

Qualification and Criteria for Ombudsmen

REALTORS® appointed to be Ombudsmen must meet the following criteria; have extensive Real Estate experience, demonstrate objectivity, participate in a training program, and possess extensive knowledge of the REALTOR® Code of Ethics, license law and best practices.



Role of Ombudsmen

The Ombudsman's role is primarily one of communication and conciliation, not adjudication. Ombudsmen do not determine whether ethics violations have occurred or who is entitled to what amount of money, rather they anticipate, identify, and resolve misunderstandings and disagreements before matters ripen into disputes and possible charges of unethical conduct.

Incline Village REALTORS®

940 Southwood Blvd., Suite 103
Incline Village, NV, 89451

Learn How to Make a Complaint

Contact IVR Staff. Staff will help you assemble the information to be sent to the IVR Ombudsman via e-mail or phone call to the IVR Office. This information may include:

- Name, phone number and role of the complainant (Buyer, Seller, Broker, etc.)
- Name, phone number, and role of the respondent (Broker, Principal Broker, Office Manager.)
- If the respondent is a Broker, the name of Principal Broker and/or Managing Broker.

The IVR Ombudsman will make all necessary contacts in an attempt to resolve the complaint. If the Ombudsman 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.

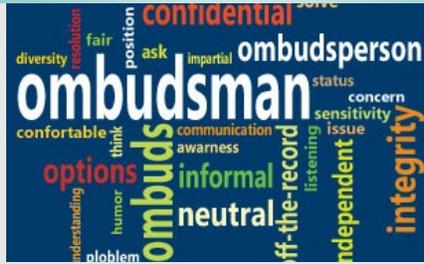
~The 180-day filing deadline is suspended during efforts to settle a dispute using an Ombudsman. The suspension will begin from the request to use the Association's Ombudsman services and resume when those efforts are concluded or terminated. ~



Incline Village REALTORS® Ombudsman Program

A solution to resolving a misunderstanding before it escalates.





Frequently Asked Questions

Why would I choose the Ombudsman process over filing an ethics complaint?

The Ombudsman process is an opportunity to quickly and easily resolve misunderstandings and miscommunications before it escalates to an ethics hearing. The process can be accomplished without filing a written ethics complaint.

The Ombudsman can field and respond to a wide variety of inquiries and complaints, including general questions about Real Estate practice, transaction details, ethical practice, and enforcement issues.

Ombudsmen can also receive and respond to questions and complaints about members, contact members to inform them that a client or customer has raised a question or issue, can contact members to obtain information necessary to provide an informed response.

Will the Complainant and the Respondent meet face-to-face?

At the determination of the Ombudsman, the parties may meet face-to-face, or it may be handled by telephone with the parties individually, or through a conference call.

How long will the process take?

The process will take 2–10 days depending on the availability and accessibility of the parties. The ethics complaint process takes 45-90 days from filling.

If the Ombudsman feels there was ethical misconduct on the part of the respondent, will the matter be referred to a hearing?

No. Ombudsmen cannot refer concerns they have regarding the conduct of any party utilizing their services to the Grievance Committee, to the state Real Estate licensing authority, or to any other regulatory body.

Is the Ombudsman process confidential?

Yes, the allegations, discussions, and decisions made in Ombudsman proceedings are confidential and may not be reported or published by the Association, any member of a tribunal (including the Ombudsman), or any party under any circumstances except those established in the *Code of Ethics and Arbitration Manual* (unless legally required to disclose).

Will the Broker be contacted?

IVR Board of Directors and staff always recommend contacting the Broker of the office as a first step to resolving the dispute. If the Complainant cannot or will not contact the Broker, the Ombudsman will notify the Broker that the Ombudsman process has been initiated.

Can I decline the Ombudsman process?

Yes.

What if my problem is not resolved with the involvement of an Ombudsman?

If the matter cannot be mutually agreed upon by the parties, the Complainant has the option of filing a

If we resolve the matter, what happens?

Once a matter of is resolved to the mutual satisfaction of all parties through the efforts of an Ombudsman, the formal ethics complaint brought initially (if any) will be dismissed.

What if the Agent/Broker does not comply with the agreed upon resolution?

Failure or refusal of a member to comply with the terms of a mutually agreed upon resolution entitles the complaining party to resubmit the original complaint, or where a formal complaint had not been filed, to file an ethics complaint. The date the matter was originally brought to the Association's attention will be considered the filing date for purposes of determining whether an ethics complaint is filed in a timely manner.

Can a monetary award be made as a result of the Ombudsman process?

No. If there is a monetary dispute between a client or customer against a REALTOR®, or REALTOR® versus REALTOR®, it can be mediated or arbitrated in accordance with the Code of Ethics and Arbitration Manual of the National Association of REALTORS®.

Can I have my attorney involved?

No. The Ombudsman process is the opportunity to mutually resolve the issue between the parties. If the matter is not successfully resolved, the parties may be represented by counsel at an ethics hearing.

