



(FORM 2) MASSACHUSETTS BOARD OF REGISTRATION OF REAL ESTATE BROKERS AND SALESPERSONS

MANDATORY AGENCY DISCLOSURE – AGENCY RELATIONSHIP

The purpose of this disclosure is to enable you to make informed choices before working with a real estate licensee. It must be provided at the first personal meeting that you have with an agent to discuss a specific property. THIS IS NOT A CONTRACT. It is a disclosure notice for your information and protection. BE SURE TO READ THE DESCRIPTIONS OF THE DIFFERENT TYPES OF AGENCY REPRESENTATION.

CONSUMER INFORMATION

- 1) Whether you are the buyer or the seller you can choose to have the advice, assistance and representation of your own agent. Do not assume that a broker is acting on your behalf unless you have contracted with that broker to represent you.
- 2) All real estate licensees must, by law, present properties honestly and accurately.
- 3) If you are a seller you may authorize your listing agent to cooperate with agents from other firms to help sell your property. These cooperating agents may be subagents who work for the seller or buyers' agents.
- 4) If you are the buyer you have the option of working with sellers' or buyers' agents. This decision will depend on the types of services you want from a real estate agent. A buyer should tell sellers' agents, including subagents, only what he/she would tell the seller directly.

CONSUMER RESPONSIBILITY

The duties of a real estate licensee do not relieve the consumer of the responsibility to protect his/her own interest. Consumers with questions on whether and how real estate agents share fees should pose them to the agent. If you need advice for legal, tax, insurance or other matters it is your responsibility to consult a professional in those areas.

TYPES OF AGENCY REPRESENTATION:

SELLER'S AGENT

When a seller engages in the services of a listing broker, that seller becomes the broker's client. This means the broker, and his/her subagents represent the seller. They owe the seller undivided loyalty, utmost care, disclosure, obedience to lawful instruction, confidentiality and accountability. They must put the seller's interest first and negotiate for the best price and terms for their client, the seller. (The seller may also authorize subagents to represent him/her in marketing the property to buyers.)

BUYER'S AGENT

When a buyer engages in the services of a broker, then that broker becomes the broker's client. The broker owes the buyer undivided loyalty, utmost care, disclosure, obedience to lawful instruction, confidentiality and accountability. They must put the buyer's interest first and negotiate for the best price and terms for their client, the buyer. (The buyer may also authorize subagents to represent him/her in locating property.)

DISCLOSED DUAL AGENT

A broker can work for both the buyer and the seller on the same property provided the broker obtains the informed consent of both parties. The broker is then considered a disclosed dual agent. This broker owes the seller and the buyer a duty to deal with them fairly and honestly. In this type of agency relationship, the broker does not represent either the seller or buyer exclusively and they cannot expect the broker's undivided loyalty. Also, undisclosed dual agency is illegal.

Initials_____

ACKNOWLEDGEMENT

I have provided this disclosure form to _____
(Print name of Seller)

I will be assisting the above named consumer as a: Seller's Agent

(Signature of Real Estate Agent) (License Number) (Date)

I have read this agency disclosure form IN ITS ENTIRETY. I understand that this form is for agency disclosure AND NOT A CONTRACT. The agent named above provided it to me.

(Signature of Seller(s)) (Date)

As a consumer I recognize that I need not select any agency representation at this time. Therefore, I decline to sign this disclosure. Any additional reason for declining to sign:

Print Name of Consumer and reason if any

**IMPORTANT NOTICE
MASSACHUSETTS LAW REQUIRES THAT REAL ESTATE LICENSEES PROVIDE THIS NOTICE
TO SELLERS AND BUYERS OF REAL ESTATE**

Fair Housing Notice

The Fair Housing laws require the PROPERTY to be shown and made available for sale to all persons without regard to race, color, religion, national origin, sex, disability or familial status. If the PROPERTY was built before 1978, federal law requires that before a buyer is obligated under a contract to buy the PROPERTY, the Seller shall:

- 1) Provide the buyer with a lead hazard information pamphlet (as prescribed by EPA)
- 2) Disclose the presence of any known lead base paint or hazards (including providing the buyer with any lead hazard evaluation report available to Seller): and
- 3) Permit the buyer to conduct a risk assessment or inspection for the presence of lead base paint hazards. A contract for the sale of PROPERTY built before 1978 must contain a statutorily prescribed Lead Warning Statement to the buyer.

Please sign and fax to: 708-777-6060 or mail to: The Realty Dot, Inc., P.O. Box 698, WPB, FL 33402