

Ohio Division of Real Estate & Professional Licensing  
**INFORMAL MEETING/MEDIATION FACT SHEET:  
WHAT CAN BE EXPECTED**

When a written complaint is filed with the Division of Real Estate per R.C. 4735.051 and the complaint is determined to be within the Division's regulatory authority, the parties will have an opportunity to participate in an informal meeting/mediation. Mediation is a cooperative approach to resolve differences. It is a process in which a neutral third-party (i.e. mediator) helps parties to facilitate an agreement that is acceptable to both sides. Importantly, mediation is completely confidential and voluntary and parties control and make the decisions regarding how their conflict will be resolved, not the mediator.

**How Does Mediation Occur?**

In order for mediation to occur, both the complainant and the real estate broker or salesperson licensee(s) must agree to mediation in writing. If one party does not elect to participate, the Division will proceed with a formal investigation based upon the complaint.

**The Mediation Process Explained**

If both parties agree to the informal meeting/mediation, the mediation process will begin.

- ⇒ The mediator will contact both parties to schedule the meeting, explain how mediation will be conducted and address any questions the parties may have.
- ⇒ During the meeting, each party tells his or her story regarding the complaint.
- ⇒ The mediator cannot give either party legal advice.
- ⇒ Each party may have an attorney present but it is not required.

**The Mediation Agreement/Accommodation**

- ⇒ If an accommodation is reached, the mediator will prepare an accommodation agreement.
- ⇒ The agreement will outline the terms of the accommodation, duties of all parties to the mediation and will specify that neither the complainant nor the licensee may use the agreement in any succeeding civil dispute.
- ⇒ The agreement will be signed by both parties which will bind both parties to the agreed upon resolution.
- ⇒ When the terms of the agreement are satisfied, no further action will be taken and the investigation will be closed.

**What Happens if No Accommodation/Agreement is Reached?**

If an agreement is not reached during the meeting, the Division will proceed with a formal investigation.

**What Happens if Terms of the Agreement are not Satisfied?**

If the terms of the agreement are not met, the agreement becomes void and a formal investigation is opened.

**Benefits of Mediation**

- ⇒ The parties make the decision(s) on how their differences will be resolved.
- ⇒ Mediation avoids a formal investigation.
- ⇒ Mediation is a short process versus a formal investigation. Investigations may take many months to resolve.
- ⇒ It's a win-win situation where both parties' needs are met.
- ⇒ It avoids costs of attorney fees associated with a formal investigation.
- ⇒ The process is confidential.