

# Southwestern Michigan Association of REALTORS

## Ombudsman Program

### WHAT IS THE SWMAR OMBUDSMAN PROGRAM?

Ombudsman Procedures adopted by the Southwestern Michigan Association of REALTORS® (SWMAR) intend to provide enhanced communications and initial problem-solving capacity to the professional standards process. SWMAR is charged with the responsibility of receiving and resolving ethics complaints, and hearing arbitration disputes filed against its' members. An Ombudsman can respond to general questions regarding real estate practices, transaction details, ethical practices and enforcement issues.

### HOW WILL I KNOW TO ASK FOR AN OMBUDSMAN?

Many complaints do not expressly allege violations of specific articles of the REALTOR® Code of Ethics and may not concern conduct related to the Code. Some complaints are transactional, technical, and procedural questions that can readily be answered. Some complaints are due strictly to lack of communication. These types of issues may be appropriate for the Ombudsman program.

### WHAT ARE REALTOR® OMBUDSMAN BENEFITS?

You can receive non-judgmental real estate related information in a timely manner and at no cost.

### WHAT THE OMBUDSMAN WILL NOT DO?

- Adjudicate/make the final decision;
- Give legal advice;
- Determine who is right or wrong;
- Disclose communications – Process is CONFIDENTIAL;
- Make any written record of discussions and/or agreements.

### WHO ARE THE OMBUDSMAN?

REALTORS® appointed as an Ombudsman must:

- Meet criteria for extensive real estate experience and/or additional qualifications as determined by the SWMAR Board of Directors;
- Demonstrate objectivity;
- Participate in a training program; and
- Possess extensive knowledge of the REALTOR® Code of Ethics, license law and best practices.

### HOW DOES THE OMBUDSMAN PROCESS WORK?

The SWMAR Professional Standards Administrator and/or the Chief Staff Executive will assemble information to send to the SWMAR Ombudsman via e-mail. This information may include:

- Name, phone number and role of the complainant (that is, buyer, seller, broker, etc.)
- Name, phone number, and role of the respondent (that is, broker, principal broker, etc.)
- If the respondent is a broker, the name of principal broker and/or managing broker.

The SWMAR Ombudsman will make all necessary contacts in an attempt to resolve the complaint. If the Ombudsman efforts are effective, there is no further action necessary. If the efforts are not successful in resolving the Complainant's issues, the Ombudsman will advise the Complainant about the next step(s) in the complaint process.

To Request Ombudsman Services Contact:  
Southwestern Michigan Association of REALTORS®  
3123 Lake Shore Drive St. Joseph MI 49085  
269-983-6375 or swmarae@swmar.org