

Form 11:

CONSENT TO REAL ESTATE AGENT/SALESPERSON¹ OBTAINING A BENEFICIAL RELATIONSHIP IN DEALING WITH A PROPERTY - Financial

TO: [Insert name and address of recipient of the form¹]

Your sale/purchase/proposed purchase² of [insert address of property]

I/We* set out below:

- the nature of my/our* relationship with each person named below to whom I/we* have referred you for professional services associated with the sale or purchase;
- the amount or value of the monetary or other consideration which I/we* derive or expect to derive from each person.

Name of person	Nature of relationship ³	Amount or Value of consideration ⁴
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1.

2.

3.

[If insufficient space, add an annexure]

¹ **NB** A *seller's agent* must disclose to the seller and also to the prospective buyer. A buyer's agent must disclose to the buyer.

A buyer's agent is:

- (a) a real estate agent acting for a buyer of land, or
- (b) a real estate salesperson acting for that real estate agent.

A seller's agent is:

- (a) a real estate agent acting for the vendor of land, or
- (b) a real estate salesperson acting for that real estate agent.

A prospective buyer is a person who there are reasonable grounds to believe is a potential or likely buyer of land (whether or not the person has made an offer to buy the land).

² Delete the inapplicable word. Other places where an inapplicable word must be deleted are also indicated by *.

³ Briefly state whether the relationship is personal, commercial or some other relationship.

Some examples are:

- a family relationship,
- a business relationship, other than a casual business relationship,
- a fiduciary relationship,
- a relationship in which 1 person is accustomed, or obliged, to act in accordance with the directions, instructions, or wishes of the other. The above examples are *not* exhaustive.

⁴ Insert the amount or value of consideration (if any). If there is no amount or value, insert "nil".

Form 11:

I/We* also set out below the amount, value or nature of any benefit of which I/we* am/are* aware that a person to whom I/we* have referred you has received, receives, or expects to receive in connection with the sale, or for promoting the sale, or for providing a service in connection with the sale, of the land.

Name of persons ⁵	Capacity ⁶	Amount value or nature of any benefit ⁷
1.		
2.		
3.		

[If insufficient space, add an annexure]

.....
 (Signature of seller's/buyer's* agent)

.....
 [Print name of seller's/buyer's* agent and the agent's licence or registration number]

DATED:

IMPORTANT NOTICE TO THE SELLER/PROSPECTIVE BUYER

This form must be given to you at the time the agent refers you to a person for professional services associated with the sale/purchase* and before you enter into a contract for the sale/purchase* of the above property. If it is given to you afterwards you should not sign below. I/we* acknowledge receiving this disclosure form at the time the agent referred me/us* to a person for professional services associated with sale/purchase* and before entering into a contract for sale/purchase* of the above property.

.....
 (Signature of each seller/prospective buyer)

[Print name of each seller/prospective buyer]

DATED:

⁵ Insert the name of each person who has received, receives or expects to receive a benefit.

"Benefit" means monetary or other benefit

⁶ Briefly state the capacity in which the person has received, receives or expects to receive a benefit. Some examples are: • seller, • property valuer, • finance broker, • financial adviser, • financier, • legal practitioner, • real estate agent.

The above examples are *not* exhaustive. ⁷ Insert the amount, value or nature of any benefit.