

You've Got a "BUYER"—now what?

- Did you/they make contact via internet, text or a phone call?
- What do they need at this point in time?
- Work on motivation and time frame. Ask the who, what, when, where, why questions—you get better information than the “yes or no” questions.
- Do they have a home to sell?
- Are you renting? When is your lease up?
- Have they talked to a lender? If yes, are they pre-approved?
- Try to set up an appointment for them to come to the office to meet.
- If you have a mailing address, send them a handwritten note. Otherwise, email or text.

Meet in the Office

1. Reconfirm the day before
2. Prepare a folder/binder/Opportunities room for them for your use
3. Review Consumer Notice—get it signed.
4. Prepare a folder for them to take away
 - a. Consumer Notice
 - b. Buyer Agency contract
 - c. Your info/resume etc.
 - d. Buyers Financial Information
 - e. Consumers Guide to the Agreement of Sale
5. If they have a pre-approval, ask for a copy—with them? Email?
6. Discuss their expectations, criteria
7. Set up first appointment to see houses
8. What is their preferred method of communication?
9. Share your KW app with them.

Showings

1. Create an auto email in the MLS with their criteria. Will you send it directly to them or will you review it first?
2. Ask them what houses they'd like to see
3. What have they already seen? How? Open House? Another agent?
4. Decide order of houses to see
5. Will you meet them or put them in your car?
6. You should print out Agent Full so you have information and can take notes on each property for yourself.
7. Have information on each property for them as well.
8. How many houses would they like to see each time you go out?
9. Are they available on short notice? At lunch time? Early evening (especially in summer)?
10. Will anyone else be involved in the decision making? If so, who? Will they also go to see all properties?

We Found It! Let's Make an Offer!

1. Let your coach know. Send him/her a copy of Agreement to review or discuss it.
2. You need to make sure the house is still available. Call the listing agent.
3. Look at documents uploaded to MLS for the property if you haven't already.
 - a. Sellers Disclosure
 - b. Lead Paint
 - c. Previous inspections?
 - d. Other
 - e. Is there a Home Warranty offered in remarks in MLS?
4. Ask the agent if there are any offers at the moment or expected. Remember, the Code of Ethics says the listing agent answers as directed by the seller. If the seller says they can answer, then there are other questions to ask:
 - a. If yes, thanks for letting me know. Is that offer/any of the offers from one of your buyers? From someone in your office/company?
 - b. If the answer to either question in A is yes, then you need to ask who will be presenting the offers? Is there a Dual Agency policy in their office? You don't want the listing agent presenting offers if they have their own buyer. Maybe the manager will?

Please remember that you need the answers to questions but if you ask in a friendly manner you should get friendly answers. If there is a dual/variable commission indicated in the MLS then you need to ask what it is. The listing agent must answer so that your buyer can formulate their offer so that the "bottom line" is equal. Dual/variable means that if they sell it "in house" the commission is less to the seller which is a definite financial advantage.
5. Is the seller in town? Readily available?
6. What are they looking for in a settlement date?
7. If there are multiple offers ask, "How has the seller decided to handle multiple offers?" Price Escalation Addendum? Just negotiate it out?
8. Write your offer online in Command. If buyers don't use email you'll need paper copies.
9. Provide the following to listing agent – ASK AGENT TO CONFIRM RECEIPT!
 - a. Signed Agreement of Sale
 - b. Copy of Deposit Check
 - c. Signed Sellers Disclosure
 - d. BFI
 - e. Pre-approval letter
 - f. Other (price escalation addendum, lead paint?)
10. Buyers need an estimate of Closing Costs before signing the Agreement. You can use Bright MLS to do that. Get them to sign a copy. Upload that to Opportunities/Command.
11. You will need a Deposit Money Notice for properties listed by another broker. For your file only, not needed by listing agent.

Negotiations

1. Seller has these options:
 - a. Accept
 - b. Counter
 - c. Reject
 - d. Sell to another buyer
2. Be open to negotiations.
3. Both sides will have things they “will” and “won’t do”
4. Communicate as quickly as possible with your buyer and the listing agent.
5. Please and thank you go a long way.
6. Be calm. Take your time. Silence is ok.
7. Once everyone has agreed you make changes to the Agreement, have it initialed and dated by the buyer/s and sent to listing agent for sellers’ signatures.

Your Buyer is UNDER CONTRACT – important items!

1. In Opportunities in Command, create the opportunity if you haven’t. If you have an opportunity and a transaction room created in DocuSign, then go to the Offers tab and create the offer in Opportunities. Then you can submit your commission information on the commissions tab (which should automatically be filled out – *this is the Greensheet Replacement*)
2. Also send copies of the AOS to:
 - a. Lender
 - b. Title Company.
 - i. The AOS says the buyer has 7 days to order title. You can change that time frame but keep in mind the time you have for settlement. Fast settlements will be the ones where title order shouldn’t wait.
 - ii. You actually let title know that your buyer is under contract—see below-3.
3. Title Company needs the ABA form which lists cost of title insurance and gives (FLT – CHESCO OR DEVON) Abstract permission to order it. You can email it.
4. Do you have the Calculator for the ABA—it’s an Excel file and will figure out the fees for title insurance. If you don’t have it email me and I’ll send it to you or ask Devon Abstract for it.
5. Create a time line so you can fill in all important dates.
6. Deposits—when due? Will they buyer need a certified check? (less than 30 days prior to settlement). Make sure you make a copy and upload this to your Docusign Room.
7. Schedule inspections. Give buyer 2-3 names of inspection companies and have them call to check on fees, types of inspections they can do, dates they are available. Need to coordinate inspections with the listing agent who will check with seller. Ask listing agent when you are first under contract if there are any times or days when an inspection would be difficult to schedule.
8. Tell buyer to call lender to see if there’s anything they need to do now.
9. Buyer also needs to make contact with an insurance company—especially if it’s one of the things elected under inspections.
10. **Inspections are completed.** The first document you use is the BRI—Buyer’s Reply to Inspections. This is the way the buyer tells the seller what they’d like them to do—fix, credit etc. Only the buyer signs it. Due by last day of the inspection time frame along with ALL inspection reports. Buyer must provide all reports to the seller even if there are no issues. Then the buyer and seller and their agents have 5 days to “negotiate” what will be fixed, credited etc. Once you have a decision, then you do a Change in Terms (CTA) addendum which buyer and seller both sign by the end of the 5 days. If no agreement is reached, the buyer has 2 days to decide to terminate or buy it as is. If they decide to terminate you need the Termination (TER) and release (REL) forms. They are both on one sheet of paper. The termination is only signed by the buyer. It identifies the part of the Agreement that the buyer is using to terminate. The Release is signed by both buyer and seller.

11. If a buyer terminates you need to notify the lender and the title company. Put TER and REL in Opportunities in Command. You could add—terminated—at end of address for clarity.
 - a. If you are still working with the buyer you can:
 - i. Keep the opportunity but update the information in the Opportunity for a new transaction/when it goes under contract again.
 - ii. Mark the Opportunity as a “Lost Opportunity”, this will then be archived from your sales pipeline, and then create a new opportunity with the same contact.
 - b. If you are no longer working with the buyer, you would go into the Opportunity and mark it as a “Lost Opportunity” to archive it from your sales pipeline.
12. Mortgage “commitment” date is in Paragraph 8. You should be in touch with the lender to see how things are going. Specifically, the appraisal. When will the appraiser go out? Are there any documents that the lender needs—from you or the buyer? Remember, all addenda must be provided to the lender.
 - a. The listing agent may contact you about the appraisal. They are usually just trying to make sure the deal “stays together”. You can check with your buyer’s lender. Sometimes the listing agent will call as the appraiser is “pulling out of the driveway” □ so understand it may take a couple days for the lender to have any information. Generally you’ll hear sooner if there’s an issue with value. □ Just let the listing agent know you’ll be in touch as soon as you know something.
13. If there is a Homeowners Association (HOA) the seller should have ordered the documents. The HOA/Management Company has 10 days to provide them. The listing agent may email them to you or if they come in paper form give them to you. You then get them to the buyer.

Please have buyers sign a Receipt of Documents (ROD) once you get the information to them. Sometimes the listing agent will send one along with the HOA Docs. If not, send to listing agent. Buyers have 5 days from the date of receipt to review and if there’s anything they don’t like they have the option to terminate. Please encourage them to read the documents and ask questions of the HOA ASAP. If they’re going to live there, they need to ask. Contact numbers are provided in the documents. There are also financial statements which show money in reserve, expenses etc. Encourage them to read them.

There is an important document you should pull out for settlement—the 5407 (HOA) or 3407 (condominium) form with instructions for the title company. Very important that you send to the title company. If the documents come electronically just download, if paper, make a copy, scan and upload to your loop then share with the title company. Good idea to take one with you to settlement. Always a good idea to look at the documents. You learn a lot about different HOAs and what each one does, rules etc.

14. Mortgage “commitment” comes from lender. May go to your buyer who should share with you. They can also authorize lender to share with you. Send it to the listing agent BUT review it first to see if there’s anything that needs to be removed or updated. Check in Paragraph 8. If there’s something that you wonder about call the lender. Borrowers don’t know what to look for but you should. Lenders will always answer questions. Sometimes the person sending the commitment isn’t the loan officer and they might overlook something. Watch dates in your timeline. Good idea to put those dates on your calendar. PS, you won’t know the appraisal number but your buyer should get a copy of the appraisal from the lender once it’s done. The seller might be curious but has no right to see the appraisal. It says so in the Agreement of sale. Paragraph 12 (A) 5 to be specific.
15. All paperwork is done on your side. Inspections done. BRI and CTA done. NOW you need to go to your Transaction Room in DocuSign through the Opportunities section of Command. If there are any that are blank or not signed—ARCHIVE them. Please clean up now so you aren’t confused later and our MCA doesn’t need to waste time on documents that weren’t used.
16. Mortgage Commitment received. Insurance ordered. Title report. Once you get it from the title company send a copy to the listing agent. Please read it and if you see something that looks “odd” ask the title company.

17. What about repairs? Does seller need to complete any prior to settlement? Are they providing paid receipts? Check your time line.
18. Buyer is entitled to 2 pre-settlement inspections. This allows buyer the opportunity to check on repairs before settlement. Was the repairs such that the inspector could/should come back to check? This would need to have been decided at time of inspection. Might be a charge.
19. Last pre-settlement inspection. Need to coordinate with listing agent as well. Preferable to do the morning of settlement if time permits. Could be done night before if seller has moved out.
20. Lockbox removal. It's very nice to tell the listing agent that you would bring the lockbox to settlement if they give you the shackle code etc. Sometimes listing agent will meet you there. Sometimes the lockbox was removed earlier and they need to put one on again.
21. Settlement. Verify the commission on the settlement sheet. Ask questions if not what is expected. Ask for a marked up title. Some title companies will automatically give you one. You need to ask others. Buyer will get a couple copies of the ALTA or HUD (cash) and so will you. Upload the settlement sheet and the marked up title to Opportunities.
22. All closing documents are uploaded to the Transaction Room in DocuSign.
23. Do a closed sale sheet and put the check and the sheet in MCA's mailbox.

2 Pre-Settlement Walkthroughs

1. First could be a week or 10 days prior to settlement to see that repairs have been made. If there's going to be a change in terms—a seller assist to cover what wasn't done, price change—all of that needs time for the lender to process. TELL THEM.
2. Second is day of settlement or could be night before. Day of is usually better. Is seller moved out, house "broom clean", all personal property gone, inclusions left, exclusions taken?

Settlement

1. Buyer's choice of time and place made when date and time verified with title company.
2. Make sure buyer has check and that it's made out correctly.
3. Buyer needs proof of insurance
4. Bring driver's licenses
5. Bring personal check in case. Check with title company as to how large a personal check they would take.
6. Lender does explanation of loan documents.
7. If Lender doesn't attend then title person does them.
8. Remember to ask for a marked up title to take with you.
9. Bring back check/s
10. Checks and a closing checklist go to Andrea
11. Process closing in Command

Follow Up

1. The most important thing you'll do!
2. Use Command to do a lot of it for you.
3. Call them! How's the new house? Anything you need?
4. Call them regularly to see how you can help them—come from contribution.

Any time you have a question, ask. All your documents should be reviewed by transaction coach, before your buyer signs them. "Tweaking" only takes a few minutes and always makes you look good.

