

# Seller's Offer Qualification Instruction

|                                  |  |                         |  |
|----------------------------------|--|-------------------------|--|
| Property address                 |  | APN                     |  |
| Estate of                        |  | Listing agreement dated |  |
| Seller (personal representative) |  |                         |  |
| Listing broker                   |  | Listing agent           |  |

## WHY SELLER IS ASKING FOR THIS

An accepted offer that falls apart costs the estate time, carrying costs and buyers who moved on. In a probate sale it can also put a commission in question. Requiring every buyer to show, up front, who is buying, how title will be held, that the money is real, and whether a licensee is involved lets Seller choose a buyer who has proven they can and will perform, instead of finding out after acceptance.

## SELLER'S INSTRUCTION

1. Seller instructs Broker to require, with every offer to purchase the Property, a completed and signed **Offer Qualification Form** together with the documents that form lists, including a copy of the buyer's most recent bank or brokerage statement, and, for any buying entity, its formation documents and current state filing showing who manages or controls it.
2. A credit line or other credit facility is not accepted as a source of the deposit or down payment unless the lender signs the Lender Certification on the form, confirming the buyer's credit capacity to complete the purchase within 90 days of acceptance.
3. An offer received without the completed form and documents is incomplete. Broker will return it to the buyer or the buyer's agent for completion. Seller does not wish to receive or consider an incomplete offer unless Seller waives this requirement in writing for that specific offer.
4. Broker may verify any real estate license number disclosed on the form with the California Department of Real Estate or the licensing agency of the issuing state, and may verify any entity information with the Secretary of State where the entity is registered.
5. Seller and Broker acknowledge California Probate Code § 10160.5: the estate is not liable for any commission or other compensation to an agent or broker who is, directly or indirectly, the purchaser of the property, or whose broker representing the purchaser has any interest in the purchaser. This instruction helps Seller identify those circumstances before accepting an offer.
6. A copy of this signed instruction accompanies the Offer Qualification Form sent to buyers, so every buyer knows the requirement comes from Seller.
7. This addendum is part of the listing agreement. Where it conflicts with the listing agreement, this addendum controls on the subject of offer qualification.

## SIGNATURES

|                                  |  |                 |  |
|----------------------------------|--|-----------------|--|
| Seller / personal representative |  | Date            |  |
| Listing agent                    |  | DRE license no. |  |
|                                  |  | Date            |  |
| Listing broker                   |  | DRE license no. |  |
|                                  |  | Date            |  |