



## **Arbitrable and Non-Arbitrable Issues**

### **Arbitrable Issues**

An arbitrable issue includes:

- Contractual disputes between REALTORS® associated with different firms arising out of their relationship as REALTORS®
- Non-contractual disputes
  - Procuring cause disputes between cooperating brokers
  - Compensation disputes between two or more listing brokers (and a seller who agrees to participate in and be bound by arbitration)
  - Procuring cause disputes between a cooperating broker and listing broker
- Contractual disputes between a REALTOR® and client where the client wishes to arbitrate and agrees to be bound by any resulting agreement or award

### **Non-Arbitrable Issues (Can be Mediated)**

Examples of non-arbitrable issues include:

- tortious interference with business relationships
- tortious interference with a contractual relationship
- economic duress
- intentional infliction of emotional distress
- other tort claims, such as libel/slander
- employment claims, other than commission disputes
- fraud/misrepresentation claims
- property claims, both real and personal
- Disputes between two listing brokers where no contract exists between the parties and the dispute is not as specified in Standard of Practice 17-4(4)