



**COLDWELL BANKER
REALTY**

CONSUMER GUIDE TO AGENCY RELATIONSHIPS



We are pleased you have selected Coldwell Banker Residential Real Estate LLC d/b/a Coldwell Banker Realty to help you with your real estate needs. Whether you are selling, buying or leasing real estate, Coldwell Banker Realty can provide you with expertise and assistance. Because this may be the largest financial transaction you will enter into, it is important to understand the role of the agents and brokers with whom you are working. On these pages is information that explains the various services Coldwell Banker Realty can offer and our options for working with you.

REPRESENTING SELLERS

Most sellers of real estate choose to list their home for sale with a real estate brokerage. When sellers do so, they sign a listing agreement that authorizes the brokerage and the listing agent to represent their interests. As the seller's agent, Coldwell Banker Realty and the listing agent must: follow the seller's lawful instructions, be loyal to the seller, promote the seller's best interests, disclose material facts to the seller, maintain confidential information, act with reasonable skill and care and, account for any money they handle in the transaction.

REPRESENTING BUYERS

When purchasing real estate, buyers usually choose to work with a real estate agent as well. Often the buyers want to be represented in the transaction. This is referred to as buyer's agency. Coldwell Banker Realty and the buyer's agent that represents a buyer's interest in a transaction must: follow the buyer's lawful instructions, be loyal to the buyer, promote the buyer's best interests, disclose material facts to the buyer, maintain confidential information and, account for any money they handle in the transaction.

CONTEMPORANEOUS OFFER DISCLOSURE

Ohio law permits real estate agents and brokers to represent more than one buyer at a time and to show each buyer the same properties. In some instances, more than one buyer represented by the same agent may want to make an offer to purchase the same property that will be considered by the seller at the same time. Under Ohio law, this is referred to as "contemporaneous offers". If this occurs, Ohio law requires that you be notified in writing of this fact by your agent. This written notice can be communicated via email or text message. If written notification cannot be delivered to you in a timely manner, your agent can provide this notice to you verbally. If you are notified that a contemporaneous offer situation exists, you can request to be referred to another licensee.

Finally, your agent is not permitted to disclose the identity of the buyers or the terms of their offers to purchase. This information is considered confidential information under Ohio law and must be maintained by the agent/broker.

DUAL AGENCY

Occasionally the same agent who represents the seller also represents the buyer. This is referred to as dual agency. When Coldwell Banker Realty and its agents become "dual agents," they must maintain a neutral position in the transaction. Coldwell Banker Realty and the agent may not advocate the position of one client over the best interests of the other client or disclose any confidential information to the other party without written consent. In the event that you refuse to consent to dual agency or seek to terminate the agency relationship as a result of the proposed dual agency, Coldwell Banker Realty management may determine which agency relationship to terminate. You may request that a separate agent of Coldwell Banker Realty be appointed to represent your interests or you may terminate your agency relationship and seek representation from another brokerage, however, you may be obligated to pay a commission to Coldwell Banker Realty.

DIFFERENT COLDWELL BANKER REALTY AGENTS REPRESENTING THE BUYER AND SELLER

On occasion, the buyer and seller will each be represented by two different agents from Coldwell Banker Realty. In this case, the agents may each represent the best interest of their respective clients, but Coldwell Banker Realty and its management level licensees will be considered dual agents. As a dual agent, Coldwell Banker Realty and its management level licensees will maintain a neutral position and cannot advocate for the position of one client over another. Coldwell Banker Realty will also protect the confidential information of both parties.

