

Request for Ombudsperson Service

Date: _____ Subject Property (if applicable): _____

Complainant

Name of Complainant: _____

Firm (if applicable): _____

Address: _____

Phone Number: _____ Email: _____

Best Time to Contact: _____

Role in Transaction (buyer, seller, agent, broker): _____

Respondent

Name of Respondent: _____

Firm: _____

Address: _____

Phone Number: _____ Email: _____

Role in Transaction (listing agent, selling agent, broker): _____

Please send completed form to prostds@gcaar.com.

All information on this form is confidential. The Greater Capital Area Association of REALTORS will destroy this form and any other documents and materials pertaining to this matter at the conclusion of the ombudsperson services.

NOTE: If you are a party in a contract (Buyer/Seller) and you have issues with the other party (Buyer/Seller), please contact O.M. Services (888-412-6740) directly to handle public contractual disputes between parties (Buyer/Seller) in the contract.

NOTE: If NONE of the parties are members of the REALTOR organization, please contact the Maryland Real Estate Commission (410-230-6230) or the District of Columbia Real Estate Commission (202-442-4320) for further assistance.

Ombudsperson Program Information

What is an Ombudsperson?

GCAAR's ombudspersons can help parties find solutions to their ethics issues through informal telephone mediation. Like GCAAR's mediation program for arbitration requests, the communications and solutions proposed by an ombudsperson can address and solve minor complaints from the public or inter-REALTOR® ethical conflicts.

What can an Ombudsperson help me with?

An Ombudsperson can respond to general questions regarding real estate practices, transaction details, ethical practices, procedural questions, and communication and enforcement issues.

Why should I use the Ombudsperson Program instead of filing an Ethics Complaint?

- 1) You can receive non-judgmental real estate related information in a timely manner.
- 2) There is no cost to using the service.
- 3) Many complaints do not expressly allege violations of specific articles of the REALTOR® Code of Ethics and may not concern conduct related to the Code, a necessary requirement for filing an Ethics Complaint.
- 4) If the issue is not resolved through an ombudsperson you can still file an Ethics Complaint if you meet the time limitation requirements.*

* TIME LIMITATION: An Ethics Complaint must be filed within one hundred eighty (180) days after the facts constituting the matter could have been known in the exercise of reasonable diligence or within one hundred eighty (180) days after the conclusion of the transaction, if any, or event, whichever is later.

The Ombudsperson will NOT:

- Adjudicate/make the final decision
- Give legal advice
- Determine who is right or wrong
- Disclose your communications – Process is CONFIDENTIAL
- Make any written record of discussions and/or agreement

Who are the Ombudspersons?

REALTORS® appointed to be an Ombudsperson must:

- Meet criteria for extensive real estate experience and/or additional qualifications as determined by the GCAAR Board
- of Directors
- Demonstrate objectivity
- Participate in a training program
- Possess extensive knowledge of the REALTOR® Code of Ethics, state license law and best practices

How does the process work?

- 1) Complete the Ombudsperson Intake Form and submit
- 2) A GCAAR staff representative will forward your form to an available ombudsperson
- 3) The GCAAR Ombudsperson will make all necessary contacts in an attempt to resolve the complaint.

If the Ombudsperson's efforts are effective, there is no further action necessary. If the efforts are not successful in resolving your issues, the Ombudsperson will advise you about the next step(s) in the complaint process.

For additional assistance, please contact Professional Standards at prostds@gcaar.com.