

# Is Mediation A Good Option For You?

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## Is Mediation Right For You?

The mediation process can be a “win-win” for both parties involved in a real estate complaint. Mediation helps people to work through and resolve a conflict in a safe and comfortable environment.

After the Division of Real Estate & Professional Licensing receives a complaint and determines that it falls within the Division’s regulatory authority, the complainant and the real estate licensee are offered the option of entering into the mediation process.

Mediation – which can save all parties time, legal costs and emotional energy — can result in a resolution within one day.

*It is important to note that the Ohio Real Estate Commission does not have the authority to award damages to a complainant since such issues fall under the jurisdiction of a civil court.*



## Is mediation voluntary?

Yes. However, both parties must agree to participate.

## What is the mediator’s role?

Once the parties decide to attend mediation, the discussion will be led by a trained Division mediator. He or she will facilitate the discussion between the parties without arriving at any judgments or conclusions. The mediator’s role is to ask questions and assist in negotiations between the parties. He or she does not issue orders or take sides.

## Is the mediation confidential?

Yes, all information presented during the mediation process is strictly confidential.

## What should I take to mediation?

You should take any related documentation and an open mind.

## How does the process work?

The parties are provided the opportunity to describe the issue from each of their points of view. The mediator will then work with the parties to facilitate an agreement acceptable to both sides.

If an agreement is reached, the mediator will prepare an accommodation agreement that will outline its terms and explain the duties of each party. When the accommodation is fulfilled, the Division’s investigation will be closed. If the terms are not satisfied, the Division will proceed with a formal investigation and the mediator will not be involved in the investigation.

## What are possible outcomes of mediation?

A complainant could receive:

- an apology
- compensation
- anything lawful agreed to by both parties

A licensee could receive:

- resolution of an investigation that could have resulted in charges against his or her license.



**Even if an investigation is underway, it’s not too late to mediate!**

To schedule a mediation or to hear more about the mediation process, contact the Division of Real Estate’s Enforcement Section.



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