



Going to an open house without representation? Know Your Rights

When you're buying a home, it's tempting to stop by an open house or call a real estate professional directly about a new listing. Before going forward, take time to understand and decide on the representation that best meets your needs.

Here are four options for legal relationship with a real estate professional:

1 Find your own buyer representative.

You can find your own real estate salesperson or broker to work with you as a **designated client representative** who will protect and prioritize your interests. A buyer's representative will prioritize your needs, negotiate on your behalf, and ensure that you have the information that you need to make informed decisions. Your buyer representative will guide you through the process of finding suitable properties and handling paperwork.

2 The listing licensee works with you as a transaction facilitator.

When a listing broker or salesperson works with you as a **transaction facilitator**, his or her role is to oversee the transaction and help with basic tasks. A transaction facilitator cannot advise you; negotiate on your behalf; or answer questions like "What are the lowest price and terms that the seller will accept?" A transaction facilitator does not owe confidentiality or have an obligation to act in your best interest.

Refer to the comparison chart on page 3 for more details.



3 Work with a colleague of the listing licensee.

You can ask the listing broker or salesperson to introduce you (the buyer) to someone else in their brokerage. This person can advise and represent you as a designated client representative who cannot share information about you with the seller or listing professional without your permission.

4 You agree to dual facilitation.

Dual Facilitation is rare and should only be used when the listing broker or salesperson was working with you, the buyer, before the open house as a designated client representative, and as a designated client representative for the seller. They must disclose on a **Mandatory Real Estate Relationship Disclosure** form that he or she is a designated client representative to you, the buyer.

As a dual facilitator, they are also a **designated client representative** for the seller. To act as dual facilitator, the listing licensee must ask both you and the seller to sign a **Dual Facilitator Consent** form which they will also sign to oversee and coordinate the transaction. If the seller and you agree, the dual facilitator cannot negotiate on behalf of either of you.

Before signing the consent form, make sure that you understand how your relationship will change with the real estate professional that will represent both you and the seller. Also, make the effort to know the risks and benefits associated with dual facilitation.

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Comparison Chart for Consumers



There are different options for a buyer, seller, landlord or tenant to work with a real estate licensee, including a Designated Client Representative, a Transaction Facilitator, and a Dual Facilitator. This is a guide to help you understand the different levels of service that can legally be provided.

	DESIGNATED CLIENT REPRESENTATIVE	TRANSACTION FACILITATOR	DUAL FACILITATOR
<p>Promotes the client’s best interest in good faith and honesty.</p> <p><i>Example:</i></p> <ul style="list-style-type: none"> Negotiating the terms of a purchase and sales agreement on behalf of a buyer or seller. 	✓		
<p>Protects the client’s confidential information during the relationship and after its termination.</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> A seller’s motivation for selling or a buyer’s motivation for buying. How much a buyer is willing to pay. How low an offer a seller is willing to accept. 	✓		✓
<p>Performs agreed-upon ministerial acts timely and competently.</p> <p><i>Example:</i></p> <ul style="list-style-type: none"> Track deadlines and dates. 	✓	✓	✓
<p>Performs these acts with honesty, good faith, reasonable care, and skill.</p>	✓	✓	✓
<p>Properly accounts for money or property placed in the care and responsibility of the principal broker and licensee.</p>	✓	✓	✓