



Working With Real Estate Agents Disclosure for lease transactions

Release Date: 12/16/2021

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QUESTION: I am aware that the Real Estate Commission recently revamped the *Working With Real Estate Agents Disclosure* that must be given to buyers and sellers. For many years, I have used a slightly different version of that form designed to be given to landlords and tenants in lease transactions. It is in the commercial forms section of the NC REALTORS® forms library as Form 521. My question is, does NCR have plans to update Form 521 so that it looks like the new version of the Commission's *WWREA Disclosure*?

ANSWER: Yes. In fact, it's been done already! At the recommendation of the RCA Forms Committee, new versions of Form 521 were approved by the NCR Executive Committee on December 9th. Closely tracking the new format of the Commission's *WWREA Disclosure*, there is a one-page version for landlords and a separate one-page version for tenants. Both are numbered as Form 521 and are available for use now.

As a reminder, Real Estate Commission Rule 58A.0104 requires use of its *WWREA Disclosure* form in sales transactions only. Thus, use of new Form 521 in residential and commercial lease transactions is not mandatory. However, Form 521 may be used by REALTORS® acting as landlord or tenant representatives to disclose to a landlord or tenant the different agency relationships that are available, and to fulfill their ethical duty to disclose in writing their relationship with the landlord or tenant, as the case may be, to the other party.

NOTE: Rule 58A.0104 mandates use of its *WWREA Disclosure* form in all sales transactions. Therefore, the seller and buyer versions of the form are available in the commercial forms as Form 520, as well as in the residential forms as Form 161 (for sellers) and Form 261 (for buyers). In addition, the Commission transformed the old *WWREA* publication into a Q&A on working with real estate agents. Identical versions of the new Q&A may also be found in the NCR forms library as Form 161b, Form 261b, and Form 520b. The Q&A is NOT a mandatory form but may be a valuable resource for buyers, sellers, landlords and tenants who have questions about agency relationships in real estate transactions.

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