

(Split Agency & Dual Agency -  
Model Policy)

## CONSUMER GUIDE TO AGENCY RELATIONSHIPS

**REMAX REAL ESTATE GROUP**  
*Brokerage Name*



We are pleased you have selected  
**REMAX REAL ESTATE GROUP**  
to help you with  
your real estate needs. Whether you are  
selling, buying or leasing real estate,  
**REMAX REAL ESTATE GROUP**  
can provide you  
with expertise and assistance. Because this  
may be the largest financial transaction  
you will enter into, it is important to  
understand the role of the agents and  
brokers with whom you are working.  
Below is some information that explains  
the various services that agents can offer  
and their options for working with you.

For more information on agency law in  
Ohio, contact the Ohio Division of Real  
Estate & Professional Licensing at (614)  
466-4100, or online at  
[www.com.ohio.gov/real](http://www.com.ohio.gov/real).

### Representing the Sellers

Most sellers of real estate choose to list  
their home for sale with a real estate  
brokerage. When they do so, they sign a  
listing agreement that authorizes the  
brokerage and the listing agent to represent  
their interests. As the seller's agent, the  
brokerage and listing agent must: follow  
the seller's lawful instructions, be loyal to  
the seller, promote the seller's best  
interests, disclose material facts to the  
seller, maintain confidential information,  
act with reasonable skill and care, and  
account for any money they handle in the  
transaction. In rare circumstances, a  
listing broker may also offer "subagency"  
to other brokerages, which would also  
represent the seller's interests and owe the seller  
these same duties.

### Representing Buyers

When purchasing real estate, buyers  
usually choose to work with a real estate  
agent as well. Often the buyers want to be  
represented in the transaction. This is  
referred to as buyer's agency. A  
brokerage and agent that agree to represent  
a buyer's interest in a transaction must:  
follow the buyer's lawful instructions, be  
loyal to the buyer, promote the buyer's  
best interests, disclose material facts to the  
buyer, maintain confidential information,  
and account for any money they handle in  
the transaction.

### Dual Agency

Occasionally, the same agent and  
brokerage that represent the seller also  
represent the buyer. This is referred to as  
dual agency. When a brokerage and its  
agents become "dual agents," they must  
maintain a neutral position between the

buyer and the seller. they may not  
advocate the position of one client over the  
best interests of the other client, or  
disclose any personal or confidential  
information to the other party without  
written consent.

### Representing Both the Buyer & Seller

On occasion, the buyer and seller will each  
be represented by two different agents  
from the same brokerage. In this case, the  
agents may each represent the best interest  
of their respective clients. Or, depending  
on company policy, the agents may both  
act as dual agents and remain neutral in the  
transaction. When either of the above  
occurs, the brokerage will be considered a  
dual agent. As a dual agent, the brokerage  
and its managers will maintain a neutral  
position and cannot advocate for the  
position of one client over another. The  
brokerage will also protect the  
confidentiality of both parties.

### Working With REMAX REAL ESTATE GROUP

**REMAX REAL ESTATE GROUP**  
does offer  
Therefore, the potential exists for one agent  
to represent a buyer who wishes to  
purchase property listed with another agent  
in our company. If this occurs, each agent  
will represent their own client, but  
**REMAX REAL ESTATE GROUP**  
and its managers will act  
as a dual agent

This means the brokerage and its managers  
will maintain a neutral position and not  
take any actions that will favor one side  
over the other. **REMAX REAL ESTATE  
GROUP** will still

supervise both agents to assure that their respective clients are being fully represented and will protect the parties' confidential information

In the event that both the buyer and seller are represented by the same agent, the agent and **REMAX REAL ESTATE GROUP**

will act as a dual agent but only if both parties agree. As a dual agent, they will treat both parties honestly, prepare and present offers at the direction of the parties, and help the parties fulfill the terms of any contract. They will not, however, disclose any confidential information that will place one party at an advantage over the other or advocate or negotiate to the detriment of either party.

If dual agency occurs, you will be asked to consent to that in writing. If you do not agree to your agent acting as a dual agent, you can seek representation from another brokerage.

As a buyer, you may also choose to represent yourself on properties **REMAX REAL ESTATE GROUP** has listed. In that instance, **REMAX REAL ESTATE GROUP** will represent the seller and you would represent your own best interests. Because the listing agent has a duty of full disclosure to the seller, you should not share any information with the listing agent that you would not want the seller to know.

**Working With Other Brokerages**  
When **REMAX REAL ESTATE GROUP** lists property for sale, it also cooperates with, and offers

compensation to, other brokerages that represent buyers. **REMAX REAL ESTATE GROUP** does reserve the right, in some instances to vary the compensation it offers to other brokerages.

As a seller, you should understand that just because **REMAX REAL ESTATE GROUP** shares a fee with a brokerage representing the buyer, it does not mean that you will be represented by that brokerage. Instead, that company will be looking out for the buyer and **REMAX REAL ESTATE GROUP** will be representing your interests.

When acting as a buyer's agent, **REMAX REAL ESTATE GROUP** also accepts compensation offered by the listing broker. If the property is not listed with any broker, or the listing broker does not offer compensation, we will attempt to negotiate for a seller-paid fee.

### Fair Housing Statement

It is illegal, pursuant to the Ohio Fair Housing Law, Division (H) of Section 4112.02 of the Revised Code and the Federal Fair Housing Law, 42 U.S.C.A. 3601, as amended, to refuse to sell, transfer, assign, rent, lease, sublease or finance housing accommodations, refuse to negotiate for the sale or rental of housing accommodations, or otherwise deny or make unavailable housing accommodations because of race, color, religion, sex, familial status as defined in Section 4112.01 of the Revised Code, ancestry, military status as defined in that section, disability as defined in that section, or national origin or to so discriminate in advertising the sale or rental of housing, in the financing of housing, or in the provision of real estate brokerage services. It is also illegal, for profit, to induce or attempt to induce a person to sell or rent a dwelling by representations regarding the entry into the neighborhood of a person or persons belonging to one of the protected classes.

(Effective: 9/29/2011)

We hope you find this information to be helpful to you as you begin your real estate transaction. When you are ready to enter into a transaction, you will be given an Agency Disclosure Statement that specifically identifies the role of the agents and brokerages. Please ask questions if there is anything you do not understand.

Because it is important that you have this information, Ohio law requires that we ask you to sign below to acknowledge receipt of this pamphlet. Your signature will not obligate you to work with our company if you do not choose to do so.

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Signature Date