THIS IS PROVIDED FOR INFORMATION PURPOSES. THIS IS NOT A CONTRACT.

REAL ESTATE BROKERAGE SERVICES DISCLOSURE

Alabama law requires you, the consumer, to be informed about the types of services that real estate licensees may perform. The purpose of this disclosure is to give you a summary of these services.

A **SINGLE AGENT** is a licensee who represents only one party in a sale. That is, a single agent represents his or her client. The client may be the seller or the buyer. The licensee when acting as an agent must represent the best interests of the client by placing the interests of the client ahead of the interests of any other party. In a real estate transaction, when a real estate licensee is employed as an agent, the licensee is obligated to advise and advocate for the best interests of his or her client. A single agent must be loyal and faithful to the client.

When two or more licensees under the same qualifying broker are in separate agency agreements with a different party in the same transaction, the qualifying broker can designate those licensees as single agents as to the licensee's client. The designation must be in writing and done as soon as reasonably possible. A designated single agent is not a dual agent, and neither the qualifying broker, the designated single agent, nor any other licensee involved in the transaction shall be assumed to have knowledge to any other party with whom the licensee has not entered an agency agreement.

A **DUAL AGENT** is a licensee, who is an individual, acting as an agent for both the buyer and the seller. This may only be done with the written, informed consent of all parties. This type of agent must also be loyal and faithful to each client, except where the duties owed to the clients' conflict with one another.

A **TRANSACTION FACILITATOR** assists one or more parties, who are customers, in a sale. Transaction facilitator describes a brokerage arrangement whereby the real estate licensee assists one or more parties, who are customers, in a contemplated real estate transaction, without being the agent, fiduciary, or advocate of that party to the transaction. The transaction facilitator can act as an intermediary between buyers and sellers. A licensee can serve as a transaction facilitator to a single party or to both the buyer and seller. A licensee can also represent one party as an agent and serve as a transaction facilitator for the other party in the transaction. In the absence of an agency agreement, a licensee is presumed to be acting as a transaction facilitator for any otherwise unrepresented party to whom the licensee is providing services.

Alabama law imposes the following obligations on all real estate licensees to all parties in a real estate transaction:

1. To provide services honestly and in good faith;
2. To exercise reasonable care and skill;
3. To keep confidential any information gained in confidence, unless disclosure is required by law or duty to a client, the information becomes public knowledge, or disclosure is authorized in writing;
4. To present all written offers in a timely and truthful manner when assisting a party in the negotiation of a real estate transaction; and
5. To act on behalf of the licensee or his or her immediate family, or on behalf of any other individual, organization, or business entity in which the licensee has personal interest only with a timely written disclosure of this interest to all parties to the transaction.

Further, even if you are working with a licensee who is not your agent, there are many things the licensee may do to assist you.

Some examples are:

1. Provide information about properties;
2. Show properties;
3. Assist in making a written offer; or
4. Provide information on financing.

You may choose which type of service you want from a licensee and sign a brokerage service agreement. If you do not sign an agreement, by law the licensee working with you is a transaction facilitator. A written agreement is required by law prior to a licensee listing a property on your behalf or submitting an offer on your behalf for compensation.

The licensee's broker is required by law to have on file an agency disclosure office policy describing the company's brokerage services and general information on how the company and licensee are compensated for the brokerage services. That agency disclosure office policy is required, in addition to this form, to be provided to you prior to the licensee providing you any brokerage services. You should feel free to ask any questions you have.

The Alabama Real Estate Commission requires the real estate licensee to sign, date, and provide you a copy of this form. Your signature is not required by law or rule, but it would be appreciated.

Louis Scott Barnes

Name of Licensee

Louis Scott Barnes

Licensee's Signature

Date

Name of Consumer

Consumer's Signature (Acknowledgement for Receipt Purposes Only)

Date

ALABAMA REAL ESTATE COMMISSION

EMPOWER, CONNECT, AND EDUCATE