



Nebraska REALTORS® Association
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Nebraska REALTORS® Association Mediation Policy

Approved by the Board of Directors on June 30, 2026

The Nebraska REALTORS® Association provides a voluntary Mediation service for members who wish to resolve business disputes amicably and efficiently. Mediation offers an alternative to arbitration, allowing both parties to work together with a neutral mediator to find a mutually agreeable solution. We have professionally trained mediators available, who are dedicated to helping members navigate disputes in a collaborative, confidential setting.

The parties to mediation should be aware that they may withdraw from the process at any point prior to reaching an agreement. Any offers of settlement that were not accepted or any suggested resolution proposed by the Mediation Officer that was not accepted will not be introduced as evidence nor considered in any manner should the matter require arbitration by the Professional Standards Committee. However, if the parties agree to a settlement of the dispute, and the settlement has been reduced to writing and has been signed by all of the parties, the matter is deemed resolved and cannot be the subject of a subsequent arbitration hearing. In the event either of the parties later fails to abide by the terms of the settlement, the matter may not be arbitrated; instead, the other party should be encouraged to have the settlement agreement judicially enforced by a court of competent jurisdiction.

1. **Request Mediation:** One party initiates the process by completing the Mediation Request Form.
2. **Agreement to Mediate:** If the other party agrees to participate, the Association will schedule a mediation session at a mutually convenient time.
3. **Mediation Session:** Both parties meet with an assigned mediator who facilitates discussions to help them reach a voluntary resolution.

Note: If both parties do not agree to mediate, the process cannot proceed.

Fees: Each party pays a non-refundable \$50.00 fee to the Nebraska REALTORS® Association for the mediation service.

The Mediation Process

1. Participation in the mediation process is voluntary.
2. Parties to a mediation conference may withdraw from the process at any point prior to reaching an agreement. Should you choose to withdraw from the process prior to reaching an agreement, the complainant is free to pursue arbitration of the dispute in accordance with the guidelines set forth in the *Code of Ethics and Arbitration Manual* of the NATIONAL ASSOCIATION OF REALTORS®.
3. If the parties to the mediation conference agree to a settlement of the dispute, and the settlement is reduced to writing and has been signed by all of the parties, the matter shall be

considered resolved and shall not be the subject of a subsequent arbitration hearing. In the event that either of the parties fails to abide by the terms of the settlement, the matter may not be arbitrated; instead, the other party should be encouraged to have the settlement agreement judicially enforced by a court of competent jurisdiction.

4. Parties to the mediation may be accompanied by and represented at the conference by legal counsel. If it is your intent to have legal counsel present at the mediation conference, the Mediation Officer or the Board staff should be advised of this fact at least ten (10) days prior to the mediation conference.
5. Parties to the mediation may agree to a mutual resolution of the matter at any time during the mediation conference. If, following a thorough discussion of all the pertinent facts, the parties are still unable to resolve the matter, the Mediation Officer may make a recommendation for the resolution of the dispute. The recommendation for resolution can be oral or in writing and may be provided to both parties at the conclusion of the mediation conference. The parties can agree to the Mediation Officer's proposed resolution at the time it is presented to them. If neither of the parties desires to give additional consideration to the Mediation Officer's resolution, both parties will be given a specified period of time, not to exceed forty-eight (48) hours, to consider the resolution and to advise the Mediation Officer of their acceptance or rejection of the recommended resolution. Failure to respond to the recommended resolution within the specified time period will be deemed as a rejection of the suggested resolution. If either of the parties rejects the proposed resolution, the mediation conference will be deemed concluded, and the matter will proceed to the Board's Grievance Committee for determination. If the Grievance Committee has previously referred the dispute to the Board's Professional Standards Hearing Panel, the matter will proceed to arbitration.
6. If the parties to the mediation conference are unable to resolve the dispute, any offers of settlement that were not accepted or any suggested resolution proposed by the Mediation Officer that was not accepted will not be introduced as evidence nor considered in any manner should the matter require arbitration by the Board's Professional Standards Committee.

Mediation Procedures

1. Arbitration request received by the Professional Standards Administrator. Admin may also offer disputing parties an opportunity to mediate prior to an arbitration request being filed.
2. The Professional Standards Administrator will advise parties of their mediation obligations and options to participate in mediation prior to review of the arbitration request by the Grievance Committee.

Send to complainant:

Request for Mediation form - Boards may prefer to complete this step by telephone rather than by *email*.

Agreement to Mediate form

Mediation Officer Selection Form

*Forms must be returned to the board within 10 business days of being transmitted.

3. Upon receipt of completed forms from the complainant.

Send to respondent:

Notice of Request for Mediation form with attached copy of complainant's Request for mediation form - *Boards may prefer to complete this step by telephone rather than by email.*

Agreement to Mediate Form

Mediation Officer Selection Form

*Forms must be returned to the board within 10 business days of being transmitted.

4. Upon receipt of all completed forms, the Board may assign any Mediator not challenged to serve as the Mediation Officer.

Send to both complainant and respondent:

Notice of Selection of Mediation Officer Form

5. The Mediation Officer should contact the complainant and respondent directly to set an acceptable time and location for the mediation conference and should notify the Professional Standards Administrator of the details so that they can send the required documents.

Send to both complainant and respondent:

Mediation Officer form letter confirming date, time, and location of conference.

(Adequate prior notice should be given to parties for scheduling mediation conference – ten (10) days suggested)

6. **(A) If the mediation conference successfully resolves the dispute:**

The original signed Mediation Resolution Agreement (Form #A-17) should be forwarded to the Board by the Mediation Officer. The Resolution Agreement should be kept in the file with all pertinent records pertaining to the case.

Both the complainant and the respondent should receive a copy of the Resolution Agreement.

(B) If the mediation conference does not successfully resolve the dispute:

If the parties are unable to resolve their dispute, the Mediation Officer may make the determination that the parties have reached an impasse and may recommend an equitable solution. The recommendation for resolution can be oral or in writing, and may be provided to both parties at the conclusion of the mediation procedure.

*Response required from both parties within two business days.

Any party that does not respond to the Mediation Officer within three (3) business days will be considered to have rejected the suggested solution.

The Mediation Officer should advise the Professional Standards Administrator that the mediation conference has been terminated without resolution of the dispute.

The Mediation Officer will send the Termination of Mediation Conference form to the Professional Standards Administrator.

Request for Arbitration will be forwarded to the Grievance Committee for review.