

1301:5-6-06

**Refusal to acknowledge or sign agency disclosure forms.**

(A)

(1) If a purchaser or seller declines to acknowledge receipt of the "Consumer Guide to Agency Relationships" required pursuant to section 4735.56 of the Revised Code or sign an agency disclosure form that is presented as required by section 4735.58 of the Revised Code, the licensee shall note the following on the bottom of the form:

- (a) The party(ies) to whom the form was presented;
- (b) The date and time the form was presented;
- (c) The fact that the party(ies) declines to sign the form; and;
- (d) The reason the party(ies) declines to sign the form if known.

(2) If a purchaser or seller declines to acknowledge receipt of "Consumer Guide to Agency Relationships" or sign an agency disclosure statement that is presented as required by section 4735.58 of the Revised Code, notice thereof shall immediately be communicated to a management level licensee in the brokerage who supervises the licensee.

(3) The brokerage shall, for a period of three years from the date of the transaction, maintain a copy of the form containing the information required by paragraph ~~(B)~~(A)(1) of this rule.

(B) No licensee shall fail to deliver or present an offer to purchase or lease because a party has declined to sign an agency disclosure statement or because an agency disclosure statement was not received.

(C) No modification, alteration, addition, deletion, or reduction in size of the agency disclosure statement shall be permitted. This provision shall not be construed as prohibiting compliance with the requirements of the Americans with Disabilities Act.

Effective:

Five Year Review (FYR) Dates:

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Certification

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Date

Promulgated Under: 119.03

Statutory Authority:

Rule Amplifies: