

EXCLUSIVE SELLER LISTING AGREEMENT
(ALSO REFERRED TO AS EXCLUSIVE SELLER BROKERAGE AGREEMENT)



2015 Printing

State law prohibits Broker from representing Seller as a client without first entering into a written agreement with Seller under D.C.G.A. § 10-6A-1 et. seq.

A. KEY TERMS AND CONDITIONS

1. **Exclusive Listing Agreement.** The undersigned seller(s) ("Seller" or "Client") agree to grant and the undersigned broker and its affiliated licensees ("Broker") agree to accept the exclusive right and privilege to show and offer for sale the property described below ("Property") as the agent of the Seller on the terms and conditions set forth in this Agreement.

a. **Property Identification:** Address: _____, County _____, Georgia, Zip Code _____
City _____, County _____, Georgia, Zip Code _____
Tax Parcel I.D. Number: _____

b. **Legal Description:** The legal description of the Property is (select one of the following below):
 (1) attached as an exhibit hereto;
 (2) the same as described in Deed Book _____, Page _____ of the land records of the above county; **OR**
 (3) Land Lot(s) _____ of the _____ District, _____ Section/ GMD, _____ Lot _____ Block _____ Unit _____ Phase/Section _____ of _____ Subdivision/Development, according to the plat recorded in Plat Book _____ Page _____ et. seq. of the land records of the above county; **OR**
 (4) described below if Property is a condominium unit and a full unit legal description is to be used: _____ Condominium Unit _____ of _____ District of _____ County, Georgia, together with its percentage of undivided interest in the common elements of the Condominium, and its interest in the limited common elements assigned to the unit ("Unit"). The Condominium was created pursuant to the Declaration of Condominium for any Condominium ("Declaration"), recorded in Deed Book _____ Page _____ et seq. of the land records of the above county, Georgia, and shown and delineated on the plat of survey filed in Condominium Plat Book _____ Page _____ County, Georgia.

2. **Listing Period:** Agreement shall be in effect for _____ The term of this Agreement shall be _____ as "Listing Period") unless otherwise stated.

3. **List Price:** The _____ ("List Price").

4. **Negotiation.** Seller does **OR** does not authorize the Broker to assist, to the extent requested by Seller, in negotiating the terms of and filing out a pre-printed real estate purchase and sale agreement and/or counteroffer.

5. **Brochures:**
 A. Seller has or has not received a copy of the GAR brochure entitled "Protect Yourself When Selling a House."
 B. Seller has or has not received a copy of the GAR brochure entitled "What Buyers and Sellers Should Know About Short Sales and Distressed Properties."

6. **Marketing:** (Select all of the following which shall apply.)
 No Limitations: Seller authorizes Broker to market and advertise Property for sale in any media of Broker's choosing.
 No Internet Marketing: Seller does not wish to have information about the Property displayed on the Internet.
 Omit Property Address: Seller does not wish to have the address of the Property identified on the Internet, but does wish to have all other information about the Property displayed on the Internet.
 Limit Third Party Commentary: Seller does not wish for third parties to be able to write comments or reviews regarding the listing or display a hyperlink to such reviews on an Internet web site of a broker or affiliated licensee of a broker.

b. **Broker agrees to file this listing with the following Multiple Listing Service(s):** _____

7. **Commission.** (Select one or more of the following below.)
 a. Seller agrees to pay Broker at Closing:
 _____ percent (%) of the sales price;
 \$ _____;
 (other) _____
 b. Broker agrees to pay cooperating broker, if any,
 _____ % of the sales price of Property;
 \$ _____;
 (other) _____

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ABC's To Find A Real Estate Agent That's Right For You

REMEMBER, NOT ALL AGENTS ARE REALTORS®, FULL TIME AGENTS, BUSINESS MINDED, REPUTABLE, SUCCESSFUL, OR ACCESSIBLE. REAL ESTATE IS A RELATIONSHIP BUSINESS.

Choosing a real estate agent is one of the most important decisions a home buyer or seller can make. Your bottom line is to buy a house or sell a house, but getting there can be a rocky road with an agent who does not fit your specific needs.

A. WRITE DOWN YOUR PERSONAL EXPECTATIONS ABOUT WHAT YOU NEED TO BE CONFIDENT IN THE AGENT.....THE WHO, WHAT, WHERE, WHEN, HOW AND WHY OF IT.

There are hundreds of things you can ask during the interview process. Separate the good agents from the great ones by comparing the answers you get to these questions:

Who will you communicate with at the agent's office?

Do you want one on one service with the agent or are you okay speaking with assistants?

What is your preferred method of communication?

Where do they conduct business?

When is the agent available to work?

How many listings do you manage at one time?

How long have they been in business and what is their success rate?

Why do you want to buy or sell?

How many deals did you personally complete last year?

How will you prioritize and strategize for my needs?

If you are a seller, ask how the agent will market your home both on and off-line; how many photos are typically posted with a listing, what kind of photo equipment will be used (for high-quality photos), where your home will be advertised and how often? Finally, can this agent tell you what current buyers are looking for in a home these days?

If you are a buyer, find out how the agent will search for homes for you, how many homes you can expect to see before finding the right one, who will come up with pricing, and how multiple offers are handled.

B. SELECT AN AGENT WITH THE RIGHT CREDENTIALS

If the agent calls himself a Realtor® with a capital "R" that means he's a member of National Association of REALTORS®. By hiring a Realtor®, "the most important thing you get is an agent who formally pledges to support the code of ethics," says NAR. Just as doctors specialize, so do real estate agents. And even generalists are required to have 36 hours of continuing education every 4 years to keep an active license. Many agents get additional training in some areas.

- CRS (Certified Residential Specialist): Completed additional training in handling residential real estate.
- ABR (Accredited Buyer's Representative): Completed additional education in representing buyers in a transaction.

- REVS (Real Estate Valuation Specialist): Completed additional training in theory and skills to assist sellers and buyers with the process of valuating real property
- SRES (Seniors Real Estate Specialist): Completed training aimed at helping buyers and sellers in the 50-plus age range.

C. PICK AN AGENT THAT WORKS WELL WITH PEERS

Peer-given awards count, says NAR. One that really means something is the "Realtor® of the Year" designation awarded by the state or local branch of NAR. "These agents are the best, as judged by their peers," NAR says. "That's a huge endorsement."

D. RESEARCH HOW LONG THE AGENT HAS BEEN IN BUSINESS

You can often find out how long the agent has been selling real estate from the state licensing authority. Or, you can just ask the agent.

"If they haven't been in business five years, they're learning on you and that's not good," says Robert Irwin, author of "Tips & Traps When Buying a Home. Ultimately, what you're looking for is someone who is actively engaged in listing and selling homes. You'll want to know what knowledge of those two factors they can demonstrate and "what kind of market presence they have," he says.

E. INVESTIGATE

Do some legwork. Literally. Take a walk or drive around your community and check out the for sale signs. Are their signs well-maintained? Are there fliers or other marketing materials available? If you see a homeowner outside, stop to ask has the seller had viewings; are they happy or not and why?

Stop by open houses to view other homes on the market. This is a great way to see agents in action, and meet them in a casual setting. Are they friendly, informative and professional? How do they respond to other people coming to the open house?

Understand, an agent is an independent contractor who hangs their license with a broker office. You are hiring the agent. The broker matters, but the agent matters more. If an agent has a good listing, motivated clients and it is priced right, they will sell it for the highest dollar the market will bear, with the least amount of trouble to the seller and in the shortest time possible.

Online agent ratings and reviews are the next best thing to a personal referral. Knowing the experience that lots of other people had with a particular agent is valuable information to have. This includes other agents. The last thing you need is an agent that is difficult for co-oping agents to reach and deal with. Realtor.com provides agent profiles that may include testimonials. Take time to check them out.

F. INTERVIEW MULTIPLE AGENTS

Buying or selling a home is one of the biggest financial events of your life so take the time to interview at least three agents before deciding whom to hire. You want to find someone who demonstrates knowledge of home values, the market right now and expertise in the buying/selling process. That is, familiarity with all the technicalities such as title, appraisals, financing, negotiation, inspections, etc. Above all else, make sure you'll feel comfortable having this person guide you through an overwhelming and stressful process.

G. SET COMMUNICATION EXPECTATIONS

One of the most common complaints from buyers and sellers is about the agent's lack of communication. Make sure you're on the same page from the get-go. Discuss how the agent will keep you informed and how often you expect to hear from them. If you prefer email but the agent is most responsive to phone calls, you may not be a good fit for each other. Or, if you know you're going to have lots of questions about the process and expect quick responses, but the agent's MO is bi-weekly updates, you may want to find another agent. It doesn't matter how fantastic your agent is if your communication styles don't mesh.

H. TALK WITH RECENT CLIENTS

Ask agents to provide a list of what they've listed and sold in the past year, with contact information. With past listing clients, inquire what the original listing price was and then what the sales price was. And, if you're a seller, ask if these past properties are similar to yours in price, location and other features. What you want is someone who specializes in what you're selling. Another good question for sellers is: How long was the home on the market.

So, if an agent hasn't actively marketed his or her other properties, chances are he or she won't be much more committed to you.

I. LOOK AT THEIR CURRENT LISTINGS

Check out an agent's listings online. Two places to look are the agency's own site and Realtor.com, a website that compiles properties in the Multiple Listing Service into a searchable online database. Most REALTORS® these days have websites. Try a Google search for 'REALTORS® in _____county' and start to narrow down the field from there. Many Realtor® websites will have extensive information about their background, experience and area sales, but some not so much. List those that appeal to you. Bear in mind, listings may need status updates, sell and go under contract, so the list may not be totally accurate.

Most buyers start their search on the Internet, and you want an agent who uses that tool effectively. A key thing is an attractive presentation on the Web. Does the agent have enough listings to indicate a healthy business but not so many that you'd just be a number? Most agents will list and sell over a wide range of prices, home styles and areas, so that needs to be understood.

J. STATES WILL HAVE BOARDS THAT LICENSE AND DISCIPLINE REAL ESTATE AGENTS IN THOSE STATES.

Check with your state's regulatory body to find out if the person is licensed and if there have been any disciplinary actions or complaints, or check to see if the information is posted online.

K. NOW, CHOOSE AN AGENT TO BE YOUR PARTNER

Unless you've sold a home before, the prospect of selecting a real estate agent can be pretty intimidating. And if you have sold a home before, you probably already know that the agent you choose can make the experience pleasant or painful and profitable or not.

Let's say you interview three real estate agents and one suggests a listing price substantially higher than the other two. Maybe that agent is a truly exceptional salesperson. Or maybe he or she doesn't really know the market. Or maybe they're doing what's known as "buying the listing". There are real estate agents who know that a high price is music to a seller's ears. And in the worst case scenario, they may lure you into signing a contract, knowing they'll still get their commission once you've been forced to drop the price to a more reasonable level.

A good agent, on the other hand, will help you set a price that reflects the market — high enough to maximize your profit, but not so high that it scares off buyers. Furthermore, a good real estate agent will explain the necessity of not overpricing your home. After investigating your home and researching the competition, she or he will recommend a narrow range of prices. Of course, you ultimately determine the listing price, but your agent's recommendation indicates at what price your home will actually sell. Conversely, if an agent has consistently sold homes for less than their listing price, it's worth finding out why.

You can ask each of the REALTORS® you interview to provide you with a printout of homes that they have listed and sold for any specific time frame you choose. It should be a list run through the multiple listing service website, not one she types herself.

When you finally meet, ask the real estate agent to discuss her or his marketing plan. How does she or he plan to sell your house? If the agent does not discuss marketing channels like the Multiple Listing Service, sending your home "fact sheet" out to the agent community, or classified ads and advertising on the Internet, most likely she or he doesn't have much of a strategy. The marketing program is critical to generating demand for your home! Once you're confident in the agent's strong marketing plan, make sure the agent walks you through a "seller's net sheet," clearly explaining the numbers and what you can expect to receive from the sale of your home.