

**NICOLE'S ESTATE SALES & AUCTIONS (NES) 35% contract**  
**In-Home Online Estate Auction Agreement**

**Client/Owner Name:** \_\_\_\_\_

**Address of Sale:** \_\_\_\_\_

**City/State/Zip:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Email:** \_\_\_\_\_

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**1. Scope of Services**

NES agrees to:

- Photograph, catalog, and list items for online auction
  - Promote the auction via email, social media, and advertising platforms
  - Host the online auction on a professional platform
  - Coordinate buyer pickup at the client's home (by appointment)
  - Collect payment from buyers and disburse net proceeds to client
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**2. Commission & Fees**

NES will retain a commission of **35%** of the hammer price (final bid).

Payment is issued via USPS check within **10–14 business days** of sale completion, accompanied by an itemized inventory of sold items.

Optional fees (if applicable):

- **Clean-out fee:** \$\_\_\_\_\_
  - **Labor/staffing fee:** \$\_\_\_\_\_
  - **Photography/processing fee:** \$\_\_\_\_\_
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**3. Client Responsibilities**

*Please initial your understanding of each item below. Non-adherence may result in charges for labor, lost profits, cancellation, or sale delays.*

\_\_\_\_\_ **Remove personal items** with blue painter's tape. Anything not marked will be sold, excluding fixed home fixtures.

\_\_\_\_\_ **Remove pets** from the home during setup and sale days.

\_\_\_\_\_ **Provide spare key/codes** upon NES's arrival.

\_\_\_\_\_ **HOA approval** if required for buyer pickup access.

\_\_\_\_\_ **Vacancy required** before setup day.

\_\_\_\_\_ **No visitors or contractors** during setup or auction days.

\_\_\_\_\_ **Working utilities required**, with home temp at 72°F (summer) or 76°F (winter).

\_\_\_\_\_ **Do not remove or sell items** marked for sale during consultation.

\_\_\_\_\_ **Maintain active property insurance.**

\_\_\_\_\_ **Automobile sales** require signed title/key; 10% commission applies.

\_\_\_\_\_ **Attic items** for sale must be brought down before prep.

\_\_\_\_\_ **Advertising add-ons:** ☐ \$200 (EstateSales.net National) ☐ \$280 (EstateSale.com Max Coverage)

\_\_\_\_\_ **Plan donation/clean-out services** after sale if needed.

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- **Commission/Payment:** Our commission is 35% of the hammer price. USPS-mailed check with inventory is sent 10–14 business days after the sale.

#### **A. Vacancy Fee**

If the home is not **completely vacant** between **10 AM–5 PM on setup days** and **9 AM–5 PM on buyer pickup days**, NES reserves the right to charge a **cancellation fee**.

Your presence (or that of family/contractors) can delay setup and adversely affect sale quality and profits.

#### **B. Cleaning / Trash Disposal Fee**

If the home requires **excessive cleaning or trash removal**, a **\$250 fee** may apply or the sale may be canceled.

If bulk trash pickup is needed, this fee likely applies. Unless instructed otherwise, NES will place **bagged trash/boxes on the curb**. Please notify us prior to prep where you'd prefer trash placed.

**Final trash disposal is the client's responsibility.**

For junk removal, vendor contacts are listed on page 7. If trash cannot be removed due to **weather, time constraints, or volume**, NES may leave it inside the home for the client to handle.

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## 5. Timeline

- Auction Setup Start Date: \_\_\_\_\_
  - Auction Start Date: \_\_\_\_\_
  - Auction End Date: \_\_\_\_\_
  - Pickup Dates: \_\_\_\_\_
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## 6. Item Ownership

Client affirms full ownership of all items consigned for auction and warrants that all items are free of liens or legal encumbrances.

Initails \_\_\_\_\_

## 7. Unsold Items

Client must indicate preference:

- ☐ NES will remove/donate any unsold items after auction
  - ☐ Client will retain responsibility for unsold items
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## 8. Payment Terms

Payment of net proceeds will be issued via:

- ☐ Check mailed within 10 business days of sale close
  - ☐ Direct deposit (if applicable)
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## 9. Liability

NES is not liable for damage, theft, or loss of items due to third parties once item pickup has begun. All reasonable care will be taken during the sale.

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## 10. Cancellation Policy

A cancellation fee of \$\_\_\_\_\_ may apply if the client cancels after services have been rendered.

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## Important Guidelines

### Rule #1 – Don't throw anything away (unless the flies are landing on it)

Let our experts decide what's trash and what's treasure. If you're looking for something, let us know — we'll set it aside if we find it.

### Rule #2 – Vacancy and a house key is a must

We cannot start setup or the sale until you've moved out and provided a key/code. Items you wish to keep must be removed.

### Rule #3 – Disclose issues before signing

Let us know if pets lived in the home, if there are pests or odors, if the home was smoked in, or if utilities are not functional.

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## Important Dates

**Prep Date (NES arrives between 9–11 AM):** \_\_\_\_\_

**Earliest possible vacant/prep date:** \_\_\_\_\_

**Date all non-sale items must be removed:** \_\_\_\_\_

*Sales typically run 7–10 days after prep. Pickups are Friday–Sunday depending on sale size.*

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## Client Contact Information

**Client Name:** \_\_\_\_\_

**Sale Address:** \_\_\_\_\_

**City/Zip Code:** \_\_\_\_\_

**Best Phone Number:** \_\_\_\_\_ Text OK? ☐ Yes ☐ No

**Email:** \_\_\_\_\_

**Make check payable to:** \_\_\_\_\_

**Mailing address for payment:**

Street: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

**Authorized contacts to discuss sale with (name, Cell Phone# & relation):**

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## Utilities

We require all utilities — **plumbing, electrical, water, A/C, and heat** — to be functional and turned on prior to our arrival.

If any of these systems are nonfunctional, we may **reschedule or cancel the sale** until conditions are remedied. NES is **not responsible** for damage due to existing mechanical issues or misuse caused by non-disclosure (e.g., manually locking a motorized garage door). Please ensure the home is temperature controlled for working conditions

## 11. Gold, Silver, Jewelry, Coins, Firearms, Automobiles, and Other High-Value Estate Items

Some items may be **removed from the property** at the auctioneer's discretion to ensure they are properly prepared, sorted, displayed, photographed, researched, appraised, or secured. This may include but is not limited to **gold, silver, jewelry, coins, firearms, and vehicles**. These items may be sold **separately from the estate sale** to **maximize profit** through specialty channels or curated auctions.

- **Firearms or small high-value items** may be removed if the home is not secure enough to house them while vacant.
- **Jewelry** is typically collected and stored securely at our auction house.

These pieces are then listed in house, photographed professionally, and presented individually or in grouped lots based on quality and value.

- **This approach increases visibility, security, and final sale price**, unlike traditional estate sales where jewelry is often overlooked or underpriced.

## Final Notes

- If there are items the family is looking for, please inform us **before setup** so we can set them aside.
- **We can only share sale details with contacts listed above.**

- CLIENT RESPONSIBILITIES

- Please initial your understanding of the items below:

- NON-ADHERENCE MAY RESULT IN CHARGES FOR LABOR/LOST PROFITS/POSSIBLE CANCELLATION/DELAYED SALE

- \_\_\_\_\_ REMOVE PERSONAL ITEMS: REMOVE ANY ITEMS THAT ARE
- NOT FOR SALE.  
  
(FURNITURE/APPLIANCES) WE WILL SELL EVERYTHING EXCEPT FIXTURES PERMANENTLY ATTACHED TO THE house
- TRASHCANS, TOILETRIES, CLEANING SUPPLIES WILL BE SOLD IF NOT MARKED-
- \_\_\_\_\_ REMOVE PETS: MANY LOCAL HOTELS ALLOW PETS CHECK for local pet-friendly hotels or boarding.
- \_\_\_\_\_ PROVIDE SPARE KEY/CODES UPON OUR ARRIVAL ON SETUP DAY:
- WE CANNOT BEGIN WORKING UNTIL PROVIDED AND THE HOME IS VACANT, WHEN WE ARRIVE A QUICK 10
- MINUTE WALK THROUGH WITH TEAM IS OK TO ENSURE UNDERSTANDING. DOOR CODE \_\_\_\_\_ GATE \_\_\_\_\_
- ALARM \_\_\_\_\_ GARAGE \_\_\_\_\_
- \_\_\_\_\_ HOA APPROVAL: FOR BUYER PICKUP DAY(S) - USUALLY APPLIES TO GATED COMMUNITIES
- \_\_\_\_\_ ATTENDANCE: PLEASE ENSURE THE HOME IS VACANT ANYONE LIVING IN THE HOME MUST BE MOVEDOUT PRIOR TO OUR ARRIVAL.
- \_\_\_\_\_ NO VISITORS/CONTRACTORS: ONCE WE BEGIN UNTIL BUYER PICKUP D
- **PLEASE RETURN A.S.A.P. – DATES CANNOT BE HELD WITHOUT A SIGNED CONTRACT**
- **AVAILABLE SALE DATES CHANGE DAILY**
- **ANY AMENDMENTS TO THIS CONTRACT MUST BE IN WRITING**

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**Client Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**NES Representative:** \_\_\_\_\_ **Date:** \_\_\_\_\_