



# OMBUDSMAN SERVICES

Offered to Tehachapi Association of REALTORS®

## The Bakersfield Association of

**REALTORS®, in cooperation with the Tehachapi Area Association of REALTORS®, is pleased to provide Ombudsman services to the members of the Tehachapi Area Association of REALTORS®, beginning Monday, March 11, 2013.**

Mr. Joe Newton, Ombudsman for the Bakersfield Association of REALTORS® may be reached at 661-303-8275.

**The Ombudsman:** The ombudsman's role is primarily one of communication and conciliation, not adjudication. He/she does not determine whether an ethics or MLS violation has occurred, rather they anticipate, identify and resolve misunderstandings and disagreements before matters ripen into disputes and possible charges of unethical conduct and/or violation of MLS rules. The ombudsman does not advocate for any party, but is designated to be neutral in the matter and functions to provide independent, confidential and informal assistance. Our ombudsman is thoroughly familiar with the Code of Ethics, MLS Rules and Regulations, state real estate regulations and current real estate practices.

**The Process:** When the Association receives a call regarding a possible complaint, the caller is immediately referred to the ombudsman for

assistance. The ombudsman determines if the call is one of fact-finding, or an actual complaint. If the caller has an actual complaint, the ombudsman will obtain all the details from the complainant and then call the responding party to investigate further. After receiving each parties perspective, the ombudsman will work them via telephone, to assist them in finding a possible resolution. If unsuccessful, the ombudsman will request that the Association's Professional Standards Administrator send the complainant a grievance or arbitration packet, whichever is applicable. Upon receipt of a grievance or arbitration package, the Professional Standards Administrator will refer the complaint/arbitration to the grievance committee or to a professional standards panel for hearing.

Whenever practicable, the ombudsman will offer mediation services to both parties, at no charge.

### JOE NEWTON

Joe Newton's experience and expertise in the real estate industry has spanned over 37 years. He has been an active member of the Bakersfield Association of REALTORS® since 1975. His skills as a professional and educator have served the Association and its members in many capacities, including: Scholarship Trustee, a member of the Grievance, Professional Standards and Education Committees. In 2010, Joe assumed the responsibilities of the Association Ombudsman and also volunteers as a mediator/negotiator. Joe has been part of Bakersfield College since 1972. He



continues to teach and coordinate real estate education programs, such as continuing education, broker courses, sales pre-licensing and REALTOR® orientations. He has been a part of advisory committees with the California Community College Chancellor's Office and the Department of Real Estate. Joe earned his certification as a mediator through Pepperdine University School of Law, Straus Institute for Dispute Resolution, Negotiation and Mediation Training in 2007.