Did You Have a Bad Real Estate Experience? Here’s What You Can Do

When people know you’re a real estate agent, they want to talk real estate, and occasionally the conversation turns to bad experiences they have had with the various professionals involved in real estate transactions.

I’m not an expert on where to complain about other professionals, but I thought you’d like to know where to turn when your bad experience was with a real estate agent.

Most real estate agents are Realtors—that is, members of the National Association of Realtors. As Realtors, we are diligent about being perceived as honorable professionals abiding by our Realtor Code of Ethics — Google it to learn its provisions — and we count on buyers and sellers as well as fellow Realtors to report wrong-doing of any kind to the appropriate authorities. In this column, I will help you know where to go.

First, determine whether your agent has a managing broker to whom he/she reports. If his/her business card says “broker associate” he has a “broker” above him who shares responsibility for his or her actions. In that case, the first place to go would be to his or her managing broker. Because brokers share responsibility for the misdeeds of their broker associates they really do want to know of any such misdeeds and can be counted on to take disciplinary action of their own against a broker associate who has done you wrong. If you are still in the transaction, the broker can also remove that broker associate from your transaction and assign another broker associate — or serve you him/herself.

If, however, the agent you’re complaining about is the broker, you still have one and possibly two paths open to you. If your complaint involves a violation of licensing law, you should complain to the Division of Real Estate. You can file a complaint online. The URL is too long to include here—just Google “Colorado Division of Real Estate Complaints” to find the form that you can fill out and submit online.

If your complaint is of an ethical nature, determine whether the agent is a Realtor (a member of a Realtor association). You can determine that online at www.ColoradoRealtors.com or call the Denver Metro Assn. of Realtors at 303-756-0553 and ask them to help you. If the agent is a Realtor, the same person can tell you how to file an ethics complaint.

If the agent is not a Realtor, he can’t be accused of violating the Realtor Code of Ethics, but you can still file a complaint with Metrolist, which has a procedure for handling complaints against non-Realtors who are members of the MLS. Call 303-850-9576. If your agent’s actions caused you a monetary loss, remember that he/she has, by law, errors & omissions insurance. Ask to file a claim.

If this column does not provide you with the information you need, call or email me. (My contact info is below.)

Late Attorney Oliver Frascona Honored at Overflow Event

Some of us from Golden Real Estate were among the 1,000 or so friends and admirers of noted real estate attorney Oliver Frascona who filled the ballrooms at the Omni Interlocken Hotel in Broomfield last Sunday. We were treated to a slideshow of photographs and testimonials not only by Oliver’s colleagues and best friend, but also by his daughter, Monica. It was a suitable event honoring an amazing man.