**Rodney Harvey**

**Subject:** Your November 2026 Real Estate Update




Dear Valued Client,

Buying or selling real estate involves more than finding the right property or negotiating an acceptable price. Understanding your rights, responsibilities and the value of professional representation can make a meaningful difference throughout the transaction. In this month's newsletter, we explore what buyers should consider before choosing to represent themselves, why representation agreements matter, how sellers can evaluate offers beyond price alone, and why professional guidance should continue right through to closing.

Although these topics address different stages of a real estate transaction, they share a common principle: informed decisions begin with understanding the choices available, the obligations involved and the potential risks along the way. My approach to professional advisory is to help clients recognize these considerations before they become problems. I hope you find this month's articles informative and useful, and as always, I'm available if you have questions about your own real estate plans.

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*Real estate treated as a professional advisory service — not just a transaction.*

# Why Representation Should Continue Through Closing

A real estate transaction can feel as though it is finished once the offer is accepted and the conditions are satisfied. The price has been agreed upon, the major negotiations are over, and the parties may already be turning their attention to moving arrangements, financing and the next stage of their plans. But the transaction is not complete until it closes.




The period between a firm agreement and closing can still involve important decisions, unexpected questions and practical issues that need to be managed properly. That is why I believe professional representation should continue through closing rather than tapering off once the agreement becomes firm.

**A Firm Agreement Still Creates Ongoing Responsibilities**
Once an agreement is binding, the focus of the transaction changes. The parties are no longer negotiating whether they want to proceed; they are working toward completing the obligations they have already accepted.

That may include satisfying outstanding document requirements, arranging access, coordinating inspections or appraisals, dealing with lender requests, confirming repairs, addressing tenancy matters, handling amendments or ensuring that information reaches the lawyer in time for closing.

Most transactions proceed without serious difficulty, but even a relatively small issue

can become important if it affects timing, possession, financing or the ability of one of the parties to complete.

This is where continuity of representation matters. The client should not have to determine on their own whether a new issue is significant, who should deal with it or whether it needs to be documented. Click here for the balance of the article

# Can I Buy a Property in Durham Region Without a REALTOR® ?

Yes. Just like a Seller can represent themselves, so can a Buyer. The more important question, however, is not whether you are legally able to represent yourself. It is whether you understand what that decision means once you begin searching for property, communicating with sellers and their representatives, evaluating value, conducting due diligence, negotiating terms and eventually entering into a legally binding Agreement of Purchase and Sale.




Under Ontario's current real estate regulatory framework, a person participating in a transaction who is not a client of a real estate brokerage is considered a self-represented party, commonly referred to as an SRP. RECO cautions that self-representation can involve significant risks when buyers or sellers do not have the knowledge and expertise required to navigate a transaction independently.

For some experienced buyers, self-representation may be a deliberate and informed decision. For others, what initially appears to be a relatively simple way of purchasing property can become considerably more complicated once negotiations, due diligence and contractual obligations begin. Understanding the distinction before deciding how to proceed is important.

**What Does It Mean to Be a Self-Represented Buyer?**
A self-represented buyer has chosen not to become a client of a real estate brokerage for the transaction. That distinction matters because representation

creates professional duties. When you become a client, the brokerage or designated representative has obligations that include promoting and protecting your best interests, disclosing information that could affect your decisions, protecting confidential information and avoiding or properly addressing conflicts of interest. Click here to read the remainder of the article

# Do I Have to Sign a Buyer Representation Agreement in Ontario?

Buying a property often begins informally. You may browse listings online, attend open houses, speak with different real estate professionals or ask someone to show you a property that caught your attention. At that stage, it can feel as though you are simply gathering information and deciding whether you are ready to buy.



Eventually, however, the relationship changes. You may begin asking a real estate professional to identify properties that meet your requirements, evaluate comparable sales, provide opinions about value, discuss negotiating strategy, recommend conditions, investigate property concerns or prepare an offer. At that point, you are no longer simply requesting access to real estate information. You are asking a professional to provide services and advice intended to help you make a significant financial decision.

This is where the Buyer Representation Agreement becomes important.

Under Ontario's current real estate regulatory framework, a person receiving real estate services and representation from a brokerage is a client, and that professional relationship is established through a representation agreement. If someone chooses not to become a client, they may instead participate in the transaction as a self-represented party, but they should not expect a real estate agent to provide them with services such as showing properties, opinions or advice.

The question, therefore, is not simply whether you are required to sign another real estate form. The more useful question is whether you want professional representation and, if you do, what the terms of that professional relationship should be. Click here for the balance of the article

# When it Comes to Offers, it's Not Always about Price

Receiving an offer is one of the most anticipated moments in the sale of a property. Receiving several competing offers can be even more exciting, particularly when one appears to offer substantially more money than the others. It is natural for a seller's attention to immediately move toward the highest price.



Price matters. Sometimes it will quite properly be the deciding factor. But an Agreement of Purchase and Sale contains much more than a purchase price, and every other term in the agreement can affect the value, certainty, cost and risk of the transaction. A strong offer should therefore be evaluated as a complete package.

The better question for a seller is not simply, "Which buyer is offering me the most money?" It is: "Which offer gives me the best overall probability of achieving the outcome I want?"

**Begin With Your Selling Objectives**
The best time to decide what matters in an offer is before the offers arrive. A seller should have already considered their priorities. Is maximizing price the overriding objective? Is certainty of closing particularly important? Does the seller need a specific closing date because another property has already been purchased? Are there financial carrying costs associated with a delayed closing? Is flexibility important, or would a failed transaction create serious consequences? Different sellers can reasonably evaluate the same two offers differently because they have different objectives. Click here to read the remainder of the article

## Notable, Quotable, Quotes!

"Success is loving life and daring to live it."

**Maya Angelou**

"Doing the best at this moment puts you in the best place for the next moment."

**Oprah Winfrey**

"A goal without a plan is just a wish."

**Antoine de Saint-Exupéry**

Not intended to solicit buyers or sellers currently under contract.
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