



# Information About Brokerage Services

11/2/2015

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.

<b>Topper Real Estate</b>	<b>9007304</b>	<b>rodney@topperrealestate.net</b>	<b>(830)385-9658</b>
Licensed Broker /Broker Firm Name or	License No.	Email	Phone
Primary Assumed Business Name			
<b>Margo Davis</b>	<b>561644</b>	<b>margo@topperrealestate.net</b>	<b>(830)456-8615</b>
Designated Broker of Firm	License No.	Email	Phone
<b>Rodney Topper</b>	<b>643265</b>	<b>rodney@topperrealestate.net</b>	<b>(830)385-9658</b>
Licensed Supervisor of Sales Agent/	License No.	Email	Phone
Associate			
<b>Melodie Noah</b>	<b>619245</b>	<b>mel@topperrealestate.net</b>	<b>(830)431-0413</b>
Sales Agent/Associate's Name	License No.	Email	Phone
Buyer/Tenant/Seller/Landlord Initials		Date	

Regulated by the Texas Real Estate Commission  
TAR-2501

Topper Real Estate, 807 North Main Street Blanco TX 78606  
Melodie Noah

Information available at [www.trec.texas.gov](http://www.trec.texas.gov)  
IABS 1-0 Date

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## Notice Regarding Oak Wilt in Central Texas

NOTICE: There may be Oak Wilt on the property you are about to purchase.

Oak Wilt is a disease that has long been recognized as causing massive tree loss in the Texas Hill Country. It has now been identified in many Texas counties. Losses vary with location and conditions, with the greatest losses occurring in the Texas Hill Country.

As Brokers and Real Estate Representatives:

- We cannot make representations or guarantees because we are not trained in identifying the condition of trees and their diseases and have no expertise in the area of plant disease.

Recommendations are:

- That you take whatever measures you feel necessary to satisfy yourself about the condition of the property and its surroundings.
- In the event you get inspections, you should accompany the inspector and other experts during the inspections and ask any questions you may have about the property.

Additional Information:

If you are concerned or desire additional information you may call your local County Agricultural Extension Service or visit this website for more details: <http://www.texasoakwilt.org>

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Buyer Date

\_\_\_\_\_  
Buyer Date

\_\_\_\_\_  
Broker/Agent Date

Patricia Hanks 4/4/19  
Seller Date  
Gale M. Kersh 4/4/19  
Seller Date

Michelle Yoon 4-2-2019  
Broker/Agent Date