

# File A Complaint

## Ethics Complaint:

Must be filed within 180 days after the facts constituting the matter complained of could have been known in the exercise of reasonable diligence or within 180 days after the conclusion of the transaction, whichever is later.

1) Complete and sign the complaint form supplied by the REALTOR® Board/Association (\* in some cases this may be the State Association). This form requests you to name the REALTOR®(S) in question as the Respondent(s).

2) List the Article(s) and/or Standards of Practice of the Code of Ethics that you think the REALTOR® has violated. (Attached is an overview of each Article of the Code of Ethics, the Board/Association will supply you with a copy of the complete Code of Ethics and Standards of Practice).

3) Attach an explanation of the situation surrounding the complaint. Be as specific as possible. State what, when, where, why and how you think each Article was violated.

4) Attach copies of any and all pertinent documents such as listing agreements, purchase and sales agreements, addendum, etc. If you have notarized statements from witnesses, include those also.

5) Send the entire package to the REALTOR® Board/Association to the attention of the Executive Officer or Elected Secretary but keep a copy for yourself. Your complaint will then be processed through the Grievance Committee.

[Guidelines for Filing an Ethics Complaint](#)

## [Ethics Form 1 and Requirements](#)

### **Arbitration Request:**

Must be filed within 180 days after the closing of the transaction or within 180 days after the facts constituting the arbitrable matter could have been known in the exercise of reasonable diligence, whichever is later.

The process is very similar to filing an Ethics complaint. The Board/Association will supply a request for Arbitration form (\* in some cases this may be the State Association).

- 1) Name the REALTOR®(S) in question as the Respondent(s) must include a principle broker of the firm.
- 2) Indicate the amount in dispute
- 3) Include an explanation of the situation. State why you feel you are entitled to an award of some kind. Remember don't include allegations of unethical conduct in your argument. If you think there have been unethical violations, they must be handled separately with an Ethics complaint.
- 4) Attach copies of any and all pertinent documents such as listing agreements, purchase and sales agreements, closing statements, etc. and any notarized statements from witnesses.
- 5) The Board/Associations require an Arbitration fee so check with the Board/Association for the exact amount.
- 6) You will probably be asked to sign an Arbitration agreement indicating your commitment to abide by the decision of the Hearing Panel.
- 7) Send the entire package to the REALTOR® Board/Association to the attention of the Executive Officer or Elected Secretary but keep a copy for yourself. Your request will then be

processed through the Grievance Committee.

Remember that it is not unusual for a Board/Association to receive an Ethics complaint and an Arbitration request surrounding the same set of circumstances. If you think the REALTOR®(S) violated the Code of Ethics and you have a monetary dispute with him/her, you must complete BOTH forms.

NOTE: The Idaho Association of REALTORS® has a Mediation process and in 2012 the Board of Directors approved its mandatory use prior to Arbitration for those Boards that contract with the Idaho Association of these services.

## **How to File an Arbitration Request:**

[REALTOR® to REALTOR®](#)

[Non-Member to REALTOR®](#)

## **National Association of REALTORS® Resources**

[NAR Enforcement](#)