

## **BROKERAGE DISCLOSURE TO BUYER**

Nebraska licensed real estate brokers and their associate brokers and salespersons are required by law to disclose the type of brokerage relationship they have with the buyers, tenants, sellers, or landlords to whom they are providing services in a real estate transaction. The buyers, tenants, sellers, or landlords may be either clients or customers of a licensee. A client of a licensee is a person or entity who has a brokerage relationship with that licensee. A customer of a licensee involved in a real estate transaction is a person or entity who does not have a brokerage relationship with that licensee, and who is not represented by any other licensee.

There are several types of brokerage relationships that are possible, and you, whether a client or a customer, should understand them at the time a licensee begins to provide brokerage services to you in a real estate transaction. They are: 1) Limited Buyer Agency; 2) Limited Tenant Agency; 3) Limited Seller Agency; 4) Limited Landlord Agency; and with written consent 5) Limited Dual Agency. Hall and Hall **does not** offer common law agency.

The licensee who is offering brokerage services to you, or who is providing brokerage services for a particular property, must make certain disclosures regarding his/her brokerage relationship in the transaction. These disclosures must be made at the earliest practicable opportunity during or following the first substantial contact with a buyer, tenant, seller, or landlord who does not have a written agreement for brokerage services with another licensee.

All real estate licensees providing brokerage services to a buyer are the buyer's limited agent unless:

- 1) The licensee has entered into a written agreement with a seller (a listing agreement) to represent the seller as their limited agent.
- 2) The licensee is providing brokerage services as a subagent of another broker who has an agency relationship with a client.
- 3) The licensee is providing brokerage services under a written consent to limited dual agency.

Agency disclosure information for Buyers and Sellers is on the following page.

## Agency Disclosure Information for Buyers and Sellers

Company Hall and Hall Partners, LLP Agent Name \_\_\_\_\_

Nebraska law requires all real estate licensees provide this information outlining the types of real estate services being offered. For additional information on Agency Disclosure and more go to: <http://www.nrec.ne.gov/consumer-info/index.html>

**The agency relationship offered is (initial one of the boxes below, all parties initial if applicable):**

<p style="text-align: center;"><b>Limited Seller's Agent</b></p> <ul style="list-style-type: none"><li>• Works for the seller</li><li>• Shall not disclose any confidential information about the seller unless required by law</li><li>• May be required to disclose to a buyer otherwise undisclosed adverse material facts about the property</li><li>• Must present all written offers to and from the seller in a timely manner</li><li>• Must exercise reasonable skill and care for the seller and promote the seller's interests</li></ul> <p><u>A written agreement is required to create a seller's agency relationship</u></p>	<p style="text-align: center;"><b>Limited Buyer's Agent</b></p> <ul style="list-style-type: none"><li>• Works for the buyer</li><li>• Shall not disclose any confidential information about the buyer unless required by law</li><li>• May be required to disclose to a seller adverse material facts including facts related to buyer's ability to financially perform the transaction</li><li>• Must present all written offers to and from the buyer in a timely manner</li><li>• Must exercise reasonable skill and care for the buyer and promote the buyer's interests</li></ul> <p><u>A written agreement is not required to create a buyer's agency relationship</u></p>
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<p style="text-align: center;"><b>Limited Dual Agent</b></p> <ul style="list-style-type: none"><li>• Works for both the buyer and seller</li><li>• May not disclose to seller that buyer is willing to pay more than the price offered</li><li>• May not disclose to buyer that seller is willing to accept less than the asking price</li><li>• May not disclose the motivating factors of any client</li><li>• Must exercise reasonable skill and care for both buyer and seller</li></ul> <p><u>A written disclosure and consent to dual agency required for all parties to the transaction</u></p>	<p style="text-align: center;"><b>Customer Only</b> (list of services provided to a customer, if any, on reverse side)</p> <ul style="list-style-type: none"><li>• <b>Agent does not work for you</b>, agent works for another party or potential party to the transaction as: __ Limited Buyer's Agent __ Limited Seller's Agent __ <b>Common Law Agent (attach addendum)</b></li><li>• Agent may disclose confidential information that you provide agent to his or her client</li><li>• Agent must disclose otherwise undisclosed adverse material facts:<ul style="list-style-type: none"><li>- about a property to you as a buyer/customer</li><li>- about buyer's ability to financially perform the transaction to you as a seller/customer</li></ul></li><li>• Agent may not make substantial misrepresentations</li></ul>
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\_\_ **Common Law Agent for** \_\_ Buyer \_\_ Seller (complete and attach Common Law Agency addendum)

**THIS IS NOT A CONTRACT AND DOES NOT CREATE ANY FINANCIAL OBLIGATIONS.** By signing below, I acknowledge that I have received the information contained in this agency disclosure and that it was given to me at the earliest practicable opportunity during or following the first substantial contact with me and, further, if applicable, as a customer, the licensee indicated on this form has provided me with a list of tasks the licensee may perform for me.

### Acknowledgement of Disclosure (Including Information on back of form)

\_\_\_\_\_  
(Client or Customer Signature)      (Date)

\_\_\_\_\_  
(Client or Customer Signature)      (Date)

\_\_\_\_\_  
(Print Client or Customer Name)

\_\_\_\_\_  
(Print Client or Customer Name)

Contact Information:

1. Agent(s) name(s) and phone number(s):

Only the agent(s) named in #1 (above) is offering to represent you as your agent. Other licensees of the same brokerage or members of the same team may work for another party to the transaction and should NOT be assumed to be your agent. \_\_\_ Init. \_\_\_ Init

2. Designated Broker name, name designated broker does business under (if different), and phone number: Michael Hall, Hall and Hall Partners, LLP, 303-861-8282

**Hall and Hall Partners, LLP offers the following broker agency services:**

***Limited Seller Agency***

***Limited Landlord Agency***

***Limited Buyer Agency***

***Limited Tenant Agency***

***Limited Dual Agency (only by written agreement)***

**Hall and Hall Partners, LLP, DOES NOT offer the following broker agency services:**

***Common Law Agency***