

# OMBUDSMAN FAQs

## What is the Ombudsman Program?

The program serves as an intermediary in disputes or questions that relate to real estate transactions. This free service allows the Greater Boston Association of REALTORS® to tap the expertise of experienced real estate professionals who are trained in problem-solving. These professionals, called ombudsmen, can provide guidance on what steps to take, suggest resources for additional help, and in some cases, can act as an intermediary in resolving basic problems.

## Who Qualifies to Use the Service?

Anyone who has a real estate question or problem relating to a transaction involving a REALTOR® will qualify. It's important to note that not all who sell real estate are REALTORS®. If you have an issue with someone who is not a REALTOR®, you would need to contact [Massachusetts Board of Registration of Real Estate Brokers and Salespersons](http://www.mass.gov/realstateboard) at 617-727-2373 or [realestateboard@state.ma.us](mailto:realestateboard@state.ma.us).

## Does the Ombudsman Program Provide Legal Advice?

No. But GBAR's ombudsmen can provide resources and answer basic questions. In some cases, the Association's ombudsmen may be able to contact agents and work out problems without having to go through a more formal complaint process. They might also recommend that the consumer seek legal counsel.

## Why Use an Ombudsman?

GBAR has found many disputes are easy to resolve and do not require a formal hearing process. Since a formal hearing process can be lengthy, this process may be able to offer speedier resolution to many disputes. Individuals requesting the assistance of an ombudsman typically need immediate assistance with a real estate-related dispute or issue. Many times, those involved hit a wall and emotions get the best of them. It is during these times that having an intermediary to assist helps move the transaction forward. The ombudsman will determine the needs of the parties involved and help to achieve that goal.

## Who Are the Ombudsmen?

The GBAR Board has selected individuals who are well established as real estate experts with a commitment to the REALTOR® Code of Ethics, and who understand the role communication plays in making any real estate transaction work. Ombudsmen undertake additional training to serve in this important role.

## How Long Does the Ombudsman Process Take?

GBAR staff will usually review the request within three (3) business days of receipt and refer it, if necessary, to an ombudsman. An ombudsman will typically contact you within 1-2 business days. He or she will make at least three attempts to contact you regarding the submitted question. Every

case is different, but the program's stated purpose is to quickly resolve issues. Usually, a dispute brought to an ombudsman can be resolved within 7-10 days of the filing whereas an ethics complaint can take anywhere from four-six months to get to a formal hearing.

## What is Involved in Requesting Assistance?

In order to best serve you, you will need to fill out an ombudsman request form on our Web site at [www.gbar.org](http://www.gbar.org). Be prepared to share the name(s) of the REALTOR® involved, key dates, the property's address, your telephone number and e-mail address.

## What Can an Ombudsman Not Do?

An ombudsman does not adjudicate or make decisions; does not determine whether an ethics violation has occurred; does not refer concerns to a Grievance Committee or any regulatory body except where concerns of the public trust have been violated; does not give legal advice; does not put anything in writing to either party; and does not breach confidentiality.

## Why Request Assistance of an Ombudsman Instead of Filing an Ethics Complaint?

The ombudsman process is quicker, less time-consuming and less formal than filing an ethics complaint.

## What Do I Get Out of Filing an Ethics Complaint?

Once a formal complaint has been filed, which alleges a violation of the REALTOR® Code of Ethics, the Grievance Committee and Professional Standards Committee move the complaint through a process which could result in a hearing. If determined by a hearing panel that a violation occurred, the REALTOR® will then be disciplined pursuant to the disciplinary actions outlined by the National Association of REALTORS®. The party filing is unable to seek damages or compensation for any loss that they may have suffered.