

## **Transaction process for seller's agent**

This is a step-by-step guide for the Real Estate Source, Inc. agent on how to handle the listing/selling transaction process. Please contact us at [tony@realestatesource1.com](mailto:tony@realestatesource1.com) or [info@realestatesource1.com](mailto:info@realestatesource1.com) if you need help with transactions or have comments regarding these guidelines. You can find most of the forms at <http://www.winforms.com> you may use similar PRDS or other C.A.R. approved forms instead of Win Forms.

### **Step 1: Seller's representation and Multiple Listing Service (MLS)**

- 1) When you are ready to accept a listing, you have to print our and use correct check list from our website.
- 2) Fill out and obtain seller's signature(s) at least on the following forms:  
LISTING AGREEMENT  
SELLER'S ADVISORY C.A.R. form SA  
DISCLOSURE REGARDING REAL ESTATE AGENCY RELATIONSHIP C.A.R. form

AD

- 3) Install a lock box and take pictures for the property.
- 1) List the property for sale in the local MLS. If it is "Short Sale" or "Bank Owned/REO" transaction, disclose this fact in the property description.
- 2) Place "For Sale" signs. Consult with the Home Owners Association (HOA) about any existing sign and open house regulations.
- 3) At this point you must upload at least these forms:  
LISTING AGREEMENT  
DISCLOSURE REGARDING REAL ESTATE AGENCY RELATIONSHIP C.A.R. form  
AD  
Agent property report printed from MLS listing
- 4) You may start uploading the executed transaction documents and forms to the transaction file now. You may upload as many executed documents and forms as you want (not only those that are required in the check list) at any time. Use the "Note" option of you want to leave a message for the broker. We may ask you for additional information (if necessary).

### **Step 2: Marketing time and changing the listing status**

- 1) Have an open house and use other marketing tools to attract a buyer.
- 2) If the seller decides to change the price or any terms of the property, fill out a MODIFICATION OF TERMS AND RIGHT TO SELL C.A.R. form MT and make the changes on the MLS listing. Upload the form to the transaction file.
- 3) If the seller wants, you may order a termite inspection prior to receiving offers. Remember that the termite report expires after 90 days.
- 4) If the seller or agent decides to cancel the agreement, use CANCELLATION OF LISTING C.A.R. form COL  
You must upload the cancellation form to transaction file and write a note for the broker as to why the listing was cancelled and change the status from "Listing" to "Submit for Review"

within 48 hours. Broker will check the file and change the status to “Cancel” or may ask you for additional documents.

### **Step 3: Receive offers from the buyer’s agent**

- 1) The offer typically includes the following:  
PURCHASE AGREEMENT  
BUYER’S INSPECTION ADVISORY C.A.R. form BIA-A  
DISCLOSURE REGARDING REAL ESTATE AGENCY RELATIONSHIPS C.A.R form AD  
Pre-approval letter from the lender  
Copy of earnest money deposit check
- 2) The Seller can reject or accept the offer or send his/her counter offer. During the negotiation period you may use:  
COUNTER OFFER C.A.R. form CO  
ADDENDUM C.A.R. form ADM

### **Step 4: Open Escrow/Title**

- 1) When all parties agree with the purchase terms, return a fully executed contract with all counter offers and addendums to the buyer’s agent. Usually the buyer’s agent opens the escrow/title. In some cases this may be done the seller’s agent.
- 2) You may fill out, sign and send the following to the buyer’s agent for his/her signature:  
COOPERATION BROKER COMPENSATION AGREEMENT C.A.R. form CBC Our policy does not require this form, but you may use it for your own benefit.
- 3) The escrow/title officer or buyer’s agent must provide you with information about the file (the escrow/title officer’s name, escrow file’s number, contact information, etc.) and you a receipt (copy) for the earnest money deposit.
- 4) Real Estate Source, Inc. broker has to sign commission distribution instructions. Ask the escrow/title officer to prepare these instructions and fax or email it to our office. The broker will sign this form, fax it back to escrow/title company and upload it to transactions file. There is a penalty for signing the commission instructions yourself in place of the broker.
- 5) When the escrow/title is open, you have to change the “Listing” status to “Open” on your Real Estate Source, Inc. homepage within 48 hours. There is a penalty for a delay. Please check your homepage for information regarding penalties. You have to continue uploading the executed transactions documents, forms and disclosures to the transaction file at this point. Use correct check list for your transaction.
- 6) Don’t forget to change the listing status to “Pending” on the MLS. The delay can result in a penalty charge (check MLS regulations).

### **Step 5: Inspection/Disclosure Period**

- 1) Use correct check list and forward required disclosures and reports to the buyer’s agent within seven (7) days of acceptance.  
The local disclosures may vary by city and county. Please ask your escrow/title company or visit the local Association of Realtors to find out the local disclosure requirements.  
<http://www.realtydisclosure.com/>  
<http://www.disclosuresource.com/>  
<http://disclosuresave.com/>  
Information is also available through other on-line companies.

- 2) Escrow/title will send to both agents and the lender a preliminary title report. This must be received within seven (7) days of acceptance of the offer.
- 3) Depending on the transaction type, the buyer may conduct different types of inspection (termite, home inspection, septic system, roof, plumbing, etc.) and put his/her request in: REQUEST FOR REPAIR C.A.R. form RR  
WOOD DESTROYING PEST INSPECTION AND ALLOCATION OF COST C.A.R. form WPA  
The Seller can reject or accept the request, agree to make some of the repairs or offer monetary reimbursement for the repairs.
- 4) For residential property each agent (buyer's and seller's) must fill out their own AGENT VISUAL INSPECTION DESCLOSURE C.A.R. form AVID (Reminder: on page three there are two places for you to sign the document)
- 5) If property is in common Interest Developments, the seller has to provide the HOA report CC&Rs for the buyer. Usually, the escrow officer orders this report (ask him/her about it), but if not, the seller can use:  
HOMEOWNER ASSOCIATION INFORMATION REQUEST C.A.R. form HOA
- 6) Keep in touch with the escrow/title officer. Make sure that the escrow/title officer has all fully executed transaction forms and documents. Ask the officer to provide a preliminary closing statement (HUD) for the seller.
- 7) You must receive the following forms/documents from the buyer:  
Pre-approval letter from the lender (in 7 days)  
Proof of funds for down payment (in 7 days)  
CONTINGENCY REMOVAL C.A.R. form CR (in 17 days)  
If the buyer removes all contingencies but fails to execute the contract, the seller is typically entitled to full or part of deposit made by the buyer as liquidated damages.  
If any required forms are not received, send the buyer a:  
NOTICE TO BUYER TO PERFORM C.A.R. form NBP  
If the buyer fails to perform the action by the date given in the NBP, you may cancel escrow using:  
CANCELLATION OF CONTRACT, RELEASE OF DEPOSIT C.A.R. form CC
- 8) If, for any reason, the transaction process has been cancelled, you may use:  
CANCELLATION OF CONTRACT, RELEASE OF DEPOSIT AND JOINT ESCROW INSTRUCTIONS C.A.R. form CC  
You must upload a cancellation form to the transaction file, write a note for broker why the listing was canceled and changed the status from "Listing" to "Submit for Review" from your Real Estate Source, Inc. homepage within 48 hours. There is a penalty for a delay, please check your homepage for information regarding penalties.  
Broker will check the file and change the status to "Cancel" or may ask you for additional documents.

### **Step 6: Closing Process**

- 1) Real Estate Source, Inc. broker must sign the commission distribution instructions. Ask the escrow officer to prepare the instructions and send them to our office. The broker will sign this form, fax it back to the escrow/title company and upload a copy to the transactions file. There is a penalty for signing the commission instructions yourself in place of the broker.
- 2) Make sure that the seller is ready to vacate the property. Moving to a new place could be challenging for the seller. Provide as much support to your Client as you can. We have observed that this step is very important to receiving referrals.
- 3) You must receive from the buyer: VERIFICATION OF PROPERTY CONDITION C.A.R. form VP

- 4) Escrow/title will provide the closing package for the seller. The seller has to sign the deed, the estimated closing statement and other closing documents. Help the seller understand them.
- 5) Work with the buyer's agent to determine how you will transfer the keys, garage or gate opener, postal box key, etc., to the buyer.
- 6) It is a good idea to give the new owner a present. The best gift is a household, long-term usable item with your name and contact information on it. It can be a new barbeque, TV, patio table, poker chips set or something similar.