

DISCLOSURE OF REAL ESTATE AGENCY - C

1 THIS DISCLOSURE IS BEING PROVIDED BY Oconomowoc Realty and
2 Firm Name▲
3 Mike or Ken Herro WHO ARE WORKING AS: Owner's Agent Buyer's/Tenant's Agent
4 Sales Associate▲

5 Wisconsin Statute § 452.135 requires that brokers provide a written agency disclosure form containing a disclosure of duties owed to all parties,
6 the duties owed to the broker's client, a statement regarding confidentiality and a statement of which party(ies) the broker represents, before
7 providing brokerage services to a party. This form is being provided to comply with that requirement.

DUTIES TO ALL PARTIES

8 Wisconsin Statute section 452.133(1) states that in providing brokerage services to a party to a transaction (including
9 both clients and customers), a broker shall do all of the following:

- 10 (a) Provide brokerage services to all parties to the transaction honestly, fairly and in good faith.
- 11 (b) Diligently exercise reasonable skill and care in providing brokerage services to all parties.
- 12 (c) Disclose to each party all material adverse facts that the broker knows and that the party does not know or cannot discover through
13 reasonably vigilant observation, unless the disclosure of a material adverse fact is prohibited by law.
- 14 (d) Keep confidential any information given to the broker in confidence, or any information obtained by the broker that he or she knows a
15 reasonable party would want to be kept confidential, unless the information must be disclosed under (c) or Wis. Stats. sec. 452.23
16 (information contradicting third party inspection or investigation reports) or is otherwise required by law to be disclosed or the party
17 whose interests may be adversely affected by the disclosure specifically authorizes the disclosure of particular confidential information.
18 A broker shall continue to keep the information confidential after the transaction is complete and after the broker is no longer providing
19 brokerage services to the party.
- 20 (e) Provide accurate information about market conditions that affect a transaction, to any party who requests the information, within a
21 reasonable time of the party's request, unless disclosure of the information is prohibited by law.
- 22 (f) Account for all property coming into the possession of a broker that belongs to any party within a reasonable time of receiving the property.
- 23 (g) When negotiating on behalf of a party, present contract proposals in an objective and unbiased manner and disclose the advantages
24 and disadvantages of the proposals.

DUTIES TO A CLIENT

25 Wisconsin Statute section 452.133(2) states that in addition to his or her duties under lines 8 to 24, a broker providing
26 brokerage services to his or her client shall do all of the following:

- 27 (a) Loyal represent the client's interests by placing the client's interests ahead of the interests of any other party, unless loyalty to a client
28 violates the broker's duties under lines 8 to 24 or Wis. Stats. sec. 452.137(2) (duties to all clients in multiple representation situations).
- 29 (b) Disclose to the client all information known by the broker that is material to the transaction and that is not known by the client or
30 discoverable by the client through reasonably vigilant observation, except for confidential information (see lines 14 to 19) and other
31 information, the disclosure of which is prohibited by law.
- 32 (c) Fulfill any obligation required by the agency agreement, and any order of the client that is within the scope of the agency agreement,
33 that are not inconsistent with another duty that the broker has under this chapter or any other law.

CONFIDENTIALITY NOTICE TO CLIENTS AND CUSTOMERS

35 A BROKER IS REQUIRED TO MAINTAIN THE CONFIDENTIALITY OF ALL INFORMATION GIVEN TO THE BROKER IN CONFIDENCE AND
36 OF ALL INFORMATION OBTAINED BY THE BROKER THAT HE OR SHE KNOWS A REASONABLE PARTY WOULD WANT TO BE KEPT
37 CONFIDENTIAL, UNLESS THE INFORMATION IS REQUIRED TO BE DISCLOSED BY LAW (SEE LINES 14 TO 19). THE FOLLOWING
38 INFORMATION IS REQUIRED TO BE DISCLOSED BY LAW:

- 39 1) MATERIAL ADVERSE FACTS AS DEFINED IN SECTION 452.01(5g) OF THE WISCONSIN STATUTES.
- 40 2) ANY FACTS KNOWN BY THE BROKER THAT CONTRADICT ANY INFORMATION INCLUDED IN A WRITTEN INSPECTION
41 REPORT ON THE PROPERTY OR REAL ESTATE THAT IS THE SUBJECT OF THE TRANSACTION.

42 TO ENSURE THAT THE BROKER IS AWARE OF WHAT SPECIFIC INFORMATION YOU CONSIDER CONFIDENTIAL, YOU MAY LIST THAT
43 INFORMATION IN THE SPACE BELOW THAT IS MARKED "CONFIDENTIAL INFORMATION" AT A LATER TIME, YOU MAY ALSO PROVIDE
44 THE BROKER WITH OTHER WRITTEN NOTIFICATION OF WHAT INFORMATION YOU CONSIDER TO BE CONFIDENTIAL.

45 **IF YOU WISH TO IDENTIFY SPECIFIC INFORMATION AS CONFIDENTIAL PLEASE COMPLETE THE "CONFIDENTIAL INFORMATION"**
46 **SECTION BELOW AND RETURN TO BROKER.**

47 **CONFIDENTIAL INFORMATION:** _____
48 _____
49 _____
50 _____
51 _____
52 _____
53 _____

Notice: You may obtain information about the sex offender registry and persons registered with the registry by contacting the Wisconsin Department of Corrections on the Internet at <http://www.widocoffenders.org> or by phone at 877-234-0085.

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Drafted by: Attorney Richard J. Staff
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