



Seller-Buyer Guide for Initiating Mediation

When a dispute arises.

The decision to initiate mediation under the Home Sellers/Home Buyers Dispute Resolution System should be made after all attempts to negotiate an acceptable solution have been exhausted.

Call your broker or sales agent.

Your broker or sales agent can be instrumental in resolving conflicts and disputes. Talk with your broker or sales agent before you initiate mediation proceedings.

Consult your attorney.

You should inform your attorney of your intent to initiate mediation under the DRS Rules. Your attorney will be able to provide you with advice and counsel - and may be able to help you resolve the dispute without having to proceed to mediation.

To initiate mediation.

When all attempts to negotiate a settlement have failed, you should proceed as follows:

A. If you and other parties have pre-committed to Mediation

(i.e., you have signed an Agreement for the Sale of Real Estate or an addendum to the Agreement which contains a mediation clause, or other written agreement):

1. Contact your broker or sales agent or the Greater Lehigh Valley REALTORS® to request the information and forms you will need to initiate mediation.
2. Upon receipt, review the descriptive brochure to familiarize yourself with the mediation process. You will also receive a copy of the Mediation Rules and Procedures, a Mediator Fee Schedule and a Request to Initiate Mediation Transmittal Form which you will file to initiate the mediation process.
3. Complete and sign the Request to Initiate Mediation Transmittal form. Mail the original form to the DRS Administrator identified at the end of the Transmittal Form. Be sure to include the appropriate number of copies as requested in the Transmittal Form.

Upon receipt of your Transmittal Form, the DRS Administrator will provide copies and a list of DRS mediators to all named parties. The named parties will have ten days in which to review the list, cross off the names of any mediator not desired,

and return the list to the DRS Administrator. The Administrator will choose the first available mediator who is common to all lists, in accordance with the Mediation Rules and Procedures.

B. If You or Other Parties Have Not Pre-committed to Mediation

(i.e., you have not signed an Agreement for the Sale of Real Estate, or addendum, which contains a mediation clause):

1. Contact your broker or sales agent or the Greater Lehigh Valley REALTORS® to request a brochure describing the Dispute Resolution System and the information and forms you will need to initiate mediation.
2. Carefully review the Mediation Rules and Procedures and the Mediation Fee Schedule so that you understand what is involved in the mediation process.
3. Complete and sign both the Agreement to Mediate and the Request to Initiate Mediation Transmittal Form. Mail both forms and any required attachments to the mediation administrator at the address identified at the end of the Mediation Transmittal Form. Be sure to include a copy of the Transmittal Form for each of the other parties in dispute. You should also provide a cover letter requesting the Administrator's help in obtaining the agreement of the other parties to mediate the dispute.
4. If all other parties agree to mediate under the DRS Mediation Rules and Procedures, the Administrator will provide all parties with a list of possible mediators. Each party will, within ten days, review the list, cross out the name of any mediators who may have a personal or financial interest in the dispute or to whom the party objects, and return the list to the DRS Administrator. The Administrator will appoint the first available, commonly acceptable mediator to the dispute (Note: Your Broker or sales agent and attorney may be able to assist you in obtaining the agreement of other parties to mediate the dispute.)

Should you have any questions consult with your broker or sales agent or contact the Greater Lehigh Valley REALTORS®.

Sincerely,

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