

2023 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' (2022) form.

CB22 Protect Yourself When Buying a Home to be Constructed

*** Added that brochure should be reviewed along with CB13

F101 Exclusive Seller Brokerage Engagement Agreement

*** New ¶A7 Lead-Based Paint Disclosure – subsequent ¶s renumbered

*** New ¶B3(b) Images – moved some modified language from ¶B3(a); subsequent ¶s renumbered

¶B4(b) Sharing of Broker's Commission with Cooperating Broker – removed repetitive language; added language address when buyer's broker is not a participant in MLS where property is listed

*** New ¶B7 Lead-Based Paint Disclosure – slightly modified language moved here from ¶C1 Seller's Property Disclosure Statement; subsequent ¶s renumbered

¶C1 Seller's Property Disclosure Statement – moved language addressing lead-based paint to new ¶B7 Lead-Based Paint Disclosure; added "known"

*** New ¶C6(r) Use of Initials "N/A"

F104 Non-Exclusive Seller Brokerage Engagement Agreement

*** New ¶A7 Lead-Based Paint Disclosure – subsequent ¶s renumbered

*** New ¶B3(b) Images – moved some modified language from ¶B3(a); subsequent ¶s renumbered

¶B4(b) Sharing of Broker's Commission with Cooperating Broker – removed repetitive language; added language address when buyer's broker is not a participant in MLS where property is listed

*** New ¶B7 Lead-Based Paint Disclosure – slightly language moved here from ¶C1 Seller's Property Disclosure Statement; subsequent ¶s renumbered

¶C1 Seller's Property Disclosure Statement – moved language addressing lead-based paint to new ¶B7 Lead-Based Paint Disclosure; added "known"

*** New ¶C6(t) Use of Initials "N/A"

F110 Exclusive Buyer Brokerage Engagement Agreement

*** New ¶C(7)(s) Use of Initials "N/A"

F113 Non-Exclusive Buyer Brokerage Engagement Agreement

*** New ¶C(7)(s) Use of Initials "N/A"

F122 Exclusive Leasing Listing Agreement

*** New ¶2(B) Images – moved some modified language from ¶2(A); subsequent ¶s renumbered

*** New ¶14(R) Use of Initials "N/A"

F125 Non-Exclusive Leasing Listing Agreement

*** New ¶2(B) Images – moved some modified language from ¶2(A); subsequent ¶s renumbered

*** New ¶14(R) Use of Initials "N/A"

F128 Exclusive Leasing/Management Agreement

¶5 Services and Fee – added language to subsection (c) that manager can collect percentage of early termination fee; added form number to subsection (d)

*** New ¶8(B) Images – subsequent ¶s renumbered

*** New ¶37 Use of Initials "N/A"; subsequent ¶s renumbered

F201 Purchase and Sale Agreement

- ¶A4 Closing Date and Possession – changed “at” to “upon”; added “OR”
- ¶B3(a) Seller's Contribution at Closing – added additional item
- ¶B3(b) Items Paid by Buyer - added additional item
- ¶B4(a) Right to Extend the Closing Date – modified language regarding extending closing when financing contingency has expired
- ¶B5 Closing Law Firm – removed language regarding all cash method of payment; added language regarding closing law firm responsibilities
- ¶B8(a) Right to Inspect Property – retitled to Buyer's Right to Inspect Property; bolded section regarding property used as a methamphetamine laboratory; moved language from ¶B8(d)(1) to this subsection; moved other language to subsequent ¶s
- ¶B8(b) Duty to Inspect Neighborhood – retitled to Buyer's Right to Inspect Neighborhood; rephrased
- *** New ¶B8(c) Buyer's Inspection Rights Continue through Closing – some slightly modified language from ¶B8(a) moved here
- ¶B8(d) Property Sold “As-Is” Unless this Agreement is Subject to Due Diligence Period – Subsection deleted; language moved to other subsections
- *** New ¶B8(d) Buyer's Inspection Indemnification Obligations – some slightly modified language from ¶B8(a) moved here; subsection bolded
- ¶B8(e) Repairs – now ¶B8(i) – modified language
- *** New ¶B8(e) Lead-Based Paint Hazard Evaluation – some language from ¶B8(a) moved here
- *** New ¶B8(f) Due Diligence Period – some language from old ¶B8(d) moved here
- *** New ¶B8(g) Seller's Duty to Disclose – some language from old ¶B8(d)(1) moved here; subsequent ¶s renumbered
- ¶B10(a)(1) No Agency Relationship – added additional language
- ¶C4(e) Entire Agreement, Modification and Assignment – added special stipulation reference number
- *** New ¶C4(g) FIRPTA Affidavit – subsequent ¶s renumbered
- ¶C4(n) Survival of Agreement – now ¶C4(o); added additional items that survive closing
- ¶C4(o) Terminology – now ¶C4(p) – moved modified language about use of N/A to new ¶C5(g)
- ¶C5 Definitions – added new ¶C5(g) Use of Initials “N/A”

F210 Lot Purchase and Sale Agreement

- ¶A4 Closing Date and Possession – changed “at” to “upon”; added “OR”
- ¶B3(a) Seller's Contribution at Closing – added additional item
- ¶B3(b) Items Paid by Buyer - added additional item
- ¶B4(a) Right to Extend the Closing Date – modified language regarding extending closing when financing contingency has expired
- ¶B5 Closing Law Firm – removed language regarding all cash method of payment; added language regarding closing law firm responsibilities
- ¶B8(a) Right to Inspect Property – retitled to Buyer's Right to Inspect Property; bolded section regarding property used as a methamphetamine laboratory; moved language from ¶B8(d)(1) to this subsection; moved other language to subsequent ¶s
- ¶B8(b) Duty to Inspect Neighborhood – retitled to Buyer's Right to Inspect Neighborhood; rephrased
- *** New ¶B8(c) Buyer's Inspection Rights Continue through Closing – some slightly modified language from ¶B8(a) moved here
- ¶B8(d) Property Sold “As-Is” Unless this Agreement is Subject to Due Diligence Period – Subsection deleted; language moved to other subsections
- *** New ¶B8(d) Buyer's Inspection Indemnification Obligations – some slightly modified language from ¶B8(a) moved here; subsection bolded
- ¶B8(e) Repairs – now ¶B8(h) – modified language
- *** New ¶B8(e) Due Diligence Period – some language from old ¶B8(d) moved here
- *** New ¶B8(f) Seller's Duty to Disclose – some language from old ¶B8(d)(1) moved here; subsequent ¶s renumbered
- ¶B9(a)(1) No Agency Relationship – added additional language
- ¶C4(e) Entire Agreement, Modification and Assignment – added special stipulation reference number
- *** New ¶C4(g) FIRPTA Affidavit – subsequent ¶s renumbered
- ¶C4(n) Survival of Agreement – now ¶C4(o); added additional items that survive closing
- ¶C4(o) Terminology – now ¶C4(p) – moved modified language about use of N/A to new ¶C5(g)
- ¶C5 Definitions – added new ¶C5(g) Use of Initials “N/A”

F213 Land Purchase and Sale Agreement

- ¶A5 Closing Date and Possession – changed “at” to “upon”; added “OR”
- ¶B4(a) Seller's Contribution at Closing – added additional item
- ¶B4(b) Items Paid by Buyer - added additional item
- ¶B5(a) Right to Extend the Closing Date – modified language regarding extending closing when financing contingency has expired
- ¶B6 Closing Law Firm – removed language regarding all cash method of payment; added language regarding closing law firm responsibilities
- ¶B9(a) Right to Inspect Property – retitled to Buyer's Right to Inspect Property; bolded section regarding property used as a methamphetamine laboratory; moved language from ¶B9(d)(1) to this subsection; moved other language to subsequent ¶s
- ¶B9(b) Duty to Inspect Neighborhood – retitled to Buyer's Right to Inspect Neighborhood; rephrased
- *** New ¶B9(c) Buyer's Inspection Rights Continue through Closing – some slightly modified language from ¶B9(a) moved here
- ¶B9(d) Property Sold “As-Is” Unless this Agreement is Subject to Due Diligence Period – Subsection deleted; language moved to other subsections
- *** New ¶B9(d) Buyer's Inspection Indemnification Obligations – some slightly modified language from ¶B9(a) moved here; subsection bolded
- ¶B9(e) Repairs – now ¶B9(h) – modified language
- *** New ¶B9(e) Due Diligence Period – some language from old ¶B9(d) moved here
- *** New ¶B9(f) Seller's Duty to Disclose – some language from old ¶B(8)(d)(1) moved here; subsequent ¶s renumbered
- ¶B10 Sellers Warranties and Representations – removed blank
- ¶B12(a)(1) No Agency Relationship – added additional language
- *** New ¶C4(g) FIRPTA Affidavit – subsequent ¶s renumbered
- ¶C4(n) Survival of Agreement – now ¶C4(o); added additional items that survive closing
- ¶C4(o) Terminology – now ¶C4(p) – moved modified language about use of N/A to new ¶C5(g)
- ¶C5 Definitions – added new ¶C5(g) Use of Initials “N/A”

F219 Temporary Occupancy Agreement for Seller After Closing Exhibit

- ¶2 Updated items to be provided
- ¶8 Added additional language
- *** New ¶9; all subsequent ¶s renumbered
- ¶10 Now ¶11; added additional language regarding holdover rent
- *** New ¶15

F228 New Construction Purchase and Sale Agreement

- ¶B4(a) Seller's Contribution at Closing – added additional item
- ¶B4(b) Items Paid by Buyer - added additional item
- ¶B5(c) Right to Extend the Closing Date – modified language regarding extending closing when financing contingency has expired
- ¶B6 Closing Law Firm – removed language regarding all cash method of payment; added language regarding closing law firm responsibilities
- ¶B14(a)(1) No Agency Relationship – added additional language
- ¶C2(b) Duty to Inspect Neighborhood – retitled to Buyer's Right to Inspect Neighborhood; rephrased
- ¶C7(f) Entire Agreement, Modification and Assignment – added special stipulation reference number
- *** New ¶C7(h) FIRPTA Affidavit – subsequent ¶s renumbered
- ¶C7(q) Terminology – now ¶C7(r) – moved modified language about use of N/A to new ¶C8(g)
- ¶C8 Definitions – added new ¶C8(g) Use of Initials “N/A”

F240 Option Agreement

- *** Changed “among” to “between” in initial section
- *** First paragraph split up and now numbered; new ¶1 Option – removed language to write out dollar amount, removed outdated language; new ¶2 Option Payment – rephrased language for buyer to pay option payment to seller, moved language about seller being unable to fulfill obligations to this ¶; new ¶3 Term of the Option – removed time of day for option to expire; new ¶4 Purchase and Sale Agreement
- *** Second paragraph now ¶5 Exercise of Option
- *** Third paragraph now ¶6 Option Commission – removed language to write out dollar amount, changed “contemporaneously with” to “immediately upon”
- *** Fourth paragraph split up and now numbered; new ¶7 – Time of Essence; new ¶8 – Warranty; new ¶9 – Agreement Binding on All Parties; new ¶10 – Assignment; new ¶11 – Governing Law and Interpretation – added additional language
- *** Added lines for contact information for buyers and sellers to give notice

F243 Option Agreement to Purchase Leased Property Exhibit

- ¶B4(a) Buyer's Contribution at Closing – added additional item
- ¶B4(b) Items Paid by Seller at Closing – renamed to Seller's Contribution at Closing; added additional item
- ¶B5(b) Right to Extend the Closing Date – modified language regarding extending closing when financing contingency has expired
- ¶B6 Closing Law Firm – removed language regarding all cash method of payment; added language regarding closing law firm responsibilities
- ¶B11(a)(1) No Agency Relationship – added additional language
- ¶B15(d) Entire Agreement, Modification and Assignment – added special stipulation reference number

New ¶B15(f) FIRPTA Affidavit – subsequent ¶s renumbered
- ¶B15(j) Objection to Binding Agreement Date – now ¶B15(k); updated form number from F700 to F733
- ¶B15(n) Survival of Agreement – now ¶B15(o); added additional items that survive closing

F301 Seller's Property Disclosure Statement Exhibit

- ¶D Fixtures Checklist – added language about property that can be removed or taken must be with buyer's consent if under contract

F302 Seller's Disclosure of Latent Defects & Fixtures Checklist

- ¶4 Fixtures Checklist – added language about property that can be removed or taken must be with buyer's consent if under contract

F304 Seller's Property Disclosure Statement (Condominium) Exhibit

- ¶C(1) General – new (a) and (b); (a) slightly reworded question from ¶C3(a); subsequent ¶s renumbered
- ¶C(3) Structural Items, Additions and Alterations – moved slightly modified question (a) under ¶C1
- ¶D Fixtures Checklist – added language about property that can be removed or taken must be with buyer's consent if under contract

F322 Community Association Disclosure Exhibit

- ¶A1 Type of Association in Which Buyer Will or May Become a Member – added additional option

F401 All Cash Sale Exhibit

- *** Renamed No Financing Contingency Exhibit
- ¶1 All Cash Sale - ¶ deleted; replaced with new ¶1 Method of Purchase
- ¶2 Verification of Funds – modified language slightly; added language for fund to be in US Dollars; new subsection C

F404 Conventional Loan Contingency Exhibit

- ¶1 Added “Not greater than” to both boxes under “Interest Rate (at par)”
- *** New Section – Length of the Financing Contingency Period – ¶3
- *** New Section – Length of time for Buyer to Request a Reduction in the Sales Price Based Upon a Low Appraisal – ¶4; subsequent ¶s renumbered
- ¶5 Financing Contingency – now ¶7 – reworded first sentence; modified language about providing loan denial letter; added clarifying language about Appraisal Contingency
- ¶11 Appraisal Contingency – now ¶13 – removed blank as it is now addressed in ¶4; reworded sentence

F407 FHA Loan Contingency Exhibit

- ¶1 Added “Not greater than” to both boxes under “Interest Rate (at par)”
- *** New Section – Length of the Financing Contingency Period – ¶3; subsequent ¶s renumbered
- ¶5 Financing Contingency – now ¶6; reworded first sentence; modified language about providing loan denial letter; added clarifying language about Amendatory Clause
- ¶11 Amendatory Clause – now ¶12; added language about when the property does not appraise
- ¶15 Repairs Required in FHA Commitment – now ¶16; added additional language that there is no penalty to buyer

F410 VA Loan Contingency Exhibit

- ¶1 Added “Not greater than” to both boxes under “Interest Rate (at par)”
- *** New Section – Length of the Financing Contingency Period – ¶3; subsequent ¶s renumbered
- ¶5 Financing Contingency – now ¶6; reworded first sentence; modified language about providing loan denial letter; added clarifying language about Amendatory Clause
- ¶14 VA Rules and Regulations; Termite Letter – now ¶15; reworded section

F413 USDA-RD Loan Contingency Exhibit

- ¶1 Added "Not greater than" to box under "Interest Rate (at par)"
- *** New Section – Length of the Financing Contingency Period – ¶3; subsequent ¶s renumbered
- ¶5 Financing Contingency – now ¶6; reworded first sentence; modified language about providing loan denial letter; added clarifying language about Appraisal Contingency

F601 Sale or Lease of Buyer's Property Contingency Exhibit

- ¶3A Buyer closing on the sale of the Other Property – added language

F604 Back-Up Agreement Contingency Exhibit

- ¶1 Rephrased section to include number of back-up agreements ahead as well as primary buyer and broker identifiers
- ¶2 Added new language of back-up agreements in higher positions
- ¶3 Added new language of back-up agreements in higher positions in two spots; changed "Secondary Agreement" to "back-up Agreement"
- ¶4 Rephrased and added new language of back-up agreements in higher positions
- ¶5 Added new language of back-up agreements in higher positions in two spots

F605 Addendum to Back-Up Agreement – NEW FORM

F716 Amendment to Change Closing/Possession Date

- *** Possession – changed "through" to "conveyed to Buyer"; slightly modified language of options A and C

F735 Amendment to Assign Agreement – NEW FORM

F840 Estimate of Cost to Buyer

- ¶17 Changed "Other" to "Brokerage Commission"
- *** Added additional lines for "Rent", "Security Deposit" and "Seller's Contribution"; renumbered subsequent lines

F901 Rental Application

- *** Added language to introduction

F913 Lease for Residential Property

- ¶C5 Disclaimer – new subsection (d) Radon Disclaimer
- *** New ¶C6(o) – Georgia Landlord Tenant Handbook

CF01 Commercial Exclusive Seller Brokerage Engagement Agreement

- *** New ¶B3(b) Images – moved some modified language from ¶B3(a); subsequent ¶s renumbered
- ¶B4(b) Sharing of Broker's Commission with Cooperating Broker – added language addressing when buyer's broker is not a participant in MLS where property is listed
- ¶C3(a) Limit on Broker's Liability – slightly reworded
- *** New ¶C5(r) Use of Initials "N/A"

CF04 Commercial Purchase and Agreement

- ¶A9 Title Examination – added "Title Examination Title"
- ¶B1(a) Warranty – section deleted; added items to new ¶B9(b)
- ¶B1(b) Examination – section moved to new ¶B9(a); subsequent ¶s renumbered
- ¶B4(a) Right to Extend the Closing Date – modified language regarding extending closing when financing contingency has expired
- ¶B5 Closing Law Firm – removed language regarding all cash method of payment; added language regarding closing law firm responsibilities
- *** New ¶B9(a) Examination; subsequent ¶s renumbered
- B9(a) Warranties of Seller – now B9(b); added additional items
- ¶B12(a) Brokerage Relationships in this Transaction – updated language to match language in the other purchase and sale agreements
- ¶C5(d) Entire Agreement, Modification and Assignment – added special stipulation reference number
- ¶C5(n) Survival of Agreement – added additional items that survive closing
- ¶C6 Definitions – added new ¶C6(g) Use of Initials "N/A"

CF24 Exclusive Commercial Leasing Listing Agreement

- ¶12 Hazardous Conditions on Property – changed "lessees" to "tenants"
- ¶15(a) Generally – changed "lessees" to "tenants"
- *** New ¶15(b) Images – moved some modified language from ¶15(a); subsequent ¶s renumbered
- *** New ¶22(p) Use of Initials "N/A"

CF25 Commercial Open Listing Agreement (For Leases)

*** New ¶4(B) Images – moved some modified language from ¶4(A); subsequent ¶s renumbered

*** New ¶25 Use of Initials “N/A”; subsequent ¶s renumbered

CF28 Commercial Exclusive Leasing/Management Agreement

*** New ¶8(B) Images – subsequent ¶s renumbered

*** New ¶30 Use of Initials “N/A”; subsequent ¶s renumbered

For Training Purposes Only