



# WASHINGTON REALTORS®

## Legal Hotline Q&A of the Week

### Question:

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As a listing agent I'm getting emails and calls from buyers who do not want a buyers agent and want to see my listing. If I will not be acting as a buyers agent, do I need a form 41 signed to show my own listing? The buyer would be unrepresented.

### Answer:

Since the buyer will be unrepresented with listing broker representing seller only, listing broker should NOT enter a Form 41 BBSA with buyer. If listing broker entered a BBSA with buyer, then broker would represent buyer as well as seller. Instead, broker should disclose to buyer that listing broker represents seller exclusively and that buyer is without representation. Broker should advise buyer to seek representation but should proceed to show buyer if buyer wishes to proceed without representation. Broker should deliver an agency pamphlet to buyer and if buyer chooses to write an offer, broker should ensure that the Agency Disclosure provision is properly completed to show that listing broker represents seller and that buyer is without representation. All contact information for the "buyer broker", on the PSA, should be left blank.

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