



MULTIPLE OFFER DISCLOSURE TO SELLER



This Multiple Offer Disclosure to Seller is provided by \_\_\_\_\_ (the "Brokerage") to: \_\_\_\_\_ ("Seller") regarding the property located at: \_\_\_\_\_ (the "Property")

Brokerage has received more than one written offer to purchase ("Multiple Offers"). Brokerage may not disclose the existence of any offer, including the existence of multiple offers, without Seller's consent. Seller acknowledges the right to deal with Multiple Offers in any manner Seller feels appropriate. Seller should consider all terms of each offer prior to deciding how to proceed. What follows is an explanation regarding the most common methods of dealing with Multiple Offers. It is important that Seller discusses all possible options and instructs Brokerage how to respond.

1. Accept One Offer and Reject all Others. Seller may elect to accept one of the Multiple Offers presented and reject all other offers. Should Seller choose this option, Seller should fully execute the Contract and return the Contract to the buyer for ratification.

NOTE: Seller should consider that if the buyer fails to close for any reason, the other buyers may no longer be interested in the property. It is also possible that the buyer may have been willing to improve their offer had they known there were other offers.

2. Counter One of the Offers and Reject the Others. Seller may look at each of the Multiple Offers and decide to counter only one of the offers. In such instance, Seller may counter that offer and then reject the other offers immediately or not respond to the other offers while negotiating with the one offer. Seller may direct Brokerage as to what information Seller wants disclosed about the other offers. For example, Seller may or may not want the buyer to know that there are other offers on the property or the terms of those offers.

NOTE: Seller should consider that if an offer is countered by Seller, an agreement may not be reached. Alternatively, an agreement may be reached, but buyer may fail to close. In either case, the buyers who previously made offers may no longer be interested in the property. It is also possible that the buyer with whom Seller has elected to negotiate may have been willing to improve their offer had they known there were other offers. Additionally, one of the buyers not being negotiated with could rescind their offer while waiting for a response.

3. Provide all Buyers an Equal Opportunity to Present their "Best Offer". Seller may direct Brokerage to provide the Multiple Offer Notice and Procedure form to each buyer's agent. Such notice would advise each buyer that they have a specific deadline set by Seller by which to present their "best offer" to purchase the Property. Based on such notice, each buyer could submit a modified offer or make no changes. The notice will also advise each buyer that Seller reserves the right to accept, reject or counter any of the offers. Seller can also direct Brokerage concerning how much information to disclose about the other offers. For example, Seller may direct Brokerage to disclose the number and/or terms of the offers.

NOTE: Seller should consider that with this option, one or more buyers could elect to withdraw their offer(s) based on not wanting to participate in a perceived bidding war.

4. Reject All Offers. If Seller is not satisfied with the offers received, Seller may reject all offers and not counter any offer.

ACKNOWLEDGEMENT OF RECEIPT:

\_\_\_\_\_  
Seller's Signature Date

\_\_\_\_\_  
Seller's Signature Date