

# NAR's Procuring Cause: The Basics and Beyond

Approved for 4 Education Hours

**Course Objectives: To acquaint the Broker with the guidelines and the process of determining who actually caused the sale. The understanding of this process will save a lot of conflict inside the Broker community.**

- I. Introduction to Procuring Cause
  - A. Two fundamental facts about Procuring Cause
    1. Limited but Critical function
    2. An important member benefit
  
- II. Procuring Cause Basics
  - A. Black's Law Dictionary definitions
  - B. Awards based on Facts and Circumstances
  
- III. The National Association of Realtors Arbitration and Procuring Cause
  - A. The Bases for Arbitration in the Realtor system
    1. Article 17, Realtors Code of Ethics
    2. Uniform Arbitration Act
    3. Mandatory offer of Mediation when Arbitration is requested
  - B. "Suggested Factors" – NAR Code of Ethics and Arbitration Manual (CEAM), Appendix II, Part 10
  
- IV. Procuring Cause Disputes
  - A. Listing broker and seller
  - B. Broker to Broker in cooperative transactions
  
- V. Suggested Factors For Consideration by an Arbitration Hearing Panel, Appendix II, Part 10 CEAM
  - A. FACTOR #1 – No Predetermined Rule of Entitlement > Case Study
  - B. FACTOR #2 – Arbitrability and Appropriate Parties
  - C. FACTOR #3 – Relevance and Admissibility
  - D. FACTOR #4 – Communication and Contact: Abandonment or Engagement
  - E. FACTOR #5 – Conformity With State Law
  - F. FACTOR #6 – Consideration of the Entire Course of Events

- VI. Questions That May Be Considered by the Arbitration Hearing Panel, Appendix II to Part 10, CEAM
  - A. Sample Fact Situation Analysis, CEAM
  
- VII. Case Study: You Are the Arbitration Hearing Panel

Course Title: NAR's Procuring Cause: The Basics and Beyond

Course Description: To acquaint the broker with the guidelines and the process of determining who actually caused the sale. The understanding of this process will save a lot of conflict inside the broker community.

Learning Objectives (See attachment on Bloom's Taxonomy and Learning Levels)

Learning Level	Learning Objective
Insert Level (Words or	Insert corresponding learning objective
Evaluate	The student will be able to analyze their role and evaluate the amount of work they did to cause the sale of the property.
Understand	Student will understand the importance of due process and that they may not have spent as much time and effort as they think
Apply	Will be able to evaluate and apply the standards imposed by the Code of Ethics and Article 17.

The following will be the means used in assessing whether the Learning Objectives have been met (Pre and post test, Q&A etc.)

Insert Specific methods

Timed Outline: Describe in detail the components of the course by breaking it down into subject matter areas of no greater than 15 minutes. What will be the method of instruction or teaching technique used for each area (lecture, slides, group activities, videotape etc.)

Length in Time(15 min. increments)	Teaching Technique	Subject Matter Segment and Description
30 minutes	Powerpoint, quiz, and handouts with lecture	1. Introduction to Procuring Cause 2. Fundamental facts
30 minutes	Powerpoint with lecture	1. Procuring Basics a. Definitions and basis b. Awards
60 minutes	Powerpoint, lecture exercises	National Association of Realtors Arbitration and Procuring Cause 1. The basis for Arbitration 2. Suggested Factors
15 Minutes	Powerpoint and examples	Procuring Cause Disputes
60 Minutes	Powerpoint, lecture, cases	Suggested Factors for Consideration
15 Minutes	Powerpoint, group activity	Questions That May be Considered
30 minutes	Powerpoint and group case study	Case Study: You are the hearing panel.