

ONTARIO REAL ESTATE ASSOCIATION
Arbitration and Ethics Committee
Terms of Reference

Date Approved: N/A	Type: Standing Committee (Article 8, Section 8.02 of OREA By-law)
Review Date: N/A	Accountability: The Committee is accountable to the Board of Directors
Quorum: Sub-section 20.03(c) of Article 20 of the OREA By-law provides that “at meetings of Committees, unless otherwise in this By-law provided, two members of the Committee, in addition to the chairperson of the meeting”.	

Purpose:

To comprise those Brokers who may be appointed to deliver investigative, arbitration hearing and appeal services to OREA’s members, as delegated by the Board of Directors, under Articles 5, 6, 17 and 18 of the OREA By-law.

- **Article 17** – Deals with commission disputes between members of two different boards. (Formerly, Article 18 under the OREA By-law)
- **Article 18** – Deals with arbitration appeal of commission disputes from members of the same local board in which the original hearing has been heard at the local board where both parties are members of that same board. (Formerly, Article 19 under the OREA By-law)
- **Article 5 and 6** – Deals with special hearings or appeals of local board discipline decisions.

The status of arbitration hearings and appeals (interboard arbitration and appeals) is an ongoing item on the Governance Committee agenda as a way of keeping the Board of Directors apprised of this matter.

Responsibilities

Arbitration and Ethics Panel

- to convene any special hearings requested by the President and report back with such decisions and recommendations as may be appropriate
- to act as the Special Committee referred to in Articles 5 and 6 of the OREA By-law

- to act as the hearing/appeal panel under Articles 17 and 18 of the OREA By-law
- to attempt to conciliate interboard arbitration claims, before they reach a hearing
- make recommendations to the Governance Committee regarding arbitration, professional standards and discipline procedures and the Codes of Ethics.

Committee Membership:

Article 3, sub-section 3.01(v) of the OREA By-law provides as follows:

“OREA Arbitration and Ethics Committee” means the minimum of twenty SBF Members of OREA who are Brokers, who are appointed annually by the Board of Directors, and whose affairs are administered by the Chief Executive Officer, and from which group the Chief Executive Officer shall appoint all OREA investigative, hearing and appeal tribunals required under Articles 5, 6, 17 and 18 of this By-law.”

Membership Criteria:

1. Broker under the *Real Estate and Business Brokers Act, 2002*.

Chair:

Article 8, Section 8.03 of OREA By-law provides that *‘Except as specifically set out in this By-law, the Board of Directors shall appoint all members of a Committee and its chairperson. The chairperson of a Committee and any Committee member may be removed by the Board of Directors at any time. Unless otherwise determined by the Board of Directors or as set out in this By-law, a committee of the Association shall have the power to regulate its own procedure.’*

Term:

Annual

Meetings:

As described above.