

ARELLO Archive – 1Q 2017

Montana – Agency Relationships in Real Estate Transactions - 10

[Mont. Code Ann. § 37-51-321 \(2017\)](#)

A salesperson engages in unprofessional conduct by representing or attempting to represent a real estate broker other than the salesperson's employer, without the knowledge or consent of the employer. Neither a broker nor a salesperson may negotiate a transaction directly with a seller or buyer if they know the seller or buyer has a written listing agreement or buyer broker agreement granting exclusive agency to another broker.

Effective Date: February 17, 2017–Amended Statute

Montana – Buyer's Representative Disclosure

[Mont. Code Ann. § 37-51-313 \(2017\)](#)

A buyer's representative must disclose to the seller when the representative has no personal knowledge of the veracity of information regarding adverse material facts concerning "the ability of the buyer to perform on any purchase offer."

Effective Date: February 17, 2017–Amended Statute

Utah – Agency Relationships in Real Estate Transactions - 5

[Utah Admin. Code R. 162-2f-401h \(2017\)](#)

Licensee advertising must clearly and conspicuously identify the brokerage firm (but there are no font size requirements for the information). If it is not reasonable for a licensee to identify the name of the brokerage firm in an electronic advertisement, the electronic advertisement may directly link to a display that clearly and conspicuously identifies the broker. The licensee need not identify the broker if the licensee advertises a property that is not currently listed with the brokerage with which the licensee is affiliated.

Effective Date: January 19, 2017–Amended Regulation

Virginia– Easement/Community Development Authority Disclosure

[Va. Code Ann. § 55-519 \(2017\)](#)

The seller makes no representations with respect to whether property is subject to conservation or other easements, or whether the property is subject to a community development authority approved by a local governing body. Purchasers are advised to undertake due diligence with respect to these issues, including determining if a resolution or ordinance has been recorded in the land records for the locality.

Effective Date: March 3, 2017–Amended Statute

Virginia-Enforcement Action Disclosure

[Va. Code Ann. § 55-519.2:1 \(2017\)](#)

Property owners must disclose to the purchasers if the owner has actual knowledge of any pending enforcement actions that affect the “safe, decent, sanitary living conditions” of the property of which the owner has been notified in writing. A property owner must also disclose any pending violation of a local zoning ordinance that the violator has not abated or remedied.

Effective Date: March 13, 2017-New Statute

Wyoming –Agency Relationships in Real Estate Transactions - 9

[Wyo. Stat. Ann. §§ 33-28-306, 310 \(2017\)](#)

Licenseses must provide all customers with an agency disclosure. If a buyer or seller refuses to sign the relationship disclosure presented by the licensee, the licensee may document the refusal with an acknowledgement signed by the licensee. The licensee may continue with the transaction, but the disclosure and the acknowledgement must be attached to any written agreements with the buyer or seller.

Effective Date: July 1, 2017-Amended Statute

