

**DISCLOSURE OF REAL ESTATE AGENCY WITH CONSENT TO MULTIPLE REPRESENTATION**

1 **WISCONSIN LAW (WI. ADM. CODE §RL 24.07(8)) REQUIRES REAL ESTATE BROKERS TO DELIVER A COPY OF A WRITTEN**  
2 **AGENCY DISCLOSURE FORM TO YOU PRIOR TO PROVIDING YOU BROKERAGE SERVICES. BROKER IS ALSO REQUIRED**  
3 **BY LAW TO REQUEST YOU TO ACKNOWLEDGE RECEIPT OF A COPY OF THIS FORM BY INITIALING BELOW.**

4 This is a disclosure of the duties a real estate broker owes to all parties in a real estate transaction under Wisconsin  
5 law (see lines 51 to 69, page 2) and the duties owed to the broker's clients in the transaction (see 70 to 80, page 2). This form will  
6 also provide each party with an area to identify information the party would wish to keep confidential in the transaction (see lines 9  
7 to 24) and an area in which parties who are clients of brokers may approve or disapprove of multiple representation relationships  
8 (dual agency) (see lines 31 to 42).

**CONFIDENTIALITY NOTICE TO CLIENTS AND CUSTOMERS**

9 *A BROKER IS REQUIRED TO MAINTAIN THE CONFIDENTIALITY OF ALL INFORMATION GIVEN TO THE BROKER IN*  
10 *CONFIDENCE AND OF ALL INFORMATION OBTAINED BY THE BROKER THAT HE OR SHE KNOWS A REASONABLE PARTY*  
11 *WOULD WANT TO BE KEPT CONFIDENTIAL, UNLESS THE INFORMATION IS REQUIRED TO BE DISCLOSED BY LAW (SEE*  
12 *LINES 58 TO 63, PAGE 2). THE FOLLOWING INFORMATION IS REQUIRED TO BE DISCLOSED BY LAW:*

- 14 1) MATERIAL ADVERSE FACTS AS DEFINED IN SECTION 452.01(5g) OF THE WISCONSIN STATUTES (SEE PAGE 2).
- 15 2) ANY FACTS KNOWN BY THE BROKER THAT CONTRADICT ANY INFORMATION INCLUDED IN A WRITTEN  
16 INSPECTION REPORT ON THE PROPERTY OR REAL ESTATE THAT IS THE SUBJECT OF THE TRANSACTION.  
17 TO ENSURE THAT THE BROKER IS AWARE OF WHAT SPECIFIC INFORMATION YOU CONSIDER CONFIDENTIAL, YOU  
18 MAY LIST THAT INFORMATION IN THE SPACE BELOW THAT IS MARKED "CONFIDENTIAL INFORMATION". AT A LATER  
19 TIME, YOU MAY ALSO PROVIDE THE BROKER WITH OTHER WRITTEN NOTIFICATION OF WHAT INFORMATION YOU  
20 CONSIDER TO BE CONFIDENTIAL.

21 **CONFIDENTIAL INFORMATION: Urgency, Finances.**

**WAIVER OF CONFIDENTIALITY**

26 Identify information which you authorize Broker to disclose but which might otherwise be considered confidential, such as financial  
27 qualification information. The following information may be disclosed by Broker:

28 **NON-CONFIDENTIAL INFORMATION: Facts material to transaction.**

**CLIENT'S CONSENT TO MULTIPLE REPRESENTATION**

32 **[SKIP THIS SECTION WHEN PROVIDING THIS AGENCY DISCLOSURE TO A NON-CLIENT PARTY (CUSTOMER)]**

33 If broker has an agency agreement with more than one prospective party to the transaction, Broker may only continue to  
34 represent multiple parties to the transaction with the written consent of each client. In a multiple representation relationship (dual  
35 agency), the Broker will continue to provide the services agreed upon in the agency agreements entered into with each client.  
36 Broker will provide information and advice to all clients, but will not place the interests of any client ahead of the other. By initialing  
37 the consent to multiple representation below, the initialing clients indicate that they understand broker's duties to all parties to a  
38 transaction (see lines 51 to 69, page 2) and broker's duties to a client (see lines 70 to 80, page 2) and that they consent to a multiple  
39 representation relationship should one arise. CLIENT (DOES) (DOES NOT) Strike One CONSENT TO THE MULTIPLE  
40 REPRESENTATION DESCRIBED ABOVE:

41 \_\_\_\_\_  
42 Client's Initials

\_\_\_\_\_ Client's Initials

\_\_\_\_\_ Client's Initials

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.

43 **BY INITIALING AND DATING BELOW I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS DISCLOSURE (PAGES 1 and 2)**  
44 **AND THAT \_\_\_\_\_ .**

45 Badger MLS and Bill Lorge are working as:  Owner's Agent  Buyer's /Tenant's Agent  
46 Firm Name ▲ Sales Associate ▲

47 **INITIALING THIS FORM TO ACKNOWLEDGE RECEIPT CREATES NO CONTRACTUAL OR OTHER LEGAL OBLIGATIONS OF**  
48 **ANY KIND.**

49 \_\_\_\_\_  
50 Initials ▲ Date ▲ Print Name (optional) ▲ Initials ▲ Date ▲ Print Name (optional) ▲

- 52 Wisconsin Statute section 452.133(1) states that in providing brokerage services to a party to a transaction (including both  
53 clients and customers), a broker shall do all of the following:
- 54 (a) Provide brokerage services to all parties to the transaction honestly, fairly and in good faith.
  - 55 (b) Diligently exercise reasonable skill and care in providing brokerage services to all parties.
  - 56 (c) Disclose to each party all material adverse facts that the broker knows and that the party does not know or cannot discover  
57 through reasonably vigilant observation, unless the disclosure of a material adverse fact is prohibited by law.
  - 58 (d) Keep confidential any information given to the broker in confidence, or any information obtained by the broker that he or she  
59 knows a reasonable party would want to be kept confidential, unless the information must be disclosed under (c) or Wis.  
60 Stats. sec. 452.23 (information contradicting third party inspection or investigation reports) or is otherwise required by law to  
61 be disclosed or the party whose interests may be adversely affected by the disclosure specifically authorizes the disclosure  
62 of particular confidential information (see lines 25 to 30, page 1). A broker shall continue to keep the information confidential  
63 after the transaction is complete and after the broker is no longer providing brokerage services to the party.
  - 64 (e) Provide accurate information about market conditions that affect a transaction, to any party who requests the information,  
65 within a reasonable time of the party's request, unless disclosure of the information is prohibited by law.
  - 66 (f) Account for all property coming into the possession of a broker that belongs to any party within a reasonable time of  
67 receiving the property.
  - 68 (g) When negotiating on behalf of a party, present contract proposals in an objective and unbiased manner and disclose the  
69 advantages and disadvantages of the proposals.

**DUTIES TO A CLIENT**

- 71 Wisconsin Statute section 452.133(2) states that in addition to his or her duties under lines 51 to 69, a broker providing  
72 brokerage services to his or her client shall do all of the following:
- 73 (a) Loyal represent the client's interests by placing the client's interests ahead of the interests of any other party, unless loyalty  
74 to a client violates the broker's duties under lines 51 to 69 or Wis. Stats. sec. 452.137(2) (duties to all clients in multiple  
75 representation situations).
  - 76 (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  
77 or discoverable by the client through reasonably vigilant observation, except for confidential information (see lines 58 to 63)  
78 and other information, the disclosure of which is prohibited by law.
  - 79 (c) Fulfill any obligation required by the agency agreement, and any order of the client that is within the scope of the agency  
80 agreement, that are not inconsistent with another duty that the broker has under this chapter or any other law.

## Wisconsin Statutes

452.01 (1e) "Adverse fact" means any of the following:

- (a) A condition or occurrence that is generally recognized by a competent licensee as doing any of the following:
  1. Significantly and adversely affecting the value of the property.
  2. Significantly reducing the structural integrity of improvements to real estate.
  3. Presenting a significant health risk to occupants of the property.
- (b) Information that indicates that a party to a transaction is not able to or does not intend to meet his or her obligations under a contract or agreement made concerning the transaction.

452.01(5g) "Material adverse fact" means an adverse fact that a party indicates is of such significance, or that is generally recognized by a competent licensee as being of such significance to a reasonable party, that it affects or would affect the party's decision to enter into a contract or agreement concerning a transaction or affects or would affect the party's decision about the terms of such a contract or agreement.