

What Agents need to know regarding new form requirements with Buyers

BRBC – Buyer Representation and Broker Compensation Agreement [formerly BRE] – Encouraged, but not Required.

▶ Agreement between Buyer & Broker detailing each parties responsibilities and Buyer’s Agent compensation.

BTA – Buyer Transactional Advisory (bundled with BRBC) – Required even if not using the BRBC Agreement.

▶ Explains Buyer’s and Buyer’s Agent’s responsibilities.

ABCD – Anticipated Broker Compensation Disclosure [3 sections] – Required if using a BRBC. Otherwise Recommended

▶ Top section is signed by Buyer & Buyers’ Agent – indicates that Buyer has been advised of anticipated Buyer’s Broker compensation.

CALIFORNIA ASSOCIATION OF REALTORS®

ANTICIPATED BROKER COMPENSATION DISCLOSURE
(C.A.R. Form ABCD, 12/22)

_____ (“Buyer’s Broker”)
is a real estate licensee providing services to _____ (“Buyer”).
Broker anticipates receiving compensation from Seller or Seller’s Broker or Other _____
if Buyer purchases any property identified below.

Compensation will be paid pursuant to a Multiple Listing Service (MLS) offer, a Cooperating Broker Compensation Agreement (C.A.R. Form CBC) or other “Source” specified in the column below. Buyer is aware that any commission paid by Seller, directly or indirectly through Seller’s broker, affects the Seller’s total costs and expenses for the transaction and may impact the price Seller is willing to accept. **If, for a specified Property, Broker has provided Buyer with a copy of a document from the MLS that identifies the compensation offered to a cooperating broker for a listed property, that property may but does not have to be listed below. Broker, independently or through Escrow, will disclose the final compensation Broker receives from anyone other than Buyer.**

Buyer’s Brokerage Firm _____ DRE Lic # _____
By _____ DRE Lic # _____ Date _____

Buyer acknowledges that Buyer has read, understands, and received a Copy of this Anticipated Broker Compensation Disclosure. By initialing in the box below, Buyer acknowledges being advised of the Broker’s anticipated compensation for the property identified.

Buyer _____ Date _____
Buyer _____ Date _____

Agent →

Buyer →

ABCD – Anticipated Broker Compensation Disclosure – Required if using the BRBC. Otherwise Recommended. Otherwise, Use Offer Property MLS Data Sheet [Client version] – see instructions below.

Middle “grid” section – to be filled out during “showing process” for “Properties Shown” if paragraph BRBC paragraph 4.F is checked & “Offer Property” if using the BRBC. Otherwise Recommended.

Fill out for “Shown” Properties and the “Offer” Property. If this section is used, then you don’t need Buyer to sign MLS Data Sheet(s).

THIS SECTION TO BE FILLED OUT WHEN THE PROPERTY IS BEING SHOWN OR WHEN AN OFFER IS BEING MADE.

Buyer Initials	Property Address:	Date: First shown Or offer made	Compensation Offered:	Source:
____ / ____	_____	____ / ____ / ____	_____% of Price OR \$ _____	<input type="checkbox"/> MLS <input type="checkbox"/> CBC <input type="checkbox"/> _____
____ / ____	_____	____ / ____ / ____	_____% of Price OR \$ _____	<input type="checkbox"/> MLS <input type="checkbox"/> CBC <input type="checkbox"/> _____
____ / ____	_____	____ / ____ / ____	_____% of Price OR \$ _____	<input type="checkbox"/> MLS <input type="checkbox"/> CBC <input type="checkbox"/> _____

1. Buyer initials each line.
2. Each Property listed.
3. Date of showing.
4. Compensation offered.
5. Source of information.

Bottom section of ABCD form is to be completed at Close of Escrow. Required if using the BRBC. Otherwise Recommended.

Agent completes this section and signs. Buyer initials at bottom right. Buyer also to sign MLS Data Sheet “Client” version for “Offer” Property with Buyer’s Broker Compensation added.

THIS SECTION TO BE COMPLETED UPON CLOSE OF ESCROW WHEN THE FINAL COMPENSATION IS DETERMINED.

FINAL COMPENSATION FROM PERSONS OTHER THAN BUYER: Buyer’s Broker has received compensation for Buyer’s purchase of property located at _____ as follows:

(1) From Seller’s broker in the amount of \$ _____; and, if applicable,
 (2) from _____ in the amount of \$ _____.

Buyer’s Brokerage (Firm) _____ DRE Lic# _____

By: _____ DRE Lic# _____ Date _____
 By: _____ DRE Lic# _____ Date _____

(Buyer’s initials below are not required but can be used as evidence that Buyer has been notified of the final compensation.)

Buyer’s initials ____ / ____

← Buyer’s Agent

← Buyer

➔ An Alternative to using the ABCD – Use MLS Data Sheet [Client version] for “Offer Property” with Buyer’s Broker Compensation added [% or \$ amount] – Buyer signs next to initialed addition.

What Agents need to know regarding new form requirements with Buyers

Encouraged → **1. BRBC Buyer Representation and Broker Compensation and related forms.**

- COBR - Cancellation of Broker Representation [BRBC 4.C]
- NBIP - Notice of Broker Involved Properties [Properties with right of compensation under “safety” clause BRBC 4.E]
- SPBB - Seller Payment to Buyer’s Broker [Only used with BRBC and RPA 3.G is checked.] Buyer requests Seller to pay the difference if BRBC 4.A (1) commission is less than amount offered by Listing Broker on MLS Data Sheet.

G(3)	18	<input type="checkbox"/> Seller agrees to pay the obligation of Buyer to compensate Buyer’s Broker under a separate agreement (C.A.R. Form SPBB attached), Seller’s Broker’s offer, if any, to compensate Buyer’s Broker is unaffected unless Otherwise Agreed.
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Required / Recommended → **2. ABCD – Anticipated Broker Compensation Disclosure – Required with BRBC. Otherwise Recommended.**

- Top section is signed by Buyer & Buyers’ Agent** – indicates that Buyer has been advised of anticipated Buyer’s Broker compensation.
- Middle “grid” section** – to be filled out for “Properties Shown” if BRBC 4.F is checked & for “Offer Property” if BRBC used.
- Bottom section of ABCD form is required to be completed at Close of Escrow if using the BRBC.**
- MLS Data Sheet “Client” version – Required** – Buyer signs receipt of “Offer Property” MLS Data Sheet with Broker Compensation added.

Required → **3. BUYER – BTA Buyer Transactional Advisory – with all Buyers even if not using BRBC.**

Required if → **4. BUYER – NCOA Non-Contingent Offer Advisory – Required if Buyer removes any contingencies with Offer.**

Required → **5. BUYER – MCA Market Conditions Advisory – will continue to be required with all Buyers.**

Required if → **6. BUYER – SOLAR Solar Advisory & Questionnaire – Required if Solar Panels applicable.**