DISCLOSURE OF BROKERAGE RELATIONSHIP - VIRGINIA
EXPLANATION TO CONSUMERS
[CODE OF VIRGINIA § 54.1-2138]

Real estate licensees in Virginia are required by law to make prompt written disclosure of any brokerage relationship to members of the public who are unrepresented. Licensees must also make written disclosures and obtain timely written consents from their clients before entering into other brokerage relationships. The attached form is provided to you to satisfy these requirements and to help you understand the nature of the brokerage relationship of the licensee.

THE LICENSEE'S DUTIES

A licensee must have a written brokerage agreement to represent a client and a licensee owes his client certain duties. A licensee who is not representing you in a transaction can nonetheless provide you other valuable information and assistance. However, you should always keep in mind whom the licensee represents in your transaction, and thus to whom that licensee owes the duties described below.

WHOM DOES THE LICENSEE REPRESENT?

In any real estate transaction, a licensee may represent the seller, the buyer, or, under certain circumstances, both the seller and buyer.

Seller Representation. A licensee represents a seller by way of a written brokerage agreement called a listing agreement, in which case the licensee owes his or her primary responsibilities to the seller. The licensee must disclose his or her relationship with the seller whenever dealing with an unrepresented buyer. The licensee is also allowed to assist an unrepresented buyer with ministerial duties such as filling in the blanks of a contract and holding the escrow deposit.

Buyer Representation. If a buyer desires to be represented by a licensee, the buyer and the licensee must enter into a written brokerage agreement by which the licensee agrees to represent the interests of the buyer. The licensee must disclose his or her relationship with the buyer whenever dealing with an unrepresented seller. Furthermore, the licensee may perform ministerial duties for an unrepresented seller such as delivering offers and counteroffers.

Seller and Buyer Dual Agency Representation. A licensee and his or her firm may represent both the seller and the buyer in a particular transaction, but only with the informed written consent of both the seller and the buyer. A licensee representing both the seller and the buyer in a dual capacity is necessarily limited in his or her ability to represent either the seller or the buyer exclusively. The licensee must safeguard the confidentiality of any information obtained within the confidentiality and trust of the brokerage relationship, unless disclosure of such information is required by law. To be specific, the licensee must not tell the seller that the buyer will pay a price higher than the price offered nor tell the buyer that the seller will accept a price lower than the listing price.

Designated Licensees. Virginia law also permits a principal or supervising broker to designate different licensees affiliated with the broker to represent different clients in the same transaction. Designated agency representation requires the informed written consent from both parties. In contrast to the dual agency relationship discussed above, these designated licensees represent only the interests of their respective clients, and may therefore represent those interests fully. The principal or supervising broker who is supervising the transaction will be considered a dual agency broker of both the seller and buyer. Designated licensees may not disclose, except to their broker, personal or financial information received from the clients during the brokerage relationship and any other information a client requests to be kept confidential, unless required by law to be disclosed or the client consents to its disclosure in writing.

The undersigned do hereby acknowledge disclosure that:

ServiceLink Auction, LLC (License No. 0226032663) represents the **Seller ONLY** of the real property located in Virginia.

The licensee Mary Claire Quella (Broker License No. 0225249730) associated with ServiceLink Auction, LLC (Brokerage Firm) represents the following party in a real estate transaction:

[XX]	Seller(s)	or	[ ]	Buyer(s)
[ ]	Landlord(s)	or	[ ]	Tenant(s)

_____ ☐ Seller ☐ Buyer

NAME OF PARTY RECEIVING AGENCY DISCLOSURE

_____ _____

SIGNATURE OF PARTY RECEIVING AGENCY DISCLOSURE DATE

_____ ☐ Seller ☐ Buyer

NAME OF PARTY RECEIVING AGENCY DISCLOSURE

_____ _____

SIGNATURE OF PARTY RECEIVING AGENCY DISCLOSURE DATE

THIS IS NOT AN AGENCY AGREEMENT – THIS IS ONLY AN AGENCY DISCLOSURE FORM IN ACCORDANCE WITH CODE OF VIRGINIA § 54.1-2138