

## Legal Questions & Answers

December 2016

Question: When does the buyer's revocation timeline associated with the property disclosure statement commence?

Answer: It is reasonable to assume that the buyer's revocation timeline associated with the property disclosure statement does not commence until the seller provides disclosures that are substantially complete. If they are incomplete in many respects, it would be prudent to indicate to the listing broker that the buyer's timeline will commence once the seller provides revised and complete disclosures. In the event that the seller is unwilling to comply, the buyer must determine whether to continue in the transaction or terminate based on the incomplete disclosure statement.

Question: If an individual wants to place an offer on a house, but has been advised not to enter into a sale agreement until after he is divorced, is the offer binding if it is postdated?

Answer: We would advise against postdating a sale agreement, as the date of execution should reflect the actual date on which it was signed by both parties. Under these circumstances, it would be most appropriate for the client to hold off on making an offer until his divorce is finalized.

Question: Is a wall mount which holds a television considered a fixture or personal property?

Answer: The wall mount is likely considered personal property, as it is not permanently or semi-permanently affixed to the home.