

Opportunity Bank Office Complex

Rare Class A Office I Credit Tenancy I New Construction - 2021 I Great Falls, Montana

Opportunity Bank

501 River Drive S., Great Falls, MT 59405

LISTING TEAM



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INVESTMENT SUMMARY

LOCATION:	501 River Drive S., Great Falls, MT, 59405
SALES PRICE:	Market
NOI:	\$426,804
CAP RATE:	Market
PRICE PSF:	Market
BUILDING SIZE:	± 17,706 SF 100%
YEAR BUILT:	2021
LOT SIZE:	± 1.12 AC / 48,787 SF
ZONING:	Commercial
DEBT:	Free & Clear

DB2RE is pleased to present the rare opportunity to acquire The Opportunity Bank Office Complex ("The Property"), a threestory Class-A office investment located in the heart of Montana in Great Falls, the third-largest city in the state. Currently, the Property is 100% leased to Opportunity Bank of Montana and BHE Montana, a Berkshire Hathaway Energy Company ("The Tenants"). Both Tenants are on a "Net Lease" structure (limited management requirements for prospective investors) and have rent escalations of ± 3.2% (Based on YTY CPI-U Index) throughout the primary and option terms to hedge against inflation. Strategically located alongside the Missouri River and near downtown Great Falls, the Property boasts an unbeatable location within one of the most desired and tightest markets in the state of Montana. Recently built in 2021, the asset is updated with modern infrastructure, amenities, and has been well maintained – making this asset one of the premier assets in the Great Falls market. The Property is situated on 1.12 AC, totaling three stories with a total of 17,706 SF.

With convenient access to I-15 & U.S. 87, Opportunity Bank of Montana, BHE Montana, or future tenants enjoy unbeatable access to the entire Great Falls market. This asset is strategically positioned within 10 minutes from Great Falls International Airport, making it an ideal office location for both employees and employers. This offering provides sophisticated investors a rare opportunity to acquire a Class-A office complex with strong, long-term tenants on net leases, ensuring minimal management responsibilities and a perfect blend of stability and upside as it relates to revenue growth. Its prime location, modern infrastructure, and secure tenancy make it an ideal investment for a wide range of prospective buyers in one of Montana's most desirable markets.

INVESTMENT HIGHLIGHTS

- Extremely Rare Class "A" Office Investment Opportunity with High Credit Tenants – 100% Occupied
- New 2021 Construction limited capital improvements required within average hold period
- Excellent Office Complex located on ± 1.12 AC in the heart of Great Falls, Montana – one of the most sought-after markets in the state of Montana.
- Annual rent escalations of ± 3.2% (Based on the year-to-year CPI-U Index) for both tenants in the primary and option terms, providing new ownership steady revenue growth and a hedge against inflation.
- Average lease term of 8 years, providing new ownership a fantastic stabilized revenue stream within an average 5-year hold period.
- Unique Office asset 100% leased by High Credit Tenants - Opportunity Bank of Montana (+/- 102 years in business & \$1 Billion in total assets) and BHE Montana (A Berkshire Hathaway Energy Company that Manages a ± 475 Megawatt Operation)



PROPERTY DETAILS

\bigcirc	ADDRESS:	501 River Drive S., Great Falls, MT 59405
Q	APN:	0000526150
	LEGAL DESCRIPTION:	Broadwater Bay Business Park Addi, S11, T20 N, R03 E, Block 004, Lot 008
	BUILDING SIZE:	± 17,706 SF
O,	LOT SIZE:	± 48,787 SF / ± 1.12 AC
888	OCCUPANCY:	100%
X	YEAR BUILT:	2021 Opportunity Bank
	PARKING:	The Property includes approximately 67 total surface parking spaces.
	PARKING RATIO:	Approximately 3.78 Per 1,000
×,	SIGNAGE:	One (1) monument sign along River Drive South
\leftrightarrow	INGRESS / EGRESS:	Two (2) points of entry. Two (2) ingress point along River Drive South.
E	ZONING:	Commercial
	ROOF:	Built In 2021, The Roof Is Original
ဂျို	HVAC:	New



Opportunity Bank of Montana, founded in 1922, is a state-chartered commercial bank with a rich history of serving individuals, businesses, and agricultural enterprises across the state. Over the years, the bank has grown significantly, now operating 34 locations with a focus on fostering community development and local business growth. The bank is a subsidiary of Eagle Bancorp Montana, Inc. and is publicly traded under the ticker symbol EBMT. Opportunity Bank has seen substantial capital growth, with total assets surpassing \$1 billion. The bank offers a broad range of services, including personal and business banking, loans, mortgages, and financial planning.

With over 350 employees, the bank prides itself on maintaining a strong commitment to community values while continuing to expand its presence and service offerings in Montana. Their mission centers around providing innovative, customer-focused banking solutions tailored to meet the needs of local communities. **TENANT / ENTITY NAME: Opportunity Bank of Montana** www.opportunitybank.com WEBSITE: PUBLIC / PRIVATE Private LOCATIONS: 34 **NET RENTABLE AREA:** ± 11,322 SF % OF PROPERTY: 63.94% 1st Floor – December 15, 2018 **EFFECTIVE LEASE DATE:** 2nd Floor – June 1, 2021 **RENT COMMENCEMENT DATE:** June 1, 2021 LEASE EXPIRATION DATE: December 15, 2028 ± 3.2% (Based on changes in ANNUAL RENT INCREASE(S): CPI-U Index from year to year) One (1) 10-year option at last **OPTION TERMS:** year's rent plus CPI-U increase LEASE TYPE: NNN



BHE Montana, founded in 2006, is a subsidiary of Berkshire Hathaway Energy that focuses on providing renewable energy solutions, particularly wind and solar power. The company has seen significant growth, operating major wind farms like the 210-megawatt Glacier Wind and the 189-megawatt Rim Rock Wind Farm, both located in northern Montana. These projects are connected to the Montana-Alberta Tie Line, underscoring BHE Montana's commitment to cross-border energy management. The company has also invested in advanced energy storage solutions, such as the Glacier Battery System, to enhance grid stability.

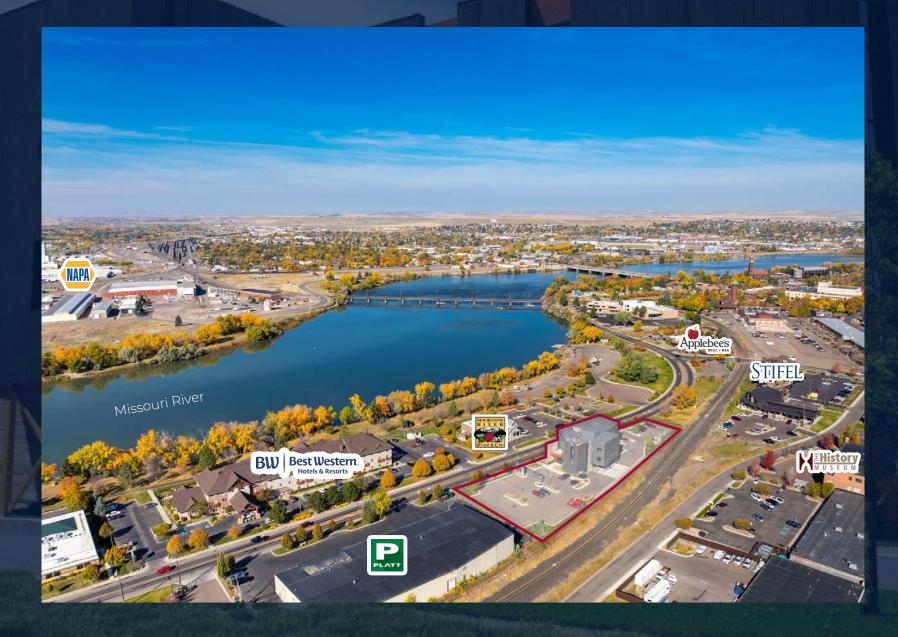
Originally operating as NaturEner, BHE Montana transitioned under Berkshire Hathaway Energy's ownership to expand its renewable energy portfolio. The company's capital growth is tied to the increasing demand for sustainable energy solutions, positioning it as a key player in Montana's clean energy landscape. Its headquarters are in Palm Beach Gardens, Florida, where it manages energy operations and develops further renewable projects.

TENANT / ENTITY NAME:	BHE Montana – A Berkshire Ha- thaway Energy Company
WEBSITE:	www.bhemontana.com
PUBLIC / PRIVATE:	Private
LOCATIONS:	7 (3 Wind Farms, 2 Offices, 1 Energy Store Facility, & 1 Solar Facility)
NET RENTABLE AREA:	± 6,384 SF
% OF PROPERTY:	36.06%
EFFECTIVE LEASE DATE:	April 1, 2025
RENT COMMENCEMENT DATE:	April 1, 2025
LEASE EXPIRATION DATE:	March 31, 2035
ANNUAL RENT INCREASE(S):	± 3.2% (Based on changes in CPI-U Index from year to year) *2% Minimum Increase & 4% Cap*
OPTION TERMS:	Four (4) 5-year options at last year's rent plus CPI-U increase
LEASE TYPE:	NNN

SITE PLAN



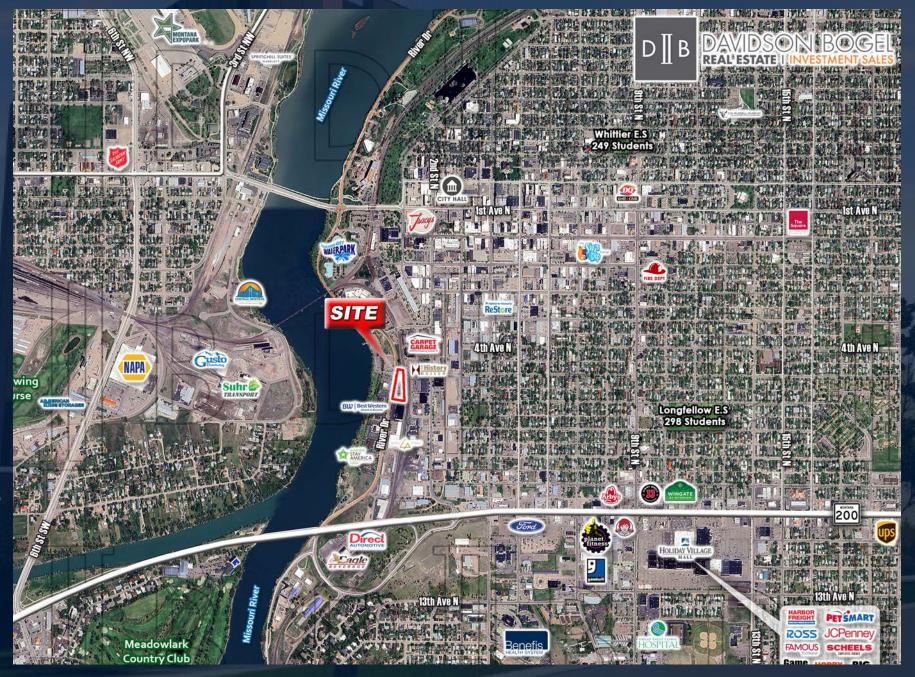




AERIAL



WIDE



TRADE AREA MAP

CLOSE



PHOTOS







DEMOGRAPHICS

	1 MILE	3 MILE	5 MILE
TOTAL POPULATION:	8,635	54,295	69,064
POPULATION GROWTH RATE:	0.12%	0.27%	0.30%
TOTAL HOUSEHOLDS:	4,244	23,652	29,424
HOUSEHOLD GROWTH RATE:	0.16%	0.35%	0.39%
AVERAGE HOUSEHOLD INCOME:	\$64,553	\$84,611	\$87,403
MEDIAN AGE:	40.2	40.6	39.5
BUSINESSES:	1,171	2,713	3,123
EMPLOYEES:	11,443	34,879	39,512
% WHITE:	75.70%	81.10%	81.20%
% AMERICAN INDIAN:	10.20%	6.20%	5.60%
% BLACK:	1.40%	1.10%	1.30%

GREAT FALLS MARKET OVERVIEW

Great Falls, Montana, with a population of around 60,000, is the state's third-largest city and serves as a regional hub for commerce, healthcare, and education. Located along the Missouri River, it offers access to Interstate 15 and U.S. Highway 89, connecting it to Helena, Butte, and Glacier National Park. The city is home to Malmstrom Air Force Base, Benefis Health System, and the University of Providence, contributing to its diversified economy. Key attractions include the Lewis and Clark National Historic Trail, Giant Springs State Park, and the C.M. Russell Museum. Great Falls is strategically positioned between major Montana cities like Billings and Missoula, with close proximity to Canada. It offers a mix of natural beauty and cultural history, making it appealing to residents and tourists alike. The city's economy benefits from its role as a logistical center for trade and tourism. With a low cost of living and ample outdoor recreation, Great Falls offers a high quality of life in north-central Montana.

- 3rd Largest City in Montana
- Home to Malmstrom Air Force Base (Largest Air Force Base in Montana) & University of Providence (± 1,000 students enrolled)
- Great Falls Cost of Living is 12.1% lower than the U.S. Average (according to bestplaces.net)
- 4.2% Unemployment Rate The U.S. Average is 6.0% (according to bestplaces.net)



RENT ROLL

					LEAS	LEASE TERM BASE RENTAL TERMS					TOTALS				
TENANT	SUITE	GLA	% Of GLA	LEASE TYPE	START	END	MONTHLY	ANNUAL	PSF	% OF REV	MONTHLY	ANNUAL	PSF	% OF REV	% OF REV
Opportunity Bank of Montana	100	5,144	29.05%	NNN	12/18	12/28	\$10,571.00	\$126,848.00	\$24.66	22.08%	\$3,578.00	\$42,937.00	\$8.35	7.47%	29.55%
Opportunity Bank of Montana	200	6,178	34.89%	NNN	06/21	12/28	\$12,228.00	\$146,740.00	\$23.75	25.54%	\$4,297.00	\$51,568.00	\$8.35	8.97%	34.51%
BHE Montana	300	6,384	36.06%	NNN	04/25	03/35	\$12,768.00	\$153,216.00	\$24.00	26.66%	\$4,441.00	\$53,288.00	\$8.35	9.27%	35.94%
TOTALS:		17,706	100%				\$35,567	\$426,804		74 %	\$12,316	\$147,793		26%	100%
TOTAL NUMBER C	OF TENANTS	/ GLA	3	17,706	100.00%										
TOTAL O	CCUPIED			17,706	100.00%				12		-				
TOTAL AV	/AILABLE		0	0	0.00%			S.S. W. SHI							
	DALL DENT / C		24 11	17706											

NOTES:

- 1. Rent Roll as of January 2025 with analysis proformaed to include new BHE Montana lease which will have rent commencing 4/1/2025.
- 2. CAM proformaed at ± \$2.46 PSF, increase of 4.00% over YE 2023 actuals per BHE lease.
- 3. Management Fee estimated to be 4.00% of EGI. Analysis assumes all tenants reimburse for management fees. Analysis excludes management fees from CAM and puts as a separate line item.
- 4. Insurance proformaed at ± \$0.73 PSF, increase of 10.00% over YE 2023 actuals per BHE lease. Note that cost for new ownership will vary with cost at purchase price exceeding \$0.73 PSF.
- 5. Property Taxes per Cascade County, Montana 2024 appraisal.
- 6. Annual rent escalations for each tenant based off CPI-U index. Increase from 2023 to 2024 was 3.20%. BHE Montana CPI-U index caped at a floor of 2.00% and a ceiling of 4.00%. Analysis estimated the annual increases at 3.20% each year across the board.

REINBURSEMENT REVENUE

1					САМ		MAN	NAGEMENT F	EE		INSURANCE			TAXES		тот	AL RECOVI	RY
TENANT	SUITE	GLA	% Of GLA	MONTHLY	ANNUAL	PSF	MONTHLY	ANNUAL	PSF	MONTHLY	ANNUAL	PSF	MONTHLY	ANNUAL	PSF			
Opportunity Bank of Montana	100	5,144	29.05%	\$1,055	\$12,660	\$2.46	\$554	\$6,644	\$1.29	\$312	\$3,745	\$0.73	\$1,657	\$19,888	\$3.87	\$3,578	\$42,937	\$8.35
Opportunity Bank of Montana	200	6,178	34.89%	\$1,267	\$15,205	\$2.46	\$665	\$7,980	\$1.29	\$375	\$4,498	\$0.73	\$1,990	\$23,885	\$3.87	\$4,297	\$51,568	\$8.35
BHE Montana	300	6,384	36.06%	\$1,309	\$15,712	\$2.46	\$687	\$8,246	\$1.29	\$387	\$4,648	\$0.73	\$2,057	\$24,682	\$3.87	\$4,441	\$53,288	\$8.35
TOTALS:		17,706	100%	\$3,631	\$43,577		\$1,906	\$22,870		\$1,074	\$12,891		\$5,704	\$68,455		\$12,316	\$147,793	

TENANT NOTES

			E	N.	A	NT NOT		ES Opportunity B
								OPP DE MONTAIN
			BASE RENT	AL TERMS		OPTION NOTES		
SUITE	GLA	DATE	MONTHLY	ANNUAL	PSF	RENEWAL		NOTES
100	5,144	06/25	\$10,909	\$130,908	\$25.45	One (1) 10-year option at last years rent plus CPI-U increase	1.	"I. Annual rent adjustments are based on changes in the Consumer Price Index for all urban consumers (""CPI-U"") from year to year. CPI-U index from 2023 to 2024 was 3.20%. Analysis
		06/26			\$26.26		2.	assumes 3.20% year over year. Renewal option will be based on the amount of rent being paid at the end of the primary term plus any CPI-U adjustment for each of the successive following years."
		06/28	\$11,990	\$143,881	\$27.97			
200	6,178	06/25	\$12,620	\$151,436	\$24.51	One (1) 10-year option at last years rent plus CPI-U increase	1.	Annual rent adjustments are based on changes in the Consumer Price Index for all urban consumers ("CPI-U") from year to year. CPI-U index from 2023 to 2024 was 3.20%. Analysis assumes 3.20% year over year.
		06/28			\$26.11		2.	Renewal option will be based on the amount of rent being paid at the end of the primary term plus any CPI-U adjustment for each of the successive following years.
		06/28	\$13,870	\$166,444	\$26.94			
300	6,384	03/26	\$13,177	\$158,119	\$24.77	Four (4) 5-year options at last years rent plus CPI-U increase	1.	Designated 8 parking spaces per lease agreement.
		03/27	\$13,598	\$163,179	\$25.56		2.	Per section 2.1.2 in the lease agreement, BHE is subject to an annual base rental increase by the greater of (a) 2% or (b) the % change in the ""CPI U," subject to a max increase in any one year of 4%.
		03/28	\$14,033	\$168,400	\$26.38		3.	BHE retains a ""Right of First Offer Notice"" to be notified from LL of the next available leaseable office space within the building.
		03/29	\$14,482	\$173,789	\$27.22			of the flext available leaseable office space within the balloning.
		03/30	\$14,946	\$179,351	\$28.09			
		03/31	\$15,424	\$185,090	\$28.99			
		03/32	\$15,918	\$191,013	\$29.92			
		03/33	\$16,427	\$197,125	\$30.88			
	100	100 5,144 200 6,178	SUITE GLA DATE 100 5,144 06/25 100 5,144 06/25 06/26 06/26 06/27 06/28 200 6,178 06/25 06/26 06/26 06/26 06/27 06/26 06/26 06/28 06/26 06/26 300 6,384 03/26 300 6,384 03/26 03/27 03/26 03/26 03/20 03/26 03/26 03/20 03/26 03/26 03/30 03/36 03/36	SUITE GLA DATE MONTHUY 100 5,144 06/25 \$10,909 0100 5,144 06/25 \$11,618 06/26 \$11,258 06/26 \$11,900 0200 6,178 06/25 \$12,620 0200 6,178 06/25 \$12,620 0200 6,178 06/25 \$12,620 0200 6,178 06/25 \$12,620 0201 \$13,023 \$13,023 \$13,023 0202 6,178 06/25 \$13,023 0203 6,384 03/26 \$13,177 03/20 \$13,420 \$13,172 03/21 \$13,172 \$13,172 03/22 \$13,173 \$14,432 03/23 \$14,432 \$14,432 03/24 \$14,432 \$14,432 03/33 \$15,424 \$13,518 03/34 \$15,918 \$13,518 03/34 \$15,918 \$14,425	EASE RENT TERMSSUTECLADATEMONTHLYANNUAL1005,14406/25\$10,009\$130,00806/26\$11,258\$135,09706/27\$11,618\$139,42006/27\$11,618\$139,42006/28\$11,909\$143,8812006,17806/28\$11,909\$143,8812016,17806/28\$11,900\$143,8102026,17806/25\$12,620\$154,3262036,17806/27\$13,102\$164,2133006,38403/26\$13,177\$158,1193015,14,04\$103,121\$164,213\$164,213302\$13,103\$164,214\$173,736303\$16,421\$173,736\$191,013303\$16,427\$191,013\$164,227	SUITECLADATEJONTHLYANNUALPSF1005,14406/25\$10,909\$13,909\$25,451005,14406/26\$11,258\$135,070\$26,2610106/27\$11,618\$139,420\$27,1011026,1726,172\$11,618\$139,420\$27,10110306/28\$11,909\$143,881\$27,9712006,77806/25\$11,910\$154,361\$27,9712016,77806/25\$13,020\$154,361\$25,9312026,78406/26\$13,020\$154,261\$26,9312036,78406/26\$13,970\$163,401\$26,9313006,38403/26\$13,777\$158,190\$26,931301514,402\$161,403\$161,403\$163,403\$26,931302514,403\$161,403\$161,403\$26,931\$26,931303\$14,945\$163,930\$26,931\$26,931\$26,931303\$14,945\$163,930\$26,931\$26,931\$26,931304\$14,945\$163,930\$163,931\$26,931\$26,931304\$14,945\$163,931\$163,931\$26,931\$26,931305\$14,945\$174,935\$26,931\$26,931\$26,931305\$14,945\$174,945\$174,945\$163,931\$26,931305\$14,945\$174,945\$174,945\$163,931\$26,931305\$14,945\$174,945\$174,945\$	SUTE CL DATE NONTHY NNUAL PSF OPTION NOTES 100 5,144 06/25 510,909 513,009 52,626 One (1) 10-year option at last years rent plus CPI-U increase 100 5,144 06/25 511,258 513,507 52,626 One (1) 10-year option at last years rent plus CPI-U increase 100 6,178 06/25 511,620 513,420 52,797 200 6,178 06/25 512,620 515,436 52,979 201 06/25 513,020 515,436 52,979 2020 6,178 06/25 512,620 515,436 52,979 2030 6,178 06/25 512,620 515,436 52,919 2040 6,178 06/25 513,620 516,440 52,619 2051 513,470 516,410 52,619 513,410 52,619 3040 513,470 516,410 52,619 513,410 52,619 3052 513,410 516,410 52,619	SUTE CA DASE RENTAL TERMS OPTION NOTES 100 5,144 OG/25 \$10,909 \$130,908 \$25,45 One (1) 10-year option at last years rent plus CPI-U increase 1 100 5,144 OG/25 \$10,909 \$135,907 \$26,26 One (1) 10-year option at last years rent plus CPI-U increase 1 100 5,144 OG/26 \$11,258 \$135,907 \$26,26 One (1) 10-year option at last years rent plus CPI-U increase 1 100 6,178 OG/26 \$11,308 \$12,920 One (1) 10-year option at last years rent plus CPI-U increase 1 100 6,178 Of/26 \$13,020 \$154,380 \$20,79 One (1) 10-year option at last years rent plus CPI-U increase 1 101 Of/27 \$13,430 \$161,821 \$25,39 One (1) 10-year option at last years rent plus CPI-U increase 1 102 Of/27 \$13,430 \$161,821 \$26,39 S S 102 Of/27 \$13,430 \$161,821 \$26,39 S S 102 S

TOTALS:

17,706

INCOME & EXPENSES

		May-2025	
	CURRENT	PSF	% of EGR
REVENUE:			
RENTAL REVENUE	\$426,804.00	\$24.11	74.28%
OTHER REVENUE	\$0.00	\$0.00	0.00%
CAM RECOVERY	\$43,576.00	\$2.46	7.58%
MANAGEMENT RECOVERY	\$22,870.00	\$1.29	3.98%
INSURANCE RECOVERY	\$12,892.00	\$0.73	2.24%
REAL ESTATE TAX RECOVERY	\$68,455.00	\$3.87	11.91%
TOTAL REVENUE	\$574,597.00	\$32.45	100.0%
OPERATING EXPENSES:			
CAM EXPENSES	(\$43,576)	(\$2.46)	-7.58%
MANAGEMENT FEE EXPENSES	(\$22,870)	(\$1.29)	-3.98%
INSURANCE EXPENSES	(\$12,892)	(\$0.73)	-2.24%
REAL ESTATE TAXES	(\$68,455)	(\$3.87)	-11.91%
TOTAL EXPENSES	(\$147,793)	(\$8.35)	-25.72 %
ΝΟΙ	\$426,804	\$24.11	74.28%

EXPIRATION SCHEDULE

TENANT	SUITE	END	AVAILABLE	МТМ	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039
Opportunity Bank of Montana	100	12/28	_	_	_		_	5,144			_		_	_	_	_	_	_	-
Opportunity Bank of Montana	200	12/28	—	_	_	_	_	6,178	_	_	—	_	—	_	_	_	_	_	-
BHE Montana	300	12/34	_	_	_		_	_	_	_	_	_	_		6,384	_	_	_	-
TOTAL EXPIRATION AREA			Ο	0	0	0	0	11,322	0	0	0	0	0	0	6,384	0	0	0	о
CUMLATIVE EXPIRATION A	REA		0	0	0	0	0	11,322	11,322	11,322	11,322	11,322	11,322	17,706	17,706	17,706	17,706	17,706	17,706
PERCENT OF TOTAL CENTE	R		0.00%	0.00%	0.00%	0.00%	0.00%	63.94%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	36.06%	0.00%	0.00%	0.00%	0.00%

DISCLAIMER

DB2RE exclusively presents the listing of Opportunity Bank Office Complex ("Property") for your acquisition. The owner is offering for sale the Property through its exclusive listing with the team.

DB2RE and owner provides the material presented herein without representation or warranty. A substantial portion of information must be obtained from sources other than actual knowledge and not all sources can be absolutely confirmed. Moreover, all information is subject to changes by the parties involved as to price or terms before sale, to withdrawal of the Property from the market, and to other events beyond the control of DB2RE or owner. No representation is made as to the value of this possible investment other than hypothetical scenarios. It is encouraged that you or any of your affiliates consult your business, tax and legal advisors before making a final determination of value or suitability of the Property for acquisition.

As a condition of DB2RE's consent to communicate the information contained herein-as well as any information that may be communicated to you subsequently either verbally or in writing by DB2RE, owner or agents of either of these parties regarding the Property-it is required that you agree to treat all such information confidentially.

DISCLOSURE

APPROVED BY THE TEXAS REAL ESTATE COMMISSION FOR VOLUNTARY USE.

TEXAS LAW REQUIRES ALL REAL ESTATE LICENSEES TO GIVE THE FOLLOWING INFORMATION ABOUT BROKERAGE SERVICES TO PROSPECTIVE BUYERS, TENANTS, SELLERS AND LANDLORDS. (01A TREC NO. OP-K)

INFORMATION ABOUT BROKERAGE SERVICES:

Before working with a real estate broker, you should know that the duties of a broker depend on whom the broker represents. If you are a prospective seller or landlord (owner) or a prospective buyer or tenant (buyer), you should know that the broker who lists the property for sale or lease is the owner's agent. A broker who acts as a subagent represents the owner in cooperation with the listing broker. A broker who acts as a buyer's agent represents the buyer. A broker may act as an intermediary between the parties if the parties consent in writing. A broker can assist you in locating a property, preparing a contract or lease, or obtaining financing without representing you. A broker is obligated by law to treat you honestly.

IF THE BROKER REPRESENTS THE OWNER:

The broker becomes the owner's agent by entering into an agreement with the owner, usually through a written - listing agreement, or by agreeing to act as a subagent by accepting an offer of subagency from the listing broker. A subagent may work in a different real estate office. A listing broker or subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first. The buyer should not tell the owner's agent anything the buyer would not want the owner to know because an owner's agent must disclose to the owner any material information known to the agent.

IF THE BROKER REPRESENTS THE BUYER:

The broker becomes the buyer's agent by entering into an agreement to represent the buyer, usually through a written buyer representation agreement. A buyer's agent can assist the owner but does not represent the owner and must place the interests of the buyer first. The owner should not tell a buyer's agent anything the owner would not want the buyer to know because a buyer's agent must disclose to the buyer any material information known to the agent.

IF THE BROKER ACTS AS AN INTERMEDIARY:

A broker may act as an intermediary between the parties if the broker complies with The Texas Real Estate License Act. The broker must obtain the written consent of each party to the transaction to act as an intermediary. The written consent must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. The broker is required to treat each party honestly and fairly and to comply with The Texas Real Estate License Act. A broker who acts as an intermediary in a transaction:

(1) shall treat all parties honestly;

(2) may not disclose that the owner will accept a price less than the asking price unless authorized in writing to do so by the owner; buyer: and

(3) may not disclose that the buyer will pay a price greater than the price submitted in a written offer unless authorized in writing to do so by the buyer; and

(4) may not disclose any confidential information or any information that a party specifically instructs the broker in writing not to disclose unless authorized in writing to disclose the information or required to do so by The Texas Real Estate License Act or a court order or if the information materially relates to the condition of the property. With the parties' consent, a broker acting as an intermediary between the parties may appoint a person who is licensed under The Texas Real Estate License Act and associated with the broker to communicate with and carry out instructions of one party and another person who is licensed under that Act and associated with the broker to communicate with and carry out instructions of the other party.

IF YOU CHOOSE TO HAVE A BROKER REPRESENT YOU:

You should enter into a written agreement with the broker that clearly establishes the broker's obligations and your obligations. The agreement should state how and by whom the broker will be paid. You have the right to choose the type of representation, if any, you wish to receive. Your payment of a fee to a broker does not necessarily establish that the broker represents you. If you have any questions regarding the duties and responsibilities of the broker, you should resolve those questions before proceeding.

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