



CONDOMINIUM DISPUTE RESOLUTION GLOSSARY TERMS

Term	Definition
Adjudication	A formal process where an appointed judge or official makes a decision to resolve a dispute.
Annual Meeting	A yearly gathering of the condominium association members to discuss and vote on important issues.
Arbitration	A method of dispute resolution where an impartial third party, known as an arbitrator, hears the arguments of both sides and makes a binding decision.
Arbitration Agreement	Any written agreement between the parties to resolve a dispute, claim or controversy through binding Arbitration.
Arbitration Hearing	<p>Any proceeding in which disputes, claims or controversies are resolved, including: In-Person/Oral Arbitration Hearing – any proceeding in which an Arbitrator entertains oral testimony or arguments and reviews documents and evidence to render an award or judgment. The hearing may be conducted in-person or via telephone.</p> <p>Arbitration based on Written Submissions – any proceeding in which the Arbitrator reviews documents, evidence or property and bases his or her decision solely on the documentary evidence presented to him or her.</p>
Arbitration Notice	A written notice which the Claimant files and serves upon the Respondent to initiate the claim and request Arbitration. Also referred to as a Demand For Arbitration.
Arbitrator	An individual conducting Arbitration Hearings.
Assessment	A fee imposed by the condominium association on unit owners to cover common expenses.

Award	Any binding award issued by an Arbitrator establishing the final rights and obligations of the parties. A judgment may be entered for enforcement in a public court pursuant to the rules of the relevant jurisdiction for enforcement of arbitral awards.
Board of Directors	A group of individuals elected by the unit owners to oversee the management and operations of the condominium association.
Bylaws	The rules and regulations that govern the internal management of the condominium association.
Claim	Any claim seeking a remedy or relief submitted by one party against other parties including an initial claim, counter or cross claim.
Claimant	Any party initiating an Arbitration or Mediation and making a Claim under these Rules and Procedures.
Common Elements	Parts of the condominium property that are shared by all unit owners, such as lobbies, hallways, and recreational facilities.
Compliance	Adherence to the rules and regulations set forth by the condominium association.
Condominium Association	A legal entity composed of unit owners responsible for the management and maintenance of the condominium property.
Consensus	A general agreement reached by all parties involved in a dispute.
Consumer	An individual who purchases, seeks or acquires good or services for personal, family or household use.
Covenants, Conditions, and Restrictions (CC&Rs)	The rules and guidelines set forth in the declaration that govern the use of the property and the conduct of unit owners.
Declaration	A legal document that establishes a condominium and outlines the rights and responsibilities of unit owners.
Deposition	Testimony under oath, especially a statement by a witness that is written down or recorded for use in legal proceedings at a later time.
Discovery	The compulsory disclosure of pertinent facts or documents to the opposing party in a legal proceeding.

Dispute Resolution	A process for settling disagreements or conflicts between parties. There are three basic types of dispute resolution: mediation, arbitration, and litigation. Mediation is where a neutral third party helps the disputing parties reach a solution on their own. Arbitration is when a neutral third party acts as a judge who listens to arguments and evidence, then makes a legally binding decision for the parties. Litigation is when the dispute reaches a courtroom where a defendant argues against a plaintiff in front of a judge or judge and jury.
Document	Any writing or data compilation containing evidential information such as facts, opinions, statements, reasons, descriptions, legal arguments or any other information in any form such as an agreement, record, correspondence, tape, disk, request, notice, affidavit, memorandum or other writing. Documents shall include, but not be limited to, all written notifications and communications, pleadings, reports, photographs, bills, receipts, invoices, records maintained in the ordinary course of business, medical reports, contracts and any other written documents.
Escalation	The process of increasing the severity or intensity of a dispute or conflict.
Facilitation	A process in which a neutral third party assists disputing parties in communicating and negotiating to reach a mutually acceptable solution.
Final Offer Arbitration	A type of arbitration where each party presents its final offer, and the arbitrator chooses one of the offers in its entirety.
Fine	A monetary penalty imposed by the condominium association for violations of the governing documents.
Grievance	A formal complaint raised by an individual or group regarding a perceived wrong or unfair treatment.
Governing Documents	The set of documents that include the declaration, bylaws, and any rules and regulations adopted by the condominium association.
Impartiality	The principle of being unbiased and treating all parties equally during the dispute resolution process.
Interim Order	Any order providing temporary or preliminary relief pending a final Award.

Interrogatory	A formal or written question asked to a witness, usually requiring an answer under oath.
Lien Priority	The order in which liens on a property will be satisfied, often affecting the order of payment in the event of a foreclosure.
Liens	A legal claim against a property for unpaid assessments or other debts owed by the unit owner.
Litigation	The process of resolving a dispute through the court system, involving legal proceedings and a judge's ruling.
Maintenance Fee	A regular payment made by unit owners to cover the costs of maintaining common elements and shared facilities.
Mandatory Mediation	A requirement for parties to attempt mediation before proceeding to litigation.
Master Insurance Policy	An insurance policy held by the condominium association that covers the common elements and the exterior of the buildings.
Mediation	A voluntary process where a neutral third party, the mediator, helps the disputing parties reach a mutually agreeable solution. Mediation sessions are only binding where an agreement is reached. Documentary evidence may be used by the parties and submitted to the Hearing Officer to facilitate negotiations.
Mediator	An individual conducting a Mediation Conference.
Mediation Agreement	Any written agreement between the parties to resolve a dispute, claim or controversy through non-binding Mediation.
Mediation Conference	A non-binding settlement proceeding in which each party is given an opportunity to describe the facts of the case and explain its position to a Mediator who in turn meets privately with each side to evaluate their respective cases and to discuss potential settlement figures with a view toward guiding the parties to the settlement of their dispute. The hearing may be conducted in-person or via telephone.
Mediation Notice	A written notice which the Claimant files and serves upon the Respondent to initiate the claim and request Mediation. Also referred to as a Request for Mediation.

Meeting Minutes	The official record of the discussions and decisions made during condominium association meetings.
Negotiation	A process where parties in a dispute communicate directly to reach a mutually acceptable agreement.
Non-Binding	A decision or recommendation made during dispute resolution that the parties are not legally obligated to follow.
Order	Any order issued by an Arbitrator establishing specific rights and obligations of the parties.
Party	Any individual or entity who makes a claim or against whom a claim is made, including Claimants and Respondents.
Proxy	A written authorization allowing one person to act on behalf of another, particularly in voting at meetings.
Quorum	The minimum number of members required to be present at a meeting to legally conduct business.
Reasoned Decision	An Award (as defined in E above) which also includes the written findings of fact, conclusions of law or reasons for the Award.
Reply	A written response by the Respondent to an Arbitration Notice filed by the Claimant.
Representative	Any individual, including an attorney, who represents a party in an Arbitration or Mediation.
Reserve Fund	A savings account maintained by the condominium association for major repairs and replacements of common elements.
Respondent	Any party against whom a claim is made.
Rules and Regulations	Specific guidelines adopted by the condominium association that govern the use of the property and the behavior of unit owners and residents.
Sanctions	May include the dismissal of the claim or counter-claim, preclusion of evidence, admission of facts, payment of fees, costs or attorney's fees or the granting of an award. The Arbitrator may impose sanctions against a party, a representative or both.

Service	The methods of delivery specified in Rule No. 11 by which a party may deliver an Arbitration Notice or Reply, or any other documents or written communications to another party or to the NAM Administrator.
Settlement	An agreement reached between disputing parties to resolve a conflict, often without further legal action.
Signature or Signed	A mark or symbol intended as an attestation, produced by reliable means, intended as a signature.
Special Assessment	A one-time fee imposed by the condominium association for unexpected expenses or major projects not covered by regular assessments.
Unit	An individual property within the condominium, typically an apartment or townhouse, owned separately by an individual or entity.
Unit Owner	An individual or entity that owns a unit within the condominium property.
Voting Rights	The rights of unit owners to vote on matters affecting the condominium association, typically based on the ownership percentage of the unit.
Witness	An individual who may or may not be a party, who will appear at an Arbitration hearing and give sworn testimony regarding the dispute, claim or controversy.
Written Submissions	The legal memorandum, position paper, case law, deposition transcript, witness statements, expert reports, photographs, bills, receipts, invoices, or any other written documentary evidence submitted by a party in support of its position.