

2021 GAR Forms Changes



The following pages will list the changes to the forms in the entire GAR Form Library. Paragraph numbers on the left, are the original numbers of the ¶'s in the previous years' (2020) form.

CB01 The ABC's of Agency

- *** Added new language in introduction paragraph
- *** **Real Estate Brokerage Generally** – removed “a responsible or”
- (b) **Buyer Agency/Tenant Agency** – added in “engagement” after “brokerage” when applicable
- (c) **Designated Agency** – corrected “denied” to “defined” in two instances
- (e) **Subagency** – language slightly modified

CB04 Lead-Based Paint Pamphlet

- *** Updated to most current version

CB10 Protect Yourself When Selling a House

- *** New section – Property marketing & coming soon
- *** New section – Capturing and sharing media

CB13 Protect Yourself When Buying a Home

- *** Retitled to “Protect Yourself When Buying Real Property”
- *** Changed “Homebuyer” to “Buyer”
- *** Have the home inspected for termites... – added language about prevention
- *** Thoroughly investigate the property – moved section towards beginning of brochure; added language regarding latent defects and checking for other concerns; corrected title of Lead Based Paint pamphlet

CB28 What Buyers & Sellers Need to Know About Short Sales & Distressed Property

- *** Updated broker references

F101 Exclusive Seller Listing Agreement

- *** Retitled to “Exclusive Seller Brokerage Engagement Agreement”
- ¶A(1) New section title: Exclusive Seller Brokerage Engagement Agreement; modified language
- ¶A(2) New section title: List Price and Listing Period; modified language
- ¶A(3) Negotiation – section moved to ¶A8; subsequent ¶s renumbered
- ¶A(5) Commission – now ¶A4; added language to (a) and removed “of Property” from (b); new sections (c) and (d)
- ¶A(8) Independent Contractor Agreement – moved to ¶C6 Miscellaneous
- ¶A(9) Agency and Brokerage – now ¶A6; added additional language regarding dual agency
- ¶A(10) New Section title: Seller Has the Following Special Circumstances That Will Require Third-Party Approval Before Seller Can do the Following; now ¶A7; subsection (a) retitled List the Property for Sale; subsection (b) retitled Contract to Sell the Property
- ¶B(1) New section title: Exclusive Seller Brokerage Engagement Agreement; modified language
- ¶B(2) New section title: List Price and Listing Period;
New subsection (a) List Price; subsequent subsections renumbered
Subsection (a) now subsection (b) – renamed Initial Listing Period When Property Is Under Contract to Sell – modified language
Subsection (b) now subsection (c) – language modified
- ¶B(3) Broker's Duties to Seller – moved to ¶C7(a); slight language changes
- ¶B(4) Negotiations – moved to ¶C7(b); slight language changes; new subsection (5)
- ¶B(5) Marketing – now ¶B(3); subsection (a) – added language regarding buyers and other brokers taking photos of listing; subsection (b) – added language regarding Marketing Commencement Date; subsection (d) – added “prospective buyers”
- ¶B(6) Commission – now ¶B(4); titled subsection to Obligation to Pay Commission – modified language; moved language regarding seller's immediate payment of broker commission to ¶C8(c); subsection (c) now subsection (b) titled Sharing of Broker's Commission with Cooperating Broker – language modified; subsection (c) moved to ¶C6; subsection (d) restated in updated language of ¶B(1)
- ¶B(7) Protected Period – Now ¶B(5) – section re-written
- ¶B(8) Independent Contractor Relationship – moved to ¶C(6)(i) Miscellaneous

F101 Exclusive Seller Listing Agreement (cont.)

- ¶B(9) Agency and Brokerage – now ¶B(6); subsection (a) Broker’s Policy on Agency – modified language; subsection (b) Dual Agency Disclosure – modified language; subsection (c) Designated Agency Disclosure – slightly modified language; subsection (d) titled “No Other Adverse Relationships” – slightly modified language
- ***
New ¶B(8) Negotiations
- ¶C(1) Seller Default – now ¶C(8); section re-written
- ¶C(2) Seller’s Property Disclosure Statement – now ¶C(1); added clarifying language
- ¶C(4) Limits on Broker’s Authority and Responsibility – now ¶C(3); subsection (b) – added disclaimer language addressing flooding; subsection (e) – eliminated; subsection (f) now subsection (e) – replaced “purchase agreement” with “Contract to Sell”; subsection (g) now subsection (f) – slight language updates; subsection (h) now subsection (g) – language modified
- ¶C(6) Disclosure of Potentially Fraudulent Activities – now ¶C(5); added reference to law code
- ¶C(7) Miscellaneous – now ¶C(6); alphabetized subsections; new Attorney’s Fees subsection; new Broker subsection; new Entire Agreement subsection; new GAR Forms subsection; “Governing Law” subsection retitled “Governing Law and Interpretation – language modified; “Notices” subsection retitled “Notices between Seller and Broker” – changed “client” to “seller”; new “Survival” subsection; new “Third Party Vendors” subsection
- ¶C(10) Brochures – language modified
- ***
Signature page – changed brokerage references

F104 Non-Exclusive Seller Listing Agreement

- ***
Retitled to “Non-Exclusive Seller Brokerage Engagement Agreement”
- ¶A(1) New section title: Non-Exclusive Seller Brokerage Engagement Agreement; modified language
- ¶A(2) New section title: List Price and Listing Period; modified language
- ¶A(3) Moved to ¶A(2); subsequent ¶s renumbered
- ¶A(4) Negotiation – section moved to ¶A(8); subsequent ¶s renumbered
- ¶A(6) Commission – now ¶A(4); added language to (a) and removed “of Property” from (b); new sections (c) and (d)
- ¶A(8) Independent Contractor Agreement – moved to ¶C6 Miscellaneous
- ¶A(9) Agency and Brokerage – now ¶A6; added additional language regarding dual agency
- ¶A(10) New Section title: Seller Has the Follow Special Circumstances That Will Require Third-Party Approval Before Seller Can do the Following; now ¶A7; subsection (a) retitled List the Property for Sale; subsection (b) retitled Contract to Sell the Property
- ¶B(1) New section title: Exclusive Seller Brokerage Engagement Agreement; modified language
- ¶B(2) New section title: List Price and Listing Period;
New subsection (a) List Price; subsequent subsections renumbered
Subsection (a) now subsection (b) – renamed Initial Listing Period When Property Is Under Contract to Sell – modified language
Subsection (b) now subsection (c) – language modified
- ¶B(3) Broker’s Duties to Seller – moved to ¶C7(a); slight language changes
- ¶B(4) Negotiations – moved to ¶C(7)(b); slight language changes; new subsection (5)
- ¶B(5) Marketing – now ¶B(3); subsection (a) – added language regarding buyers and other brokers taking photos of listing; subsection (b) – added language regarding Marketing Commencement Date; subsection (d) – added “prospective buyers”
- ¶B(6) Commission – now ¶B(4); titled subsection to Obligation to Pay Commission – modified language; moved language regarding seller’s immediate payment of broker commission to ¶C8(c); subsection (c) now subsection (b) titled Sharing of Broker’s Commission with Cooperating Broker – language modified; subsection (c) moved to ¶C6; subsection (d) restated in updated language of ¶B(1)
- ¶B(7) Protected Period – Now ¶B(5) – section re-written
- ¶B(8) Independent Contractor Relationship – moved to ¶C(6)(j) Miscellaneous
- ¶B(9) Agency and Brokerage – now ¶B(6); subsection (a) Broker’s Policy on Agency – modified language; subsection (b) Dual Agency Disclosure – modified language; subsection (c) Designated Agency Disclosure – slightly modified language; subsection (d) titled “No Other Adverse Relationships” – slightly modified language
- ***
New ¶B(8) Negotiations
- ¶C(1) Seller Default – now ¶C(8); section re-written
- ¶C(2) Seller’s Property Disclosure Statement – now ¶C(1); added clarifying language
- ¶C(4) Limits on Broker’s Authority and Responsibility – now ¶C(3); subsection (b) – added disclaimer language addressing flooding; subsection (e) – eliminated; subsection (f) now subsection (e) – replaced “purchase agreement” with “Contract to Sell”; subsection (g) now subsection (f) – slight language updates; subsection (h) now subsection (g) – language modified
- ¶C(6) Disclosure of Potentially Fraudulent Activities – now ¶C(5); added reference to law code
- ¶C(7) Miscellaneous – now ¶C(6); alphabetized subsections; new Attorney’s Fees subsection; new Broker subsection; new Entire Agreement subsection; new GAR Forms subsection; “Governing Law” subsection retitled “Governing Law and Interpretation – language modified; “Notices” subsection retitled “Notices between Seller and Broker” – changed “client” to “seller”; new “Survival” subsection; new “Third Party Vendors” subsection
- ¶C(10) Brochures – language modified
- ***
Signature page – changed brokerage references

F107 Authorization to Show Unlisted Property

- ¶6(B) Protected Period – changed updated brokerage agreement reference
- ¶7 Independent Contractor Relationship – modified language
- ¶15 GAR Forms – modified language
- *** New ¶16 – Governing Law and Interpretation; subsequent ¶s renumbered
- *** Correct brokerage agreement reference

F110 Exclusive Buyer Brokerage Agreement

- *** Retitled to “Exclusive Buyer Brokerage Engagement Agreement”
- ¶A(1) New section title: Exclusive Buyer Brokerage Engagement Agreement; modified language
- ¶A(2) Term – language modified
- ¶A(3) Independent Contractor Relationship – moved to ¶C(7)(i); subsequent ¶s renumbered
- ¶A(4) Agency and Brokerage – now ¶A(3); added additional language regarding dual agency
- ¶A(5) Commission – now ¶A(4); modified language
- ¶A(6) Separate Commission on Lease – now ¶A(5); modified language
- ¶A(7) Protected Period – now ¶A(6); modified language
- ¶B(1) New section title: Exclusive Buyer Brokerage Engagement Agreement; modified language
- ¶B(2) Term – language modified
- ¶B(3) Independent Contractor Relationship – moved to ¶C(7)(i); subsequent ¶s renumbered
- ¶B(4) Agency and Brokerage – now ¶B(3); subsection (a) added title “Broker’s Policy on Agency” – modified language; subsection (b) Dual Agency Disclosure – modified language; subsection (c) Designated Agency Disclosure – slightly modified language; subsection (d) – slightly modified language
- ¶B(5) Commission – now ¶B(4); section (a) – language modified; section (b) titled “Seller Normally Pays Commission” – language modified; section (c) – language modified; section (d) moved to ¶C(8) with language modifications
- ¶B(6) Separate Commission on Lease – now ¶B(5); modified language
- ¶B(7) Protected Period – now ¶B(6); modified language
- ¶C(2) Buyer’s Duties – subsections (d) and (e) slightly modified
- ¶C(3) Fair Housing Disclosure – moved to ¶C(7)(f); added additional language
- ¶C(4) Limits on Broker’s Authority and Responsibility – now ¶C(3); subsection (b) – added disclaimer language addressing flooding; subsection (f) – language modified
- ¶C(7) Disclosure of Potentially Fraudulent Activities – now ¶C(6); added reference to law code
- *** New section Miscellaneous - ¶C(7); new Assignability subsection; new Attorney’s Fees subsection; new Broker subsection; new Independent Contractor Relationship subsection; new Third Party Vendor subsection
- ¶C(8) Arbitration – moved to ¶C(7)(a)
- ¶C(9) Referrals – moved to ¶C(7)(l)
- ¶C(10) No Imputed Knowledge – moved to ¶C(7)(j)
- ¶C(11) Governing Law – retitled Governing Law & Interpretation; moved to ¶C(7)(h); language modified
- ¶C(12) Statute of Limitations – moved to ¶C(7)(m)
- ¶C(13) Survival – moved to ¶C(7)(n); language modified
- ¶C(14) Entire Agreement – moved to ¶C(7)(e)
- ¶C(15) GAR Forms – moved to ¶C(7)(g); language modified
- ¶C(16) Notices – moved to ¶C(7)(k); retitled “Notices between Buyer and Broker”; changed “Client” to “Buyer”
- ¶C(17) Time of Essence – moved to ¶C(7)(p)
- ¶C(19) Brochures – now ¶C(10); slight language modifications; updated CB13 title
- *** Signature page – changed brokerage references

F113 Non-Exclusive Buyer Brokerage Agreement

- *** Retitled to “Non-Exclusive Buyer Brokerage Engagement Agreement”
- ¶A(1) New section title: Non-Exclusive Buyer Brokerage Engagement Agreement; modified language
- ¶A(2) Term – language modified
- ¶A(3) Independent Contractor Relationship – moved to ¶C(7)(i); subsequent ¶s renumbered
- ¶A(4) Agency and Brokerage – now ¶A(3); added additional language regarding dual agency
- ¶A(5) Commission – now ¶A(4); modified language
- ¶A(6) Separate Commission on Lease – now ¶A(5); modified language
- ¶A(7) Protected Period – now ¶A(6); modified language
- ¶B(1) New section title: Exclusive Buyer Brokerage Engagement Agreement; modified language
- ¶B(2) Term – language modified
- ¶B(3) Independent Contractor Relationship – moved to ¶C(7)(i); subsequent ¶s renumbered
- ¶B(4) Agency and Brokerage – now ¶B(3); subsection (a) added title “Broker’s Policy on Agency” – modified language; subsection (b) Dual Agency Disclosure – modified language; subsection (c) Designated Agency Disclosure – slightly modified language; subsection (d) – slightly modified language
- ¶B(5) Commission – now ¶B(4); section (a) – language modified; section (b) titled “Seller Normally Pays Commission” – language modified; section (c) – language modified; section (d) moved to ¶C(8) with language modifications
- ¶B(6) Separate Commission on Lease – now ¶B(5); modified language
- ¶B(7) Protected Period – now ¶B(6); modified language
- ¶C(2) Buyer’s Duties – subsections (d) and (e) slightly modified
- ¶C(3) Fair Housing Disclosure – moved to ¶C(7)(f); added additional language

F113 Non-Exclusive Buyer Brokerage Agreement (cont.)

- ¶C(4) Limits on Broker's Authority and Responsibility – now ¶C(3); subsection (b) – added disclaimer language addressing flooding; subsection (f) – language modified
- ¶C(7) Disclosure of Potentially Fraudulent Activities – now ¶C(6); added reference to law code
*** New section Miscellaneous - ¶C(7); new Assignability subsection; new Attorney's Fees subsection; new Broker subsection; new Independent Contractor Relationship subsection; new Third Party Vendor subsection
- ¶C(8) Arbitration – moved to ¶C(7)(a)
- ¶C(9) Referrals – moved to ¶C(7)(l)
- ¶C(10) No Imputed Knowledge – moved to ¶C(7)(j)
- ¶C(11) Governing Law – retitled Governing Law & Interpretation; moved to ¶C(7)(h); language modified
- ¶C(12) Statute of Limitations – moved to ¶C(7)(m)
- ¶C(13) Survival – moved to ¶C(7)(n); language modified
- ¶C(14) Entire Agreement – moved to ¶C(7)(e)
- ¶C(15) GAR Forms – moved to ¶C(7)(g); language modified
- ¶C(16) Notices – moved to ¶C(7)(k); retitled “Notices between Buyer and Broker”; changed “Client” to “Buyer”
- ¶C(17) Time of Essence – moved to ¶C(7)(p)
- ¶C(19) Brochures – now ¶C(10); slight language modifications; updated CB13 title
*** Signature page – changed brokerage references

F116 Agreement to Work with Buyer as a Customer

- ¶5 Receipt by Buyer of Consumer Protection Brochures – moved to end of agreement; all subsequent ¶s renumbered
- ¶6 Independent Contractor Relationship – now ¶5; modified language
- ¶7 Buyer's Duties – now ¶6; subsection (e) reworded; subsection (f) reworded
*** Added section for Special Stipulations
*** Signature page – changed brokerage references

F122 Exclusive Leasing Listing Agreement

- ¶2 Marketing – retitled subsection (a) to “Generally” – language modified
- ¶3(b) Limits on Broker's Authority – added language regarding flooding
- ¶9 Arbitration – moved to ¶14(A); subsequent ¶s renumbered
- ¶12 Indemnity – moved to ¶14(H)
- ¶16 Miscellaneous – now ¶14; alphabetized
- ¶16(C) Governing Law – retitled “Governing Law and Interpretation; now ¶14(G); added additional language to match other brokerage agreements
- ¶17 GAR Forms – now ¶14(F); language updated
- ¶18 Notices – now ¶14(K)
- ¶20 Brochures – now ¶16; corrected “Seller” to “Owner” in all instances; replaced “Georgia Association of REALTORS®” with GAR
- ¶21 Exhibits and Addenda – now ¶17; updated Lead Based Paint form number

F125 Non-Exclusive Leasing Listing Agreement

- ¶2 Marketing – retitled subsection (a) to “Generally” – language modified
- ¶3(b) Limits on Broker's Authority – added language regarding flooding
- ¶9 Arbitration – moved to ¶14(A); subsequent ¶s renumbered
- ¶12 Indemnity – moved to ¶14(H)
- ¶16 Miscellaneous – now ¶14; alphabetized
- ¶16(C) Governing Law – retitled “Governing Law and Interpretation; now ¶14(G); added additional language to match other brokerage agreements
- ¶17 GAR Forms – now ¶14(F); language updated
- ¶18 Notices – now ¶14(K); subsection (c) eliminated
- ¶20 Brochures – now ¶16; corrected “Seller” to “Owner” in all instances; replaced “Georgia Association of REALTORS®” with GAR
- ¶21 Exhibits and Addenda – now ¶17; updated Lead Based Paint form number
*** Updated signature page to include more owner contact information

F128 Exclusive Leasing/Management Agreement

- ¶1 Lease – added language regarding approving of tenant rental applications
- ¶8(A) Marketing – added language about ceasing advertising
- ¶10(B) Added disclaimer language addressing flooding; new subsection (F)
- ¶26 Lead-Based Paint – updated form number
- ¶32 Governing Law – retitled Governing Law and Interpretation; modified language
- ¶36 GAR Forms – updated language
- ¶37(B) Changed “Client” to “Owner”

F134 Exclusive Tenant Brokerage Agreement

- ¶7(F) Updated language regarding authority to bind
- ¶10 Disclosure of Potentially Fraudulent Activities – added reference to law code
- ¶15 Independent Contractor Relationship – updated language
- ¶19 Governing Law – retitled “Governing Law and Interpretation”; updated language
- ¶23 GAR Forms – updated language
- ¶25 Notices – changed “client” to “tenant”

F137 Non-Exclusive Tenant Brokerage Agreement

- ¶4(F) Updated language
- ¶10 Disclosure of Potentially Fraudulent Activities – added reference to law code
- ¶15 Independent Contractor Relationship – updated language
- ¶19 Governing Law – retitled “Governing Law and Interpretation”; updated language
- ¶21 Statute of Limitations; now ¶20
- ¶23 GAR Forms – updated language
- ¶25 Notices – changed “client” to “tenant”

F158 Notice to Extend Listing Period

- *** Retitled “Notice to Extend Brokerage Engagement Agreement”
- *** Rephrased language to allow form to be used for multiple brokerage engagement agreements

F201 Purchase and Sale Agreement

- ¶A(7) Earnest Money – added ACH option
- ¶A(10) Brokerage Relationships in this Transaction – changed broker references
- ¶B(3)(c) Prorations – added language referencing ad valorem taxes
- ¶B(5) Holder of Earnest Money – added language referencing ACH use
- ¶B(8)(a) Right to Inspect Property – language added about continuous right to access property
- ¶B(10)(b) Brokerage – changed broker references; added language that brokers are third-party beneficiaries
- ¶B(10)(c) Disclaimer – added disclaimer language addressing flooding
- ¶C(3) Risk of Damage to Property – added latent disclosure form reference; changed “damaged” to “destroyed”
- ¶C(4)(g) GAR Forms – updated language
- ¶C(4)(l) Survival of Agreement – added clarifying language to subparagraph (3); new subparagraph (5); subsequent subparagraph renumbered
- ¶C(8) Added Form number reference for Disclosure of Latent Defects
- *** Added new language above signature lines
- *** Updated broker references on signature lines

F204 Condominium Resale Purchase and Sale

- ¶2 Corrected run-on sentence by creating two sentences; changed “which” to “Such”; corrected fragmented sentence by replacing “.” with “,”; changed last “of” to “or”
- ¶3 Changed “use” to “used”

F210 Lot Purchase and Sale Agreement

- ¶A(7) Earnest Money – added ACH option
- ¶A(9) Brokerage Relationships in this Transaction – changed broker references
- ¶B(3)(c) Prorations – added language referencing ad valorem taxes
- ¶B(5) Holder of Earnest Money – added language referencing ACH use
- ¶B(8)(a) Right to Inspect Property – language added about continuous right to access property
- ¶B(9)(b) Brokerage – updated broker references; added language that brokers are third-party beneficiaries
- ¶B(9)(c) Disclaimer – added disclaimer language addressing flooding
- ¶C(3) Risk of Damage to Property – added latent disclosure form reference; changed “damaged” to “destroyed”
- ¶C(4)(g) GAR Forms – updated language
- ¶C(4)(l) Survival of Agreement – added clarifying language to subparagraph (3); new subparagraph (5); subsequent subparagraph renumbered
- ¶C(8) Added Form number reference for Disclosure of Latent Defects
- *** Added new language above signature lines
- *** Updated broker references on signature lines

F213 Land Purchase and Sale Agreement

- ¶A(7) Earnest Money – added ACH option
- ¶A(12) Brokerage Relationships in this Transaction – changed broker references
- ¶B(4)(c) Prorations – added language referencing ad valorem taxes
- ¶B(6) Holder of Earnest Money – added language referencing ACH use
- ¶B(9)(a) Right to Inspect Property – language added about continuous right to access property
- ¶B(12)(b) Brokerage – changed broker references; added language that brokers are third-party beneficiaries

F213 Land Purchase and Sale Agreement (cont.)

¶B(12)(c) Disclaimer – added disclaimer language addressing flooding

¶C(3) Risk of Damage to Property – added latent disclosure form reference; changed “damaged” to “destroyed”

¶C(4)(g) GAR Forms – updated language

¶C(4)(l) Survival of Agreement – added clarifying language to subparagraph (3); new subparagraph (5); subsequent subparagraph renumbered

¶C(9) Added Form number reference for Disclosure of Latent Defects

*** Added new language above signature lines

*** Updated broker references on signature lines

F216 Dwelling and Land Both Have Value Exhibit

¶1 Added form number reference

¶2B Added form number reference

F219 Temporary Occupancy Agreement for Seller After Closing Exhibit

¶6 Updated broker references

F222 Temporary Occupancy Agreement for Buyer Prior to Closing Exhibit

¶7 Updated broker references

¶11 Updated broker references

F225 Personal Property Agreement

*** Added “and sufficiency” in introduction

F228 New Construction Purchase and Sale Agreement

¶A(8) Earnest Money – added ACH option

¶A(13)(a) Updated brochure title and corrected form number

¶A(13)(c) Insulation and R-Value Disclosure – section removed – added to F231 New Construction Exhibit; subsequent ¶s renumbered

¶A(14) Brokerage Relationships in this Transaction – changed broker references

¶B(4)(c) Prorations – added language referencing ad valorem taxes

¶B(6) Holder of Earnest Money – added language referencing ACH use

¶B(5)(c) Extending the Closing Date – corrected “off” to “of”

¶B(5)(d) Completion of Construction and Certificate of Occupancy – added in exhibit reference and removed “Plans and Specifications” references

¶B(9) Construction Deposit – removed reference to liquidated damages

¶B(13)(n) Added “and other animals”

¶B(14)(b) Brokerage – added language that brokers are third-party beneficiaries

¶B(14)(c) Disclaimer – added disclaimer language addressing flooding

¶B(16) Right to Inspect Property – language added about continuous right to access property

¶C(1) Risk of Damage – changed “substantially damaged” to “substantially destroyed”

¶C(7)(h) GAR Forms – updated language

¶C(7)(l) Survival of Agreement – added clarifying language to subparagraph (3); new subparagraph (5); subsequent subparagraph renumbered

*** Added new language above signature lines

*** Updated broker references on signature lines

F231 New Construction Exhibit

¶11 Insulation – retitled Insulation and R-Value Disclosures; added disclosure language and explanation lines

F240 Option Agreement

*** Added new language above signature lines

*** Updated brokerage references on signature page

F243 Option Agreement to Purchase Leased Property Exhibit

¶B(3) Amount and Deposit of Earnest Money – added checkbox options; added ACH; modified explanation to allow for ACH reference

¶B(4)(c) Prorations – added language referencing ad valorem taxes

¶B(11)(b) Brokerage – changed broker references; added language that brokers are third-party beneficiaries

¶B(11)(c) Disclaimer – added disclaimer language addressing flooding

¶B(15)(f) GAR Forms – updated language

F243 Option Agreement to Purchase Leased Property Exhibit (cont.)

¶C(15)(l) Survival of Agreement – added clarifying language to subparagraph (3); new subparagraph (5); subsequent subparagraph renumbered

¶C(20) Exhibits and Addenda – added additional form number reference for seller's property disclosure exhibits

*** Added new language above signature lines

*** Updated brokerage references on signature page

F249 Counteroffer to or Modification of the Unaccepted Original Offer

¶A Previous Counteroffers Rejected – language modified

¶C Effect of Accepting This Counteroffer – language modified

*** Added new language above signature lines

*** Updated brokerage references on signature page

F252 Walk Through List

*** Added new language above signature lines

*** Updated broker references on signature lines

F255 Instructions to Closing Attorney

*** Updated broker references throughout form

F258 Co-op Commission Agreement

*** Updated broker references

F279 Assignment of Purchase and Sale Agreement Rights

¶6 Updated broker references; changed "Associated Salesperson" to "affiliated licensees"

*** New ¶7

*** Updated broker references on signature lines

F289 Request for Confirmation of Presentation of Offer/Counteroffer – NEW FORM

F290 Agreement to Reinstate Contract – NEW FORM

F301 Seller's Property Disclosure Statement Exhibit

¶C(5) Systems and Components – added additional questions about replacement and service dates

¶C(6) Sewer/Plumbing Related Items – added question about age of water heater

¶C(10) Termites, Dry Rot, Pests and Wood Destroying Organisms – modified question regarding damage caused by pests; modified question regarding transfer of warranty costs

F302 Seller's Disclosure of Latent Defects and Fixtures Checklist – NEW FORM

F304 Seller's Property Disclosure Statement Exhibit (Condominium)

¶C(4) Systems and Components – added additional questions about replacement and service dates

¶C(5) Sewer/Plumbing Related Items – added question about age of water heater

¶C(9) Termites, Dry Rot, Pests and Wood Destroying Organisms – modified question regarding damage caused by pests; modified question regarding transfer of warranty costs

F307 Seller's Property Disclosure (Land/Lot) Statement Exhibit

¶C(3)(c) Changed "include" to "exclude"

F316 Lead-Based Paint Exhibit

*** Removed references to landlords and tenants throughout form

*** Removed heading numbers; renumbered lines

¶2(a) Renumbered to (a) – removed checkboxes and added (i) and (ii) with initial lines and a checkbox for additional explanations

¶2(b) Renumbered to (b) – removed checkboxes and added (i) and (ii) with initial lines and a checkbox for additional explanations

¶3 Buyer's/Tenant's Acknowledgement – now Buyer's Acknowledgement; rephrased directions

¶3(c) Now ¶e; Rephrased directions; added numbering before initial lines; added addition information for each initial line

¶4 Broker's Acknowledgement; retitled to Agent's Acknowledgement with clarification on who needs to initial

¶5 Certificate of Accuracy – slight language modification language; added lines to print names of parties; updated broker references; removed NOTE at bottom of page

F322 Community Association Disclosure Exhibit

- ¶2(A) Added language to reflect the amount due annually; moved Other Mandatory Billed Association Fees to new subsection ¶2(B) Other Association Fees; all subsequent ¶s renumbered
- *** New ¶2(B) Other Association Fees; new Utility Expenses subsection
- ¶3 Information Regarding Who Pays Fees to Association – retitled to Fees Paid at or Prior to Closing
- ¶3(A) Disclosure Regarding Fees – modified language
- ¶3(B)(i) Account Statement Or Clearance Letter – now ¶3(B); bolded “Seller shall pay”; added language regarding instructions from closing firm
- ¶3(B)(ii) Fees and Special Assessments – now ¶3(D); subsequent ¶s renumbered; bolded “Seller shall pay”; clarified disclosed amount language
- ¶3(C)(i) Transfer, Initiation and Administrative Fees – now ¶3(C); bolded “Buyer shall pay”; added language referencing accurate amount disclosed; language modification and bolding in second paragraph of section
- ¶3(C)(ii) Pre-Paid Regular Assessments and Move-In Fees – now ¶3(E); modified language; bolded “Buyer shall pay”
- ¶3(D) Special Assessments – now ¶2(E); removed first “to buyer”
- ¶3(E) Assessments Pay for Following Services and Amenities – now ¶2(D) and renamed Services and Amenities Included in Assessments; separated amenities into two subsections
- ¶4 Litigation / Violations – now ¶2(F) Litigation and ¶2(G) Violations
- ¶5 Consent of Buyer to Reveal Information to Association – now ¶4

F325 Broker’s Information Disclosure

- *** Replaced “,” with “on” in section above signature lines

F404 Conventional Loan Contingency Exhibit

- ¶6 Changed “any” to “one or more”
- ¶11 Changed “within” to “not later than” and “of” to from in each paragraph
- *** Changed broker references on signature lines

F407 FHA Loan Contingency Exhibit

- ¶6 Changed “any” to “one or more”
- *** Changed broker references on signature lines

F410 VA Loan Contingency Exhibit

- ¶6 Changed “any” to “one or more”
- *** Changed broker references on signature lines

F413 USDA-RD Loan Contingency Exhibit

- ¶6 Changed “any” to “one or more”
- ¶11 Changed “within” to “not later than” and “of” to from in each paragraph
- *** Changed broker references on signature lines

F416 Loan Assumption

- ¶7(C) Moved last sentence to ¶7(D); eliminated second to last sentence – redundant

F419 Institutional Second Mortgage Contingency Exhibit

- ¶4 Changed broker references

F422 Seller Financing (First Mortgage) Exhibit

- ¶8 Hazard Insurance – added “at”
- ¶10(c) Eliminated second to last sentence of section due to redundancy; moved last sentence to ¶10(d)

F425 Seller Financing (Second Mortgage) Exhibit

- ¶11(c) Eliminated second to last sentence of section due to redundancy; moved last sentence to ¶11(d)

F428 Seller Financing (Third Mortgage) Exhibit

- ¶11(c) Eliminated second to last sentence of section due to redundancy; moved last sentence to ¶11(d)

F431 Seller Financing (Wrap Around Mortgage) Exhibit

- ¶13(c) Eliminated second to last sentence of section due to redundancy; moved last sentence to ¶13(d)

F507 Earnest Money Transfer to Seller Amendment

- ¶1 Transfer of Earnest Money – added an “s” to “direct”
- ¶4 Liquidated Damages – removed last sentence about specific performance
- *** Added new language above signature lines
- *** Changed broker references on signature lines

F513 Escrow Agreement

- *** Added new language above signature lines; eliminated old language

F516 Agreement to Disburse Trust Funds Prior to Closing

- *** Added new language above signature lines

F519 Mutual Agreement to Terminate Purchase & Sale Agreement and Disburse Earnest Money

- *** Changed broker references throughout form and on signature lines
- *** Added “Signature” under each Buyers, Sellers and Brokers signature lines
- *** Added new language above signature lines; eliminated old language

F601 Sale or Lease of Buyer’s Property Contingency Exhibit

- ¶A Now ¶1; updated wording
- *** New ¶2 to address status of buyer’s property
- ¶B Now ¶3; options updated
- **** New ¶5 to address existing contract on buyer’s property
- ¶D Separated in ¶6 and ¶7; Kick-Out Clause in this Transaction – language and options modified
- *** New ¶8 Special Stipulations

F607 General Contingency Exhibit

- *** New Kick-Out Clause Explained section; subsequent ¶s re-lettered
- ¶B Kick-Out Provision – now ¶C; retitled “Kick-Out Clause in this Transaction”; section reformatted with updated options and language modifications
- *** New Special Stipulations section

F610 Short Sale Contingency Exhibit

- ¶1(a) Removed extra “Seller” after “expenses”
- ¶2 Added “Date” after “Binding Agreement”

F701 Amendment to Agreement

- *** Added new language above signature lines
- *** Changed broker references on signature lines

F704 Amendment to Address Concerns with Property

- *** Added new language above signature lines
- *** Changed broker references on signature lines

F707 Amendment to Remove Contingency

- *** Added language that removal of the contingencies does not eliminate rights benefitting seller
- *** Added new language above signature lines
- *** Changed broker references on signature lines

F710 Amendment to Change the Due Diligence Period

- *** Added new language above signature lines
- *** Changed broker references on signature lines

F713 Amendment to Sales Price

- *** Added new language above signature lines
- *** Changed broker references on signature lines

F716 Amendment to Change Closing/Possession Date

- *** Possession – added reference to attaching F219 when appropriate
- *** Added new language above signature lines
- *** Changed broker references on signature lines

F719 Amendment to Remove Contingency of Sale or Lease of Buyer's Property

- ¶2 Added form number reference
- *** Added new language above signature lines
- *** Changed broker references on signature lines

F722 Amendment to Remove Inspection Contingency

- *** Added new language above signature lines
- *** Changed broker references on signature lines

F725 Amendment to Authorize Buyer to Make Repairs and/or Improvements

- ¶2 Changed broker references; made "claim" and "loss" plural; corrected "and or" to "and/or"; removed "in"
- ¶5 Added "and Possession" to closing date reference
- *** Changed broker references on signature lines

F728 Amendment to Brokerage Engagement

- *** Updated Forms titles

F731 New Construction Change Order(s) Amendment

- *** Changed broker references on signature lines

F813 Survey Resolution Exhibit

- *** Changed "one-hundredth" to "one-thousandth"

F822 Agreement to Keep Offers Confidential

- *** Changed broker references throughout form
- ¶4 Removed references to "listing"; grammar corrections
- *** Added new language above signature lines

F825 Confidentiality and Non-Disclosure Agreement

- *** Changed broker references throughout form
- ¶5 Warranties – changed "Owner" to "Seller"
- ¶6 Indemnification of Recipient – changed "Owner" to "Seller"; corrected "attorneys" to "attorney's"
- ¶7 Indemnification of Selling Broker – retitled Indemnification of Buyer's Broker; changed "Owner" to "Seller";
- *** Added new language above signature lines

F831 Arbitration/Mediation Agreement

- *** Changed "Purchaser" to "Buyer" above initial boxes
- *** Added new language above signature lines

F843 Referral Authorization

- *** Added language to be able to refer to builders; added language to be able to refer for related real estate services

F907 Owner's Property Disclosure Statement (Lease) Exhibit

- ¶2 Lead Based Paint – updated form number

F913 Lease for Residential Property

- ¶A(4) Security Deposit – added language regarding payment of security deposit
- ¶A(12) Early Termination by Tenant – added language regarding total amounts for early termination
- ¶A(21) Lead Based Paint – updated form reference number
- ¶A(22) Liquidated Damages Paid by Tenant – updated title to Other Liquidated Damages Paid by Tenant
- ¶B(21) Lead Based Paint – updated form reference number
- ¶B(22) Liquidated Damages – updated title to Other Liquidated Damages Paid by Tenant; new subsection (a); all subsequent subsections renumbered
- ¶C(3) Rules and Regulations – new subsection (r)
- ¶C(9) GAR Forms – updated language
- ¶C(12) Exhibits – updated Lead Based Paint form number
- *** Added new language above signature lines; eliminated old language above signature lines

F916 Lease for Lease/Purchase Agreement

- ¶A(4) Security Deposit – added language regarding payment of security deposit
- ¶A(19) Lead Based Paint – updated form reference number
- ¶A(22) Liquidated Damages Paid by Tenant – updated title to Other Liquidated Damages Paid by Tenant
- ¶B(19) Lead Based Paint – updated form reference number

F916 Lease for Lease/Purchase Agreement (cont.)

¶C(3) Rules and Regulations – new subsection (r)

¶C(9) GAR Forms – updated language

¶C(12) Exhibits – updated Lead Based Paint form number

*** Added new language above signature lines; eliminated old language above signature lines

F918 Lead-Based Paint Exhibit (Leases) – NEW FORM

F925 Amendment to Lease Agreement

*** Added new language above signature lines

F931 Additional Signature Page (Landlord and Tenants)

*** Added new language above signature lines

F934 Leasing Commission Confirmation Agreement

¶6 Added “shall”

CF01 Commercial Exclusive Seller Listing Agreement

*** Retitled to “Commercial Exclusive Seller Brokerage Engagement Agreement”

¶A(1) New section title: Exclusive Seller Brokerage Engagement Agreement; modified language

¶A(1)(b) Legal Description – removed fill-in options

¶A(2) New section title: List Price and Listing Period; modified language

¶A(3) Subsection eliminated; all subsequent subsections renumbered

¶A(4) Negotiation – section moved to ¶A9

¶A(6) Commission – now ¶A4; added language to (a) and removed “of Property” from (b); new sections (c) and (d)

¶A(8) Independent Contractor Agreement – moved to ¶C6 Miscellaneous

¶A(9) Agency and Brokerage – now ¶A6; added additional language regarding dual agency

¶A(10) New Section title: Seller Has the Follow Special Circumstances That Will Require Third-Party Approval Before Seller Can do the Following; now ¶A7; subsection (a) retitled List the Property for Sale; subsection (b) retitled Contract to Sell the Property

¶B(1) New section title: Exclusive Seller Brokerage Engagement Agreement; modified language

¶B(2) New section title: List Price and Listing Period;

New subsection (a) List Price; subsequent subsections renumbered

Subsection (a) now subsection (b) – renamed Initial Listing Period When Property Is Under Contract to Sell – modified language

Subsection (b) now subsection (c) – language modified

¶B(3) Broker’s Duties to Seller – moved to ¶C6(a); slight language changes

¶B(4) Negotiations – moved to ¶C6(b); slight language changes; new subsection (5)

¶B(5) Marketing – now ¶B(3); subsection (a) – added language regarding buyers and other brokers taking photos of listing; subsection (b) – added language regarding Marketing Commencement Date; subsection (d) – added “prospective buyers”

¶B(6) Commission – now ¶B(4); titled subsection to Obligation to Pay Commission – modified language; moved language regarding seller’s immediate payment of broker commission to ¶C8(c); subsection (c) now subsection (b) titled Sharing of Broker’s Commission with Cooperating Broker – language modified; subsection (c) moved to ¶C6; subsection (d) restated in updated language of ¶B(1)

¶B(7) Protected Period – Now ¶B(5) – section re-written

¶B(8) Independent Contractor Relationship – moved to ¶C6 Miscellaneous

¶B(9) Agency and Brokerage – now ¶B(6); subsection (a) Broker’s Policy on Agency – modified language; subsection (b) Dual Agency Disclosure – modified language; subsection (c) Designated Agency Disclosure – slightly modified language; subsection (d) titled “No Other Adverse Relationships” – slightly modified language

*** Negotiations – now ¶B(8) – new language

¶C(1) Seller Default – now ¶C(6); section re-written

¶C(3) Limits on Broker’s Authority and Responsibility – now ¶C(2); subsection (b) – added disclaimer language addressing flooding; subsection (e) – eliminated; subsection (f) now subsection (e) – replaced “purchase agreement” with “Contract to Sell”; subsection (g) now subsection (f) – slight language updates; subsection (h) now subsection (g) – language modified

¶C(5) Disclosure of Potentially Fraudulent Activities – now ¶C(4); added reference to law code

¶C(6) Miscellaneous – now ¶C(5); alphabetized subsections; new Assignability subsection; new Attorney’s Fees subsection; new Broker subsection; new Entire Agreement subsection; new Fair Housing Disclosure subsection; new GAR Forms subsection; “Governing Law” subsection retitled “Governing Law and Interpretation – language modified; “Notices” subsection retitled “Notices between Seller and Broker” – changed “client” to “seller”; new “Survival” subsection; new “Third Party Vendors” subsection

*** New ¶C(8) – Exhibits and Addenda

*** Signature page – changed brokerage references

CF04 Commercial Purchase and Sale Agreement

- ¶A(1)(b) Legal Description – removed fill-in options
- ¶A(4) Closing and Possession – retitled Closing and Possession Date; removed subsections
- ¶A(5) Holder of Earnest Money – retitled Holder of Earnest Money/Escrow Agent
- ¶A(8) Due Diligence Period – language modified
- ¶A(9) Titled Title Examination
- ¶A(10) Moved to ¶A(8)
- *** New ¶A(10)
- ¶A(11) Titled Assignment
- ¶A(12) Moved to ¶A(7)(b)
- *** New section – Purchase and Sale
- ¶B(1) Purchase Price and Method of Payment – now ¶B(2); retitled Purchase Price of Property to be Paid by Buyer; added new subsections (a) and (b); subsequent ¶s renumbered
- ¶B(2) Due Diligence – moved to ¶B(8)
- ¶B(3) Seller's Obligations at Closing – moved to ¶B(1)(c)
- ¶B(4) Earnest Money – moved to ¶B(7)
- *** New ¶B(4) Closing and Possession Date
- *** New ¶B(5) Holder of Earnest Money/Escrow Agent
- *** New ¶B(6) Closing Attorney/Law Firm
- ¶B(5) Conditions to Closing – moved to ¶B(1)(d)
- ¶B(6) Costs – moved to ¶B(3); retitled Closing Costs; subsequent ¶s renumbered
- ¶B(7) Taxes and Prorations – moved to ¶B(3)(c)
- ¶B(8) Title – retitled Title Examination; now ¶B(9)
- ¶B(9) Destruction of Property – now ¶C(2)
- ¶B(10) Representation and Warranties – moved to ¶C(3)
- *** New ¶B(10) Existing Brokerage Commissions or Management Obligations
- ¶B(13) Assignment – moved to ¶B(11)
- ¶B(11) Brokerage – retitled Brokerage Relationships in this Transaction; moved to ¶B(12)
- ¶B(12) Disclaimer – now ¶B(12)(b); updated language
- ¶C(3)(f) GAR Forms – now ¶C(5)(f); updated language
- ¶C(3)(k) Survival of Agreement – now ¶C(5)(k); updated language
- ¶C(4) Definitions – now ¶C(6); new subsection (e)
- *** Added new language above signature lines
- *** Updated Brokerage references

CF24 Commercial Exclusive Listing Agreement (For Leases) – **NEW FORM**

CF25 Commercial Open Listing Agreement (For Leases)

- ¶1 Legal Description – removed fill-in options
- ¶4 Marketing – subsection (a) retitled to “Generally” – language modified; subsection (b) changed “Seller” to “Owner”
- ¶7(B) Updated language
- ¶13 Independent Contractor – updated language
- ¶16 Required State Law Disclosures – new subsection (e)
- ¶22 Governing Law – updated titled to Governing Law and Interpretation; updated language
- *** New ¶26 GAR Forms; subsequent ¶s renumbered
- *** New ¶28 – Exhibits and Addenda

CF28 Commercial Exclusive Leasing/Management Agreement

- *** Legal Description – removed fill-in options
- ¶8 Marketing – “Advertisements” subsection reworded; “Lockboxes” subsection reworded; new “No Marketing by Owner” subsection
- ¶10(b) Language modified
- ¶13 New subsections (e) and (f)
- ¶24 Indemnity – language updated
- ¶25 Nondiscrimination – language updated
- ¶26 Governing Law – retitled Governing Law & Interpretation; language modified
- ¶29(b) Notices Between Client and Manager Regarding This Agreement – language modified
- *** New ¶30 GAR Forms; subsequent ¶s renumbered
- *** New ¶32 – Exhibits and Addenda

CF31 Commercial Lease Agreement (Single-Tenant Facilities)

- *** Legal Description – removed fill-in options
- ¶26 Other Provisions – “Entire Agreement” subsection language modified; “Indemnification” subsection language modified; “Governing Law” retitled “Governing Law and Interpretation” – language modified
- *** New ¶27 GAR Forms; subsequent ¶s renumbered
- ¶29 Exhibits – added Legal Description Exhibit and two other lines
- *** Added new language above signature lines

CF34 Commercial Lease Agreement (Multi-Tenant Facilities)

*** Legal Description – removed fill-in options

¶27 Other Provisions – “Entire Agreement” subsection language modified; “Indemnification” subsection language modified; “Governing Law” retitled “Governing Law and Interpretation” – language modified

¶30 Exhibits – added Legal Description Exhibit and two other lines

*** Added new language above signature lines; eliminated old language

CF37 Commercial Lease Agreement Amendment

*** Added new language above signature lines

*** Added new language above signature lines; eliminated old language

*** Added lines for dates of signature

CF40 Commercial Sublease Agreement

¶18(D) Entire Agreement – updated language

¶18(K) Governing Law – retitled to Governing Law & Interpretation; updated language

*** New ¶18(L) GAR Forms

*** Added new language above signature lines; eliminated old language

*** Added lines for dates of signature

CF43 Commercial Sublease Consent Agreement

¶5 Added language for notice to be sent via email

¶6 Added email lines

*** Added new language above signature lines; eliminated old language

*** Added lines for dates of signature

CF49 Commercial Lease Termination and Release Agreement

*** Introduction – eliminated “effective this date”

*** Added new language above signature lines; eliminated old language

*** Added lines for dates of signature

CF52 Commercial Lease Commission Assumption Agreement

*** Added new language above signature lines; removed old language above signature lines

*** Changed broker references on signature lines

CF55 Commercial Lien Waiver

*** Corrected “exits” to “exist”

CO01 Independent Contractor Agreement

¶1 Obligations of Licensee – new obligations added

*** New Severability section – ¶12; all subsequent ¶s renumbered

¶12 Real Estate Teams – now ¶13; eliminated sentence referencing Agreement for Licensee Use of Real Estate Assistant

*** New Garnishments section – ¶19

CO19 Agreement Between Georgia Broker and Out-of-State Broker (Listings)

¶11 Notices – added email transmission as a form of notice; added email lines

*** Added email line under signatures

CO22 Agreement Between Georgia Broker and Out-of-State Broker (Purchase or Lease)

¶7 Disclaimer – deleted “in this Paragraph”

¶11 Notices – added email transmission as a form of notice; added email lines

*** Added email line under signatures

SS606 Appraisal Determines Price/Right of the Parties to Terminate

¶11 Changed “within” to “not later than” and “of” to from in each paragraph

SS627 Expiration of Time Deadlines – **NEW SPECIAL STIPULATION**