

Customer OR Client

Explore the differences between customers and clients in this clarifying document.



What are Customers?

1. Customer means a party to a real estate transaction who receives information, services, or benefits but has no contractual relationship with the REALTOR® or the REALTORS®' brokerage.
2. A person who receives only statutory duties from the brokerage/agent as described by your state. Typically, these include:
 - **honesty**
 - **accounting**
 - **reasonable skill and care**
 - **disclose material facts**
3. With the exception concerning material facts, Agents cannot provide advice or counsel to customers if doing so would cause the Agent to breach their fiduciary duties to their client. Agents may, however, provide information regarding third parties such as lenders, inspectors, surveyors and other similar information. Agents may also provide market information or other information from a property listing service or public records.



What are Clients?

1. The relationship formed between the agent and the client is called a fiduciary relationship.
2. A real estate agent must safeguard the client's interests by protecting them through:
 - **obedience**
 - **loyalty**
 - **disclosure**
 - **confidentiality**
 - **accountability**
 - **reasonable skill & care**

and all other duties provided in Ohio law unless waived by the client.

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| Buyer is a Customer | Buyer is a Client |
|---|---|
| "I represent the seller" | "I represent the buyer" |
| Complete loyalty to Seller's needs | Complete loyalty to Buyer's needs |
| Obligated to relay all information received from the buyer to the seller | Confidentiality - Buyer can speak freely |
| Must provide material facts but cannot offer advice or opinion regarding the property | Advice and opinion along with material facts; can educate the buyer |
| No price counseling (Cannot provide a CMA unless it supports seller's price) | Provide price counseling and a CMA |
| Suggestions made regarding financing or any other terms must benefit the seller | Suggestions will be made in the buyer/client's best interest |
| Negotiate on behalf of the seller | Prepare offer and negotiate on behalf of the buyer |
| Will work to close the transaction to satisfy the seller | Will work to close the transaction to satisfy the buyer |

Ohio REALTORS® advocates for property rights, representing ethical real estate professionals statewide. With services like legislative advocacy, legal, and professional standards, it evolves to meet the needs of REALTORS® and property owners. Learn more at: www.ohiorealtors.org

