

## **Ombudsman Process**

The definition of Ombudsman for Realtors® -- The Ombudsman Program in its simplest definition is informal telephone mediation. In some cases, it can address and solve minor complaints from the public. It can also solve inter-Realtor® conflicts before they become serious problems. Like a mediator, an ombudsman helps parties find solutions.

### **What is the KCAR Ombudsman Program?**

Ombudsman Procedures adopted by KCAR are intended to provide enhanced communications and initial problem-solving capacity to the professional standards process. KCAR 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 be readily responded to. 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 will the Ombudsman NOT do?**

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

### **Who are the Ombudsmen:**

Realtors® appointed to be Ombudsmen must:

- Meet criteria for extensive real estate experience
- Demonstrate objectivity
- Participate in a training program
- Possess extensive knowledge of the Realtor® Code of Ethics, license law and best practices.

### **How does the Ombudsman Process Work?**

The KCAR Professional Standards Grievance Chair will assemble information to be sent to the KCAR Ombudsman via email. 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, office manager)
- If the respondent is a broker, the name of principal broker and/or managing broker.

The KCAR 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.