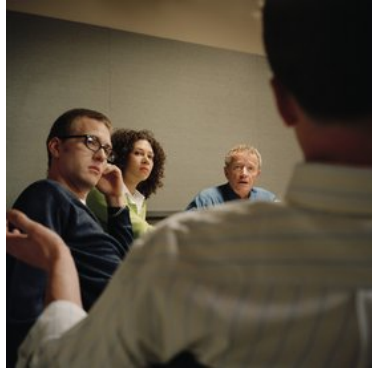


## CAUGHT IN THE MIDDLE?

Find yourself **CAUGHT IN THE MIDDLE** of a disagreement between buyers and sellers?

Tell them about  
**DISPUTE  
RESOLUTION  
SYSTEM**



Call SEVRAR for more information at 480-833-7510.

**Don't Get Upset & Steam... Contact the SEVRAR MEDIATION TEAM!**

### THE SEVRAR ADVANTAGE

SEVRAR Mediation Services offers experienced mediators. The mediators are experienced real estate professionals with extensive background knowledge in real estate related issues. They are practicing REALTORS® who are trained and skilled in the art of negotiation.



### SEVRAR MEDIATION FEES

These prices are based on the mediation being held at the SEVRAR premises. If any other meeting place is required the parties concerned will be responsible for additional costs involved.

**\$300.** (Four (4) hours of mediation. Split between parties involved.)

**\$ 50.** (Hourly charge per hour for additional time.)

# SEVRAR

THE SOUTHEAST VALLEY REGIONAL ASSOCIATION OF REALTORS®

*South East Valley*  
REGIONAL ASSOCIATION OF REALTORS®  
1363 South Vineyard • Mesa, Arizona 85210  
Tel: 480-833-7510 • Fax: 480-835-1329 • www.sevvar.com



FOR MORE INFORMATION, VIST OUR WEBSITE AT: [www.SEVRAR.com](http://www.SEVRAR.com)

THE SOUTHEAST VALLEY REGIONAL ASSOCIATION OF REALTORS®



# Looking for a Way to Solve Disputes with Buyers and Sellers?

Turn to the Homesellers / Homebuyers

## Dispute Resolution System

A mediation service for buyers and sellers and for resolving escrow deposit disputes.

**FAST . EASY . INEXPENSIVE**

# SEVRAR



## Introduction

Although a majority of real estate transactions close without incident, there is a possibility that a problem or dispute will occur. When a dispute does arise it is usually successfully resolved through normal channels of communication and negotiation. Occasionally a dispute arises which cannot be resolved through negotiation. In the past when negotiations failed, parties took their case to courts. Today disputes can be addressed at mediation.

## What is mediation?

Mediation is a process in which disputing parties attempt to resolve their disagreements with the help of an impartial, trained third party—the mediator. The mediator does not offer opinions, pass judgment, or render legally binding decisions. The mediator’s only function is to help parties identify their differences and reach an agreement on how to resolve them.

When the disputing parties have reached a mutually acceptable solution they sign a written agreement which outlines the terms of the settlement. Once the agreement is signed, parties are legally bound to abide by its terms. If the parties cannot reach a mutually agreeable settlement, they are free to arbitrate or litigate their dispute as if the mediation never took place.

In addition to being easier, faster, and less expensive than litigation, mediation is non-adversarial. Decisions rendered by an arbitrator or judge usually involve a winning party and a losing party. In mediation there are no losing parties because the parties have been part of the process and together have agreed on the terms of the settlement.

# HOMESELLERS & HOMEBUYERS DISPUTE RESOLUTION SYSTEM MEDIATION

## Access to Service

Dispute Resolution System (DRS) mediation can be used by any of the parties to a real estate transaction:

- Sellers
- Buyers
- Brokers
- Builders
- Home Inspectors

With the exception of controversies that are subject to a hearing under REALTOR® Professional Standards procedures (including disputes between REALTORS®) almost any type of dispute that arises from the transaction can be mediated under the DRS Rules and Procedures.

## Rules and Procedures

How, when, and by whom mediation is initiated and conducted is covered under the DRS Rules and Procedures. The Rules and Procedures ensure fairness, uniformity, and expediency.

## Written Agreement to Mediate

Parties who decide to submit potential disputes to mediation sign either a sales contract that contains a mediation clause or an addendum that is attached to the sales contract. The clause states (in part), that parties agree to submit any dispute or claim that arises from the transaction to mediation under the DRS Rules and Procedures. **Once the contract or addendum is signed by the parties, parties must submit their disputes to mediation.** Parties who do not pre-commit to mediation when the sales contract is executed may agree to and submit disputes to mediation by signing a written Agreement to Mediate. Parties can sign this agreement either before or after a dispute arises. If a dispute arises, the standard purchase contract published by the Arizona Association of REALTORS® (AAR) does require any dispute or claim arising out of or relating to the contract be submitted to mediation.

## Initiating Mediation With SEVRAR

Any party can invoke DRS mediation by submitting a written request to the DRS mediation provider. The mediation provider arranges, schedules, and conducts the mediation conference. The mediation conference must be held within sixty (60) days from the date on which the mediation providers receives a party’s request to initiate mediation. Usually the conference is schedule within thirty (30) days. The typical conference lasts between two to four hours. The cost of mediation with SEVRAR is \$300 split between the parties involved. Payment is not required until the actual mediation takes place.

## FACTS ABOUT MEDIATION

Mediation is **FASTER** than litigation. A lawsuit can take up to several months to several years to be decided. As a rule mediation takes about thirty days from start to finish.

Mediation is **LESS EXPENSIVE** than litigation. Because parties typically split fees, no one pays an excessive amount.

Mediation is **NON-ADVERSARIAL**. Arbitration and litigation focus on disagreements between parties and result in win-lose decisions imposed by the arbitrator or judge. Mediation focuses on an agreement between the parties and results in a win-win settlement reached and agreed on by the parties themselves.

Parties who agree to mediate **RETAIN THE RIGHT TO PURSUE OTHER LEGAL REMEDIES**. If parties cannot reach a mutually acceptable settlement during the mediation conference, they are free to arbitrate or litigate their dispute as if mediation never took place.

**STATISTICS SHOW THAT  
MEDIATION IS SUCCESSFULL  
80% - 90% OF THE TIME.**

**Use the Homesellers and Homebuyers  
Dispute Resolution system**