

# Mediation Services

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## REALTORS® Encourage mediation: An Alternative Dispute Resolution Process

Mediation is available to all parties, in conflict in real estate transactions. Following is a brief description of the mediation program. For additional information, call **505-724-3466**.

### What is Mediation?

Mediation is a voluntary process which people in dispute can use to reach agreement. With the help of an impartial mediator they work toward a mutually agreeable solution. The mediator is not a judge, rather an expert in a process that focuses on the issues of conflict and helps defuse the emotions involved.

### Who Should Use Mediation?

Anyone involved in conflict who seeks a fast, inexpensive and effective resolution to the situation.

### Why Use Mediation?

Often parties believe that litigation is their only alternative to resolving disputes; mediation is a better alternative. When conflict can be resolved in a way that all agree to, everyone wins.

### Does Mediation Mean Giving Up the Right to Arbitrate or Litigate?

No. Mediation doesn't eliminate other options should people fail to reach an agreement; they may still arbitrate or litigate. However, mediation works eight out of ten times it is used.

### Why Does Mediation Work So Well?

- It's fast. In most cases, mediation can be achieved in less than 30 days.
- It's inexpensive. You'll save time, money and emotions compared to other ways of settling disputes.
- It's effective. People with disputes work together to achieve a solution satisfactory for all involved. And, they are more likely to follow through and live up to the agreement. From the beginning, participants are guided through the process in a way that helps eliminate hostility.

### Are Some Disputes Settled Without the Parties Having to Meet?

Yes. Another effective process that is offered (complimentary) to REALTORS® and the Public is the Ombuds Program. An Ombuds helps parties reach an agreement simply by talking with them over the telephone.

### When and Where Do Parties Meet for Mediation?

The REALTOR® Mediation program makes it as easy as possible. In most cases a mediation conference can be held within 30 days, the parties usually meet here at the REALTOR® building in a comfortable, private conference room.

### Is Mediation Expensive?

No. If the parties settle before an actual mediation takes place, there is no cost incurred. If a mediation request is made between parties who are both REALTOR® members there is no cost. If the issue is between a member of the public and a REALTOR® or between members of the public (without a REALTOR®), there is a fee of \$150 per party.

### How Do You Get Started?

Call the Greater Albuquerque Association of REALTORS® between 8:30am and 5:00pm, Monday through Friday at 505-724-3466 where you will find out how the program works, and begin the intake process. Mediation is confidential.

### Tips for a Successful Call

1. If possible, write down pertinent information you wish to share before calling.
2. Be prepared to give the name of the real estate agent or company you have worked with.
3. Be prepared to give the name, address and phone numbers of all parties to the dispute which you would like contacted.
4. Set aside time for your initial call. A typical first call takes approximately 15-20 minutes, and interruptions make it difficult to get the necessary information. Be patient if the line is busy, or leave a detailed voice message so your call can be returned promptly.