

## **TRANSACTION PROCEDURES MANUAL (Listing Agent)**

### *Step-by-Step Transaction Process for Listing Agent*

This is a step-by-step guide for United Realty Group agents, which explains how to handle the transaction process when representing a seller. Please contact Broker Support by phone or email if you need help with your transaction, or have questions regarding these guidelines. Before you start working with a new seller, the first thing you will want to do is pull the applicable transaction checklist from our Document Library AND review our Transaction Info Package- "TIP" (also in the document library)- this way you will start the transaction on the right foot, and will know up front which documents you will need to complete for your transaction. You can find most of the documents/disclosures, that are required on our transaction checklists, in the ZipForm Library (part of your C.A.R membership), or in our Document Library, which can be accessed by logging into the Agent Portal and clicking on "Document Library".

#### **Step 1: Seller(s)' Representation / Multiple Listing Service (MLS)**

1) When you are ready to accept a new listing, login to our Document Library and print out the applicable transaction checklist. (the Document Library can be accessed by logging into the Agent Portal and clicking on "Document Library"). This way, you will start the transaction on the right foot, and will know up front which documents you will need to complete for your transaction.

2) Fill out and obtain the Sellers' signature(s) on at least the following forms:

\*LISTING AGREEMENT (use a C.A.R. form. The form generally used for residential properties is the RLA, but this may vary depending on the type of property or transaction. If you are unsure, please contact Broker Support)  
 \*SELLER'S ADVISORY (C.A.R. form SA)  
 \*DISCLOSURE REGARDING REAL ESTATE AGENCY RELATIONSHIPS (C.A.R. form AD)  
 \*DISCLOSURE AND CONSENT FOR REPRESENTATION OF MORE THAN ONE BUYER OR SELLER (C.A.R. form DA)  
 \*AFFILIATED BUSINESS ARRANGEMENT DISCLOSURE (Document Library)  
 \*SHORT SALE INFORMATION & ADVISORY (C.A.R. form SSIA)- only if transaction is a short sale  
 \*REO LISTING ADVISORY (C.A.R. form REOL)- only if transaction is an REO

3) Once you have a fully executed listing agreement, you must report your listing to United Realty Group within 48 hours. You can do this by logging into the "Agent Portal", and clicking on "Report New Listing". Please follow the instructions on that page, and upload all documents specified above, as one file. Please note, if you do not upload all required documents correctly, or if they are missing information, it will cause delays as well as a request for you to resubmit the information. **To avoid a penalty, the listing must be reported within 48 hours of obtaining a fully executed listing agreement. Please review penalty information in our Commission Schedule (Addendum-1).** After you have completed the reporting, a new transaction will be created for you in RealtySync within 48 hours, and the transaction status will be set to "Listing". At this point, you can login to RealtySync to manage the transaction status, and upload any additional documents directly to the RealtySync transaction file. **Please note, once you receive an accepted offer for your listing, you must report it within 48 hours by logging into the "Agent Portal", and clicking on "Report New Transaction". We will then change the status of your existing RealtySync transaction file from "Listing" to "Under Contract". See Step 4 for more information about reporting a transaction. See Step 7 for detailed instructions on how to upload transaction documents to your RealtySync account.**

4) Install a lockbox and take pictures of the property. If there are tenants occupying the property, you must obtain their permission to install a lockbox, by using:

\*KEYSAFE/LOCKBOX ADDENDUM AND TENANT PERMISSION TO ACCESS PROPERTY (C.A.R. form KLA)

5) List the property for sale in the local MLS. If it is a "short sale" or "REO (bank owned)", disclose this fact in the confidential remarks. If it is a "short sale", you should also mention that "commission and terms are subject to lender approval. Any reduction in commission to be split 50/50." RECOMMENDATION: If the total commission is 6% on a short sale transaction, we advise that you keep 3.5% and offer 2.5% to the cooperating agent on the MLS. Short sale negotiations take time, and you should be compensated for it.



6) Place “For Sale” signs at the property. If applicable, consult with the Homeowners Association (HOA) about any existing sign and/or open house regulations or restrictions. For more information about how to order signs, please visit the Agent Portal.

## Step 2: Marketing Time / Changing the Listing Status

- 1) Hold open houses and/or use other marketing tools and strategies to attract buyers.
- 2) If the Seller decides to change the price, or any other terms of the listing, use:  
**\*MODIFICATION OF TERMS AUTHORIZATION AND RIGHT TO SELL (C.A.R. form MT)**  
and upload the form to your RealtySync transaction file. Make any applicable changes to the MLS listing.
- 3) If the Seller would like, you may order a termite inspection prior to receiving offers. Most termite companies will provide a free inspection, but remember that the report expires after 90 days.
- 4) If the Seller or Agent decides to cancel the listing agreement, use:  
**\*CANCELLATION OF LISTING (C.A.R. form COL)**  
You must upload the fully executed cancellation form to the RealtySync transaction file, AND use the “Send Broker Message” button to write a note for the Broker requesting that the transaction file be cancelled. Please include the reason for the cancellation. This must be done within 48 hours of cancellation. There are penalties for ignoring this requirement. Please review penalty information in our Commission Schedule (Addendum-1). The Broker will review the file and change the status to “Canceled”, or may ask you for additional documents. **See Step 7 for detailed instructions on how to upload transaction documents and use the “Send Broker Message” feature.**

## Step 3: Receive Offers from Buyers

- 1) The offer typically includes:  
**\*PURCHASE AGREEMENT** (should be on a C.A.R. form. The form generally used for residential properties is the RPA, but this may vary depending on the type of property or transaction. If you are unsure, please contact Broker Support)  
**\*BUYER'S INSPECTION ADVISORY (C.A.R. form BIA-A)**  
**\*DISCLOSURE REGARDING REAL ESTATE AGENCY RELATIONSHIPS (C.A.R. form AD)**  
**\*SHORT SALE ADDENDUM (C.A.R. form SSA)**- only if transaction is a short sale  
**\*REO ADVISORY (C.A.R. form REO)**- only if transaction is an REO  
**\*PRE-APPROVAL LETTER FROM BUYER'S LENDER (OR PROOF OF FUNDS IF IT IS A CASH BUYER)**  
**\*COPY OF EARNEST MONEY DEPOSIT CHECK**

Per our company policy, you **MAY NOT** receive any earnest money deposits/trust funds from a Buyer (or any party), without express written consent from your Broker. The Buyer(s) should send all Earnest money deposits/trust funds directly to the designated escrow holder.

- 2) The seller can reject or accept the offer, or send a counter offer. During the negotiation period, you may use:  
**\*COUNTER OFFER (C.A.R. form CO)**  
**\*ADDENDUM (C.A.R. form ADM)**

Once you have an accepted offer, you must report it to United Realty Group within 48 hours (explained in detail in the next step). You don't need to notify us or send any forms to United Realty Group during the negotiation process.

## Step 4: Report Transaction / Open Escrow & Title

- 1) When all parties agree with the purchase terms, and you have a fully executed contract, you must report your transaction to United Realty Group within 48 hours. You can do this by logging into the “Agent Portal”, and clicking on “Report New Transaction”. Please carefully follow the instructions on that page and upload all requested documents, including the Transaction Information Package (TIP). The “TIP” is important, as it serves to provide pertinent transaction details to United Realty Group, as well as identify any other documents/disclosures (in addition to the required disclosures on the applicable transaction checklist) that will be required for your particular transaction. Please note, if you do not upload all required documents correctly, or if they are missing information, it will cause



delays as well as a request for you to resubmit the information. When reporting your new transaction, you will be given the option to order Transaction Coordinator services, as well as open escrow with United Capital Escrow, our in-house escrow division. After you have completed the reporting, we will upload the reported documents to your RealtySync transaction file for you, and change the status of the file from "Listing" to "Under Contract". If you ordered Transaction Coordinator service, a TC will contact you within 1 business day. The TC will assist in the rest of the transaction paperwork process from this point on (please see the "Transaction Coordinator Agreement" for details).

To avoid a penalty, the transaction must be reported within 48 hours of obtaining a fully executed purchase agreement. Please review penalty information in our Commission Schedule (Addendum-1). Please note, a transaction that was previously reported as a listing must be reported AGAIN as a transaction, after obtaining an accepted offer.

- 2) Change the listing status to "Pending" in the MLS (a delay could result in a penalty being assessed by the MLS. Check your MLS's regulations for details).
- 3) If escrow will not be held with United Capital Escrow, you may open an escrow account with the company agreed to between the parties. Usually the buyer's agent opens the escrow, but in some cases it is done by the listing agent. The escrow/title officer must provide you information about the file (escrow officer's name, escrow/title file number, contact information, etc.), and give you a receipt for the earnest money deposit once they receive it. It is very important to follow up with escrow to make sure that they have received the Buyers deposit. Escrow will also send out Escrow Instructions, to be signed by the parties.
- 4) You may continue uploading executed transaction documents and forms to the existing RealtySync transaction file (use PDF format only). **Please remember that once you are in escrow, all documents executed during the course of the transaction must be reported on your transaction checklist, and uploaded to your RealtySync transaction file within 48 hours of execution. There are penalties for ignoring this requirement. Please review penalty information in our Commission Schedule (Addendum-1). See Step 7 for detailed instructions on how to upload transaction documents to your RealtySync account.**

## Step 5: Inspection/Disclosure Period

**General Suggestions:** Please keep in touch with the Buyer's lender (if applicable) throughout the transaction process, to ensure that there are no financing issues. It is good to be aware of how the loan process is going- one of the main reasons escrow closings are delayed is issues with financing. Also, stay in touch with the escrow/title officer, and make sure they have all the fully executed transaction forms and documents they need.

- 1) Use the correct transaction checklist, and send the required disclosures/reports to the buyer's agent within 7 days of acceptance:
  - \*REAL ESTATE TRANSFER DISCLOSURE STATEMENT (C.A.R. form TDS) - **NEVER FILL OUT THIS DOCUMENT ON BEHALF OF YOUR CLIENT**
  - \*NATURAL HAZARD DISCLOSURE STATEMENT (usually ordered from a 3<sup>rd</sup> party provider, such as Disclosure Source, but may also be provided on C.A.R. form NHD. Your seller(s) MUST provide this report/disclosure. Usually, it is customary for the seller to pay for this report. However, per company policy, if neither party agrees to pay for an NHD, the report MUST still be ordered and paid for by our listing agent)
  - \*STATEWIDE BUYER AND SELLER ADVISORY (C.A.R. form SBSA)
  - \*LEAD-BASED PAINT DISCLOSURE (for houses built before 1978- C.A.R form FLD)
  - \*SUPPLEMENTAL PROPERTY QUESTIONARRE (C.A.R. form SPQ) - **NEVER FILL OUT THIS DOCUMENT ON BEHALF OF YOUR CLIENT**
  - \*WATER HEATER AND SMOKE DETECTOR STATEMENT (C.A.R. form WHSD)
  - \*AGENT VISUAL INSPECTION DISCLOSURE (C.A.R. form AVID)
  - \*HOMEOWNER'S COMBINED INFORMATION GUIDE & RECEIPT (Document Library)
  - \*EARTHQUAKE HAZARDS REPORT AND RECEIPT (for houses built before 1960- Document Library: Page 124 of "Homeowner's Combined Information Guides")
  - \*CC&R's from HOA (if any)
  - \*ADDITIONAL DISCLOSURES (if any)
  - \*LOCAL AREA DISCLOSURES (if applicable- local disclosures may vary by city and county. Please ask your escrow company or local Association of Realtors to find out local disclosure requirements. Some local disclosures are available in our Document Library).

**YOUR SELLER MUST PROVIDE THESE DOCUMENTS TO THE BUYER. IF THERE IS ANY REASON THAT PREVENTS YOU FROM OBTAINING THESE DOCUMENTS, YOU MUST CONTACT BROKER SUPPORT IMMEDIATELY!**



2) Depending on the transaction type, the buyer may conduct different types of inspections (termite inspection, home inspection, septic system, roof, plumbing, etc.), and request that certain repairs be made, by filling out the following:

\*REQUEST FOR REPAIR (C.A.R. form RR)

\*WOOD DESTROYING PEST INSPECTION AND ALLOCATION OF COST (C.A.R form WPA)

The Seller can reject or accept the request, agree to make some of the repairs, or offer monetary reimbursement for the repairs.

3) The title company will send a Preliminary Title Report to both agents and the lender (within 7 days). Please review the report for any unknown liens or title problems, and provide a copy of the report to the Seller.

4) For residential property, each agent must fill out their own

\*AGENT VISUAL INSPECTION DISCLOSURE (C.A.R. form AVID)

5) If the property is in a Common Interest Development, you must provide the HOA documents and CC&R's to the Buyer. Usually, the escrow officer orders these reports (ask them about it), but if not, you can use:

\*HOMEOWNER ASSOCIATION INFORMATION REQUEST (C.A.R. form HOA)

6) You **MUST** send CAR form DLT to escrow, and request that they have the cooperating agents' broker sign and return it to you. This form is very important for tax purposes (when we are the listing brokerage, we must send a 1099 to all cooperating brokers). **Instruct escrow in writing (via email) NOT to release the cooperating agents' commission until CAR form DLT is completely filled out and received.**

7) You must receive the following documents from the buyer:

\*PREAPPROVAL LETTER FROM THE LENDER (within 7 days)

\*PROOF OF FUNDS FOR DOWN PAYMENT (within 7 days)

\*CONTINGENCY REMOVAL (C.A.R. form CR- within 17 days, or as otherwise agreed)

If the Buyer breeches the contract after the contingencies are removed, the Seller is typically entitled to all or part of the buyer's deposit, as liquidated damages.

8) You must prepare all other documents required on the applicable transaction checklist, and obtain the parties' signatures. The checklists for different types of transactions are available in our Document Library. You must ensure that the buyer receives all the necessary reports/disclosures, and obtain his/her signature on them. If any of the required documents are not signed by and received from the buyer, send the buyer a:

\*NOTICE TO BUYER TO PERFORM (C.A.R. form NBP)

If the buyer fails to perform the action by the date given in the NSP, you **may** cancel escrow, at the discretion of the Seller, by using:

\*CANCELLATION OF CONTRACT, RELEASE OF DEPOSIT AND JOINT ESCROW INSTRUCTIONS (C.A.R. form CC)

9) If, for any reason, the transaction process has been cancelled, you **must** use:

\*CANCELLATION OF CONTRACT, RELEASE OF DEPOSIT AND JOINT ESCROW INSTRUCTIONS (C.A.R. form CC)

You must upload the fully executed cancellation form to the RealtySync transaction file, AND use the "Send Broker Message" button to write a note for the Broker requesting that the transaction file be cancelled. Please include the reason for the cancellation. This must be done within 48 hours of cancellation. There are penalties for ignoring this requirement. Please review penalty information in our Commission Schedule (Addendum-1). The Broker will review the file and change the status to "Canceled", or may ask you for additional documents. **See Step 7 for detailed instructions on how to upload transaction documents and use the "Send Broker Message" feature.**

## Step 6: Closing Process

1) **A United Realty Group Broker must sign the commission distribution instructions.** Ask the escrow officer to prepare the instructions and send them to our office. The Broker will sign and upload a copy to the RealtySync transaction file. There is a penalty for signing the commission instructions yourself, in place of the Broker. Please review penalty information in our Commission Schedule (Addendum-1)



2) Make sure that the Seller is ready to vacate the property, based on the terms specified in the purchase contract. The moving process can be very challenging for the Seller. Provide as much support to your client as possible. Going the extra mile will help insure that your client is happy and satisfied with your service, which can be crucial to receiving future referrals.

3) You must receive the following document from the buyer's agent:  
**\*VERIFICATION OF PROPERTY CONDITION (C.A.R. form VP)**

4) Escrow>Title will provide the closing package for the Seller. The Seller must sign the deed, the estimated closing statement, and other closing documents. Help the Seller understand them.

5) Work with the buyer's agent to determine how you will transfer the keys, garage/gate opener, postal box key, etc., to the buyer.

6) It is a good idea to give your client a gift at closing. If possible, it is always a good idea to have your name and contact info on it, so they will think of you every time they see it.

## **Step 7: Organize and Submit the Transaction File for Broker Review**

To receive your commission, the complete transaction file must be uploaded to your RealtySync account. In addition to the documents required on the applicable transaction checklist, you must also upload any addendums, agreements, or pertinent documents executed between the parties. You may upload as many documents and forms as you want (not only those that are required). We recommend that you upload everything (including copies of e-mails) associated with this transaction. This way, you will not need to keep the transaction file somewhere else, and it will always be available for you on our website.

### **INSTRUCTIONS ON HOW TO UPLOAD A TRANSACTION FILE**

1) Using the correct Listing Agent Checklist (from our Document Library) to organize your file, scan and save all transaction file documents to your computer in PDF format. Rename each PDF document accordingly (Example: RPA, BIA-A, etc.) If you do not have scanner, you may use your fax machine for converting the documents to PDF format. See instructions by logging into the Agent Portal and clicking on "PDF Tools", then on "MongoFax".

2) Login to the Agent Portal (using provided Agent Portal login info), by going to [www.FullCommission.org](http://www.FullCommission.org), and clicking "Agent Login". Once you are in the Agent Portal, login to your RealtySync account (using provided RealtySync login info) by clicking on "RealtySync", under the Transaction Center. Upon logging into your RealtySync account, you will see a list of your current and closed transactions under "Brokerage Files". Find the applicable transaction, and click "view" to open it.

3) Once you are in the transaction file, you may begin uploading your transaction file documents. To do so, simply scroll down and locate the "Documents" tab on the right, then click on the "Drop Files Here" button. This will open a window which allows you to browse for the appropriate files on your computer. Once you locate the correct file on your computer, select it, click "open", and your upload will begin (if you are using Mozilla Firefox as your browser, you may upload multiple files at once by highlighting them on your computer, and dragging them to the "Drop Files Here" button. This will only work with Mozilla Firefox). If documents do not appear as soon as the upload is complete, you may need to refresh the page. After you upload your documents, click on them to verify that they uploaded correctly.

4) You may write notes for the Broker in the transaction file, by scrolling down to the bottom right corner of the page, and clicking on "New Journal Entry". For your legal protection, it is recommended that you make notes to document any pertinent item or event concerning the transaction process, by using the Journal Entry function. However, these notes are for informational purposes only, NOT for communication. If you have a general question, please contact Broker Support by phone or email.

5) Once you have verified that all required documents have been uploaded correctly to the transaction file, you may submit the transaction file for Broker review. To submit the file for review, click on the "Send Broker Message" button in the upper right corner of the page. This will open a window that allows you to enter and submit a message. By default, the subject line of the message will be the transaction number- **DO NOT CHANGE THE SUBJECT LINE**.



Please enter the following message: "Please submit file for Broker review", as well as the date escrow closed/is expected to close. You may also include other information for the Broker in your message. You may submit a completed transaction file for Broker review before the close of escrow. If your file is reviewed and approved prior to escrow closing, United Realty Group will send a demand to escrow instructing them to release the commission directly to you. Please allow United Realty Group two business days to review your file. We will release your commission, according to the "Salesperson Request for Commission Transfer" form, once your file is approved. Please remember to complete and upload the "Salesperson Request for Commission Transfer" form to the file. This form can be found in our Document Library.

**The Broker will review your file, and may request additional documents, or request that additional steps be taken to complete your file. You will receive an email request for these items, or an email stating that the file has been approved. If you are asked to take additional steps to complete your file, please submit the file again, once you are finished, by using the "Send Broker Message" button as described in Step 6, #5 above. You may submit the file for review twice for free. There is an additional fee for the third and each subsequent review thereafter. Please review penalty information in our Commission Schedule (Addendum-1).**

**The file will be approved once:**

- \*The file contains all documents required on the applicable transaction checklist.
- \*All documents are correctly filled out and legible. Documents that are not legible, or are missing required signatures, initials, or dates will not be accepted.
- \*All uploaded documents must be in PDF format. A single upload cannot exceed 5MB.

Once escrow distributes the checks, and the transaction is fully completed, the Broker will change the transaction status to **"Closed"**. Your transaction is now complete...congratulations!

**Please contact Broker Support by phone or email if you have any questions.**