

86-3-28. Buyer's or tenant's consent. ~~(a) Before negotiating directly with a buyer or tenant who has an agency agreement granting exclusive representation to another broker, any seller's or landlord's agent shall obtain the buyer's or tenant's signature on a "buyer's or tenant's consent to direct negotiation with seller's or landlord's agent" form approved by the commission on April 10, 1997, which is hereby adopted by reference.~~

~~(b) Before initiating a contract with a buyer who has an agency agreement granting exclusive representation to another broker, any transaction broker shall obtain the buyer's signature on a "buyer's consent to initiate a contract with a transaction broker engaged by a seller" form approved by the commission on September 10, 1997, which is hereby adopted by reference.~~ The commission's form titled "buyer's or tenant's consent to direct negotiation," as approved by the commission on April 18, 2017, is hereby adopted by reference. Each seller's agent, landlord's agent, or transaction broker shall ensure that this form is completed and signed by the buyer or the tenant before engaging in direct negotiations with that buyer or tenant.

~~(c) This regulation shall take effect on and after October 1, 1997. (Authorized by K.S.A. 1996 2017 Supp. 74-4202(b), as amended by 1997 H.B. 2264, Sec. 46; implementing K.S.A. 1996 2017 Supp. 58-30,103(e), as amended by H.B. 2264, Sec. 27; effective, T-86-10-1-97, Oct. 1, 1997; effective Oct. 24, 1997; amended P-_____.)~~

APPROVED

OCT 23 2017

ATTORNEY GENERAL

APPROVED

OCT 13 2017

DEPT. OF ADMINISTRATION

BUYER'S OR TENANT'S CONSENT TO DIRECT NEGOTIATION

Date:_____

Property Address:_____

Buyer or Tenant:_____

Licensee Involved In Direct Negotiations:_____

Brokerage Relationship Disclosure For Licensee Involved:

____ Seller's Agent _____ Landlord's Agent _____ Transaction Broker

Buyer or Tenant has an agency agreement or written transaction brokerage agreement granting an exclusive brokerage relationship to another broker. Nonetheless, Buyer or Tenant has requested direct negotiation with the seller's agent, landlord's agent, or transaction broker for the purchase or lease of the above property without the presence or counsel of their agent.

By signing this consent form, Buyer or Tenant acknowledges:

1. Buyer or Tenant may be liable for compensation under the terms of the agency agreement or written transaction brokerage agreement signed with the other broker.
2. Buyer or Tenant will be treated as a customer by the above named seller's agent, landlord's agent or transaction broker.
3. Buyer or Tenant will not be assisted in negotiations by the broker identified in the exclusive brokerage relationship agreement.

_____ Date

Buyer or Tenant

_____ Date

Buyer or Tenant