



Harford County Association of REALTORS®

THE OMBUDSMAN PROCESS

The definition of Ombudsman for REALTORS® - The Ombudsman Program in its simplest definition is informal telephone mediation. In some cases it can address and solve minor complaints from the public. It can also solve inter-REALTOR® conflicts before they become serious problems. Like a mediation, an ombudsman helps parties find solutions, but does not impose solutions.

WHAT IS THE HARFORD COUNTY ASSOCIATION OF REALTORS® OMBUDS PROGRAM?

Ombudsman Procedures adopted by the association are intended to provide enhanced communications and initial problem-solving capacity to the professional standards process. HCAR is charged with the responsibility of receiving and resolving ethics complaints, and hearing arbitration disputes filed against its' members. An Ombudsman can respond to general questions regarding real estate practices, transaction details, ethical practices and enforcement issues. **Note: TIME LIMITATION – 1.) 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. 2.) An Arbitration Request must be filed within one hundred and eighty (180) days after the closing or the transaction, if any, or within one hundred eighty (180) days after the facts constituting the arbitrable matter could have been known in the exercise of reasonable diligence, whichever is later.**

HOW WILL I KNOW TO ASK FOR AN OMBUDSMAN?

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. Some complaints are transactional, technical and procedural questions that can be readily responded to. Some complaints are due strictly to lack of communications. These types of issues may be appropriate for the Ombudsman Program.

WHAT ARE REALTOR® OMBUDSMAN BENEFITS?

You can receive non-judgmental real estate related information in a timely manner and at no cost.

WHAT THE OMBUDSMAN WILL NOT DO –

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

WHO ARE THE OMBUDSMEN?

REALTORS® appointed to be Ombudsmen must:

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

HOW DOES THE OMBUDSMAN PROCESS WORK?

The association Professional Standards Administrator and/or the Chief Executive Officer will assemble information to be sent to the Ombudsman via email. This information may include:

- Name, phone number and role of the complainant (that is buyer, seller, broker, etc.)
- Name, phone number and role of the respondent (that is broker, principal broker, etc.)
- If the respondent is a broker, the name of the principal broker and/or managing broker.

The HCAR Ombudsman will make all necessary contacts in an attempt to resolve the complaint. If the Ombudsman's efforts are effective, there is no further action necessary. If the efforts are not successful in resolving the Complainant's issues, the Ombudsman will advise the Complainant about the next step(s) in the complaint process.

The term REALTOR® is a registered collective membership mark which may only be used by real estate professionals who are members of the NATIONAL ASSOCIATION OF REALTORS® and who subscribe to its strict Code of Ethics.