

Checklist of Considerations in a Real Estate Listing Agreement + Talking Points in a Mediation or Collaborative Session

- Listing price
- Agent commissions (on the sellers' side and buyers' side)
- Agent duties
- Property description for the Multiple List Service (MLS)
- Items included in the property sale
- Items that will be removed after closing
- Agreement duration
- Conflict resolution details
- Protection periods
- Whether to allow automatic valuations like Zestimates from Zillow or Redfin estimates (sellers can control the dissemination of this data)
- Whether to do a general home and a pest inspection of the property to include in the disclosures packet and who will pay for those inspections and reports
- Whether you want any buyer who writes an offer to include a "love letter" to the sellers explaining why they love the property (there has been some litigation surrounding such letters and claims of bias, so there is a general trend against accepting such letters as part of an offer packet from a prospective buyer).