



Department of Commerce

Division of Real Estate & Professional Licensing

WAIVER OF DUTIES STATEMENT

Pursuant to ORC 4735.621

To Be Used when Certain Duties are Waived by the Client

REQUIRED DUTIES:

After entering into an agency relationship, a real estate licensee (meaning a licensed broker or salesperson) is considered a "fiduciary" of the client. This means the licensee will use his or her best efforts to further the interests of the client. Under Ohio law, these fiduciary duties may not be waived. The client's real estate licensee must:

- Exercise reasonable skill and care in representing the client and carrying out the responsibilities of the agency relationship;
• Perform the terms of any written agency agreement;
• Follow any lawful instructions of the client;
• Be loyal to the interest of the client;
• Comply with all requirements of Ohio real estate licensing laws and other applicable statutes, rules, and regulations, including state and federal fair housing laws;
• Disclose any material facts of the transaction of which the licensee is or should be aware;
• Advise the client to obtain expert advice related to material matters when necessary or appropriate;
• Account in a timely manner for all moneys and property received in which the client has or may have an interest; and
• Keep all confidential information confidential, unless permitted to disclose the information pursuant to ORC 4735.74(B). This includes the duty to not disclose confidential information to any licensee who is not an agent of the client.

DUTIES THAT MAY BE WAIVED:

Under Ohio law, a real estate licensee is required to perform additional duties for his or her client unless these duties are waived by the client. By signing below, the client agrees that the real estate licensee will not perform the duties initialed (only initial the duties waived)

Table with 2 columns: Duty description and Initial If Waived. Rows include Sellers may waive (seeking purchase offer, accepting delivery, answering questions, assisting seller) and Buyers may waive (seeking property, presenting offer, answering questions, assisting buyer).

Agreement to Waive

By signing below, I agree that the real estate licensee who represents me will not perform the duties that are initialed above. I also understand that in any proposed real estate transaction, no other real estate licensee is required to perform the waived duties unless I subsequently hire them to do so, and realize that I may need to hire other professionals such as an attorney.

Seller or Buyer Date

Real Estate Broker or Salesperson Date

Seller or Buyer Date

Brokerage Name