

Grosse Pointe Board of REALTORS®

710 Notre Dame, Grosse Pointe, MI 48230

313/882-8000

Fax 313/882-6062

Request and Agreement to Arbitrate

1. The undersigned, by becoming and remaining a member of the Grosse Pointe Board of REALTORS®, 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 Grosse Pointe Board of REALTORS® or was a member of said Board 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 and those listed below:

(Name) _____ REALTOR principal (Address) _____
 (Name) _____ REALTOR principal (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, 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 counsel and that I am requested to give written notice of my intention to have counsel present fifteen (15) days before the hearing to the Board and the other party, including legal counsel’s name, address and phone number. Failure to provide this notice will not invalidate my right to legal representation, however, upon the request of any other party, a continuance of the hearing may be granted if the hearing panel determines 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 the other party not less than fifteen (15) days before 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.
9. The following REALTOR® non-principal affiliated with my firm has a financial interest in the outcome of the proceeding and has the right to be present throughout the hearing: _____
10. 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 Chair agrees to allow their testimony or use of exhibits.

11. Under the penalties of perjury, 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.
12. Are the circumstances giving rise to this arbitration request the subject of civil litigation? ___ Yes
___ No
13. 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.
14. 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. For the appeal, the Board of Directors may consider only those materials that the Grievance Committee had at the time of its determination.

Dated: _____ at _____

Complainant(s)

Signature of REALTOR® principal

Signature of REALTOR® principal

Name (Print or type)

Name (Print or type)

Address

Address

City, state and zip

City, state and zip