

## **DUAL REPRESENTATION DISCLOSURE AND CONSENT AGREEMENT**

Date: [Date]

Property Address: [Full Property Address]

### **1. PARTIES**

Seller(s): [Name of Seller 1], [Name of Seller 2]

Buyer(s): [Name of Buyer 1], [Name of Buyer 2]

Brokerage/Agent: [Name of Agency and/or Individual Agent]

### **2. DISCLOSURE OF DUAL REPRESENTATION**

The Brokerage and/or Agent named above represent both the Seller and the Buyer in the transaction for the property listed. This creates a "Dual Representation" or "Dual Agency" scenario.

### **3. UNDERSTANDING OF CONFLICT**

The Parties acknowledge that a conflict of interest exists because the Agent represents both the Buyer and the Seller, whose interests are inherently adverse. In this role, the Agent cannot provide the full range of fiduciary duties, such as undivided loyalty or exclusive advocacy, to either party.

### **4. LIMITATIONS ON AGENT DUTIES**

Under dual representation, the Agent/Brokerage shall:

- Treat both parties honestly and impartially.
- Maintain confidentiality regarding the parties' motivations and financial positions.
- Not disclose to the Buyer that the Seller will accept a price lower than the listing price, unless authorized in writing.
- Not disclose to the Seller that the Buyer will pay a price higher than the offered price, unless authorized in writing.
- Not disclose any confidential information about either party without express written consent, unless required by law.

### **5. RIGHT TO INDEPENDENT COUNSEL**

Both Buyer and Seller acknowledge they have the right to seek independent legal counsel or be represented by a different agent prior to signing this waiver and proceeding with the transaction.

### **6. CONSENT AND WAIVER**

By signing below, the Buyer and Seller confirm they have read this disclosure, understand the risks of dual representation, and voluntarily waive the conflict of interest to allow the Agent/Brokerage to facilitate the transaction.

**SELLER SIGNATURE(S)**

\_\_\_\_\_ Date: \_\_\_\_\_  
[Seller Name]

\_\_\_\_\_ Date: \_\_\_\_\_  
[Seller Name]

**BUYER SIGNATURE(S)**

\_\_\_\_\_ Date: \_\_\_\_\_  
[Buyer Name]

\_\_\_\_\_ Date: \_\_\_\_\_  
[Buyer Name]

**BROKER/AGENT SIGNATURE**

\_\_\_\_\_ Date: \_\_\_\_\_  
[Agent Name/Agency Representative]