



Information About Brokerage Services

Texas law requires all real estate licensees to give the following information about brokerage services to prospective buyers, tenants, sellers and landlords.

TYPES OF REAL ESTATE LICENSE HOLDERS:

- **A BROKER** is responsible for all brokerage activities, including acts performed by sales agents sponsored by the broker.
- **A SALES AGENT** must be sponsored by a broker and works with clients on behalf of the broker.

A BROKER'S MINIMUM DUTIES REQUIRED BY LAW (A client is the person or party that the broker represents):

- Put the interests of the client above all others, including the broker's own interests;
- Inform the client of any material information about the property or transaction received by the broker;
- Answer the client's questions and present any offer to or counter-offer from the client; and
- Treat all parties to a real estate transaction honestly and fairly.

A LICENSE HOLDER CAN REPRESENT A PARTY IN A REAL ESTATE TRANSACTION:

AS AGENT FOR OWNER (SELLER/LANDLORD): The broker becomes the property owner's agent through an agreement with the owner, usually in a written listing to sell or property management agreement. An owner's agent must perform the broker's minimum duties above and must inform the owner of any material information about the property or transaction known by the agent, including information disclosed to the agent or subagent by the buyer or buyer's agent.

AS AGENT FOR BUYER/TENANT: The broker becomes the buyer/tenant's agent by agreeing to represent the buyer, usually through a written representation agreement. A buyer's agent must perform the broker's minimum duties above and must inform the buyer of any material information about the property or transaction known by the agent, including information disclosed to the agent by the seller or seller's agent.

AS AGENT FOR BOTH - INTERMEDIARY: To act as an intermediary between the parties the broker must first obtain the written agreement of each party to the transaction. The written agreement must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. A broker who acts as an intermediary:

- Must treat all parties to the transaction impartially and fairly;
- May, with the parties' written consent, appoint a different license holder associated with the broker to each party (owner and buyer) to communicate with, provide opinions and advice to, and carry out the instructions of each party to the transaction.
- Must not, unless specifically authorized in writing to do so by the party, disclose:
 - that the owner will accept a price less than the written asking price;
 - that the buyer/tenant will pay a price greater than the price submitted in a written offer; and
 - any confidential information or any other information that a party specifically instructs the broker in writing not to disclose, unless required to do so by law.

AS SUBAGENT: A license holder acts as a subagent when aiding a buyer in a transaction without an agreement to represent the buyer. A subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first.

TO AVOID DISPUTES, ALL AGREEMENTS BETWEEN YOU AND A BROKER SHOULD BE IN WRITING AND CLEARLY ESTABLISH:

- The broker's duties and responsibilities to you, and your obligations under the representation agreement.
- Who will pay the broker for services provided to you, when payment will be made and how the payment will be calculated.

LICENSE HOLDER CONTACT INFORMATION: This notice is being provided for information purposes. It does not create an obligation for you to use the broker's services. Please acknowledge receipt of this notice below and retain a copy for your records.

<u>Brooks & Davis Real Estate Firm, LLC</u>	<u>0584735</u>	<u>info@brooksanddavis.com</u>	<u>(713)665-8329</u>
Licensed Broker /Broker Firm Name or Primary Assumed Business Name	License No.	Email	Phone
<u>Designated Broker of Firm</u>	<u>License No.</u>	<u>Email</u>	<u>Phone</u>
Licensed Supervisor of Sales Agent/ Associate	License No.	Email	Phone
<u>Sales Agent/Associate's Name</u>	<u>License No.</u>	<u>Email</u>	<u>Phone</u>
<u>Buyer/Tenant/Seller/Landlord Initials</u>		<u>Date</u>	

Regulated by the Texas Real Estate Commission

TXR-2501

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Michael Davis

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IABS 1-0 Date

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Residential



Brooks & Davis Real Estate Firm

ARE YOU AN A, B, OR C BUYER?

At the *Brooks & Davis Real Estate Firm* we want our motivation to match your motivation and by completing this form you will help us make sure that we can match your motivation.

You want a Buyer Specialist who is active and really knows the market.

All Buyers don't have the same needs and in order for our team to focus on your real estate needs we must first determine your motivation or your "readiness" to buy.

What kind of buyer are you?

- "A"** **HIGH MOTIVATION** | People who have to buy a home now and have either sold their existing home, transferred into town, or their lease has expired. In many cases they could potentially be homeless.
- "B"** **MEDIUM MOTIVATION** | People who are ready to buy, except they have a home to sell first, have a lease to fulfill, or are in the stages of getting pre-approved.
- "C"** **LOW MOTIVATION** | People may buy a home when the right one comes along yet typically not anytime soon.

If you are a "B" or "C" Buyer your needs are paramount and it doesn't mean you are less important to us. We are trying to find homes for the "A" Buyer's first and you could quickly become top priority and an "A" Buyer as well.

We will always do our best to accommodate you. Should your motivation change at any time please let us know so we may adjust our motivation to match yours.

I/We've read the above and feel that I/We are a/an _____ Buyer(s)

Buyer

Date

Buyer

Date



Revised 11/2015

Client/Broker Loyalty Agreement

Brooks and Davis Real Estate Firm, LLC is a full service real estate consulting company. Our clients come to us because of our expertise in all aspects of real estate and our superb service.

Specialties: We specialize in:

- o Leases
- o Apartment Locating
- o Commercial Building Purchases
- o Commercial Leases
- o Residential Re-Sale Purchases
- o New Home Builder Purchases
- o Land/Lot purchases
- o Investment Property Purchases

Broker Obligations: Broker will:

- a. use Broker’s best efforts to assist Clients in acquiring property in the market area
- b. assist Client in negotiating the acquisition of property in the market area
- c. transaction management after selection of property
- d. every two weeks the Broker will re-evaluate needs and expectations with Clients
- e. communicate with Client at least once a week.

Client Obligations: Client will:

- a. work exclusively through Broker in acquiring property in the market area
- b. negotiate the acquisition of property in the market area only through Broker
- c. inform other brokers, salespersons, sellers, New Home Salesperson and landlords with whom Client may have contact, that Broker exclusively represents Client for the purpose of acquiring property in the market area
- d. refer other brokers, salespersons, sellers, New Home Salesperson, and landlords with questions and concerns to Broker.

Term:

This agreement commences on _____ and ends at 11:59p.m. on _____.

Source of Commission Payment:

Broker will seek to obtain payment of the commission first from the Seller, Landlord, or their Agents. Buyer/Tenant is under no obligation to pay brokers commission.

BROKER DATE

CLIENT DATE