



NOTICE AND CONSENT TO DUAL AGENCY

(California Civil Code §2079.21; California Business and Professions Code §10176(d))

Prepared by: Agent _____
Broker _____

Phone _____
Email _____

NOTE: This disclosure must be consented to by the Buyer and the Seller when a Broker has undertaken or undertakes the representation of a Buyer who later inquires into a property listed with the Broker by the Seller.

DATE: _____, 20_____, at _____, California.

Items left blank or unchecked are not applicable.

FACTS:

1. This notice is given in connection with property commonly referred to as _____.
2. Broker, either acting directly or through one or more of his agents, may represent both Buyer and Seller in a sales transaction as a Dual Agent on the knowledge and consent of both parties.
In a Dual Agency:
 - 2.1 Broker and his agents owe the same fiduciary duties to each Buyer and Seller as though Broker and his agents represented each individually, except the duties of undivided loyalty.
 - a. Broker as the listing agent employed by Seller will make a full disclosure of all material defects in the property, known or observed by Broker and his agents, which might affect Seller's or Buyer's decisions in a purchase transaction. [See ft Form 305]
 - 2.2 Broker and his agents will not consciously favor one of the parties or represent the interests of one party to the detriment of the other.
 - 2.3 Broker and his agents may not, without written authority to release the information, disclose to Buyer that Seller will accept a price less than the listing price, or disclose to Seller that Buyer will pay a price more than the price offered. [Calif. Civil Code §2079.21]
 - 2.4 Broker and his agents will not disclose the motivation of Buyer or Seller to enter the contemplated transaction without written authority to do so.
 - 2.5 Broker and his agents will not disclose whether Buyer or Seller will consent to financing on terms other than those presented, unless otherwise instructed by the respective party.

NOTICE:

3. Notice is hereby given that Buyer interested in negotiating to purchase the listed property is represented by Broker who also represents Seller of the property.
4. On consent to this Dual Agency by all Buyers and Sellers, Broker and his agents may continue their representation of each Buyer and Seller.

This notice is provided by Broker.	I consent to this Dual Agency.
_____ <i>(Broker's Name)</i>	_____ <i>(Buyer's Name)</i>
_____ <i>(Broker's Signature)</i> <i>(Date)</i>	_____ <i>(Buyer's Signature)</i> <i>(Date)</i>
_____ <i>(Agent's Name)</i>	_____ <i>(Buyer's Name)</i>
_____ <i>(Agent's Signature)</i> <i>(Date)</i>	_____ <i>(Buyer's Signature)</i> <i>(Date)</i>
	_____ <i>(Seller's Name)</i>
	_____ <i>(Seller's Signature)</i> <i>(Date)</i>
	_____ <i>(Seller's Name)</i>
	_____ <i>(Seller's Signature)</i> <i>(Date)</i>