

Sample Letter Requesting Mediation
(Assumes Use of Colorado Real Estate Commission Purchase and Sale Contracts)
READ IT CAREFULLY AND EDIT FOR YOUR TRANSACTION AND WHAT YOU
WANT TO SAY.

Dear (other party):

As you are aware, we have a dispute arising from our contract dated _____ for the purchase and sale of property described as _____. We have thus far been unable to resolve our differences by discussion either directly between us or via real estate brokers assisting us with our transaction, thus we need to move to the next step required by our contract which is attempting mediation.

This letter constitutes our formal request for mediation pursuant to the contract. We need to jointly appoint and share the cost of a mediator. If you have a particular mediator(s) in mind, please let us know who that is. Doug Barber as an experienced real estate dispute mediator that has been recommended to us. If you want to discuss the process, you can contact him at (719) 338-3053 or Rawhidenol@aol.com to discuss whether he would be acceptable to you.

We understand that refusal by a party to attempt mediation may be deemed a breach of contract by the refusing party, resulting in potentially additional expense to that party in a legal action to resolve our disagreement. In the event of litigation, the contract requires an award of costs, expenses and legal fees to the prevailing party. Thus it behooves us to resolve the matter ourselves (faster and cheaper), something all parties should want. Please let us know if you are willing to attempt mediation, or whether we should plan on the more expensive and time-consuming means of resolving the dispute. Thank you.

Sincerely
Requesting Party