

What forms do I need in the listing file?

For a Freehold Sale, you need Form 200a, Form 290, Working With Realtor, Fintrac 630
For a Freehold Lease, you need Form 210a, Form 296, Working With Realtor, Fintrac 630
For a Condo Sale, you need Form 200a, Form 291, Working With Realtor, Fintrac 630
For a Condo Lease, you need Form 210a, Form 292, Working With Realtor, Fintrac 630

What forms do I need For an Offer?

For a Freehold Offer you need : Form 100, Form 320- Conf Of Coop, Working With Realtor, Fintrac 630, Receipt of Funds Record - OREA 635, Buyer Customer Service Agreement – 310,

For a Condo Offer you need : Form 101, Form 320- Conf Of Coop, Working With Realtor, Fintrac 630, Receipt of Funds Record - OREA 635, Buyer Customer Service Agreement – 310

Can I put a listing on the Hamilton/Burlington Board if I only have membership on TREB?

Yes.
Complete Hamilton/Burlington Board data sheet (must be printed off Realtor Link) and pr-authorized credit card payment (fee is \$63.50 plus GST).

Attach data sheet from TREB and Open House Sheet.
Fax above to TREB at 416-443-2679. They will then send it to Hamilton/Burlington Board.

Email photo direct to The Hamilton/Burlington Board.

Hand all of the above paperwork into Front Desk.

Should I use a Waiver or Notice of Fulfillment of Condition?

They can both be used however, a fulfillment is technically the correct form if the activity has been completed. So if it is a condition on a home inspection and the buyers firm without having the inspection, a waiver is appropriate. If they perform the inspection and they want to firm, a fulfillment is appropriate. However, the forms are both adequate to firm a deal.

SHOULD I LIST MY OWN HOME? Does it affect my E and O?

The answer to your question is a qualified and limited "yes". If proper disclosure is made then you may have coverage but likely only for the defense of a claim. In fact, it is best if another Realtor lists the home for the Seller (a licensed Realtor) and acts as a Buyer's Agent for the Buyer (a licensed Realtor), which would constitute a "best practice" to avoid any possible insurance coverage issues.

When is the deposit cheque due?

The answer to this question is simply, what does the offer say? If it says on acceptance, it is within 24 hours of acceptance. If it says herewith, it is submitted with the offer. If it says the deposit is due in 3 weeks, that is when it is due.

Does it have to be certified?

Our schedule B says that deposits on our listings must be certified. If that is not altered, then the buyer and buyer agent are obligated to provide a certified cheque to us.

Doesn't the Act say that we have 5 days now?

No, it says that the brokerage has 5 days from receipt to deposit the cheque. That has nothing to do with when the deposit is submitted.

If the deposit does not come through, is the deal dead?

No, it is in anticipatory breach. But we still need a mutual release to resolve the transaction.

Who keeps the original forms?

The Brokerage. Keep a copy for your files.

Who is our Privacy officer and our Fintrac officer?

Wendy Misiurski.

Who reports conditional sales?

The office reports the sales through the Deal Secretary, Teresa Browne.

What happens if a deal falls through?

If the deal falls through, a mutual release will be obtained if the parties to the contract do not want to proceed with any actions for damages and if to determine where the deposit goes.

Does the Seller get the deposit?

No, the deposit may go back to the buyer, directed to the seller, it may be split between the two or it may go into dispute. It depends on the *circumstances of each transaction*. *Each case must be decided individually*. *Contact the Broker when a deal comes into jeopardy*.

What if I am asked to give a letter of opinion?

Please use our standard letter from the front desk. It has limitations designed to protect you.

If a client or customer asks me to comment on a potential law suit or if

I get subpoena, can I appear or can I talk about it?

NO, no discussions may occur in the event of a possible suit. Talk to the Broker. We must file an incident report with E and O whenever it looks as though someone may get sued. If you discuss the case, you may invalidate your Errors and Omissions.