



DAAR RESOLUTION SERVICES (Ombudsman Program)

OMBUDSMAN FREQUENTLY ASKED QUESTIONS

Q: What is the Ombudsman Program?

A: The Ombudsman Program adopted by the Regional Cooperative made up of the Northern Virginia Association of Realtors, the Realtors Association of Prince William, the Dulles Area Association of Realtors, the Blue Ridge Association of Realtors, and the Greater Piedmont Area Association of Realtors is intended to provide an alternative dispute resolution service for members of the public or other Realtors with complaints against members of one of the Associations. All local associations are charged with the responsibility of receiving and resolving ethics complaints, and hearing arbitration disputes filed against their members. An ombudsman can respond to general questions regarding real estate practices, transaction details, ethical practices and enforcement issues.

Q: How do I involve an Ombudsman?

A: Not all complaints expressly allege violations of specific articles of the Code of Ethics and may not concern conduct related to the Code. If you would like to first work through your complaint with an ombudsman, you may notify the appropriate staff to request an intake form or you may fill it out on the Association's website.

Q: What kind of disputes can go through the ombudsman program?

A: The types of dispute that the ombudsman can assist with are those that are:

- Uncomplicated
- Communication-based
- Modest monetary amount, not greater than \$500.00
- May be solved by providing simple education
- May be solved by providing basic knowledge

Q: Are any types of disputes "off limits"?

A: Yes. The following types of disputes will not be handled through the Ombudsman Program:

- Apparent violations of the law (local ordinances, state or national air Housing or discrimination claims)
- Complaints alleging a violation of Public Trust, defined as:
 - Demonstrated misappropriation of client or customer funds or property;
 - Willful discrimination; or
 - Fraud resulting in substantial economic harm
- Those already referred to legal counsel, forwarded to the Department of Occupational and Professional Regulation for investigation, and/or the subject of an arbitration to be handled by an association mediator.
- Large monetary amount, in excess of \$500.00
- Significantly complex
- Cases involving more than two parties
- Unreasonable or uncooperative parties

Q: Who are the ombudsmen?

A: Ombudsmen are Realtor volunteers who must:

- Meet the criteria for extensive real estate experience and additional qualifications determined by the Association Board of Directors;
- Demonstrate objectivity;
- Participate in annual training programs; and
- Possess extensive knowledge of the Code of Ethics, state licensing laws, and best practices.

Q: How does the ombudsmen process work?

A: Once the designated Association staff receives a request or intake form for ombudsman services, the information will be sent to an Association ombudsman. The ombudsman will make all necessary contact with the parties in an attempt to resolve the complaint. If the efforts are not successful, the ombudsman will advise the complainant about the next steps in the complaint process should the complainant wish to file a formal Code of Ethics complaint.

Q: How long will this process take?

A: Disputes can often be resolved through the ombudsman process in as little as a few hours or days, depending on the availability of the ombudsman and the parties.

Q: Is the ombudsman process confidential?

A: 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, or any party under any circumstances except in those situations outlined in the Code of Ethics and Arbitration Manual.