

STATE OF MICHIGAN
COURT OF APPEALS

SALLY ANN TAYLOR,

Plaintiff-Appellee,

v

STEVAN M. TAYLOR,

Defendant-Appellant.

UNPUBLISHED
December 1, 2000

No. 216264
Oakland Circuit Court
LC No. 97-545504-DO

Before: Zahra, P.J., and Hood and McDonald, JJ.

MEMORANDUM.

Defendant appeals as of right from the circuit court order denying defendant's motion to set aside an arbitration award. We affirm.

Defendant argues that the arbitrator exceeded his powers because of errors of law that are apparent from the face of the award. We disagree. Judicial review of arbitration awards is limited. *Konal v Forlini*, 235 Mich App 69, 74; 596 NW2d 630 (1999). Once parties invoke binding arbitration, the parties are bound by applicable statutes and court rules. *Id.* at 73. MCR 3.602(J)(1)(c) provides that an arbitration award may be vacated if the arbitrator exceeds his powers. However, the parties' arbitration agreement expressly provided that a listing and valuation of assets was to be submitted to the arbitrator for a decision. Thus, the power to assess and divide the parties' assets was a factual matter for decision by the arbitrator. While defendant contends that the arbitrator's errors are apparent from the face of the award, that conclusion is erroneous. Rather, any claim of disparity is based on a chart compiled by defendant that contains conclusions regarding evaluation of assets not contained in the arbitrator's award or in the lower court record. Based on our limited review, we cannot conclude that the arbitrator exceeded his powers. *Konal, supra*; MCR 3.602(J)(1)(c).

Affirmed.

/s/ Brian K. Zahra
/s/ Harold Hood
/s/ Gary R. McDonald