

Elkhart County Board of REALTORS®
57225 Alpha Dr.
Goshen, IN 46528

Request and Agreement to Arbitrate

- 1. The undersigned, by becoming and remaining a member of the Elkhart County Board of REALTORS® (or Participant in its MLS), 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 Elkhart County Board of REALTORS® (or Participant in its MLS), or was a member of the Elkhart County Board of REALTORS® 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 (list all persons you wish to name as Respondents to this arbitration):

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 its *Code of Ethics and Arbitration Manual* (alternatively, "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 awards 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 \$250.00 for the arbitration filing fee. *

7. I understand that I may be represented by counsel, and that I should give written notice no less than 10 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 the other party(ies) require representation.

Each party must provide a list of the names of witnesses he intends to call at the hearing to the Board and to all other parties not less than 15 days prior to the hearing. Each party shall arrange for his witnesses to be present at the time and place designated for the hearing. The following REALTOR® nonprincipal (or REALTOR-ASSOCIATE® nonprincipal) affiliated with my firm has a financial interest in the outcome of the proceeding and has the right to be present throughout the hearing:

_____.

8. Under the penalties of perjury, I declare that the information provided with this response is true and correct to the best of my knowledge and belief.

9. 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. 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.

10. Are the circumstances giving rise to this arbitration request the subject of civil litigation? _____ Yes _____ No

Dated: _____ at _____

Complainant(s):

Signature of REALTOR® Principal

Signature of REALTOR® Principal

Name (Type or Print)

Name (Type or Print)

Street Address

Street Address

City State Zip Code

City State Zip Code

Phone: (_____) _____

Phone: (_____) _____