1. Introduction to Mediation (Part Ten, App. VI)
   Professional Standards Administrator (PSA) and/or Mediators discuss mediation option during initial phone inquiries or at various phases of the arbitration and/or ethics complaint processes

2. Initiating a Mediation Request
   - Requester submits Request for Mediation (with supporting documentation) (Form M-1) and Agreement to Mediate (Form M-4) to PSA along with mediation filing fee ($150 public; $100 REALTORS® members)
   - Case number is assigned
   - Notice of Request for Mediation (Form M-2) (with supporting documentation) is sent to Respondent, inviting him/her to participate in the Mediation process
   - Follow-up phone call is conducted with Respondent
   - Notice of Right to challenge Mediators is sent to parties (Form M-3)

3. Decision by Respondent
   - Respondent decides whether he/she will agree to mediate the matter
   - Respondent Accepts
     - Respondent agrees to mediate
     - Respondent signs the Agreement to Mediate form and returns to PSA (attaching any supporting documentation)
     - Respondent submits his/her mediation filing fee to PSA
     - PSA forwards Respondent’s Agreement to Mediate and supporting documentation to Requester
   - Respondent Declines
     - Respondent does not agree to mediate
     - PSA returns check to Requester
     - Case closed
     - Records destroyed one year after case closes

4. Selection of Mediator(s)
   - PSA selects a Mediator(s) from unchallenged names; ensures availability and no conflicts of interest
   - PSA forwards case documentation to Mediator(s)

5. Scheduling of Mediation Conference
   - A mutually acceptable time and location for the mediation conference is established with parties and Mediator(s)
   - Notice of Selection of Mediator(s) (Form M-5) and Notice of Mediation Session is sent to parties and Mediators (minimally 10-days advance notice unless otherwise agreed to by the parties)

6. Mediation Conference Held
   - 6a. Mediation Agreement Reached
     - Originally signed Mediation Resolution Agreement (Form M-6) forwarded to PSA by Mediator
     - Both parties receive a copy of the Resolution Agreement
     - Case closed
     - Records destroyed one year after case closes
   - 6b. No Mediation Agreement Executed
     - If parties are at an impasse, Mediator may decide to recommend an equitable solution (verbal or written)
     - A time frame for responses from parties is established (usually within 48 hours)

7. Decision by Parties
   - Each party decides whether to accept recommended solution
   - 7a. Parties accept
     - Both parties accept recommended solution (return to Step 6a)
   - 7b. One or Both Parties decline
     - Termination of Mediation Conference form (Form M-7) sent to PSA by Mediator
     - Case closed
     - Records destroyed one year after case closes

*The NAR Code of Ethics and Arbitration Manual is the source material for the Ethics Complaint Flow Chart and Process Matrix. This flow chart should not be used as the official authority regarding the process.

Updated: 5/12/09