



**Alabama Real Estate Commission**  
Empowering | Connecting | Educating  
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## **BRIEFLY LEGAL AND COMMISSION NOTE**

### **Presenting Offers and Meeting Minutes**

November 6, 2018

*The Commission will be sending out our new “Briefly Legal and Commission Note” email at a minimum of once a month to share legal tidbits and Commission information. The format below will be used for each. There will be a License Law question and answer and then a Commission note to share information about Commission business you will find helpful. If you have a License Law question or topic you would like addressed, please send it to [mandy.lynn@arec.alabama.gov](mailto:mandy.lynn@arec.alabama.gov).*

#### **TODAY’S QUESTION**

Once you have a contract on a property, how long must you continue presenting additional offers to the seller?

#### **THE ANSWER**

Section 34-27-84(a)(5) of the License Law states, “**(a) Licensees shall have all of the following obligations to all parties in a real estate transaction: (5) When assisting a party in the negotiation of a real estate transaction, to present all written offers in a timely and truthful manner.**” It does not say you can stop whenever you choose. Therefore, all written offers that you sometimes call back up offers, must be presented until the transaction has been completed or in other words until closing.

All obligations that licensees owe to consumers in a real estate transaction as stated in Section 34-27-84, also appear on the Real Estate Brokerage Services Disclosure form as required by RECAD. As a reminder, this form must be given to consumers for their signature and kept in the company files for a minimum of three years.

#### **COMMISSION NOTE**

If you want to read about Commission meetings, the minutes are posted online after they are adopted. Go to [arec.alabama.gov](http://arec.alabama.gov), click on “Commission” at the top of the page to get the drop-down menu, and then click on “Meeting Minutes.” Select the meeting you would like to read about. All meetings are open meetings and the minutes are posted whether they are the regular Commission meetings or special meetings. For example, the Commission’s Strategic Planning Meeting was August 23, 2018 and the regular Commission meeting was August 24, 2018. You will see minutes for each of those meetings