

EXCLUSIVE OFFERING | \$3,416,000 - 5.50% CAP JIFFY LUBE - CORPORATE ABSOLUTE NNN LEASE

SECURE NET LEASE

11855 POTRANCO RD, SAN ANTONIO, TX

214.915.8888

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Property. New. 4,375+ SF building on 1.01+ acres.

Tenant. Jiffy Lube, 2,200+ businesses in North America offering oil changes and other automotive services.

Lease structure. Brand new, 15-year, corporate absolute NNN lease with 10% rent increases every 5-years in primary term & options.

Location. Jiffy Lube is strategically located along Potranco Rd. (32,000 VPD), which connects the area to Loop 1604 (31,000 VPD) and the traffic dense highway TX-151 (98,000 VPD), in San Antonio, TX. Potranco Rd. is a north-south retail corridor in the region that serves the surrounding residential communities. Loop 1604 is currently being redeveloped into a four-lane expressway due to high traffic and congestion, as a result of the continuous growth in the area. The subject property stands to gain from high population demographics of 181,985 people in a 5-mile radius. Average Household income within a 1-mile radius of the property is \$122,359 and there has been a 12.6% population increase since 2000 within that same 1-mile radius. Along Potranco Rd. are multiple national credit tenants such as Walmart, H-E-B, AutoZone, Academy, Kohl's, GameStop, Dollar General, O'Reilly, Walgreens, CVS, Murphy USA, Firehouse Subs, Whataburger, Chick Fil A, Starbucks, Panda Express, Wendy's, and many more. Jiffy Lube is located approximately 19.1 miles from downtown San Antonio, TX.

TABLE OF CONTENTS JIFFY LUBE



11855 POTRANCO RD, SAN ANTONIO, TX

PAGE 1: COVER

PAGE 2: TABLE OF CONTENTS

PAGE 3: INVESTMENT OVERVIEW

PAGE 4-5: AERIAL PHOTOS

PAGE 6: SITE PLAN

PAGE 7: ELEVATIONS

PAGE 8-10: LOCATION OVERVIEW

PAGE 11-12: LOCATION MAPS

PAGE 13: DEMOGRAPHICS

DISCLAIMER

Secure Net Lease ("Agent") has been engaged as an agent for the sale of the property located at 11855 Potranco Rd., San Antonio, 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.

SECURE NET LEASE

11855 POTRANCO RD, SAN ANTONIO, TX

PRICE: \$3,416,000

CAP RATE: 5.50%

NET OPERATING INCOME: \$187,873 *

BUILDING AREA: 4,375+ Square Feet

LAND AREA: 1.01+ Acres

YEAR BUILT: 2019

LANDLORD RESPONSIBILITY: None

OWNERSHIP: Fee Simple Interest

LEASE OVERVIEW

Lease Term:		15 Years, Plus (5), 5-Year Options to Extend			
Projected Rent Commencement:		December 2019			
Projected Lease Expiration:		December 2034			
Lease Type:		Corporate Absolute NNN			
Rent Increases:		10% Every 5 Years In Primary Term & Options			
Annual Rent Yrs 1-5:	\$187,873 *		Option 2 Yrs 21-25:	\$275,064	
Annual Rent Yrs 6-10:	\$206,660		Option 3 Yrs 26-30:	\$302,571	
Annual Rent Yrs 11-15:	\$227,326		Option 4 Yrs 31-35:	\$332,828	
Option 1 Yrs 16-20:	\$250,058		Option 5 Yrs 36-40:	\$366,111	
ROFR to Purchase:		No			

^{*} Rent is based on a formula that includes a % of total project costs and will be adjusted accordingly upon building completion. Annual Rent shown above are estimates. Consequently, the Purchase Price may change but the agreed upon CAP rate will not.

TENANT OVERVIEW

JIFFY LUBE INTERNATIONAL, INC., a Delaware Corporation



JIFFY LUBE | www.jiffylube.com

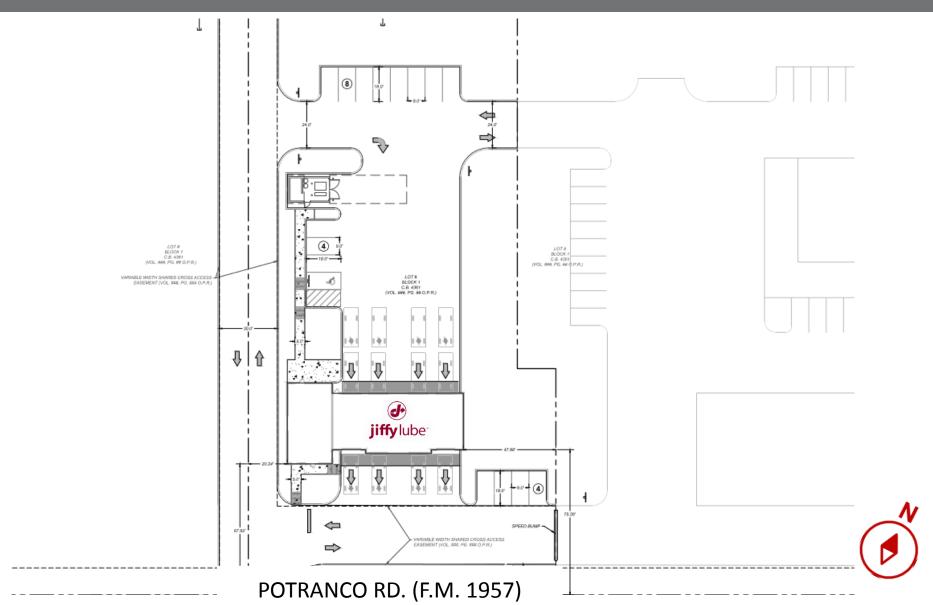
Jiffy Lube is a chain of over 2,200 businesses in North America offering oil changes and other automotive services. The company is based in Houston, Texas, and is a subsidiary of Shell Oil. Jiffy Lube consists of more than 2,000 franchised service centers throughout North America and Canada, serving approximately 24 million customers each year. Jiffy Lube service centers are 100% franchise-owned, independently owned and operated by 252 entity groups. The company was ranked first on National Oil and Lube News 2011 Tops in the Fast Lubes Industry Rankings. Also, Jiffy Lube was ranked number 15 in Entrepreneur Magazine's 2012 Franchise 500 and number 73 on Franchise Times 2011 Top 200 Franchise Chains by Worldwide Sales.

The first Jiffy Lube store was established on 36th Street in Ogden, Utah by Edwin H. Washburn as early as 1971. Over the following years, Washburn franchised a number of Jiffy Lube centers in within Utah. In 1979, then-football coach at Western Maryland College W. James Hindman bought out Washburn's seven franchises and established Jiffy Lube International, relocating to Baltimore, Maryland. It is this year which Jiffy Lube generally states as its founding date with Hindman as its founder. Jiffy Lube went public in 1987, and had opened 1,020 franchises and company stores by 1989. In 1991, Jiffy Lube became a subsidiary of Pennzoil. Following the merger of Pennzoil and Quaker State in 1998, the 581 Q Lube stores were merged into the Jiffy Lube brand, then possessing 1,541 stores, with overlapping operations being closed down. Pennzoil-Quaker State was ultimately purchased by Shell Oil in 2002.

The core offering of Jiffy Lube remains the Jiffy Lube Signature Service® Oil Change, a service that offers customers more than just a standard oil and filter change. In June 2011, Jiffy Lube introduced a new program called Oil Change Schedule (OCS). The new program allows Jiffy Lube customers to choose how often they have their oil changed based on a number of variables including vehicle manufacturer recommendations, driving habits, and road conditions. The OCS program moves away from the old model of changing oil every 3,000 miles and provides a schedule that is unique for each driver.











EAST ELEVATION





SOUTH ELEVATION





AMERICA'S NEXT GREAT METROPOLIS IS TAKING SHAPE IN TEXAS

Kotkin, Joel, Oct. 13, 2016 – If you drive south from Dallas, or west from Houston, a subtle shift takes place. The monotonous, flat prairie that dominates much of Texas gives way to a landscape that rises and ebbs. The region around Highway 35 is called the Hill Country, and although it does not seem so curvy to a Californian, it is some of the very nicest land in the state of Texas, attracting a growing coterie of wealthy boomers seeking rural retreats. It also turns out to be a growth corridor that is expanding more rapidly than any other in the nation. The area is home to three of the 10 counties with more than 100,000 residents that have logged the fastest population growth in the country since 2010. In fact, there is no regional economy that has more momentum than the one that straddles the 74 miles between San Antonio and Austin. Between these two fast-growing urban centers lie a series of rapidly expanding counties and several smaller cities, notably San Marcos, that are attracting residents and creating jobs at remarkable rates. Anchoring one end of the region is Austin, which has been the all-around growth champion among America's larger cities for the better part of a decade. Texas Monthly has dubbed it the "land of the perpetual boom."

Austin has been ranked among the top two or three fastest-growing cities for jobs virtually every year since we began compiling our annual jobs rankings. Since 2000, employment in the Austin area has expanded 52.3%, 15 percentage points more than either Dallas-Ft. Worth or Houston. Comparisons with the other big metro areas are almost pathetic. Austin's job growth has been roughly three times that of New York, more than four times that of San Francisco, five times Los Angeles' and 10 times that of Chicago. Simply put, Austin is putting the rest of the big metro areas in the shade. Nor can Austin be dismissed as a place where low-skilled workers flee, as was said about other former fast-growing stars, notably Las Vegas. Just look at employment in STEM (science-, technology-, engineering- and math-related fields). Since 2001, Austin's STEM workforce has expanded 35%, compared to 10% for the country as a whole, 26% in San Francisco, a mere 2% in New York and zero in Los Angeles. And contrary to perceptions, the vast majority of this growth has taken place outside the entertainment-oriented core, notes University of Texas professor Ryan Streeter, with nearly half outside the city limits. Austin has also been sizzling in the business services arena, the largest high-wage job sector in the country. Since 2001, employment in business services in the Austin area has grown 87%, more than any of the large Texas towns... Article Link

San Antonio: The Emerging Upstart

During the decades of Texas' urban boom, San Antonio has been considered a laggard, a somewhat sleepy Latino town with great food and tourist attractions and a slow pace of life. "There has been a long perception of San Antonio as a poor city with a nice river area," says Rogelio Sáenz, dean of the public policy school at the University of Texas-San Antonio. Economic and population data say otherwise. Since 2000, San Antonio has clocked 31.1% job growth, slightly behind Houston, but more than twice that of New York, and almost three times that of San Francisco and Los Angeles. And many of the new jobs are not in hospitality, or low-end services, but in the upper echelon of employment. This reflects the area's strong military connections, which have made it a center for such growth industries as aerospace, and cyber-security. Although slightly behind Austin, San Antonio's STEM job growth since 2001 -- 29% -- is greater than that of all other Texas cities, as well as San Francisco's, and three times the national average.

Similar growth can be seen in such fields as business and professional services, where the San Antonio area has expanded its job base by 44% since 2000. This just about tracks the other Texas cities, and leaves the other traditional business service hotbeds -- New York, San Francisco, Chicago and Los Angeles -- well behind. The city has also expanded its financial sector; the region ranked seventh in our latest survey of the fastest-growing financial centers. Once again, there is a military connection; much of the area's financial growth has been based on USAA, which provides financial services to current and former military personnel around the country, and employs 17,000 workers from its headquarters in the city's burgeoning northwest. But perhaps most encouraging has been the massive in-migration into San Antonio. Long seen as a place dominated by people who grew up there, the metro area has become a magnet for new arrivals. Since 2010, its rate of net domestic in-migration trails only Austin among the major Texas cities. Significantly, the area's educated millennial population growth ranks in the top 10 of America's big cities, just about even with Austin, and well ahead of such touted "brain centers" as Boston, New York, San Francisco...



IMMEDIATE TRADE AREA

Jiffy Lube is strategically located along Potranco Rd. (32,000 VPD), which connects the area to Loop 1604 (31,000 VPD) and the traffic dense highway TX-151 (98,000 VPD), in San Antonio, TX. Potranco Rd. is a north-south retail corridor in the region that serves the surrounding residential communities. Loop 1604 is currently being redeveloped into a four-lane expressway due to high traffic and congestion, as a result of the continuous growth in the area. The subject property stands to gain from high population demographics of 181,985 people in a 5-mile radius. Average Household income within a 1-mile radius of the property is \$122,359 and there has been a 12.6% population increase since 2000 within that same 1-mile radius. Jiffy Lube is located approximately 19-miles from downtown San Antonio, TX.

Several national tenants are in the immediate trade area including Walmart, H-E-B, AutoZone, Academy, Kohl's, GameStop, Dollar General, O'Reilly, Walgreens, CVS, Planet Fitness, LA Fitness, Shell, Valero, Murphy USA, Taco Bell, Jack in the Box, McDonald's, Domino's, Sonic, Firehouse Subs, Whataburger, Chick Fil A, Starbucks, Panda Express, Wendy's, Taco Cabana, Pei Wei, and many more.

SAN ANTONIO, TX

San Antonio is the 2nd largest city in the state of Texas and the 7th largest city in the United States, with a population of over 1.3 million. San Antonio also serves as the seat of Bexar County (population: 1,714,773).

San Antonio has a strong military presence—it is home to Fort Sam Houston, Lackland Air Force Base, Randolph Air Force Base, Brooks City-Base, Camp Bullis, and Camp Stanley. The defense industry in San Antonio employs over 89,000 people and provides a \$5.25 billion annually to the city's economy.

The South Texas Medical Center consists of 900 acres of medical-related facilities in NW San Antonio. The center directly serves 38 Texas counties, consists of forty-five medically related institutions: separate medical, dental and nursing schools, five higher educational institutions, twelve hospitals, and five specialty institutions. These facilities combined currently total over 4,200 beds. More than \$1 billion in new construction projects are currently planned between 2012 and 2014.

For visitors and locals alike, San Antonio is more than the Alamo, the River Walk, and the birthplace of Chili. The city blends a dynamic history, people, and culture into a unique offering of art, institutions, events, restaurants, and nightlife found nowhere else. Over 20 million tourists visit the city and its attractions every year, which provides over \$10.7 billion and 100,000 jobs to the local economy.

The city is home to 31 higher education facilities (that serve over 100,000 students) including campuses of the University of Texas and Texas A&M as well as top-rated private universities such as Trinity University and St. Mary's University.



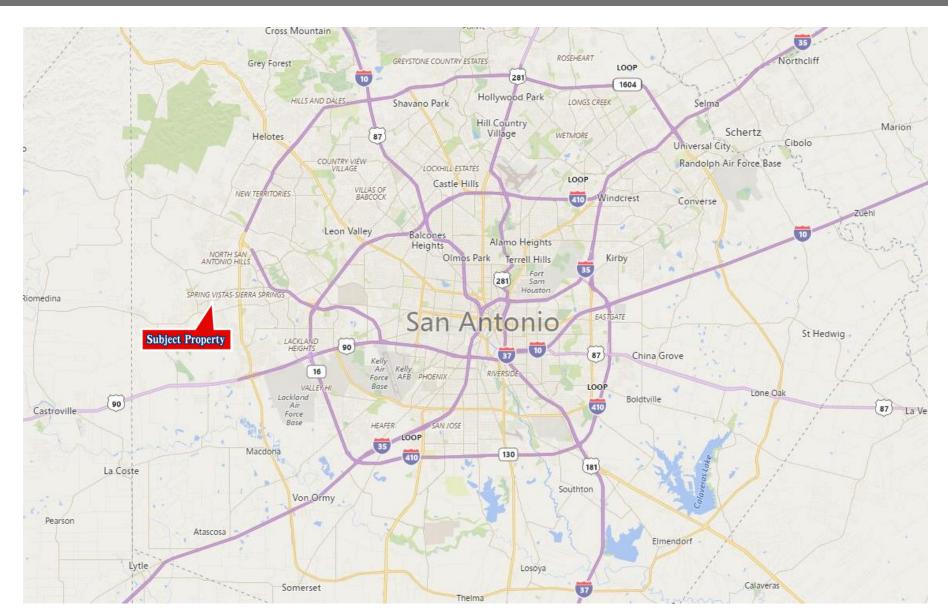
SAN ANTONIO-NEW BRAUNFELS MSA

San Antonio-New Braunfels, colloquially referred to as Greater San Antonio, is an eight-county metropolitan area with a population of 2,473,974 (2017 US Census). The rapidly growing ranked on the nation's top 15 fastest growing cities in 2015. San Antonio's unique geographical position connects the east and west coasts, Canada, Mexico, Central and South America. Interstate highways connect San Antonio to the major Texas population centers and to primary border crossing points into Mexico including Laredo, Del Rio, Eagle Pass and the ports at Corpus Christi and Houston.

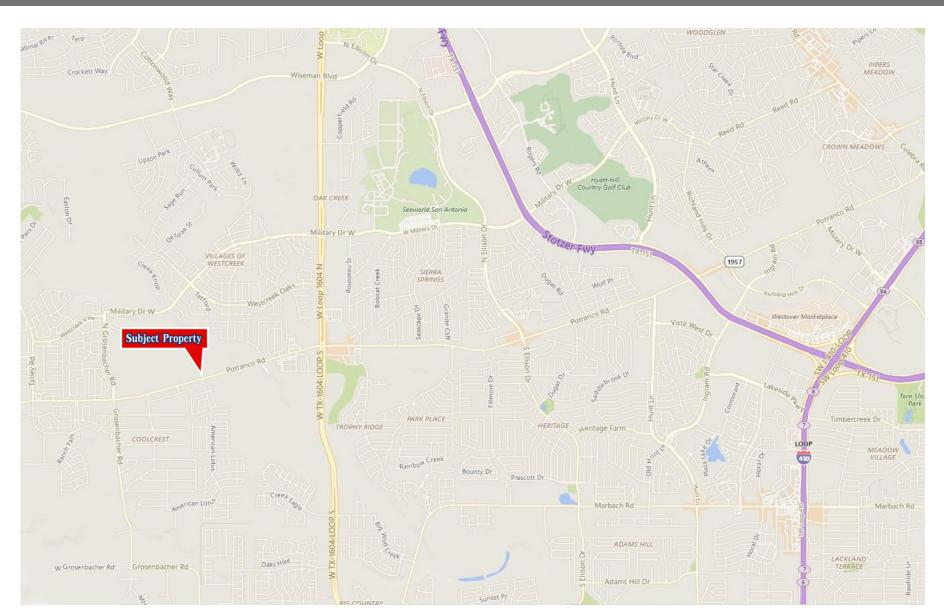
As a result of this combination of ideal location and quality infrastructure more than 50% of the total goods flowing between the US and Mexico travel through San Antonio before reaching their destinations worldwide. Additionally, San Antonio has become a growing business center for Mexican nationals, mostly from a high socioeconomic background, and Mexican companies that seek the stability and safety of the US during the ongoing drug war in Mexico. As a result, hundreds of businesses and thousands of jobs have been created in San Antonio in the past decade. In result, Greater San Antonio experienced a 50.73% population increase since Census 2000. Greater San Antonio has a diversified economy with four primary focuses: financial services; government; health care, and tourism. For visitors and locals alike, San Antonio is more than the Alamo, the River Walk, and the birthplace of Chili. The city blends a dynamic history, people, and culture into a unique offering of art, institutions, events, restaurants, and nightlife found nowhere else. Over 20 million tourists visit the city and its attractions every year, which provides over \$10.7 billion and 100,000 jobs to the local economy.

Greater San Antonio is home to 2 of the 140 Fortune Global 500 headquartered in the US: Valero Energy Corp (#33) and Tesoro Petroleum Corp (#317). Additionally, 5 Fortune 500 companies call the MSA home: Valero; Tesoro; USAA; Clear Channel Communications; and NuStar Energy. H-E-B, the 19th largest private company in the United States, is also headquartered in San Antonio. Other notable companies with headquarters in the MSA include Kinetic Concepts, Frost National Bank, Harte-Hanks, Eye Care Centers of America, Bill Miller Bar-B-Q Enterprises, Taco Cabana, Whataburger, Rackspace, and Carenet Healthcare Services. Additionally, Nationwide Mutual Insurance, Kohl's, Allstate, Chase Bank, Philips, Wells Fargo, Toyota, Medtronic, Sysco, Caterpillar, AT&T, West Corp, Citigroup, Boeing, QVC, and Lockheed Martin all have regional headquarters in the city.

SECURE NET LEASE



SECURE NET LEASE



1185	5 Potranco Rd	1 mi radius	3 mi radius	5 mi radius		
San Antonio, TX 78253						
POPULATION	2018 Estimated Population	10,635	70,011	181,985		
	2023 Projected Population	11,305	74,911	195,145		
₹	2010 Census Population	9,724	58,619	140,005		
I ₹	2000 Census Population	3,258	25,849	70,912		
8	Projected Annual Growth 2018 to 2023	1.3%	1.4%	1.4%		
	Historical Annual Growth 2000 to 2018	12.6%	9.5%	8.7%		
S	2018 Estimated Households	3,039	21,452	57,155		
ноиѕеногрѕ	2023 Projected Households	3,151	22,266	59,347		
Ĭ	2010 Census Households	3,010	18,647	45,151		
S	2000 Census Households	1,150	8,307	22,535		
오	Projected Annual Growth 2018 to 2023	0.7%	0.8%	0.8%		
	Historical Annual Growth 2000 to 2018	9.1%	8.8%	8.5%		
	2018 Est. Population Under 10 Years	17.7%	16.9%	16.3%		
	2018 Est. Population 10 to 19 Years	16.3%	15.7%	15.3%		
	2018 Est. Population 20 to 29 Years	14.0%	14.1%	15.3%		
AGE	2018 Est. Population 30 to 44 Years	26.3%	25.4%	24.5%		
<	2018 Est. Population 45 to 59 Years	15.6%	16.2%	16.4%		
	2018 Est. Population 60 to 74 Years	8.2%	9.1%	9.4%		
	2018 Est. Population 75 Years or Over	2.0%	2.6%	2.8%		
	2018 Est. Median Age	30.1	31.0	31.0		
SU	2018 Est. Male Population	49.3%	49.2%	49.4%		
MARITAL STATUS & GENDER	2018 Est. Female Population	50.7%	50.8%	50.6%		
L S	2018 Est. Never Married	26.1%	31.2%	32.6%		
₽	2018 Est. Now Married	55.0%	50.1%	46.9%		
AR 8	2018 Est. Separated or Divorced	17.2%	15.3%	16.9%		
Σ	2018 Est. Widowed	1.7%	3.4%	3.7%		
	2018 Est. HH Income \$200,000 or More	6.5%	4.8%	4.5%		
	2018 Est. HH Income \$150,000 to \$199,999	9.8%	8.0%	7.0%		
	2018 Est. HH Income \$100,000 to \$149,999	23.1%	21.0%	20.0%		
	2018 Est. HH Income \$75,000 to \$99,999	21.0%	18.0%	15.8%		
ш	2018 Est. HH Income \$50,000 to \$74,999	18.3%	22.1%	20.8%		
NCOME	2018 Est. HH Income \$35,000 to \$49,999	9.7%	11.5%	12.5%		
2	2018 Est. HH Income \$25,000 to \$34,999	6.5%	6.0%	7.5%		
-	2018 Est. HH Income \$15,000 to \$24,999	1.6%	4.1%	5.5%		
	2018 Est. HH Income Under \$15,000	3.4%	4.6%	6.5%		
	2018 Est. Average Household Income	\$122,359	\$103,103	\$93,981		
	2018 Est. Median Household Income	\$90,341	\$80,029	\$74,265		
	2018 Est. Per Capita Income	\$34,968	\$31,601	\$29,689		
	2018 Est. Total Businesses	176	851	2,435		
	2018 Est. Total Employees	1,789	10,731	32,790		

1185	11855 Potranco Rd						
	A	1 mi radius	3 mi radius	5 mi radius			
San	Antonio, TX 78253						
ABOR FORCE	2018 Est. Labor Population Age 16 Years or Over	7,675	51,344	135,157			
	2018 Est. Civilian Employed	68.7%	66.0%	64.7%			
	2018 Est. Civilian Unemployed	2.5%	2.2%	2.0%			
Š.	2018 Est. in Armed Forces	2.6%	2.4%	2.0%			
8	2018 Est. not in Labor Force	26.1%	29.4%	31.3%			
≤	2018 Labor Force Males	48.6%	48.4%	48.8%			
	2018 Labor Force Females	51.4%	51.6%	51.2%			
	2010 Occupation: Population Age 16 Years or Over	5,628	33,919	86,311			
	2010 Mgmt, Business, & Financial Operations	11.7%	13.6%	13.6%			
z	2010 Professional, Related	20.6%	22.7%	22.2%			
은	2010 Service	20.5%	18.2%	18.8%			
PA	2010 Sales, Office	29.2%	27.2%	26.1%			
OCCUPATION	2010 Farming, Fishing, Forestry	-	-	-			
၁၀	2010 Construction, Extraction, Maintenance	10.3%	9.3%	10.0%			
	2010 Production, Transport, Material Moving	7.6%	8.9%	9.3%			
	2010 White Collar Workers	61.6%	63.5%	61.9%			
	2010 Blue Collar Workers	38.4%	36.5%	38.1%			
Z	2010 Drive to Work Alone	79.2%	80.2%	80.4%			
TRANSPORTATION TO WORK	2010 Drive to Work in Carpool	13.0%	11.7%	11.5%			
NSPORTA TO WORK	2010 Travel to Work by Public Transportation	1.4%	2.0%	2.0%			
8 ≥	2010 Drive to Work on Motorcycle	0.1%	0.5%	0.3%			
S C	2010 Walk or Bicycle to Work	1.6%	1.5%	1.4%			
Ϋ́	2010 Other Means	0.9%	1.1%	1.1%			
	2010 Work at Home	3.7%	3.0%	3.3%			
TRAVEL TIME	2010 Travel to Work in 14 Minutes or Less	10.4%	14.5%	15.0%			
E	2010 Travel to Work in 15 to 29 Minutes	43.9%	39.0%	38.5%			
VE	2010 Travel to Work in 30 to 59 Minutes	42.8%	41.1%	40.4%			
RA	2010 Travel to Work in 60 Minutes or More	7.5%	7.6%	7.4%			
-	2010 Average Travel Time to Work	27.5	27.1	27.1			
	2018 Est. Total Household Expenditure	\$246 M	\$1.55 B	\$3.86 B			
Æ	2018 Est. Apparel	\$8.73 M	\$54.7 M	\$136 M			
≧	2018 Est. Contributions, Gifts	\$17.6 M	\$106 M	\$261 M			
9	2018 Est. Education, Reading	\$10.4 M	\$62.4 M	\$154 M			
뮙	2018 Est. Entertainment	\$14.0 M	\$87.9 M	\$218 M			
ũ	2018 Est. Food, Beverages, Tobacco	\$36.9 M	\$235 M	\$589 M			
CONSUMER EXPENDITURE	2018 Est. Furnishings, Equipment	\$8.80 M	\$54.5 M	\$134 M			
Š	2018 Est. Health Care, Insurance	\$20.4 M	\$131 M	\$328 M			
NS NS	2018 Est. Household Operations, Shelter, Utilities	\$75.9 M	\$478 M	\$1.19 B			
ខ	2018 Est. Miscellaneous Expenses	\$3.51 M	\$22.4 M	\$56.2 M			
	2018 Est. Personal Care	\$3.19 M	\$20.1 M	\$50.1 M			
	2018 Est. Transportation	\$46.8 M	\$297 M	\$739 M			



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:

- (1) 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)