

RE90R14 - DESIGNATED AGENCY

1. Designated Agency

- a. Law
 - i. Passed in 2004
 - ii. Effective in 2005
 - 1. Massachusetts General Law Chapter 112, Section 87AAA
 - 2. 264 Code of Massachusetts Regulation (CMR) 3.00(13)

2. Required Documents

- a. Massachusetts Mandatory Licensee-Consumer Relationship Disclosure
 - i. Buyer agent showing – FSBO (For Sale by Owner)
 - ii. Seller’s agent showing property to customer
- b. Massachusetts Consent to Dual Agency
- c. Notice of Dual Agency
- d. Consent to Designated Agency
- e. Notice of Designated Agency
- f. Disclosure of company business model

3. Types of Agency

- a. Designated Seller Agency
- b. Designated Buyer Agency
- c. Dual Agency

4. Non-Agency

- a. Facilitator

5. Types of Offices

- a. Traditional Office:
 - i. May offer the following with Relationship Disclosure:
 - 1. Seller Agency
 - 2. Buyer Agency
 - 3. Dual Agency
 - 4. Facilitator
 - ii. Open Sales Meetings:
 - 1. Client information exchanged among attending Agents

- b. Designated Agency Office
 - i. Appointing Agent serves as Dual Agent
 - ii. Each Client represented by an Exclusive Agent
 - 1. "OLD CAR"
 - iii. No open sales meeting/no client information exchanged among attending Agents
 - iv. Secure File
 - 1. Written Information Security Program (201 CMR 17)
 - 2. Seller and Buyer files kept in separate and locked file (except for general information i.e. seller's plot plans, deeds, MLS listing, etc)
 - v. Secure fax machine
 - vi. Online storage access / Documents
 - vii. Open Houses
 - 1. Designated Seller's Agent
 - 2. Facilitator
 - 3. Open House Tent Disclosure card
 - 4. Teams
 - 5. Mentors
 - 6. Vacation coverage