

Legal Questions & Answers

April 2017

Question: An out-of-state resident has a home in Oregon that they would like to list with an Oregon broker. However, the owner would also like to list the property with an out-of-state broker who says it is legal to list and post on Multiple Listing Services in another state. What are the risks to the Oregon broker?

Answer: The risk to the Oregon broker is related to the accuracy of information disseminated by the out-of-state broker. For example, the out-of-state broker could insert erroneous information within the listing, which causes an out-of-state buyer to present an offer to an Oregon broker based upon the inaccurate information. Accordingly, the scenario you have described could result in substantial risk to you.

Question: When listing a property on RMLS™, if one of the bedrooms is non-conforming should that be disclosed in the public or private remarks?

Answer: We would recommend that the non-conforming nature of the bedroom be disclosed in the public remarks.