

David Stafford, Auctioneer/Broker  
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AR Lic #372



**REAL ESTATE AUCTION  
MARKETING SPECIALIST**

## **BUYERS AGENT PARTICIPATION AGREEMENT**

### **TERMS AND CONDITIONS FOR COMMISSIONS PAID TO PARTICIPATING BUYER'S AGENTS**

Auctioneer agrees to compensate Buyer's Agent 20% of the commission realized (commission less advertising expenses) when that Agent's prospect **pays and settles for the property/ies.**

#### **To qualify, Buyer's Agent MUST:**

1. Register by completing the attached Affidavit of Registration and it must be received by Stafford Auction & Realty before any inspection by the prospect at least 48 hours prior to the Auction.
  2. Inspect the premises with the prospect and sign in with the prospect during a scheduled Open House.
  3. Attend Auction and bid for or with the prospect.
- No Agent will be recognized on a prospect who has contacted or been contacted by Seller or Seller's Agent.
  - No Agent will be recognized on a prospect who has attended an Open House prior to the Realtor completing #1 as listed above.
  - No Agent will be recognized on a prospect who has called our office about this specific auction prior to the Realtor completing #1 as listed above.
  - No Agent will be recognized on a prospect that is on Stafford Auction & Realty's mailing list.
  - No oral registration will be accepted.
  - **No exceptions to the above conditions** - Due to the participation of many brokers at our auctions, it is important that you register your client correctly as outlined herein and as soon as possible so that there will be no errors in determining Agent's eligibility in receiving commission for the property being sold.

**Conduct of the Auction:** Each property is being sold **as is, where is.** Buyer is encouraged to inspect and utilize expert inspection prior to the auction. Conduct of the auction and increments of the bidding are at the direction and discretion of the Auctioneer. Seller and Auctioneer reserve the right to refuse admittance or expel anyone from the Auction for any reason, including but not limited to interference with auction activities, creating a nuisance, canvassing or soliciting.

Announcements made day of sale take precedence over printed matter. If Agent's client is the successful bidder, they must sign the Stafford Auction & Realty purchase agreement and deposit the earnest money immediately in the Broker's trust account.

Stafford Auction & Realty shall provide completed Agency Disclosure Form prior to the commencement of the auction. Buyer Agent/Broker shall hold harmless and indemnify Stafford Auction & Realty as agents of the Seller, and the Seller from any and all claims, costs or expenses, including reasonable attorney fees, which may arise out of any actions or inactions or representations made by Buyer Agent/Broker in connection with the sale of this property.

**Please Note: If a cooperating Broker has not met all of these requirements, no commission will be paid to the cooperating broker, even if the cooperating Broker's prospect purchases the property.**

**AFFIDAVIT OF REGISTRATION FOR PURCHASER AND BUYERS AGENT**

(AFFIDAVIT MUST BE RECEIVED BY AUCTION COMPANY AT LEAST 48 HOURS PRIOR TO THE AUCTION)

**The undersigned hereby certifies and agrees to all of the terms and conditions as listed on the previous page and on this page:**

Commissions will be paid to Buyer’s Agent at completed closing, on property described as:

\_\_\_\_\_ to be offered at Auction on \_\_\_\_/\_\_\_\_/\_\_\_\_

1. Commission paid to Buyer’s Agent whose client is primary buyer, purchasing day of the Auction.
2. Buyer’s Agent and Buyer, by placing their signatures below, certify that they have inspected the premises of the subject property.
3. Buyer’s Agent and Buyer hereby attest the Buyer’s Agent is serving only as an Agent for the Buyer.
4. Buyer hereby acknowledges that Stafford Auction & Realty is acting solely as an agent representing the seller.
5. Buyer’s Agent agrees to attend Auction and bid for or with the prospect and attend the closing with the buyer.
6. Buyer and Buyer’s Agent agrees to all the terms and conditions set out in the preceding page of this document as well as this page.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Buyer’s Agent

\_\_\_\_\_  
Buyer’s Agent Address

\_\_\_\_\_  
Real Estate License Number

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Federal Tax Identification Number

\_\_\_\_\_  
Telephone number

\_\_\_\_\_  
Buyer

\_\_\_\_\_  
Buyer’s Agent’s Signature

\_\_\_\_\_  
Buyer’s Signature

\_\_\_\_\_  
David Stafford, CAI AARE Auctioneer  
Stafford Auction & Realty