# STANDARD BERKSHIRE COUNTY MULTIPLE LISTING SERVICE
# EXCLUSIVE RIGHT TO SELL CONTRACT ADDENDUM
# 'SELLER'S CONSENT TO DUAL AGENCY'

► **1. PARTIES**. Seller(s) Name(s) _____ ("SELLER")

Broker / Corporation _____ ("BROKER")

Property Address _____ ("Property")

**2. CONSENT TO DUAL AGENCY**

The SELLER understands that BROKER also represents buyers and that if the BROKER introduces a buyer-client to the PROPERTY a "dual agency" will be created. The BROKER may act as a dual agent who represents both prospective buyer and seller with their informed written consent. 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.

SELLER understands that material information received from either client that is confidential may not be disclosed by a dual agent, except:

(1) if disclosure is expressly authorized;
(2) if such disclosure is required by law;
(3) if such disclosure is intended to prevent illegal conduct; or
(4) if such disclosure is necessary to prosecute a claim against a person represented or to defend a claim against the broker or salesperson.

This duty of confidentiality shall continue after termination of the brokerage relationship.

**If dual agency occurs in a transaction, a 'Notice of Dual Agency' form will be given.**

**By signing this agreement, SELLER authorizes BROKER to act as a dual agent and consents to dual agency.**

► **3. SELLER ACKNOWLEDGMENT and CONSENT**

I acknowledge and agree that _____of_____ is authorized to represent both the buyer and seller as a dual agent. I hereby consent to dual agency.

| | | |
|---|---|---|
| Signature of Seller | Printed Name | Today's Date |
| Signature of Seller | Printed Name | Today's Date |

► **4. BROKER/SALESPERSON ACKNOWLEDGMENT**

I acknowledge and agree to represent the above named consumer as a dual agent and my signature below signifies that I understand the duties and responsibilities of that relationship, and explained to the consumer that I am a dual agent and therefore will assist the buyer and seller in a transaction, but shall be neutral with regard to any conflicting interest of the buyer and seller.

| | | |
|---|---|---|
| Signature of Broker/Salesperson | License # | Today's Date |