

Agency Disclosure Agreement

(To be signed before presentation of the offer)

Preferred Properties of Iowa, Inc., and all licensees employed by or associated with the Broker, are representing the Seller. The buyers are representing themselves. By signing below the Buyer and Seller confirm that they understand the disclosure and acknowledge the disclosure of representation was provided to them before the signing of the transaction contract.

There are different types of agency representation options that exist in real estate transactions. Below is a list of the representation options available. In addition, a person may represent himself or herself in the transaction.

I. SELLER EXCLUSIVE AGENCY

When property is listed for sale by one company (the “Listing Broker”) and the property is sold by the same or a different real estate company (the “Selling Broker”), it is the policy of the Listing Broker and its associate brokers and salespersons to represent the seller(s) exclusively.

II. BUYER EXCLUSIVE AGENCY

When the Selling Broker assists you in writing your offer or purchase agreement and the property is listed with a different real estate company, it is the policy of the Selling Broker and its associate brokers and salespersons to represent the buyer(s) exclusively. If the Selling Broker represents the buyer(s) exclusively, the Selling Broker and its associate brokers and salespersons may receive compensation for the transaction from the Listing Realtor pursuant to a cooperation agreement between the two companies.

III. APPOINTED AGENCY

A. Appointed Seller Agency exists when Broker appoints an affiliated sales associate, the listing agent, to act on Owner’s behalf as “Client” to the exclusion of all other affiliated sales associates of Broker.

B. Appointed Buyer Agency exists when Broker appoints an affiliated sales associate, the selling agent, to act on the Buyer’s behalf as a “Client” to the exclusion of all other affiliates sales associates of Broker.

C. In the event an Appointed Licensee personally represents both Owner and Buyer in the same transaction, that Appointed Agency is considered to be a Consensual Dual Agency.

IV. CONSENSUAL DUAL AGENCY

A. When a real estate company both lists and sells the property (the Listing Broker and the Selling Broker are the same company), it is the policy of the company and its brokers and salespersons to represent the seller(s) unless the buyer(s) request a Consensual Dual Agency. Please see or request the Consensual Dual Agency Agreement for further information.

B. When a real estate company assists you in writing your offer or purchase agreement and property is listed with the same company (the Listing Broker and the Selling Broker are the same company), it is the policy of the company to represent the seller unless the buyer request a Consensual Dual Agency. Please see or request the Consensual Dual Agency Agreement for further information.

V. SELF REPRESENTATION. A person(s), partnership, or company (buying or selling) may represent themselves in a transaction. If a Buyer or Owner elect to represent themselves in a transaction, it is the policy of Broker to treat that buyer or Owner as a “Customer” and not as a “Client”.



DUTIES OF A REAL ESTATE LICENSEE TO ALL PARTIES TO THE TRANSACTION

In providing brokerage services to all parties to a transaction, a licensee (the real estate company and its brokers and salesperson) shall do all of the following:

- a. Provide brokerage services to all parties to the transaction honestly and in good faith.
- b. Diligently exercise reasonable skill and care in providing brokerage services to all parties.
- c. Disclose to each party all material adverse facts that the licensee knows except for the following:
 - 1. Material adverse facts known by the party.
 - 2. Material adverse facts the party could discover through a reasonably diligent inspection, and which would be discovered by a reasonably prudent person under like or similar circumstances.
 - 3. Material adverse facts the disclosure of which is prohibited by law.
 - 4. Material adverse facts that are known to a person who conducts an inspection on behalf of the party.
- d. Account for all property coming into the possession of a license that belongs to any party within a reasonable time of receiving the property.

DUTIES OF A REAL ESTATE LICENSEE TO A CLIENT

A client is a party to a transaction who has an agency agreement with a broker for brokerage services. A licensee providing brokerage serves to a client shall do all of the following:

- a. Place the client’s interests ahead of the interests of any other party, unless loyalty to a client violates the licensee’s duties under the consensual dual agency provision of the Iowa Code or any other applicable law.
- b. Disclose to the client all information known by the licensee that is material to the transaction and that is not known by the client or could not be discovered by the client through a reasonably diligent inspection.
- c. Fulfill any obligation that is within the scope of this Agency Disclosure Agreement, except those obligations that are inconsistent with other duties that the licensee has under the Real Estate Brokers and Salespersons provisions of the Iowa Code or any other law.
- d. Disclose to a client any financial interests the licensee or the brokerage has in any business entity to which the licensee or brokerage refers a client for any service or product related to the transaction.

If you do not understand this document, seek legal advice before signing. The undersigned acknowledge that the Listing Broker and the Selling Broker have made a full disclosure of the type of representation each will provide. The undersigned acknowledge receipt of a copy of this Agency Disclosure Agreement.

In the offer or purchase agreement dated _____ involving the property located at: **2621 Redwood Ave., City of Lenox, Adams County, State of Iowa**, the agency relationship between the parties and the real estate company is:

Victor C. Goodson _____
 Seller Date: ___ - ___ - ___ Buyer Date: ___ - ___ - ___

 Seller Date: ___ - ___ - ___ Buyer Date: ___ - ___ - ___

 Listing Broker Date: ___ - ___ - ___ Selling Broker Date: ___ - ___ - ___

