

EXCLUSIVE OFFERING | \$1,418,000 - 6.35% CAP Dollar General | S&P rating BBB



6375 TX 78, NEVADA, TX (DALLAS/FORT WORTH)

214.915.8890

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**Property.** Brand new Dollar General, 9,100± SF building on 1.57± acre site. Metal Construction, Concrete Block Façade, Concrete Parking Lot.

Tenant. S&P Rating BBB, operates 15,300+ stores in 44 states. Ranked 123rd within the Fortune 500 Companies. Fiscal 2018 sales of \$25.6 billion.

Lease structure. Corporate, 15-year, absolute NNN lease, with 10% rent increases at the beginning of each option.

**Location.** Dollar General is strategically located along TX-78 (6,100 VPD), just north of its signalized intersection with County Rd. 543 and County Rd. 489, in Nevada, TX. TX-78 is a state highway in the DFW metroplex that runs southwest into I-30 (80,0000 VPD) & I-635 (182,0000 VPD), northeast into Hwy. 380 (32,000 VPD), then continues to Oklahoma. The subject property will benefit from being located in an immediate trade area with above average household incomes of \$99,585 within a 5-mile radius. Additionally, the subject Dollar General is the only full variety store in the towns of Nevada, TX and Copeville, TX. The subject property is 35-miles northeast of downtown Dallas, TX, and 71-miles northeast of Fort Worth, TX.

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## **DOLLAR GENERAL**





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#### DISCLAIMER

Trivanta ("Agent") has been engaged as an agent for the sale of the property located at 6375 TX-78, Nevada, TX by the owner of the Property ("Seller"). The Property is being offered for sale in an "as-is, where-is" condition and Seller and Agent make no representations or warranties as to the accuracy of the information contained in this Offering Memorandum. The enclosed materials include highly confidential information and are being furnished solely for the purpose of review by prospective purchasers of the interest described herein. The enclosed materials are being provided solely to facilitate the prospective investor's own due diligence for which it shall be fully and solely responsible. The material contained herein is based on information and sources deemed to be reliable. but no representation or warranty, express or implied, is being made by Agent or Seller or any of their respective representatives, affiliates, officers, employees, shareholders, partners and directors, as to the accuracy or completeness of the information contained herein. Summaries contained herein of any legal or other documents are not intended to be comprehensive statements of the terms of such documents, but rather only outlines of some of the principal provisions contained therein. Neither the Agent nor the Seller shall have any liability whatsoever for the accuracy or completeness of the information contained herein or any other written or oral communication or information transmitted or made available or any action taken or decision made by the recipient with respect to the Property. Interested parties are to make their own investigations, projections and conclusions without reliance upon the material contained herein. Seller reserves the right, at its sole and absolute discretion, to withdraw the Property from being marketed for sale at any time and for any reason. Seller and Agent each expressly reserves the right, at their sole and absolute discretion, to reject any and all expressions of interest or offers regarding the Property and/or to terminate discussions with any entity at any time, with or without notice. This offering is made subject to omissions, correction of errors, change of price or other terms, prior sale or withdrawal from the market without notice. Agent is not authorized to make any representations or agreements on behalf of Seller. Seller shall have no legal commitment or obligation to any interested party reviewing the enclosed materials, performing additional investigation and/or making an offer to purchase the Property unless and until a binding written agreement for the purchase of the Property has been fully executed, delivered, and approved by Seller and any conditions to Seller's obligations hereunder have been satisfied or waived. By taking possession of and reviewing the information contained herein, the recipient agrees that (a) the enclosed materials and their contents are of a highly confidential nature and will be held and treated in the strictest confidence and shall be returned to Agent or Seller promptly upon request; and (b) the recipient shall not contact employees or tenants of the Property directly or indirectly regarding any aspect of the enclosed materials or the Property without the prior written approval of the Seller or Agent; and (c) no portion of the enclosed materials may be copied or otherwise reproduced without the prior written authorization of Seller and Agent.

## INVESTMENT OVERVIEW DOLLAR GENERAL

# TRIVANTA Net Lease Advantage

#### 6375 TX 78, NEVADA, TX (DALLAS/FORT WORTH)

**PRICE | CAP RATE:** \$1,418,000 | 6.35%

**NET OPERATING INCOME:** \$90,000

**BUILDING AREA:** 9,100<u>+</u> Square Feet

LAND AREA: 1.57± Acres

YEAR BUILT: 2019

OWNERSHIP: Fee Simple Interest

OCCUPANCY: 100%

**CONSTRUCTION TYPE:** Metal Construction,

Concrete Block Façade,

Concrete Parking Lot

#### **LEASE OVERVIEW**

Initial Lease Term:	15-Yrs, Plus (3), 5-Year Options to Renew	
Projected Rent Commencement:	May 2019	
Projected Lease Expiration:	May 2034	
Lease Type:	Corporate Absolute NNN	
Rent Increases:	10% In Option Periods	
Year 1-15 Annual Rent (Current):	\$90,000	
Year 16-20 Annual Rent (Option 1):	\$99,000	
Year 21-25 Annual Rent (Option 2):	\$108,900	
Year 26-30 Annual Rent (Option 3):	\$119,790	

#### **TENANT OVERVIEW**

LESSEE: Dolgencorp of Texas, Inc.
GUARANTOR: Dollar General Corporation

#### **DOLLAR GENERAL** | www.dollargeneral.com | S&P Rating BBB

Cal Turner founded J. L. Turner & Son, Inc. in 1939, and opened the first Dollar General store in Springfield, Kentucky in June 1955. Today, Dollar General Corporation operates as the country's largest small-box discount retailer with stores in the southern, southwestern, midwestern, and eastern United States. The stores are typically located in local neighborhoods and small communities deemed "too small" for big-box retailers. Dollar General offers both name-brand and generic merchandise—including off-brand goods and closeouts of name-brand items. Although it has the word "dollar" in the name, Dollar General is not a dollar store. Many of its offerings are priced at more than one dollar. However, goods are usually sold at set price points of penny items and up to the range of 50 to 60 dollars, not counting phone cards and loadable store gift cards. The company provides paper and cleaning products (paper towels, bath tissues, paper dinnerware, trash and storage bags, laundry, and other home cleaning supplies), packaged food and perishables (cereals, canned soups and vegetables, sugar, flour, milk, eggs, and bread), beverages, snacks (such as candies, cookies, crackers, salty snacks, and carbonated beverages), over-the-counter medicines, personal care products (soap, body wash, shampoo, dental hygiene, and foot care products), pet supplies and pet food products, seasonal products (decorations, toys, batteries, small electronics, greeting cards, and stationery) prepaid cell phones and accessories, gardening supplies, hardware, automotive, home office supplies, home products (kitchen supplies, cookware, small appliances, light bulbs, storage containers, frames, candles, and craft supplies, as well as kitchen, bed, and bath soft goods), and casual, everyday apparel (for infants, toddlers, girls, boys, women, and men, as well as socks, underwear, disposable diapers, shoes, and accessories). Since the turn of the century, Dollar General has added stores that carry a greater selection of grocery items, which operate u

In 2007 Kohlberg Kravis Roberts & Co. (KKR) acquired Dollar General, privatized the company for restructuring, and took the company public again in 2009. As of the end of fiscal year 2018, Dollar General operated 15,300+ stores in 44 states. The company ranks 123rd within the Fortune 500 Companies. Fiscal 2018 revenues exceeded \$25.6 billion with net income of \$1.6 billion.



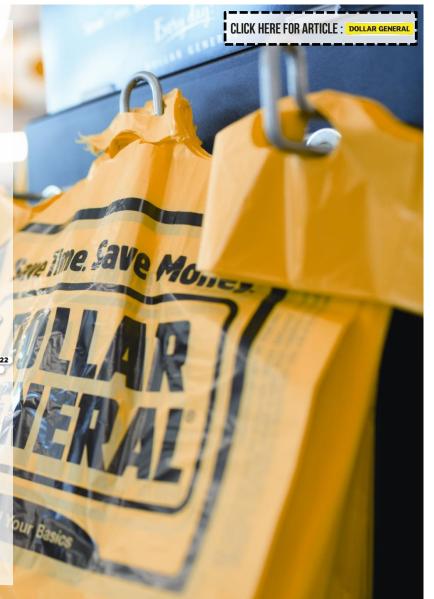
## 2018 Financial Highlights:

- Net Sales Increase of 9.2% to \$25.6 Billion
- Same-Store Sales Increase of 3,2%
- 29<sup>th</sup> Consecutive Year of Same-Stores Sale Growth
- Net Income Increased to \$1.6 Billion (\$1.5 Billion in 2017)

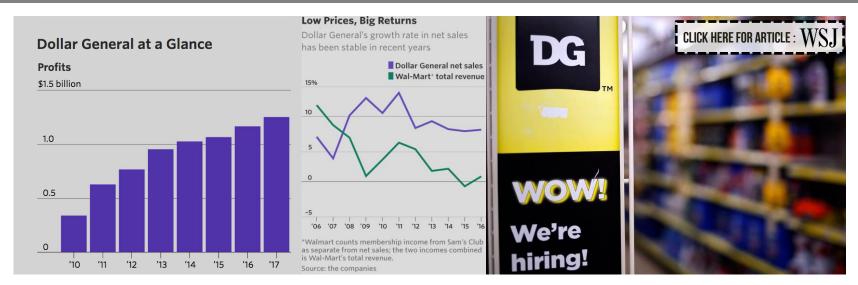
## **Investment Highlights:**

- Dollar General is the Country's Largest Small-Box Discount Retailer
- Corporate guaranty by investment grade tenant: Dollar General (S&P:BBB)
- Absolute NNN Lease No Landlord Responsibility









## How Dollar General Became Rural America's Store of Choice

#### By Sarah Nassauer

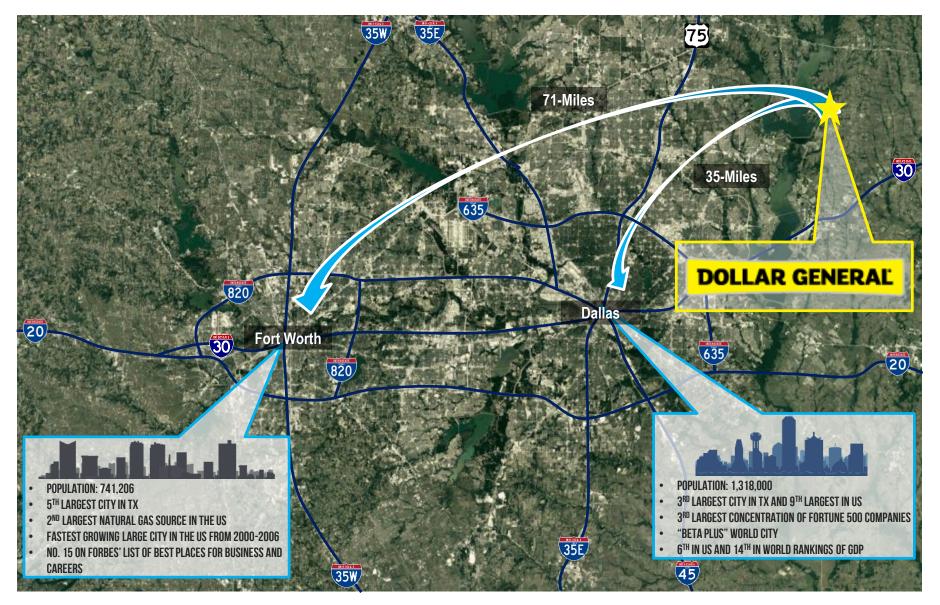
EVENSVILLE, Tenn.— (*The Wall Street Journal*) —The local Dollar General store, built on a rural highway and surrounded by farmland, sells no fresh meat, greens or fruit. The selection echoes a suburban drugstore chain, from shower curtains to breakfast cereal, toilet paper, plastic toys and camouflage-pattern socks. Refrigerators and freezers on one wall hold milk, eggs and frozen pizza. Many items are sold in mini bottles or small bags, keeping costs lower than a trip to the Wal-Mart Supercenter down the road. The two registers are staffed by one cashier, except during rush hours after school and after work.

Dollar General is expanding because rural America is struggling. With its convenient locations for frugal shoppers, it has become one of the most profitable retailers in the U.S. and a lifeline for lower-income customers bypassed by other major chains. Dollar General Corp.'s 14,000 stores yielded more than double the profit of Macy's Inc. on less revenue during its most recent fiscal year. And its \$22 billion market value eclipses the largest U.S. grocery chain, Kroger Co., which has five times the revenue. The retailer relies on rapid store openings to keep revenue climbing and investors happy; 2016 marked its 27th consecutive year of sales growth in stores open at least a year. While many large retailers are closing locations, Dollar General executives said they planned to build thousands more stores, mostly in small communities that have otherwise shown few signs of the U.S. economic recovery.

Dollar-store chains flourished in the wake of the recession. Wal-Mart opened more than 100 mostly rural Wal-Mart Express stores, a chain the company has since closed, selling dozens of the stores to Dollar General last year. Dollar General executives said in 2012 the chain would shift more attention to cities, attempting to assuage investors who worried the company's growth could stall. Instead, demand by rural shoppers kept Dollar General's focus on sparsely populated communities. In 2013, Dollar General refined its formula for new locations, incorporating such data as proximity to a post office or church. The company identified 14,000 spots, with "the highest improvement in opportunities in small town and rural markets," Mr. Dreiling told analysts in 2014. The company has since opened hundreds of diminutive stores, about the size of a basketball court, that can generate profits in communities with fewer than 1,000 homes, Mr. Vasos said. This year, the company bought 322 stores from a private-equity firm that had bought them from Dollar Tree as it sought antitrust approval for the Family Dollar purchase. The acquisition included stores in Brooklyn, N.Y., Chicago and other cities, locations that will be a useful testing ground, he said

Source: https://www.wsj.com/article\_email/how-dollar-general-became-rural-americas-store-of-choice-1512401992-IMyQjAxMTE3MzAwNTAwNjUxWj/

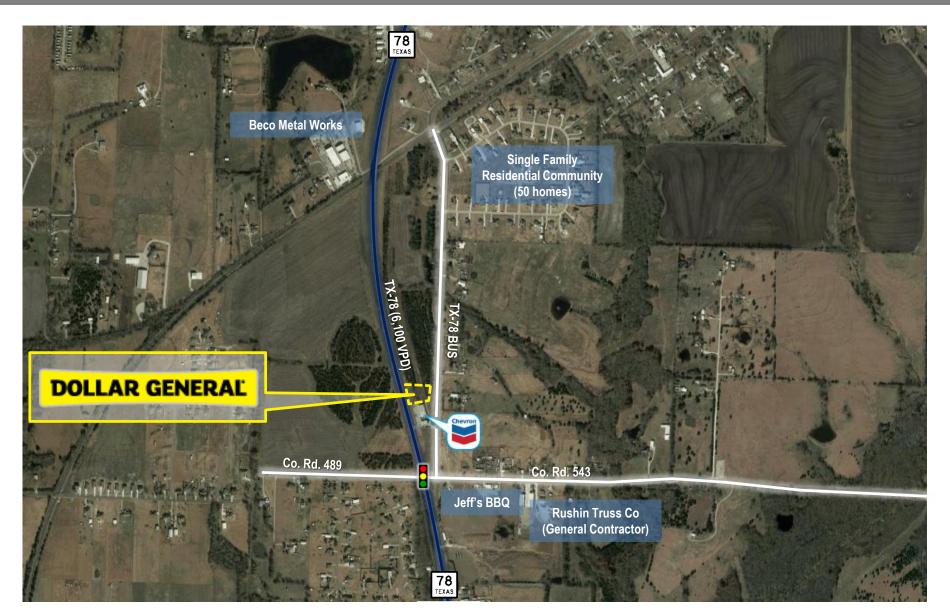




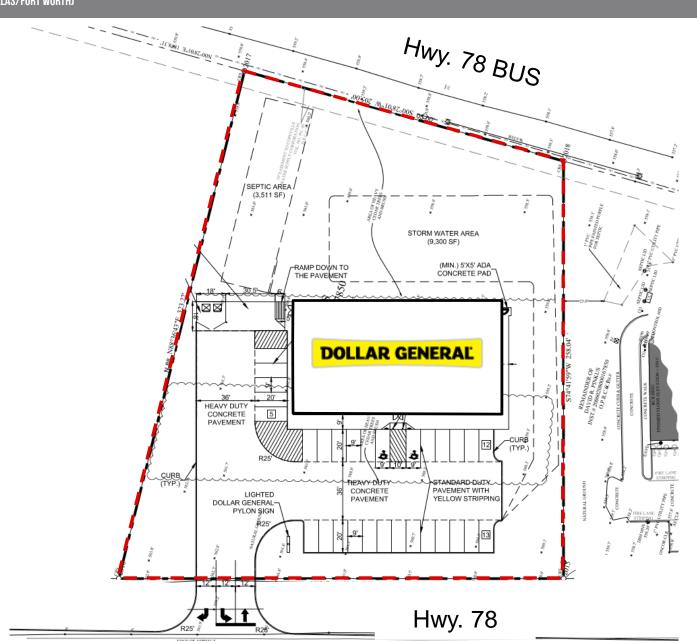
# TRIVANTA Net Lease Advantage





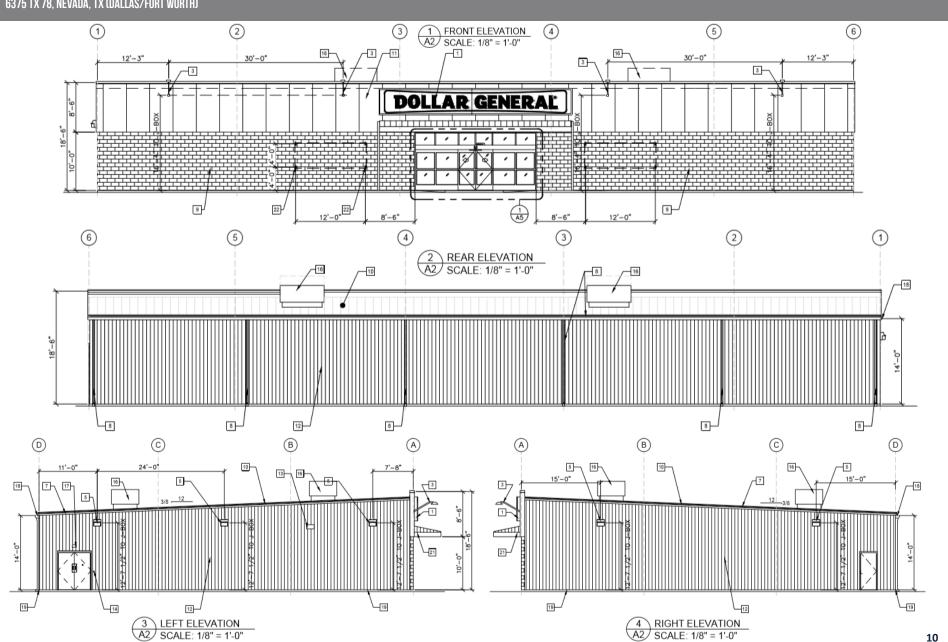
















#### **IMMEDIATE TRADE AREA**

Dollar General is strategically located along TX-78 (6,100 VPD), just north of its signalized intersection with County Rd. 543 and County Rd. 489, in Nevada, TX. TX-78 is a state highway in the DFW metroplex that runs southwest into I-30 (80,0000 VPD) & I-635 (182,0000 VPD), northeast into Hwy. 380 (32,000 VPD), then continues to Oklahoma. The subject property will benefit from being located in an immediate trade area with above average household incomes of \$99,585 within a 5-mile radius. Additionally, the subject Dollar General is the only full variety store in the towns of Nevada, TX and Copeville, TX. The subject property is 35-miles northeast of downtown Dallas, TX, and 71-miles northeast of Fort Worth, TX.

### **NEVADA / COPEVILLE, TX**

Nevada is a city in southeastern Collin County, Texas, United States. It is 4-miles east of Lavon and 4-miles west of Josephine. It is 20-miles northeast of Garland and 36-miles northeast of downtown Dallas. As of 2017, the town's population was estimated to be 1,148 people. Recent growth in Collin County during the last 25 years has moderately improved life in Nevada. The population has again reached the heights of 1927, and the town reincorporated in 1988.

Whether you're a resident, a business owner, a visitor or thinking of making Nevada your home, you'll find Nevada possesses an independent and hometown spirit not found in many other places. The town of Nevada places the highest priority on integrity in government, economic development and delivering services at the neighborhood level. It's all part of their vision of making the city of Nevada the most livable city in the country.

Copeville is an unincorporated community in southeastern Collin County, Texas, United States, along State Highway 78 near the east shore of Lavon Lake. Copeville was named for John Miles Cope, one of the earliest settlers to arrive in the area. Along with his father and brother he organized the community in the 1850s. In 1886 it moved about a mile east from its original location to its current site after the Gulf, Colorado and Santa Fe Railway was through the area.





#### **COLLIN COUNTY, TX**

With an estimated 80 people moving into Collin County each day, the county's population topped 969,000 residents in mid-2017 - a 3.1 increase from 2016 -- and could easily top 1 million in the coming year. County leaders are continually working on expanding the infrastructure to stay ahead of this growth. Collin County's bond rating has maintained a AAA status since 2000 and is one of only four Texas counties to have this exceptional rating. Collin County is part of the Dallas-Fort Worth-Arlington, TX, MSA. According to the U.S. Census Bureau, Collin, Denton, Tarrant, and Dallas counties all ranked within the Top 10 counties that gained the most residents from 2016-2017, in the country.

Collin County residents' paychecks also compare favorably to the rest of the country. The median family income for the county is approximately \$102,707, which is about 33 percent higher than the US. Median. The average taxable home value is \$344,382. With the demographics that Collin has, it has been and still is one of the fastest growing counties in not only Texas, but also the U.S. It is the 6<sup>th</sup> most populous county in Texas and among counties with more than a half-million people, Collin has the highest sustained growth rate since the last census in 2000.

From 2008 to 2015 there were more than 74,000 jobs added to the civilian labor force in Collin County, a 20% increase that outpaced the county's population growth for that same period. The county's unemployment rate averaged 3.5 percent, January through November 2016, consistently a full point lower than the state or national averages, according to the Texas Workforce Commission.

The U.S. Census Bureau's American Community Survey (ACS) for Collin County also shows that for the labor force in 2016 (more 506,000 people) education services, healthcare and social assistance industries employed almost 20 percent. Professional, scientific, administrative and waste management services industries made up 16.4 percent. 84 percent were private wage and salary workers, 10 percent government workers, and 5.8 percent were self-employed.

The education level of the county's workforce just about doubles state and U.S. averages for degreed workers. 49.7 percent of those 25 and older had a bachelor's degree or higher, far outpacing the state and national figure that hover between 26 and 28 percent. More than 9 out of 10 workers 25 and older have at least a high school diploma.

The ACS determined that the average commute to work for a Collin County resident is 28.2 minutes. For those less fortunate with their daily commutes, especially those heading to downtown Dallas at the crack of dawn, voters here passed a \$235.6 million bond package in November 2007 to widen and improve our roadways, plus regional transportation funds from the Sam Rayburn Tollway generated another \$900 million. For plans far in the future, take a look at Collin County's Out Loop Project.

More and More businesses are setting up shop in Collin County. Toyota Opened a Billion-Dollar, State-of-the-Art North American Headquarters in Plano in 2017 which added up to 4,000 jobs to North Texas. Some other companies that call Collin County home are AT&T, Texas Instruments (employ's most with over 10,000 employees), Capital One Finance. HP Enterprise Services, Bank of America Home Loans, J.C. Penny, Frito-Lay, Blue Cross & Blue Shield of Texas, and LifeCare to name a few.





#### **DALLAS - FORT WORTH - ARLINGTON MSA**

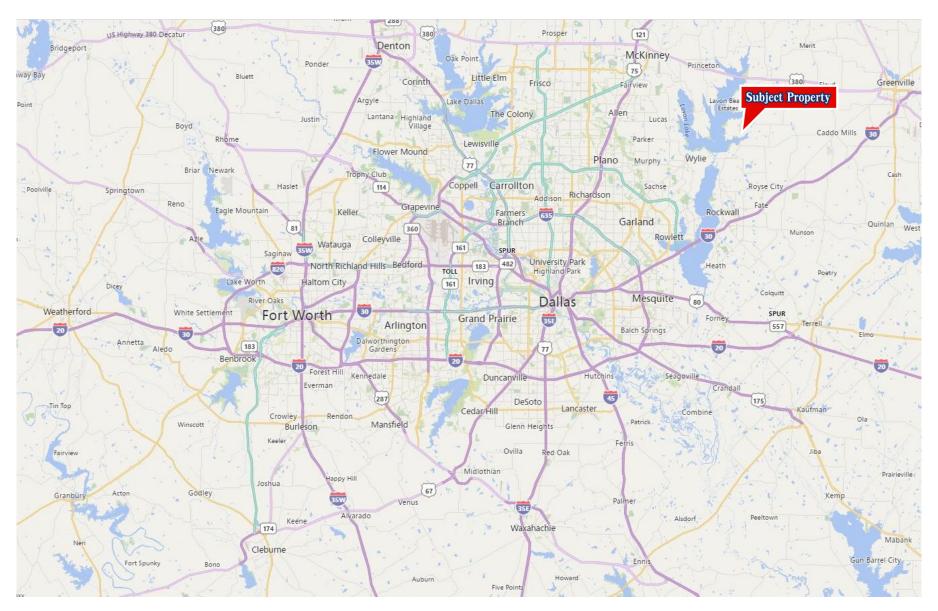
The Dallas – Fort Worth – Arlington Metropolitan Statistical Area (MSA) encompasses 13 counties within the U.S. state of Texas. It is the economic and cultural hub of the region commonly called North Texas or the Metroplex and is the largest land-locked metropolitan area in the United States.

The projected Dallas-Fort Worth Metroplex population for 2016 was 7,268,910. During the 12-month period from July 2008 to July 2009, the Dallas-Fort Worth-Arlington metropolitan area gained 146,530 new residents, more than any other metropolitan area in the United States. The area's population has grown by about 1 million since the last census was administered in 2000. The Dallas–Fort Worth–Arlington MSA is, by population, the largest metropolitan area in Texas, the largest in the South, the 4th largest in the United States, and the 10th largest in the Americas. The metropolitan area has the 4th largest gross metropolitan product (GMP) in the United States, and approximately 10th largest by GMP in the world.

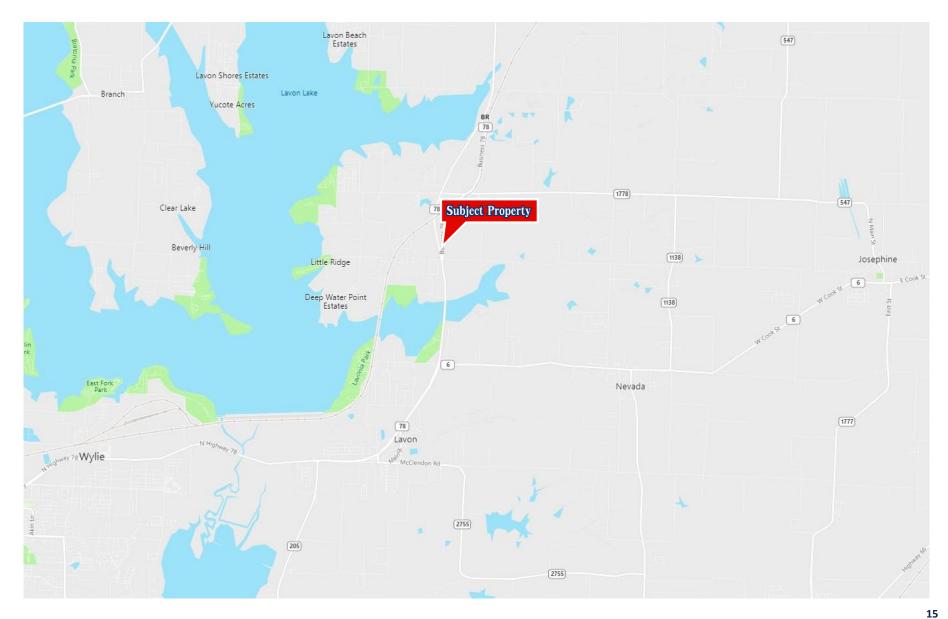
The Metroplex has one of the highest concentrations of corporate headquarters in the United States. 20 Fortune 500 companies are headquartered in the area. The city of Dallas alone has the 3rd largest concentration of Fortune 500 headquarters in the country. The Metroplex also contains the largest Information Technology industry base in the state (often referred to as Silicon Prairie or the Telecom Corridor), due to the large number of corporate IT projects and the presence of numerous electronics, computing and telecommunication firms. The Telecom Corridor located just north of Dallas in Richardson is home to more than 5,700 companies including Texas Instruments which employs over 10,000 people at its headquarters.

HP Enterprises Services, Dell Services, i2, AT&T, Ericsson, CA and Verizon also have headquarters or major operations in and around Dallas. The Texas farming and ranching industry, based in Fort Worth adds to the economic diversification of the area. Several major defense manufacturers, including Lockheed Martin, Bell Helicopter Textron, and Raytheon, maintain significant operations in the Metroplex. ExxonMobil, the #1 corporation on the Fortune 500 listings, is headquartered in Irving, Texas.











6375	6375 TX-78 1 mi radius 3 mi radius 5 mi radius				
Neva	ada, TX 75173	i illi radius	3 IIII radius	5 III radius	
7	2019 Estimated Population	602	3,655	10,703	
POPULATION	2024 Projected Population	709	4,269	12,405	
₹	2010 Census Population	652	3,574	9,724	
_ ₹	2000 Census Population	573	2,721	6,541	
8	Projected Annual Growth 2019 to 2024	3.5%	3.4%	3.2%	
	Historical Annual Growth 2000 to 2019	0.3%	1.8%	3.3%	
S	2019 Estimated Households	209	1,269	3,783	
ноиѕеногрѕ	2024 Projected Households	245	1,477	4,367	
욽	2010 Census Households	224	1,224	3,374	
JSE	2000 Census Households	197	937	2,279	
ᅙ	Projected Annual Growth 2019 to 2024	3.5%	3.3%	3.1%	
	Historical Annual Growth 2000 to 2019	0.3%	1.9%	3.5%	
	2019 Est. Population Under 10 Years	10.7%	11.1%	11.4%	
	2019 Est. Population 10 to 19 Years	15.6%	15.5%	15.2%	
	2019 Est. Population 20 to 29 Years	10.9%	10.7%	10.5%	
AGE	2019 Est. Population 30 to 44 Years	17.7%	18.5%	19.0%	
¥	2019 Est. Population 45 to 59 Years	24.3%	23.9%	24.3%	
	2019 Est. Population 60 to 74 Years	16.0%	15.5%	14.7%	
	2019 Est. Population 75 Years or Over	4.8%	4.7%	4.9%	
	2019 Est. Median Age	40.6	40.1	39.8	
SN	2019 Est. Male Population	50.7%	50.6%	50.6%	
MARITAL STATUS & GENDER	2019 Est. Female Population	49.3%	49.4%	49.4%	
ral stat Gender	2019 Est. Never Married	14.4%	16.3%	20.6%	
필	2019 Est. Now Married	69.8%	68.1%	62.1%	
ARI'	2019 Est. Separated or Divorced	13.0%	12.5%	13.3%	
×	2019 Est. Widowed	2.9%	3.1%	4.1%	
	2019 Est. HH Income \$200,000 or More	4.1%	5.0%	5.7%	
	2019 Est. HH Income \$150,000 to \$199,999	4.1%	5.0%	7.2%	
	2019 Est. HH Income \$100,000 to \$149,999	28.4%	26.1%	22.6%	
	2019 Est. HH Income \$75,000 to \$99,999	17.4%	18.4%	18.0%	
ш	2019 Est. HH Income \$50,000 to \$74,999	21.4%	19.9%	19.8%	
■	2019 Est. HH Income \$35,000 to \$49,999	9.7%	8.9%	10.2%	
NCOME	2019 Est. HH Income \$25,000 to \$34,999	6.5%	6.3%	5.9%	
-	2019 Est. HH Income \$15,000 to \$24,999	3.9%	4.3%	4.7%	
	2019 Est. HH Income Under \$15,000	4.5%	6.2%	5.9%	
	2019 Est. Average Household Income	\$83,250	\$87,792	\$99,585	
	2019 Est. Median Household Income	\$81,001	\$81,120	\$81,354	
	2019 Est. Per Capita Income	\$28,937	\$30,485	\$35,197	
	2019 Est. Total Businesses	10	41	186	
	2019 Est. Total Employees	52	236	1,082	
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	TX-78 ada, TX 75173	1 mi radius	3 mi radius	5 mi radius
4C V C		100	0.045	0.407
LABOR FORCE	2019 Est. Labor Population Age 16 Years or Over	483 73.6%	2,915 70.2%	8,497
	2019 Est. Civilian Employed	1.5%	1.6%	66.6% 1.6%
	2019 Est. Civilian Unemployed	1.5%	1.0%	1.0%
	2019 Est. in Armed Forces 2019 Est. not in Labor Force	24.9%	- 28.2%	31.8%
	2019 Est. not in Labor Force 2019 Labor Force Males	24.9% 50.4%	28.2% 50.3%	50.2%
		49.6%	49.7%	49.8%
	2019 Labor Force Females			
	2019 Occupation: Population Age 16 Years or Over	356	2,046	5,661
	2019 Mgmt, Business, & Financial Operations	14.9%	15.2%	17.0%
Z	2019 Professional, Related	19.2%	20.7%	21.2%
읃	2019 Service	12.1%	12.7%	13.9%
OCCUPATION	2019 Sales, Office	22.3%	22.3%	23.6%
	2019 Farming, Fishing, Forestry	0.3%	0.3%	0.2%
	2019 Construction, Extraction, Maintenance	15.6%	15.9%	14.2%
	2019 Production, Transport, Material Moving	15.6%	12.9%	9.9%
	2019 White Collar Workers	56.5%	58.2%	61.8%
	2019 Blue Collar Workers	43.5%	41.8%	38.2%
2	2019 Drive to Work Alone	84.9%	84.1%	82.0%
IKANSPORTATION TO WORK	2019 Drive to Work in Carpool	9.1%	7.8%	7.2%
	2019 Travel to Work by Public Transportation	0.4%	0.3%	0.4%
	2019 Drive to Work on Motorcycle	-	-	-
2	2019 Walk or Bicycle to Work	-	0.4%	0.6%
ξ –	2019 Other Means	0.5%	1.1%	1.2%
=	2019 Work at Home	4.9%	6.3%	8.6%
Ш	2019 Travel to Work in 14 Minutes or Less	8.1%	9.8%	9.7%
TRAVEL TIME	2019 Travel to Work in 15 to 29 Minutes	14.2%	17.5%	19.5%
н	2019 Travel to Work in 30 to 59 Minutes	50.5%	47.2%	45.5%
A۷	2019 Travel to Work in 60 Minutes or More	40.6%	32.5%	25.4%
T	2019 Average Travel Time to Work	50.0	44.7	41.0
111		\$13.07 M	\$82.3 M	\$268.15
	2019 Est. Total Household Expenditure	\$457.36 K	\$2.89 M	\$9.43 M
골	2019 Est. Apparel	\$731.57 K	\$4.63 M	\$15.15 N
CONSUMER EXPENDITURE	2019 Est. Contributions, Gifts 2019 Est. Education, Reading	\$394.93 K	\$2.53 M	\$8.36 M
	, 3	\$741.76 K	\$4.68 M	\$15.3 M
	2019 Est. Entertainment	\$741.76 K \$2.02 M	\$4.66 M	\$41.17 N
	2019 Est. Food, Beverages, Tobacco	\$464.14 K	\$2.92 M	•
	2019 Est. Furnishings, Equipment	\$464.14 K \$1.22 M	•	\$9.53 M \$24.82 N
	2019 Est. Health Care, Insurance	•	\$7.64 M	• -
	2019 Est. Household Operations, Shelter, Utilities	\$4.19 M	\$26.38 M	\$86.03 N
	2019 Est. Miscellaneous Expenses	\$246.44 K	\$1.55 M	\$5.06 M
	2019 Est. Personal Care	\$176.45 K	\$1.11 M	\$3.61 M
	2019 Est. Transportation	\$2.43 M	\$15.29 M	\$49.69 N



#### 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.

## Information About Brokerage Services

efore 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:

- shall treat all parties honestly;
- (2) may not disclose that the owner will accept a price less that the asking price unless authorized in writing to do so by the owner;
- (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.

Real estate licensee asks that you acknowledge receipt of this information about brokerage services for the licensee's records.

Buyer, Seller, Landlord or Tenant

Date

Texas Real Estate Brokers and Salespersons are licensed and regulated by the Texas Real Estate Commission (TREC). If you have a question or complaint regarding a real estate licensee, you should contact TREC at P.O. Box 12188, Austin, Texas 78711-2188, 512-936-3000 (http://www.trec.texas.gov)