



Confidentiality

To the extent permitted by law, the Ombuds will treat all communications with you confidentially. With the exception of short-term working notes to keep track of commitments and follow-up steps, the Ombuds keeps no records. No information will be released to anyone except as a part of a resolution plan that you agree to.

An important exception to confidentiality exists where failing to disclose information would result in imminent risk of serious harm to you or someone else; where there is an allegation that the public trust has been violated; or where there is a duty to disclose imposed by law.



Conditions for Using Ombuds Program

The Ombuds Program is a completely voluntary benefit offered to its users. By choosing to use the Program, you agree to honor and be bound by the Program's conditions and the provisions that require the Ombuds to hold all communications *confidential*.

- While you may always share your *own* information, by electing to use the program, you promise never to seek to force the ombudsman to disclose any information received in the course of providing Ombuds services.
- You agree to these conditions as a contract. Information revealed by another party while using the Ombuds services shall not be relied on or introduced into evidence in any subsequent proceeding.

Ombuds Program



Have a question or a concern about a real estate transaction?



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Phone: 505-724-3469
E-mail: ombuds@gaar.com



Questions and Answers

Ombuds Principles

Confidentiality

- Holds visitors' identities and communications confidential
- No individually identifiable case notes and no formal records
- Discussions with the Ombuds are not considered notice to GAAR for any purpose

Impartiality

- Treats all parties equitably/fairly
- Will not take sides in a dispute or promote one side over the other
- Ensures a fair process

Informality

- Off-the-record, non-escalating, and voluntary resource
- Uses communication and conciliation rather than a formal adjudication process
- Relationships preserved, often enhanced
- Will not participate in any formal adjudication or administrative procedures related to the issues

Independence

- Exercises autonomy in conducting Ombuds responsibilities
- Reports trends and recurrent issues to the GAAR Board of Directors for system improvements and professional development

What qualifications does an Ombuds have?

- Knowledge of NAR's Code of Ethics, State real estate rules and regulations, and current real estate practices
- Adheres to the International Ombudsman Association's principles and standards of practice
- Familiar with professional standards processes and other formal avenues to resolve concerns

What will the Ombuds do?

- Explore options, approaches, and available resources to resolve disputes
- Assist visitors in addressing problems/concerns in a manner that meets their needs
- Offer behind-the-scenes coaching and informal third-party intervention/facilitation
- Advocate for advancement of real estate professional standards, fair treatment, and system improvements

What will the Ombuds not do?

- Conduct investigations or participate in formal processes

- Draw conclusions about the merits of a concern
- Give advice, make recommendations, or impose a solution

What are the advantages of calling the Ombuds?

- Provides services at no cost to you
- Offers timely resolution of conflicts and disagreements
- Issues addressed within days rather than months
- Less adversarial than formal processes
- Parties maintain control of resolution approaches and outcomes

What types of concerns will the Ombuds address?

- General real estate or transactional questions
- Potentially unethical conduct
- Disagreements or communication issues related to real estate transaction
- Commission disputes

How do I access Ombuds services?

Call 724-3469 or email Ombuds@gaar.com