

COMPANY POLICY FOR BROKERAGE

KTD, LLC d/b/a Homeshake

Adopted pursuant to ORC 4735.54 & OAC 1301:5-6-03

SECTION A: GENERAL POLICY ON AGENCY

- 1) It is the policy of Homeshake to represent both buyers and sellers, exclusively as a dual agent.
- 2) When a seller uses Homeshake, all agents in the brokerage are appointed to represent that seller.
- 3) When a buyer uses Homeshake, all agents in the brokerage are appointed to represent that buyer.
- 4) When a buyer using Homeshake wants to buy property from a seller using Homeshake, dual agency occurs. This is true regardless of whether one agent represents both parties or two separate agents are involved. This is because all Homeshake agents are bound to the agency relationships permitted under our policy. Buyers and sellers must sign an Agency Disclosure Statement that describes the duties and obligations of the dual agent. A dual agent may not disclose any confidential information that would place one party at an advantage over the other party and may not disclose any of the following information without the informed consent of the party to whom the information pertains: 1) that a buyer is willing to pay more than the price offered; 2) that a seller is willing to accept less than the asking price; 3) motivating factors of either party for buying or selling; or 4) that a party will agree to financing terms other than those offered.

SECTION B: PRINCIPAL BROKER AND MANAGEMENT-LEVEL POSITIONS

The following position(s) in the brokerage are designated as principal broker level:

Chief Executive Officer

The following position(s) in the brokerage are designated as management level:

Chief Executive Officer

SECTION C: APPOINTMENT OF LICENSEES

The Homeshake terms of service, which is acknowledged by all users of Homeshake, contains language that appoints all agents in the brokerage to represent our clients. Thus, no further appointment is necessary.

SECTION D: WORKING WITH RELATIVES, BUSINESS ASSOCIATES, ETC.

1) If a person with whom a Homeshake agent has a personal, family or business relationship uses Homeshake to sell property and a buyer using Homeshake wants to buy this property, dual agency occurs. The nature of this relationship with the seller must be disclosed to the buyer before the buyer consents to dual agency and the relationship must be disclosed on the Agency Disclosure Statement.

2) If a person with whom a Homeshake agent has a personal, family or business relationship uses Homeshake to buy property and a seller using Homeshake wants to sell a property to this buyer, dual agency occurs. The nature of this relationship with the buyer must be disclosed to the seller before the seller consents to dual agency and the relationship must be disclosed on the Agency Disclosure Statement.

SECTION E: AGENTS BUYING OR SELLING THEIR OWN PROPERTY

1) Homeshake agents selling their own property may use Homeshake, but shall not participate in any transaction for their property other than as the seller and an agency relationship shall not be created between the selling Homeshake agent and any buyer of their property. A selling Homeshake agent shall prominently display on any relevant property profile the fact that the seller is a licensed agent with Homeshake and the Agency Disclosure Statement shall be completed to disclose this fact as well.

2) Homeshake agents buying property for themselves may also use Homeshake, but shall not participate in any transaction for a property other than as the buyer and an agency relationship shall not be created between the buying Homeshake agent and any seller of a property. A buying Homeshake agent shall disclose to a seller, prior to making an offer, the fact that the buyer is a licensed agent with Homeshake and the Agency Disclosure Statement shall be completed to disclose this fact as well.

SECTION F: CONFIDENTIAL INFORMATION

1) Because all Homeshake licensees represent all buyers and sellers of the brokerage, all agents act as dual agents on all in-company transactions. Therefore, all information, including confidential information, can be shared within the office. All Homeshake licensees, however, must keep such information confidential from other clients and cannot disclose it or use it to benefit one party.

2) For this reason, it is not necessary to establish procedures to protect confidential information within the office.

3) Agents shall not share confidential information regarding their clients on any internet websites, including social networking sites and blogs, unless the client specifically permits such disclosure.

SECTION G: DUAL AGENCY

- 1) Because Homeshake acts exclusively as a dual agent, both the buyer and seller must agree to such dual agency and consent in writing.
- 2) Homeshake shall disclose to buyers and sellers all relevant information necessary for them to make an informed decision about whether to consent to the dual agency. This would include, but not be limited to, the nature of the relationship an agent may have with a party to the transaction, which must be disclosed on the Agency Disclosure Statement. If this information later changes, the change must be provided in writing to the parties as soon as possible and the parties must be given an opportunity to revoke their consent to the dual agency.
- 3) In the event a party refuses to consent to the dual agency, the refusing party can seek representation from another brokerage, but will not be permitted to use Homeshake.

SECTION H: CHANGING AGENCY RELATIONSHIPS

Because Homeshake acts exclusively as a dual agent, it is not necessary to establish procedures for changing agency relationships.

SECTION I: POLICY ON COOPERATION AND COMPENSATION

Because Homeshake acts exclusively as a dual agent, Homeshake does not cooperate with and does not offer compensation to other agents or brokerages not affiliated with Homeshake.

SECTION J: ACKNOWLEDGEMENT OF RECEIPT

Every employee, independent contractor, and affiliated licensee of Homeshake must be provided and document receipt of this Company Policy for Brokerage. By signing below, you acknowledge receipt of this Company Policy for Brokerage and agree to adhere to these policies.

Licensee/Employee

Date