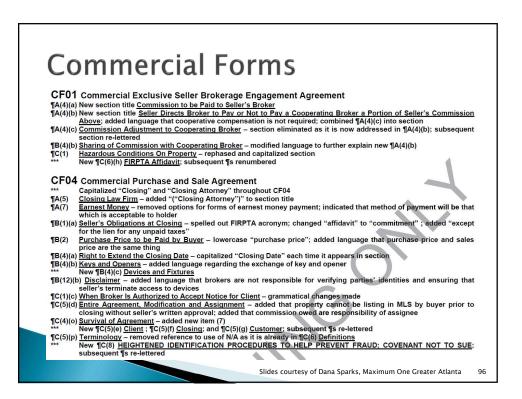




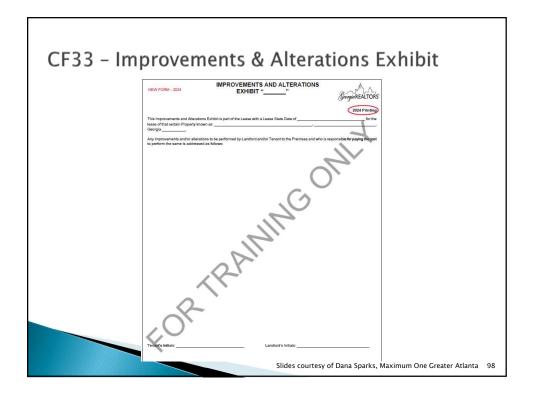
Commercial Forms

- GAR works closely with the Atlanta Builder's Association & defers to them for the majority of Commercial forms, etc.
- GAR DOES provide forms for "Resi-mercial" agents
- Agents should not practice Real Estate outside of their Professional Scope of knowledge
- <u>GA License Law</u>: Unfair Trade Practice §OCGA 43-40-25b(21) - Making any substantial misrepresentations
- <u>REALTOR © Code of Ethics</u> Article 11: ".....REALTORS® shall not undertake to provide specialized professional services concerning a type of property or service that is outside their field of competence unless they engage the assistance of one who is competent on such types of property or service, or unless the facts are fully disclosed to the client."

Slides courtesy of Dana Sparks, Maximum One Greater Atlanta







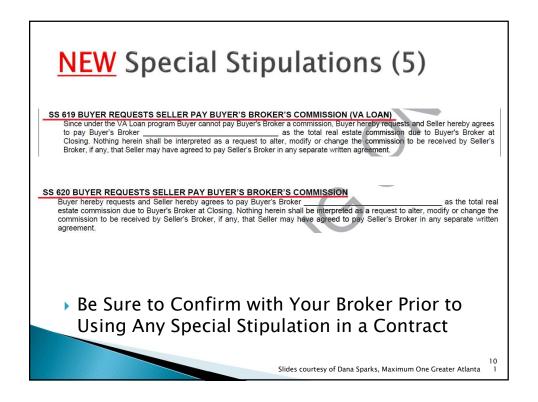
CB13 - Protect Yourself When Buying Real Property

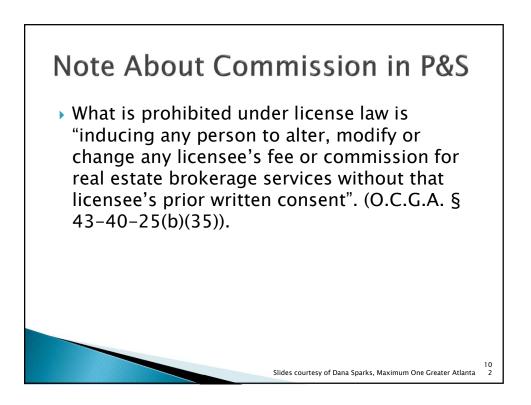
Added New Section on Smart Home Technologies

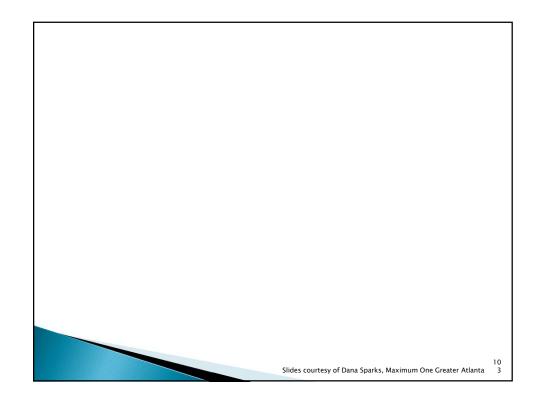
Smart Home Technologies. Smart home technology allows for the monitoring, use, control and automation of HVAC thermostats, lighting, video camera, and more. When considering a home with smart devices, you should evaluate or hire a home automation specialist to evaluate the age, functionality, compatibility, cost to operate (including any subscription fees), privacy and security of smart home technologies. While there may be operating costs with such technologies, there may also be offsetting benefits such as energy savings or potential insurance discounts. After closing, consider resetting smart home devices, changing passwords, adding multi-factor authentication and updating firmware to protect your privacy and enhance your security. NEW in 2024

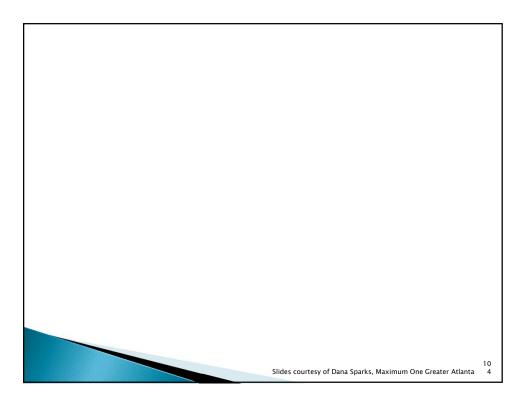
Slides courtesy of Dana Sparks, Maximum One Greater Atlanta 99

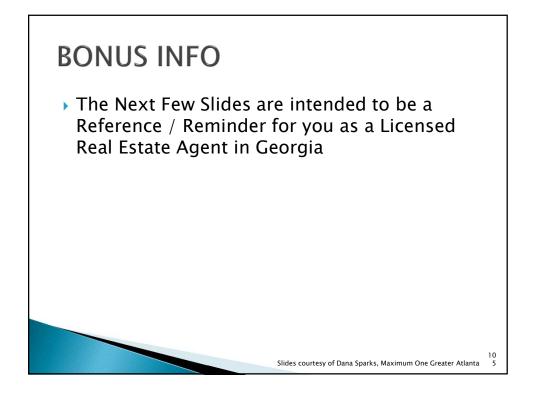
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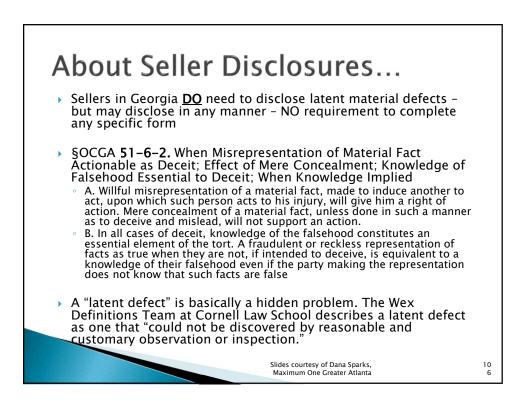










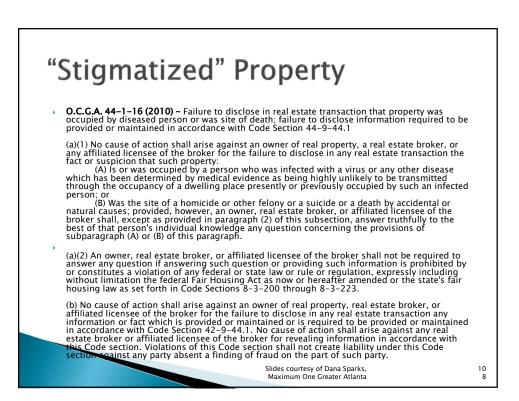


About Seller Disclosures...

- Sellers in Georgia do <u>not</u> need to disclose certain things that have happened on the property. For example, the seller does not need to tell a buyer if a diseased person ever lived in the home, or if a homicide, felony, suicide, or any other death occurred there (Georgia OCGA §44-1-16(a)(1)).
- Additionally, a seller in Georgia is not required to let a buyer know if a registered sex offender lives in the area (Georgia Official Code Annotated §44-1-16 (b)).
- The seller must answer any direct question a buyer asks about these things honestly (Georgia OCGA §44-1-16(a)(1)).

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As a listing broker, am I required to disclose if a murder or suicide took place in the home?

The answer to this question is no, unless you are asked. Georgia law provides that no cause of action shall arise against an owner of real property, a real estate broker or any affiliated licensee of the broker for failing to disclose that a person was murdered or committed suicide in a home unless those parties are asked.

§ 24-12-21 - Disclosure of AIDS confidential information

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License Law OCGA g10-6A-5(0)(1) & (2) - Brokerage Relationships
(1) All adverse material facts pertaining to the physical condition of the property and improvements located on such property including but not limited to material defects in the property, environmental contamination, and facts required by statute or regulation to be disclosed which are actually known by the broker which could not be discovered by a reasonably diligent inspection of the property by the buyer; and

(2) All material facts pertaining to existing adverse physical conditions in the immediate neighborhood within one mile of the property which are actually known to the broker and which could not be discovered by the buyer upon a diligent inspection of the neighborhood or through the review of reasonably available governmental regulations, documents, records, maps, and statistics. Examples of reasonably available governmental regulations, documents, records, maps, and statistics shall include without limitation: land use maps and plans; zoning ordinances; recorded plats and surveys; transportation maps and plans; maps of flood plains; tax maps; school district boundary maps; and maps showing the boundary lines of governmental jurisdictions.

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GA Licensed Agent Must ALSO Disclose Known Latent Material Defects

Nothing in this subsection shall be deemed to create any duty on the part of a broker to discover or seek to discover either adverse material facts pertaining to the physical condition of the property or existing adverse conditions in the immediate neighborhood. Brokers shall not knowingly give prospective buyers false information: provided, however, that a broker shall not be liable to a buyer for providing false information to the buyer if the broker did not have actual knowledge that the information was false and discloses to the buyer the source of the information. Nothing in this subsection shall limit any obligation of a seller under any applicable law to disclose to prospective buyers all adverse material facts actually known by the seller pertaining to the physical condition of the property nor shall it limit the obligation of prospective buyers to inspect and to familiarize themselves with potentially adverse conditions related to the physical condition of the property, any improvements located on the property, and the neighborhood in which the property is located. No cause of action shall arise on behalf of any person against a broker for revealing information in compliance with this subsection. No broker shall be liable for failure to disclose any matter other than those matters enumerated in this subsection. Violations of this subsection shall not create liability on the part of the broker absent a finding of fraud on the part of the broker.

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GA Licensed Agent Must ALSO Disclose Known Latent Material Defects REALTOR[®] Code of Ethics – Article 2 – "REALTORS[®] shall avoid exaggeration, misrepresentation, or concealment of pertinent facts relating to the property or the transaction. REALTORS[®] shall not, however, be obligated to discover latent defects in the property, to advise on matters outside the scope of their real estate license, or to disclose facts which are confidential under the scope of agency or non-agency relationships as defined by state law." (Amended 1/00) Slides courtesy of Dana Sparks, 11 2 laximum One Greater Atlanta

GA Licensed Agent Must ALSO Disclose Known Latent Material Defects

License Law OCGA §10-6A-5(b)(1) & (2) - Brokerage Relationships

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> Slides courtesy of Dana Sparks, Maximum One Greater Atlanta

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