

# Dual Agency Agreement (Traditional Agency)



Brokerage Firm ("Broker"): \_\_\_\_\_

Seller: \_\_\_\_\_

Buyer: \_\_\_\_\_

Property: \_\_\_\_\_

Seller and Buyer acknowledge that in connection with the possible sale/purchase of the Property, the Broker and all of its salespersons will be acting as disclosed dual agents of both Seller and Buyer. This is true even if Seller and Buyer are working with different salespersons. As dual agents, all salespersons will be working equally for both parties and will provide services to complete the transaction without the full range of fiduciary duties owed by a buyer's agent and a seller's agent. By working with a dual agent, Buyer and Seller are giving up their rights to undivided loyalty and will be owed only limited duties of disclosure, obedience and confidentiality.

Broker's salespersons will prepare and present offers and/or counteroffers at the direction of Seller or Buyer. In the preparation of the offers and counteroffers, a salesperson will act as an intermediary rather than as an active negotiator for either party. As dual agents, Broker's salespersons will not disclose any information as to either party's motivation.

Broker and its salespersons will preserve any information obtained during another agency relationship or in a prior or pending transaction or business relationship.

Seller and Buyer acknowledge that Broker's salespersons are not acting as attorneys, tax advisors, surveyors, appraisers, environmental experts or structural or mechanical engineers for either party.

Notwithstanding the terms of any contracts between Broker and Seller or Buyer, Seller and Buyer hereby release Broker and its salespersons from any fiduciary duties inconsistent with the terms of this Dual Agency Agreement.

SELLER (S)

BUYER (S)

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

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