



# NORTH SHORE REALTORS®

Mediation is an informal, confidential, and non-adversarial process in which a trained impartial facilitator meets with the parties involved in a conflict and helps them reach a mutually acceptable agreement. The resolution facilitator helps the parties narrow the issues, identify their individual needs, and explore possible ways of resolving the conflict to their mutual satisfaction.

NSR offers mediation as a dispute resolution alternative once an arbitration request has been reviewed and found to be an arbitrable matter by the NSR Grievance Committee.

## **WHY SHOULD I USE MEDIATION?**

- Can be scheduled at earliest convenience rather than waiting for formal arbitration process.
- Remain in control over the settlement process and result; often times the parties come to an amicable settlement.
- All discussions that take place in mediation are confidential.
- In mediation the parties are limited only by their own creativity in reaching settlement terms that satisfy their individual interest and needs.
- Mediation allows both parties to walk away satisfied with a signed legally binding settlement.
- If voluntary, mutually-agreeable terms are not reached through the mediation process, the parties' right to arbitrate the dispute is preserved. The mediation process is confidential and any information disclosed during mediation cannot be used in the arbitration hearing.

## **HOW DOES THE MEDIATION PROCESS WORK?**

- Once your Arbitration request is received by the Professional Standards Administrator it will be forwarded to a 5-member Review Panel of the Grievance Committee.
- If the Grievance Committee deems the matter to be arbitrable, the parties will be advised of their mediation obligations.
- A Request for Mediation form will be sent to the complainant. An Agreement to Mediate Form will be sent to the respondent. A Mediation Officer Selection Form will be sent to both parties. Each form should be completed in a timely manner.
- Upon receipt of all completed forms, a Mediation Officer will be assigned.
- The Mediation Officer will contact all parties directly to set up an acceptable time and location for the mediation conference.
- If mediation is successful in resolving the dispute a legally binding Resolution Agreement will be signed. If mediation is unsuccessful, the mediator may offer a recommendation for resolution that can be signed by the parties. If the recommendation is rejected by either party the Arbitration process will move forward.

If you have additional questions about the Mediation process or would like to file an Arbitration Request please call the NSR offices at (978) 232-9410.