

## **Appendix O**

### **Salesperson Script for Discussing Buyer-Seller DRS Mediation**

The following script is an example of how mediation can be presented by real estate brokers/salespeople to buyers and sellers prior to the signing of a contract to purchase real estate:

“Everything appears to be in order and I would like to again congratulate you on your wise decision to buy this home.

I would like to take just a moment to tell you about a program that has been introduced by the NATIONAL ASSOCIATION OF REALTORS<sup>®</sup> and my local Association of REALTORS<sup>®</sup>. While I do not foresee any problems with your transaction, court costs, attorney fees, and long delays that could occur if complications do arise have made litigation through the courts an unattractive method of resolving problems. These problems can be avoided through the Dispute Resolution System of my local Association, called mediation.

Mediation is less expensive and less time-consuming than litigation. Mediation brings the parties together with an impartial third party who is a trained professional. With the mediator's help, parties usually reach a mutually agreeable solution. It is very important to understand that the mediator does not have the power or authority to render a binding decision on the parties as does an arbitrator or judge. The mediator assists the parties to reach an agreeable solution. The outcome of a mediation conference is not binding unless the parties agree, in writing, to a settlement. In the event that the parties do not arrive at an agreement, they are free to pursue other legal alternatives for resolving the dispute including arbitration and litigation. You do not forfeit any legal rights, whatsoever.

Please take a copy of *Mediation the winning solution for buyers and sellers* brochure and these program materials which describe DRS in greater detail. I encourage you to review the information and consult with your attorney if you have questions.

I want to emphasize that by encouraging you to pre-commit to mediation I am in no way suggesting that a problem is going to occur. Look at the mediation as a precaution. If a problem does arise, mediation allows you to resolve the problem without going to the time and expense of court.

I'm sure when you've read the brochure that you'll agree that pre-committing to mediation is a good decision.”