

Who Says You Don't Need an Attorney

Pyle & Dellinger, PL

Do You Need Representation in a Real Estate Transaction?

Sometimes we hear that a client has bought or sold property without using an attorney or an agent representing the client's interests. We believe it is very important to have somebody on your side in a real estate transaction, both an agent and an attorney.

Frequently potential buyers contact the real estate agent that has a property listed. It is legal for an agent to function as a transaction broker, which means the agent does not offer complete loyalty to either the seller or the buyer. Thus, the agent is not in a position to advise or negotiate for the best price for either party or to assist either party in dealing with issues that may arise, such as inspection and repair issues.

We believe it is important for the buyer to have his or her own agent, looking out only for the buyer. Generally, an exclusive buyer's agent can be compensated from the same commission that will be paid in the transaction anyway. So you can be represented without it costing you anything.

We felt so strongly about this that we opened The Buyer's AgentK of East Florida, a locally owned and operated business of The Buyer's Agent, Inc., a national franchise. This is the only exclusive buyer's agency in this area. That means we do not list properties. We only represent buyers. If you are interested in looking for property to buy, contact our office at 615-8200.

While our law office continues to represent buyers or sellers, we always represent one or the other, never both. We see our job as different from that of a real estate agent. We protect the parties in the form of contract, legal documentation, and title issues. We can issue title insurance, and when we do so we do not charge an attorney's fee. We are paid from the title insurance, just like a title insurance agent. Consequently, one can have an attorney in a transaction without paying more than one would have paid to have no representation.

Sometimes people indicate that having an attorney involved in a real estate transaction results in difficulties, rather than a smoother transaction. We are transactional lawyers, who strive to facilitate the closing, not raise needless disputes. To us, proper representation is assisting the client in closing the transaction, and we are not inclined to

raise or defend disputes unless absolutely necessary. But we can assist the client in understanding his or her rights under the contract.

Remember, if you want us to represent you, call before you sign the contract. We do not charge extra for reviewing or preparing a contract so long as the transaction closes.