

Best Practice Tips For Real Estate Agents

1. **Be loyal to your client.** As the agent, you should focus on being loyal to your client and keeping your client's best interests ahead of those of any other party, including yourself.
2. **Listen to your client.** It is important to listen to your client and follow your client's instructions (unless, of course, your client is requesting that you do anything illegal or in contradiction with any contractual terms).
3. **Be honest.** In every real estate transaction, you must be honest. It is important to disclose *all* material facts, not only to your client, but also with the other real estate practitioners and his or her clients. Remember to disclose all pertinent facts that you know regarding the property and the transaction to *both* buyer and seller.
4. **Stay educated.** In order to provide the appropriate advice and assistance to your client, make sure that you maintain an adequate level of knowledge about real estate and your practice so that you can advise and guide your client through the process without harm.
5. **Confidentiality.** Keep confidential all information that you obtain from your client, their business, financial, or personal affairs, unless you are authorized to disclose. Even after a relationship with your client ends, it is important to remember that this information must still remain confidential.
6. **Refer to National Association of Realtors Code of Ethics for guidance.** If you are a member of the National Association of Realtors, refer to the Code of Ethics for reference and assistance in determining the standard of care owed to your client.
7. **Seller's Disclosure Form.** Do not complete the Seller's Disclosure Notice form for the seller. By allowing the seller to complete the form on his or her own, any misrepresentations in such form will be difficult to attribute to you or the broker.
8. **Additional documentation from seller.** Request that the seller document in writing that they have disclosed all facts or conditions that materially affect the value of a property, including repairs made to the property, which are not readily observable and not known by purchaser.
9. **Referrals.** If a client asks for other real estate professionals (*i.e.* inspectors, appraisers, mold remediation, contractors), provide multiple options. It would be best to provide these options in writing with limiting language, such as:

- a. My prior clients have used these four companies / people.
- b. You should not feel obligated to use any of them.
- c. You should investigate on your own.

Don't say: I recommend you use Bob Jones of ABC Inspectors.

10. **Representations of the Property**. Be mindful of the Multiple Listing Service ("MLS") listing and the description of the property to ensure that there are no mistakes or "puffing" in the description.

Texas Specific Helpful Websites for Future References and Guidance:

Serving as an intermediary between parties to a real estate transaction in Texas:

1. <https://www.trec.texas.gov/article/intermediary-%E2%80%93-did-you-know>

Texas Real Estate Commission

2. <https://www.trec.texas.gov/>
3. <https://www.texasrealestate.com/members/legal-and-ethics/resources/legal-faq/professional-standards/>
4. <https://www.trec.texas.gov/public/frequently-asked-questions>

2021 Code of Ethics and Standards of Practice

5. <https://www.nar.realtor/about-nar/governing-documents/code-of-ethics/2021-code-of-ethics-standards-of-practice>

The Texas Real Estate Act (TRELA)

6. <https://statutes.capitol.texas.gov/Docs/OC/htm/OC.1101.htm>