

## Agency- What is it?



# UNDERSTANDING AGENCY - WHO WORKS FOR WHOM? SELLER AGENCY (SINGLE AGENCY)

- Agent will represent the best interests of the seller
- Agent will owe the seller fiduciary duties
- Agent must give the seller all material facts, so the seller can make an educated decision.

#### **BUYER AGENCY (SINGLE AGENCY)**

- Agent will represent the best interests of the buyer
- Agent will owe the buyer fiduciary duties
- Agent must give the buyer all material facts, so the buyer can make an educated decision.

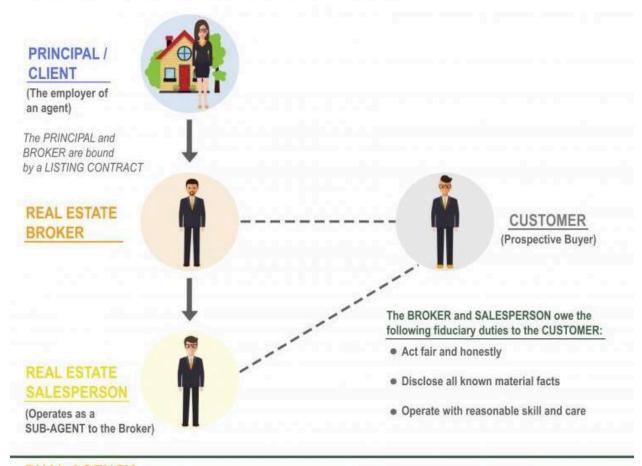
#### TRANSACTION BROKER (DUAL AGENCY)

- Agent represents both the buyer and the seller equally.
- Agent's objective is to get a mutually satisfactory
  agreement among all parties.
  Agent gives all options to
  the buyer and the seller.
- Depending on the local market, all parties may be present at contract presentation to negotiate on their own behalf.
- All parties have confidentiality. Agent may do nothing to the detriment of either the buyer and the seller.
- Both the buyer and the seller have a right to counsel.
  Before making any decisions, both parties have the right to seek family, religious, legal, or financial counsel.

### **AGENCY RELATIONSHIPS**

#### AGENCY

The relationship between a principal and the principal's agent, which arises out of a contract, wherein the agent is employed to do certain acts dealing with a third party.



#### **DUAL AGENCY**

An agency relationship in which the agent acts concurrently for both the buyer and seller. DUAL AGENCY MUST BE FULLY DISCLOSED TO ALL PARTIES!

