

STANDARD BERKSHIRE COUNTY MULTIPLE LISTING SERVICE  
BUYER and SELLER NOTICE OF DUAL AGENCY

(For use when previous consent was obtained individually from the seller AND the buyer through their respective Consent to Dual Agency forms)

► **1. PARTIES.** Seller(s) Name(s) \_\_\_\_\_ (“SELLER”)  
Buyer(s) Name(s) \_\_\_\_\_ (“BUYER”)  
Broker / Corporation \_\_\_\_\_ (“BROKER”)  
Property Address \_\_\_\_\_ (“Property”)

**2. NOTICE OF DUAL AGENCY.**

When a BUYER is represented by a brokerage firm and becomes interested in a property which is owned by a SELLER who is represented by the same firm, this creates dual agency situation.

The BROKER previously obtained consent for a dual agency relationship with both the BUYER and SELLER to occur in connection with a real estate transaction, in either an Exclusive Listing Agreement (for SELLER), in the Exclusive Buyer Representation Agreement (for BUYER) or in a separate form provided previously.

**The BROKER now gives notice that dual agency has occurred and that the BROKER and all affiliated licensees now represent both Buyer and Seller in connection with the property referenced above.**

A disclosed dual agent will provide limited representation to both BUYER and SELLER but can no longer fully represent either party. However, a dual agent must treat both parties fairly and honestly. A dual agent is authorized to assist the buyer and seller in a transaction, but shall be neutral with regard to any conflicting interest of the buyer and seller.

Consequently, a dual agent will not have the ability to satisfy fully the duties of loyalty, full disclosure, reasonable care and obedience to lawful instructions, but shall still owe the duty of confidentiality of material information and the duty to account for funds.

The duty to preserve confidential information shall continue after the termination of the brokerage relationship.

\_\_\_\_\_  
**BROKER: LICENSE # DATE**

**3. ACKNOWLEDGMENT**

I acknowledge receipt of this Notice of Dual Agency.

► \_\_\_\_\_  
**SELLER: DATE BUYER: DATE**

\_\_\_\_\_  
**SELLER: DATE BUYER: DATE**

