

TIPS FOR LISTING AGENTS

Seller Using Power Of Attorney (POA)

- Confirm that the seller has the **original** POA (with original ink signatures.) The Recorder's Office requires the original be recorded with the deed. It will be mailed back to the seller after it has been recorded. Provide the buyer's attorney with a copy of the POA as soon as possible. It must be acceptable under Delaware law.

Former Owner Is Deceased

- It is essential to confirm whether the seller will be the heirs or the executor/executrix of the estate. Consult with the attorney for the estate. If there is no estate attorney, suggest that the seller consult with an attorney to confirm who needs to sign essential documents.

Check Out The County Website

- Go to the County website for the property for information. Open permits or improvements not shown on the property drawing indicate that permits may not have been obtained. Be proactive and close out the permits and obtain a certificate of awareness if possible. If not, fully disclose in the Seller's Disclosure Form.

Homeowner/Maintenance Association

- If there is a neighborhood association, contact them about fees. If dues exceed \$560, the seller will need to provide the buyer with a resale certification and pay the cost. Prepare the seller for that expense and make sure it is ready for the buyer's review. If the buyer is not provided a copy, the buyer could void the agreement of sale.

The Deed Is Held In Trust

- The buyer's attorney will need a copy of the trustee provisions to review before settlement.

Sellers Are Divorcing

- This raises a host of issues. Both spouses need to sign the listing agreement, contract, deed and other documents. Individual judgments may apply.

Seller Has A Guardian

- If the seller is under 18 years of age or not competent, the guardian will sign for the seller. The Court will need to approve the sale. Have the contract contingent and allow sufficient time for approval..

Trust the experience of Ward & Taylor to guide you through this intricate process.