

PREPARING FOR THE LISTING

3.0 Hours Legal Issues

The course provides the student with a minimum standard of professionalism ‘guideline’ for accurate listing of real property adhering to the highest standards of professionalism including responsible collection of accurate data, and direct, open and honest communication of legal language obligations of seller, broker and agent.

your guide to . . .

I. Preparing for the Listing

- A. Comparables
- B. Material Facts
- C. Tax Records, Research

II. Real Estate Employment Agreements

- A. Requirements
- B. Legal Language
- C. Help Your Broker

III. Legal Language

- A. Boiler Plate
- B. Additions

IV. Obtaining Accurate Data

- A. Ownership
- B. Taxes
- C. Square Footage
- D. Loan Payoff
- E. CC&R’s
- F. Estimating Closing Costs and Proceeds

Your offer of Professional Service; Gathering Data; Estimating Value; Legal & Binding Contracts; Disclosures . . .

V. Contract Language to Address Upfront

- A. Commencement and expiration dates
- B. Address and complete legal description
- C. Price
- D. Access and Lockbox
- E. Retainer Fees
- F. Commission
- G. Purchase by Tenant
- H. After Expiration – seller obligations
- I. Sellers failure to complete and earnest money disposition
- J. Signage
- K. Utilities
- L. Subsequent Offers
- M. Additional Terms
- N. Seller Signature and date
- O. Agent Signature and date
- P. Linked to Profile

VI. Different Types of Listing Agreements

- A. Class 1,2,3 ~ Residential, Rental, Land, & Lots
- B. Class 4 ~ Commercial & Industrial for sale
- C. Class 5 ~ Commercial & Industrial for lease
- D. Class 6 ~ Multiple Dwellings
- E. Class 7 ~ Business Opportunities

VI. Additional Docs

- A. Agency
- B. SPDS
- C. LBP
- D. ARMLS PROFILE Sheet
- E. ARMLS Change Form
- F. HOA
- G. SWIMMING POOL BARRIER DISCLOSURE



Help Your Photographer take the BEST Pictures

Make your listing look the best it can, for the best images follow these recommendations prior to your shoot;

Exterior.

- Remove all vehicles from the driveway. Make sure the garage doors are closed. Do not park cars in front any residential space.
- Remove trash cans, garden tools, garden hoses, and sprinklers from view.
- Sweep driveways, patios, and sidewalks.
- Put deck/patio furniture & umbrellas up in season (if not too windy) and remove barbecue covers and place out of site. Remove pool toys, pool cleaners, and any floating items.
- All window blinds should be set to the same height. Photographer will open and close as needed.
- Mow the Lawn, clean up any yard debris, store mower out of site.
- Bushes and trees trimmed to show a clear view of the front & rear exterior. •Enhance curb appeal with a front door wreath, pots of greenery, or fresh flowers in season.

Interior.

- Make Sure all lights and lamps have **WORKING** light bulbs.
- Clear off counter tops in the kitchen and bathrooms, removing tissue boxes, soap containers, & paper towel rolls.
- A bowl of apples, oranges, lemons, or limes adds a nice touch of color to a kitchen counter.
- Remove all notes, pictures, & magnets from the refrigerator and any bulletin boards.
- Turn off ceiling fans.
- Put away any evidence of “work”, including buckets, mops, trash cans, vacuum cleaners, sponges, soap bottles and cleaning cloths.
- Hide the kitchen trash can.
- Pet beds, bowls, and toys stored out of sight.
- Remove Newspapers, stacks of magazines, and all TV remotes.
- Windows and Mirrors cleaned and streak free.
- Carpets Vacuumed, wood floors polished.
- Beds made and fresh towels hung in bathrooms.



Managing the Transfer of SMART HOME Items

Does the Smart Tech Go With?

Owners of a smart home have invested a lot of time and effort into customizing their home with the technology and gadgets that suit their lifestyle. This could be smart appliances, temperature controls, lighting, music selections to security systems. Moving to a new home begs the question: Leave it or Take it?

NOTE; THE NEW LISTING FORMS BOILERPLATE LANGUAGE DICTATES THAT SMART FEATURES WILL TRANSFER WHEN SOLD

Whatever the seller decides there are pros and cons of each. You can assist with managing the choice.

Option 1: Leave It

Seller decides they love all their special tech gadgets but will leave them. You need to know:

Listing Agent

1. List and disclose all devices that will transfer and monthly service fees, if any.
2. Advise the Seller they are to assist in the transfer of the account(s) to the new homeowner when the property has closed escrow.
3. If the new owner does not elect to adopt these accounts, document the cancellations.

Option 2: Take It

Seller decides they love all their special devices and will take them when they sell the property.

1. Did devices/appliances require professional installation?
2. Timing and Cost for competent removal and reinstallation
3. Disclose items that will not remain with the property and removal, if affixed.

Easy to Take/Transfer Devices.

- robot vacuum
- smart trash can
- smart light bulbs
- video doorbell
- voice-based smart home assistant (such as Amazon Echo or Google Home)

Easier to Replace: This is the case for smart home thermostats, full-home security systems, water sensor leak detectors for plumbing, and smart washers, dryers and washing machines.

- thermostats
- smart dishwashers, washers and dryers
- full-home security systems
- water sensor leak detectors

ALWAYS:

- Remove all personal and financial data and verify;
- Transfer ownership and billing;
- Create new passwords;
- Transfer Owner manuals or websites;
- New Owners request a list of devices from the seller
- Open new accounts ASAP;
- Reset all devices and verify passwords

QUESTIONS TO CONSIDER:

1. Are the appliances and devices custom installed and connected?
2. Are they attached to personal accounts for payment and providing information to specific phone numbers or email addresses?
3. How are they to be transferred?

IF they have elected to keep the technology

