

MASSACHUSETTS CONSENT TO DUAL AGENCY

A real estate broker or salesperson may act as a dual agent who represents both prospective buyer and seller with their informed written consent. A dual agent is authorized to assist the buyer and seller in a transaction, but shall be neutral with regard to any conflicting interest of the buyer and seller. Consequently, a dual agent will not have the ability to satisfy fully the duties of loyalty, full disclosure, reasonable care and obedience to lawful instructions, but shall still owe the duty of confidentiality of material information and the duty to account for funds.

Buyers and sellers should understand that material information received from either client that is confidential may not be disclosed by a dual agent, except: (1) if disclosure is expressly authorized; (2) if such disclosure is required by law; (3) if such disclosure is intended to prevent illegal conduct; or (4) if such disclosure is necessary to prosecute a claim against a person represented or to defend a claim against the broker or salesperson. This duty of confidentiality shall continue after termination of the brokerage relationship.

BUYER/SELLER ACKNOWLEDGMENT

I acknowledge and agree that _____ (insert name of licensee) is (are) authorized to represent both the buyer and seller as a dual agent. I hereby consent to dual agency.

Signature of Buyer / Seller
(strike one)

Print Name

Date

Signature of Buyer / Seller
(strike one)

Print Name

Date

BROKER/SALESPERSON ACKNOWLEDGMENT

I acknowledge and agree to represent the above named consumer as a dual agent and my signature below signifies that I understand the duties and responsibilities of that relationship, and explained to the consumer that I am a dual agent and therefore will assist the buyer and seller in a transaction, but shall be neutral with regard to any conflicting interest of the buyer and seller.

Signature of Broker/Salesperson

License Number/Type (Broker or Salesperson)

Date

