



## **SUNFLOWER ASSOCIATION OF REALTORS® OMBUDSMAN PROGRAM**

### Introduction

Complaints and concerns received by the Sunflower Association of REALTORS® (SAR) come in many different forms. Some complaints received by SAR do not allege violation of specific provisions of the Code of Ethics to conduct governed by the Code of Ethics.

Some concerns or questions relate to transactional, technical or procedural matters. Often complaints may be resolved with enhanced communication and a problem-solving approach. These ombudsman procedures are designed to provide such an approach in appropriate circumstances.

Information about the program and a Request for Ombudsman Service form is available with a direct link to staff email. If the complaint meets the program guidelines, staff will email the completed Ombudsman Request Form (if received) and the Ombudsman Worksheet/Log to the Ombudsman selected.

Upon receipt of a request, staff will inquire what has been done so far to resolve the situation and obtain basic information about the issue surrounding the complaint.

### The Ombudsman's Role

The ombudsmen do not determine whether a violation of the Code of Ethics has occurred. The ombudsman's role is that of a communicator with the parties to the disagreement or dispute. The ombudsman works to identify the nature of the dispute, disagreement or misunderstanding and determine if by discussions with the parties the disagreement, dispute or misunderstanding can be resolved continue until such time as either the ombudsman chooses to cease serving in that role or the Board of Directors withdraws the approval.

### Utilization of the Ombudsman

It is not necessary that there be an ethics complaint nor an allegation of conduct that may violate the Code of Ethics to refer a matter to an ombudsman.

Those filing complaints, or inquiring about the process for filing ethics complaints, will be advised by the CEO in applicable situations, that ombudsman services are available to attempt to informally resolve their complaint or concern. Ombudsman services may be declined and instead the complaint, if properly filed, referred to the Grievance Committee.

#### Resolution of Complaints

If a matter is resolved to the mutual satisfaction of all parties through the efforts of an ombudsman, the initial formal ethics complaint, if any, will be dismissed.

#### Failure to Comply with Agreed Upon Resolution

Failure or refusal of a member to comply with the terms of a mutually agreed on written resolution shall entitle the complaining party to resubmit the original complaint or, where a formal complaint in the appropriate form was not filed, to file an ethics complaint, if appropriate under the circumstances.

Referrals to the Grievance Committee or to the Kansas Real Estate Commission  
Ombudsmen cannot refer concerns they have regarding the conduct of any party utilizing their services to the Grievance Committee, to the Kansas Real Estate Commission, or to any other regulatory body.

This prohibition is intended to ensure impartiality and avoid the possible appearance of bias. Ombudsmen are, however, authorized to refer concerns that the public trust may have been violated to the Grievance Committee.



**Ombudsman Request**

This document is an online form available on the Sunflower website for the consumer to complete and email to the association. Staff will forward this form along with ombudsman worksheet/log to the ombudsman.

Date: \_\_\_\_\_

**Ombudsman Request**

Name of Complainant: \_\_\_\_\_

Firm (if any) \_\_\_\_\_

Address: \_\_\_\_\_

Preferred Phone for contact: \_\_\_\_\_

Best time to contact you: \_\_\_\_\_

Role in Transaction: \_\_\_\_\_  
(buyer, seller, agent, broker)

Subject property (if any) \_\_\_\_\_

.....  
Name of Respondent: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Role in Transaction: \_\_\_\_\_  
(listing agent, selling agent, broker)

.....  
What issue would you like the Ombudsman to resolve? \*  
(Attach additional form in necessary)

\_\_\_\_\_  
\_\_\_\_\_

**Return to: Sunflower Association of REALTORS®, 2130 SW 37<sup>th</sup>, Topeka, KS 66611**

**Fax to (785)267-3215 or email to [linda@sunflowerrealtors.com](mailto:linda@sunflowerrealtors.com)**

**\* All information on this form is confidential. The Sunflower Association of REALTORS®, Inc. will destroy this form and any other documents and materials pertaining to this matter at the conclusion of the ombudsman services.**