

Ombudsman Program

Introduction: Occasionally, complaints received by boards and associations do not expressly allege violations of specific Articles of the REALTOR® Code of Ethics (“Code”), and many do not detail conduct related to the Code. Some complaints are transactional, technical, or procedural questions readily responded to. Many ethics complaints might be averted with enhanced communication and initial problem solving which is where the ombudsman role comes into play.

Role of the Ombudsman: The ombudsman’s role is primarily one of communication and conciliation, not adjudication. Ombudsman do not determine whether ethics violations have occurred, rather they anticipate, identify, and resolve misunderstandings and disagreements before matters ripen into disputes and possible charges of unethical conduct.

Right to decline ombudsman services: Persons filing complaints, or inquiring about the process for filing ethics complaints, will be advised that ombudsman services are available to attempt to informally resolve their complaint. Such persons will also be advised that they may decline ombudsman services and can have their complaint reviewed by NABOR’s Grievance Committee for review, determination, and consideration of a hearing before members of NABOR’s Professional Standards Committee.

Resolution of complaints: If a matter complained 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.

Failure to comply with agreed upon resolution: Failure or refusal of a member to comply with the terms of a mutually agreed on resolution shall entitle the complaining party to resubmit the original complaint or, where a formal complaint in the appropriate form had not been filed, to file an ethics complaint. The time the matter was originally brought to the board or association’s attention will be considered the filing date for purposes of determining whether an ethics complaint is timely filed.

How do I Request an Ombudsman?: If you are interested in resolving a particular real estate-related matter through NABOR’s Ombudsman Program, please have the full name and correct spelling of the REALTOR® you are complaining of available and then contact: **Corie Chase, Chief Administrative Officer (239) 597-1666 X224.**