference will be scheduled.

Sincerely,

April LaBrie, CAE, RCE, e-Pro  
Executive Administrator



Vision: We envision the Reno/Sparks Association of REALTORS® to be viewed as the premium REALTOR® organization delivering highly valued knowledge and benefits to our customer - the REALTOR® Community.

Mission: Our mission is to proactively enhance our members' opportunity to be successful, ethical real estate professionals by delivering superior advocacy, education, programs, products and services.

## Request for Mediation

DATE: \_\_\_\_\_ CASE # \_\_\_\_\_ (assigned by Staff)

Complainant Name(s) and relationship to the transaction:

Respondent Name(s) and relationship to the transaction:

\_\_\_\_\_ who is the (check one):

- Buyer    Seller    Owner    Tenant  
 Listing Agent    Selling Agent    Property Mgr.

\_\_\_\_\_ who is the (check one):

- Buyer    Seller    Owner    Tenant  
 Listing Agent    Selling Agent    Property Mgr.

I am requesting mediation with the above-named Respondent. There is due, unpaid, and owing to me (or I retain) from the above named person the sum of \$\_\_\_\_\_. My claim is predicated upon the statement attached, marked "Exhibit I" and incorporated by reference into this application.

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

### COMPLAINANT(S)

\_\_\_\_\_

(Type/Print)

\_\_\_\_\_

(Signature)

\_\_\_\_\_

(Type/Print)

\_\_\_\_\_

(Signature)

ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP \_\_\_\_\_

PHONE # \_\_\_\_\_

EMAIL \_\_\_\_\_

### RESPONDENT(S) (if available)

Name: \_\_\_\_\_

(Type/Print)

Name: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP \_\_\_\_\_

PHONE # \_\_\_\_\_

EMAIL \_\_\_\_\_

Reno/Sparks Association of REALTORS®  
5650 Riggins Court, Ste. #200  
Reno, NV 89502

## **Agreement to Mediate**

The undersigned agree that they are involved in a contractual dispute defined by Article 17 of the Code of Ethics or in a specific non-contractual dispute as outlined in Standard of Practice 17-4.

The undersigned agree to submit this dispute to mediation in accordance with the mediation guidelines, as set forth in the Code of Ethics and Arbitration Manual of the Reno/Sparks Association of REALTORS®.

Any agreement signed by the parties, pursuant to the mediation conference, shall be binding.

As party to the mediation process I understand and agree as follows:

Parties to mediation may withdraw from the process at any point prior to reaching an agreement. Parties to mediation that do not reach an agreement shall be free to pursue arbitration of the dispute in accordance with the guidelines set forth in the Code of Ethics and Arbitration Manual of the National Association of REALTORS®. The parties acknowledge that the mediator is not providing legal representation, legal advice, or legal services, and that the parties are advised of their right to be represented by counsel at the mediation and also of their right to obtain legal advice (if counsel are not at the mediation) before signing any final settlement agreement.

Any offers of settlement that were not accepted or any suggested resolution proposed by the Mediation Officer that was not accepted will not be introduced as evidence nor considered in any manner should the matter require arbitration by the Association's Professional Standards Committee. However, if the parties agree to a settlement of the dispute, and the settlement is reduced to writing and has been signed by all the parties, the matter shall be considered resolved, and shall not be the subject of a subsequent arbitration hearing. In the event that either of the parties fails to abide by the terms of the settlement, the matter may not be arbitrated; instead, the other party should be encouraged to have the settlement agreement judicially enforced by a court of competent jurisdiction.

No aspect of this mediation conference shall be relied upon or introduced as evidence in any ethics, arbitration, judicial, or other proceeding, including but not limited to: views expressed or suggestions made by a party with respect to a possible settlement of any party thereto. No privilege shall be affected by disclosures made in the course of meditation. Disclosures of any records, reports, or other documents received or prepared by the Association of Mediation Officer shall not be compelled. Neither the Association nor the Mediation Officer shall be compelled to disclose or testify in any proceeding as to information disclosed or representations made in the course of the mediation or communication to the Mediator in confidence. Neither the Mediation Officer, the Reno/Sparks Association of REALTORS®, the Nevada State Association of REALTOR® nor the National Association of REALTORS® or any of its Member Boards shall be deemed "necessary parties" in any judicial proceedings related to mediation under this Agreement. The parties acknowledge that the mediation proceedings will not be recorded and that weapons of any type are prohibited.

Are the circumstances giving rise to this request for Mediation the subject of 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

By my signature on this Agreement to Mediate, I acknowledge my rights and agree to the terms of the mediation procedures as stated above. I hereby affirm that I have the authority to enter into and sign a binding written agreement to settle this dispute.

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

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

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

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

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

ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP \_\_\_\_\_

PHONE # \_\_\_\_\_

EMAIL \_\_\_\_\_

**EXHIBIT I**  
**NARRATIVE to MEDIATION REQUEST**  
**ATTACH TO MEDIATION FORM**

**Please return this form along with Mediation form and all supporting documents to:**

Reno/Sparks Association of REALTORS®  
5650 Riggins Court, Ste. #200, Reno, NV 89502

Complainant Name(s) and relationship to the transaction:    Respondent Name(s) and relationship to the transaction:

\_\_\_\_\_ who is the (check one):  
 Buyer     Seller     Owner     Tenant  
 Listing Agent     Selling Agent     Property Mgr.

\_\_\_\_\_ who is the (check one):  
 Buyer     Seller     Owner     Tenant  
 Listing Agent     Selling Agent     Property Mgr.

The following is a brief statement as to the events giving rise to this ethics mediation. (Attach additional sheets if necessary.)

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

\_\_\_\_\_ Type Name

\_\_\_\_\_ Signature

\_\_\_\_\_ Type Name

\_\_\_\_\_ Signature

**Mediation Officer Selection Form**

**Please return this form and all supporting documents to:**

Reno/Sparks Association of REALTORS®  
5650 Riggins Court, Ste. #200, Reno, NV 89502

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Complainant Name(s):

Respondent Name and Office(s):

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

who is the (check one):

- Buyer    Seller    Owner    Tenant  
 Listing Agent    Selling Agent    Property Mgr.

who is the (check one):

- Buyer    Seller    Owner    Tenant  
 Listing Agent    Selling Agent    Property Mgr.

The following individuals have agreed to serve as Mediation Officers for disputes between the public, and members of the Reno/Sparks Association of REALTORS®. As a party to this mediation, you have the right to challenge any Mediator that you believe would not be acceptable to serve as the Mediation Officer for your mediation conference. This form must be returned to the Association office.

**Andre Anderson:** I  will    will not accept as Mediator because \_\_\_\_\_

**Sylvia Aufiero:** I  will    will not accept as Mediator because \_\_\_\_\_

**Karen Bruno:** I  will    will not accept as Mediator because \_\_\_\_\_

**Ivy Cohen:** I  will    will not accept as Mediator because \_\_\_\_\_

**Todd Disbrow:** I  will    will not accept as Mediator because \_\_\_\_\_

**Liz Gonzalez:** I  will    will not accept as Mediator because \_\_\_\_\_

**LaVon Jones:** I  will    will not accept as Mediator because \_\_\_\_\_

**Claire Kirby:** I  will    will not accept as Mediator because \_\_\_\_\_

**Jen McDonald:** I  will    will not accept as Mediator because \_\_\_\_\_

**Reed Minton:** I  will    will not accept as Mediator because \_\_\_\_\_

**Susan Moore-Fry:** I  will    will not accept as Mediator because \_\_\_\_\_

**Mary Mosher-Armstrong:** I  will    will not accept as Mediator because \_\_\_\_\_

**Sandra Mullet:** I  will    will not accept as Mediator because \_\_\_\_\_

Date Received (to be completed by staff): \_\_\_\_\_

**Mediation Officer Selection Form**

**Please return this form and all supporting documents to:**

Reno/Sparks Association of REALTORS®  
5650 Riggins Court, Ste. #200, Reno, NV 89502

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**Raymond Solorzano:** I  will  will not accept as Mediator because \_\_\_\_\_

**Victoria Popescu:** I  will  will not accept as Mediator because \_\_\_\_\_

**Toni Taylor** I  will  will not accept as Mediator because \_\_\_\_\_

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

\_\_\_\_\_  
Name (Type/Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Type/Print)

\_\_\_\_\_  
Signature

**DESIGNATION OF COUNSEL**  
**Attach to Mediation Request**

DATE: \_\_\_\_\_ CASE # \_\_\_\_\_ (assigned by Staff)

Complainant Name(s) and relationship to the transaction:

Respondent Name(s) and relationship to the transaction:

\_\_\_\_\_ who is the (check one):

- Buyer    Seller    Owner    Tenant  
 Listing Agent    Selling Agent    Property Mgr.

\_\_\_\_\_ who is the (check one):

- Buyer    Seller    Owner    Tenant  
 Listing Agent    Selling Agent    Property Mgr.

I(We), \_\_\_\_\_, the above-referenced  Complainant(s)  Respondent(s) do hereby designate the following legal counsel or REALTOR® counsel\* for representation in all aspects of these proceedings:

Counsel Name: \_\_\_\_\_, who is  an attorney or  fellow REALTOR®.

Does the above named representative have authority to enter and sign a binding agreement to settle on your behalf?  Yes    No

Firm/Company Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

The Reno/Sparks Association of REALTORS® is requested to send copies of any and all future notices and other documents pertaining to this case to the above and the undersigned does hereby designate said counsel as his/her agent and spokesman in these proceedings.

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

\_\_\_\_\_  
Type Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Type Name

\_\_\_\_\_  
Signature

*\*REALTOR® counsel (a fellow REALTOR® who may offer guidance or advice) may be used in Mediation hearings & Ethics hearings only, not in arbitration hearings.*