



## Ohio Revised Code

### Section 4735.65 Representing buyer in agency relationship - duty to promote interests of client.

Effective: April 6, 2017

Legislation: House Bill 532 - 131st General Assembly

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(A) In representing a purchaser in an agency relationship, a licensee shall:

(1) Seek a property at a price and with purchase or lease terms acceptable to the purchaser. Unless the client so directs, the licensee is not obligated to seek additional purchase or lease possibilities if the purchaser is a party to a contract to purchase property, or has entered into a lease or has extended a letter of intent to lease.

(2) Within the scope of knowledge required for licensure, answer the purchaser's questions and provide information to the purchaser regarding any offers or counteroffers;

(3) Assist the purchaser in developing, communicating, and presenting offers or counteroffers;

(4) Present any offer to purchase or lease to the seller or the seller's agent in a timely manner, even if the property is subject to a contract of sale, lease, or letter of intent to lease, and accept delivery of and present any counteroffers to the purchaser in a timely manner;

(5) Within the scope of knowledge required for licensure, answer the purchaser's questions regarding the steps the purchaser must take to fulfill the terms of any contract.

(B) A licensee does not breach any duty or obligation to the purchaser by showing the same properties to other purchasers or by preparing or presenting contemporaneous offers to purchase or lease the same property. Prior to preparing a contemporaneous offer, a licensee shall disclose that fact to all clients for whom the licensee is preparing, presenting, or has prepared or presented contemporaneous offers to purchase or lease the same property and shall refer to another licensee any client that requests such referral.

(1) The disclosure required by this section shall be provided in writing unless written disclosure



cannot be delivered in a timely manner, in which case the licensee shall provide the disclosure verbally.

(2) A licensee does not breach a duty of confidentiality to any client by disclosing the fact of contemporaneous offers, but shall maintain as confidential between the purchasers the identity of the purchasers and the terms of the offers.

(C) A licensee does not breach any duty or obligation to the purchaser by acting as an agent or subagent for other purchasers, or as an agent or subagent for sellers, except that any dual agency relationship must be disclosed to a client pursuant to section 4735.71 of the Revised Code.

(D) Nothing in this section shall be construed as permitting a licensee to perform any act or service that constitutes the practice of law.