



FAY
RANCHES_{Inc.}

**HORSEMAN'S DREAM OF
CENTRAL OREGON**

Tumalo (Bend), Oregon
\$5,545,000
35.21± ACRES



FARMS ■ TIMBER ■ RANCHES ■ SPORTING PURSUITS ■ VINEYARDS

INTRODUCTION

A truly remarkable property that could be the daydream of any horse enthusiast, Horseman's Dream of Central Oregon, is as advertised. This 35.21± acre estate backs up to Bureau of Land Management (BLM) land in one of Oregon's most desirable rural areas, Tumalo.

This property is designed to leave nothing to be desired, boasting a luxurious 3,000± square foot, five-bedroom, five-bathroom (three are suites) home with luxury finishes, a covered outdoor patio and four-car garage. Additionally, it has a recently built (2021) 1,862± square foot hobby building with multiple rooms that could serve as bedrooms or offices, two bathrooms, and a fully covered and screened outdoor kitchen. Both structures have been recently built or remodeled with impeccable care.

This is the horseman's dream. The recently built (2021) indoor arena with eight stalls (with runs), washroom, tackroom, feed room, multiple hay storage, automatic watering system for the arena, heated/automatic water for the horses, and endless details will make your days with the ponies much easier. Add to that a trail course, Priefert hot walker, outdoor roping arena, all custom pipe fencing, irrigated pastures, automatic waters, and a round pen, and you will be hard pressed to find an amenity needed for equine activity. Additionally, those who love to work a cow or two will see the small feedlot as an excellent addition for those working cow horses, or those who want to diversify their livestock investment.

Now, this "dream" happens not only in vibrant Central Oregon but also in the small rural community of Tumalo. Located between the cities of Bend, Redmond, and Sisters, Tumalo is renowned for its close-knit community, small farms, and horse properties. Many find that Tumalo offers the best balance between country living and proximity to Bend's economic/cultural center.

If you dream about spending your days around spoiled ponies, riding out of the weather, having room for your family and friends, we have that dream.

QUICK FACTS

- 35.21± acres that border thousands of acres of BLM
- 18.6± acres of water rights: 4± acres of TID (Tumalo Irrigation District) rights, and 14.6± acres of groundwater rights
- A 3,034± square foot 5-bedroom/5-bath custom-built home recently updated with a new covered back patio with a built-in grill, burner top, refrigerator, sink, pizza oven, fireplace, and electric heaters
- A 1,862± square foot, 2021-built accessory structure (“hobby building”) includes an office, wet bar, living space, two bedrooms and two bathrooms, and a covered outdoor cooking space with a built-in grill and pizza oven
- Indoor arena built in 2021, with eight stalls with runs, a tack room, a wash room, hay storage, and more
- The entire property is fenced with welded pipe, including all runs, paddocks, pastures, a round pen, and an outdoor arena
- A 2,592± square foot detached garage/shop with large roll-up doors that can handle up to a 45’ RV
- Located in a small rural community of Tumalo and 8.3± miles from Bend
- Cascade Mountain views
- Fully landscaped and paved driveways







ACREAGE

- 35.21± deeded acres
- 14,859± public BLM acres

The 35.21± acres of Horseman's Dream of Central Oregon is comprised of a single taxlot (APN: 131383, Map and Taxlot: 1611010000800). The property is zoned Exclusive Farm Use (EFU) and Airport Safety Combining Zone. The property has an elevation of 3,200± feet above sea level. Adjacent to the property is 14,859± acres of BLM or State ground, before you must cross a paved road. Thousands of acres of contiguous land are available once crossing the roads. An improved trailhead, Tumalo Canal, is less than three-quarters of a mile and offers miles of trails for non-motorized users.







SCENIC VISTAS

Even though Horseman's Dream of Central Oregon sits in a valley, it has impactful views of the Three Sisters (Faith, Hope, and Charity).



IMPROVEMENTS

The Horseman's Dream of Central Oregon has undergone numerous quality improvements, most completed within the last four years. All of the upgrades are in impeccable condition and well-maintained.

Main home:

This 5-bedroom, 5-bathroom home, originally built in 1973, is 3,034± square feet and feels bigger than the listed square footage. It was remodeled and updated in 2018, new exterior paint was added in 2021, and a covered patio was built in 2022.

Additional features include:

- A large primary suite with two walk-in closets, a large bathroom, and a loft with a wet bar
- Two additional suite bedrooms with tile showers on the main floor
- An exceptional kitchen, with stainless steel Bosch appliances, opens up to the dining room
- A new covered back patio with a built-in Traeger grill/smoker, wood-fired pizza oven, and fireplace
- Four-car garage with new wood garage doors and built-in shelves





Additional space for friends and family:

Have visitors? The Horseman's Dream of Central Oregon features a recently constructed (2021) two-story structure, a "hobby building" (as permitted by the county). This versatile facility serves multiple purposes and includes the following amenities:

- Multiple rooms for offices and bathrooms at each level
- Open layout with loft style upstairs and large windows to take in views
- A covered outdoor patio with a screened porch, a Treager grill/smoker, wood-fired pizza oven, wood fireplace, and sink
- Three-car garage for farm vehicles

Need more space? Maybe a friend has designated hook-ups for recreational vehicles/campers with a paver patio, electrical, water, and sewer/septic hook-ups. A 2022 Keystone Outback 328RL is included in the sale.



A place for your projects

An additional detached garage/shop serves as extra storage and a project center for the property. The 2,592± square foot building has large roll-up garage doors to accommodate a large RV.

Additional features:

- 3-phase power with a welder plug, and plenty of capacity for more
- 220V available for welders
- 4 roll-up doors, with two high doors inline at opposite ends, allow RV or large equipment to easily pass through the building
- Two air conditioning/heating units as well as a propane heater
- Full inside RV hook-up with electrical, septic, and water
- A half bath for restroom breaks without getting the house dirty
- Additionally, there is a 5-bay 1,056± square foot storage shed with sliding doors for equipment and tools.



The horses home

This 2021-built indoor arena and stall row is a real treat for horse lovers. The 80' x 130'± arena has a footing mix of native soil and sand for performance disciplines. The building also features an eight-stall row with a wash rack, tack room, and feed/hay storage. The row has an aisle to keep the stalled horse from heckling those in the arena.



As if that is not enough, the barn includes:

- Overhead sprinklers for easy arena watering
- Classic Equine heated automatic waters for every stall
- 65' x 12' pipe stall runs
- Electric heaters
- Axulliere hay and shavings storage with roll-up doors
- Sonos and PA sound system
- Fully finished tack room includes a half bath and heat
- Priefert stall fronts





Horseman's Dream of Central Oregon | Tumalo (Bend), Oregon

More for the furry friends

Depending on the purpose, the entire property is fenced and cross-fenced with welded pipe, featuring posts and rails (interior) and/or a top rail, and no-climb wire (exterior). This includes all stall runs, a round pen, eight paddocks, two pastures, an outdoor roping arena, six feedlot pens, and three small dry lot pens.

Additionally, there are the following livestock amenities:

- Trail course with water feature
- 60' round pen
- Priefert hot walker
- Classic Equine heated automatic waters for horse pastures
- Ritchie heated automatic for all cattle pens/pastures
- 300' x 145'± roping arena with remote Priefert roping chute, stock pens (including shorting pen), and return alley, with a covered pavilion for spectators to enjoy the action with power, and a fire pit
- Small six pen feedlot, three pens with 192± feet of concrete feed bunks, four pens with automatic waterers, and a commodity bunk

These are just a taste of the top-notch improvements of Horseman's Dream of Central Oregon. To fully experience all the upgrades, take the tour of this remarkable property.





RECREATION

Its outstanding recreational opportunities define Central Oregon. From world-class skiing at Mount Bachelor to rock climbing at Smith Rock and floating or rafting the Deschutes and Crooked Rivers, there's something for everyone. If you can't find fun here, you likely won't find it anywhere.

HUNTING | WILDLIFE

Central Oregon offers abundant wildlife, from big game like mule deer, elk, and black bear to waterfowl and upland birds such as ducks, geese, and quail. Migratory species, including the yellow warbler and western snowy plover, make it a prime destination for birders. The neighboring BLM land falls under Upper Deschutes game management.

FISHING

Central Oregon offers diverse fishing opportunities just minutes from the property. The nearby Deschutes River is excellent for trout, with access from the adjacent BLM land. The region is filled with rivers, lakes, and reservoirs—like the Crooked, Metolius, and Cascade lakes—where anglers can catch trout, bass, kokanee, and more.



Photo not taken on property



The Deschutes River

FOR HORSE LOVERS

Central Oregon offers many attractions for horse lovers. One such attraction is the prestigious Oregon High Desert Classics (OHDC), approved by the US Hunter Jumper Association. This show attracts world-class riders from all over the US and Canada and is held the last two weeks of July every year.



The area is home to multiple Professional Rodeo Association events. From “The Biggest Little Show in the World” at Sisters, Oregon, a 23± mile drive from the ranch, to the “Crooked River Roundup Rodeo” in Prineville, Oregon, a quick 21± mile drive. The Deschutes County Fair and Rodeo is held every August at the Deschutes County Fair and Expo Center, just 24± miles from the ranch.

Join the Central Oregon Cutting Horse Association club and enjoy family-style ranch cuttings, complete with potlucks and fresh cattle. Practices and shows are held on multiple dates in many different locations.

Other Central Oregon Horse Associations:

- Arabian Horse Club of Central Oregon
- Cascade Cattle Club
- Central Oregon Barrel Racing Association
- Central Oregon Cutting Horse Association
- Central Oregon Dressage Society Associations
- Central Oregon Paint Horse Club
- Deschutes County Sheriff's Posse
- Driving Enthusiast of Central Oregon
- Equine Community Services
- High Desert Hunter Jumper Association
- Making Strides 4H Club
- Oregon Equestrian Trails
- Sisters Trail Alliance



AREA HISTORY

Tumalo was originally called Laidlaw in its earliest days, which date back to the 1880s. The town was platted in 1904, and the Tumalo Irrigation District was formed that same year. The community was originally envisioned as a future hub, situated at the crossing of the Deschutes River and a railroad junction connecting rail lines from the coast and the Columbia River. Tumalo never incorporated and remained a rural service area, which kept the community small and rural in favor.



Tumalo, Oregon

NEARBY ATTRACTIONS & ACTIVITIES

Nothing can be said about Bend, Oregon, and the greater Central Oregon area that hasn't already been said before. Often the topic of many travel magazine articles and lists of "must-visit places," Central Oregon's attractions are almost endless. As one of the pioneer communities of microbrewing, the ski resort of Mount Bachelor and its proximity to many natural wonders in Central Oregon will keep you busy with fun. Central Oregon's largest music venue, Hayden Homes Amphitheater, previously named Les Schwab Amphitheater, hosts many big-name artists, including Bob Dylan, Dave Matthews Band, and Willie Nelson, to name a few. In 2025, the amphitheater has 38 shows scheduled with artists such as Neil Young, Chicago, Old Dominion, The Black Keys, and Jerry Seinfeld.

Central Oregon's event list is extensive and includes:

- Oregon Winterfest (February)
- Bend Marathon and a Half (April)
- Mount Bachelor Big Wave Challenge (April)
- The Pole, Peddle, Paddle (May)
- Sisters' Rodeo and Crooked River Round-up (June)
- Cascade Cycling Classic (June)
- Sisters' Quilt Show (July)
- Culver Crawdad Festival (July)
- High Desert Classics Horse Show (July)
- The Airshow of the Cascades (August)
- Deschutes and Jefferson County Fairs (August)
- Bend Brewfest (August)
- The Great Drake Duck Race (September)
- Sisters Folk Festival (September)
- and many more events



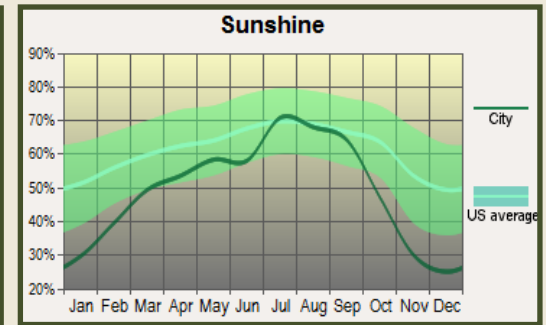
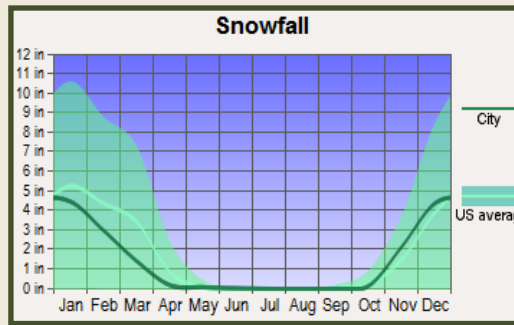
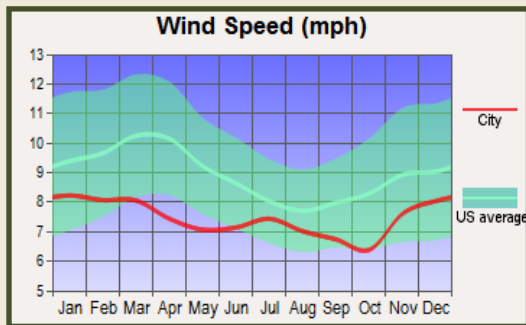
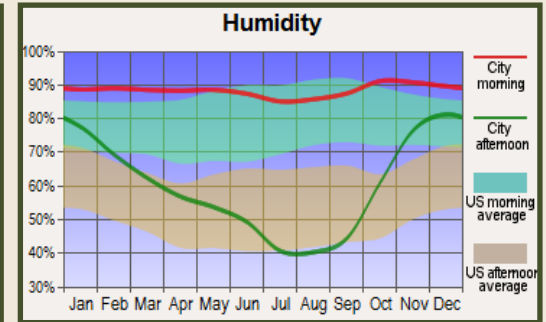
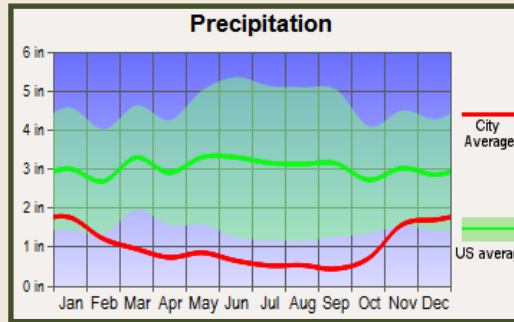
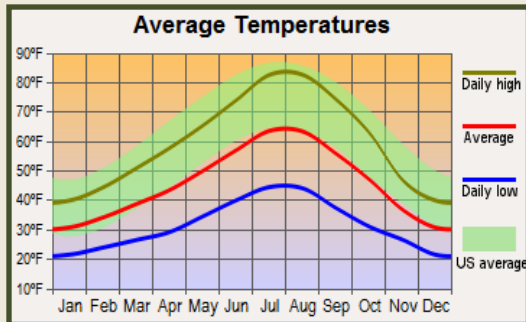
Photo not taken on property

During the summer months, Bend hosts a college baseball developmental league team known as the Bend Elks, bringing live baseball to the area. The culture of Central Oregon has a strong tie to agriculture, with over seven seasonal area farmer markets that give citizens a chance to buy fresh and local agricultural products straight from farmers and ranchers. Many of the fine dining establishments in Central Oregon use locally sourced foods.

CLIMATE

Central Oregon is located on the leeward side of the Cascade Mountains, resulting in a relatively arid and sunny climate for most of the year. This allows for sunshine most days and cooler nights throughout the year. Central Oregon experiences many sunny days, regardless of the season. Most of the area's precipitation comes during the winter months, in the form of snow.

Climate charts courtesy of <https://www.city-data.com/city/Tumalo-Oregon.html>



CONSERVATION | STEWARDSHIP

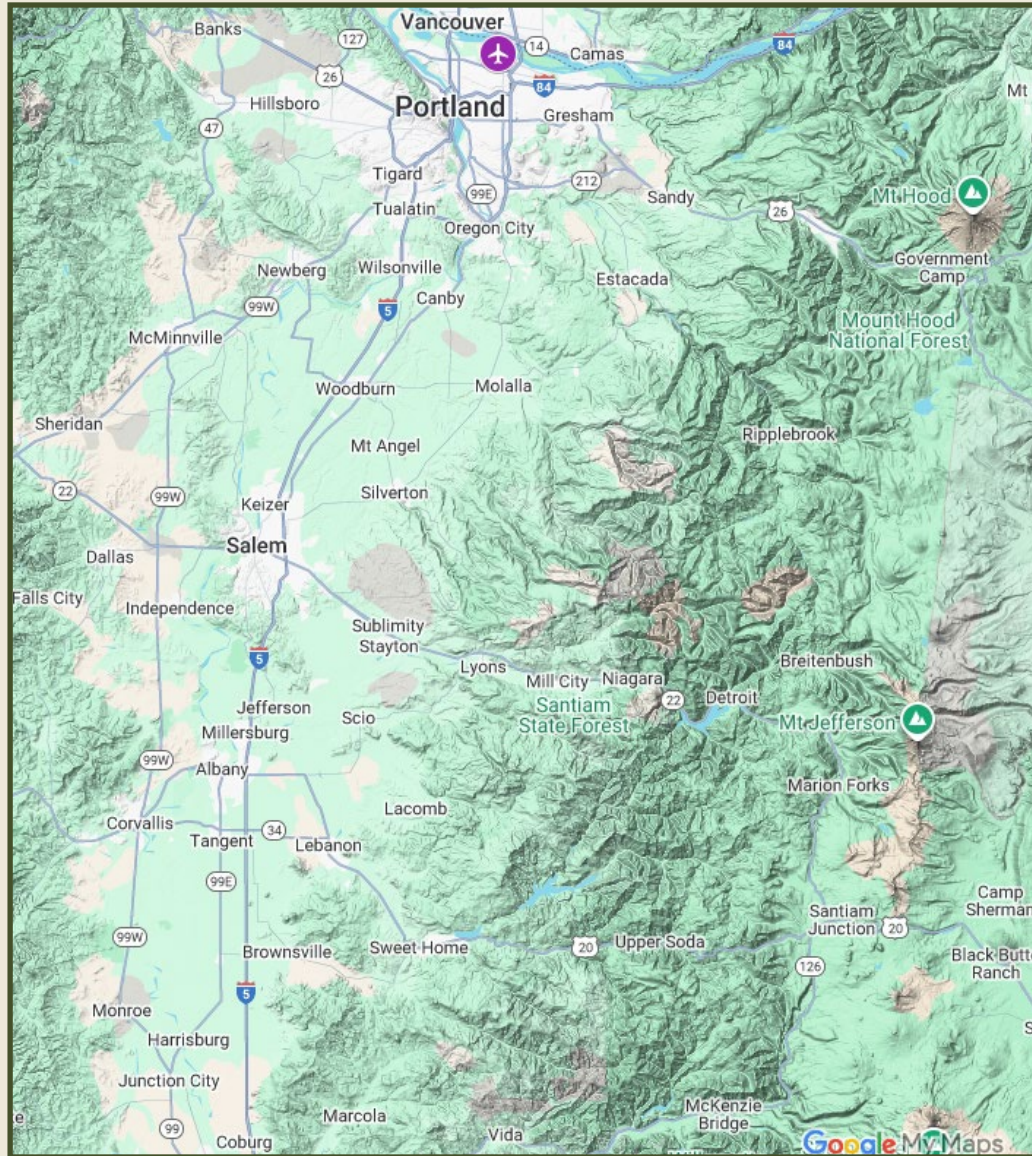
There are no conservation easements encumbering the Horseman's Dream of Central Oregon.

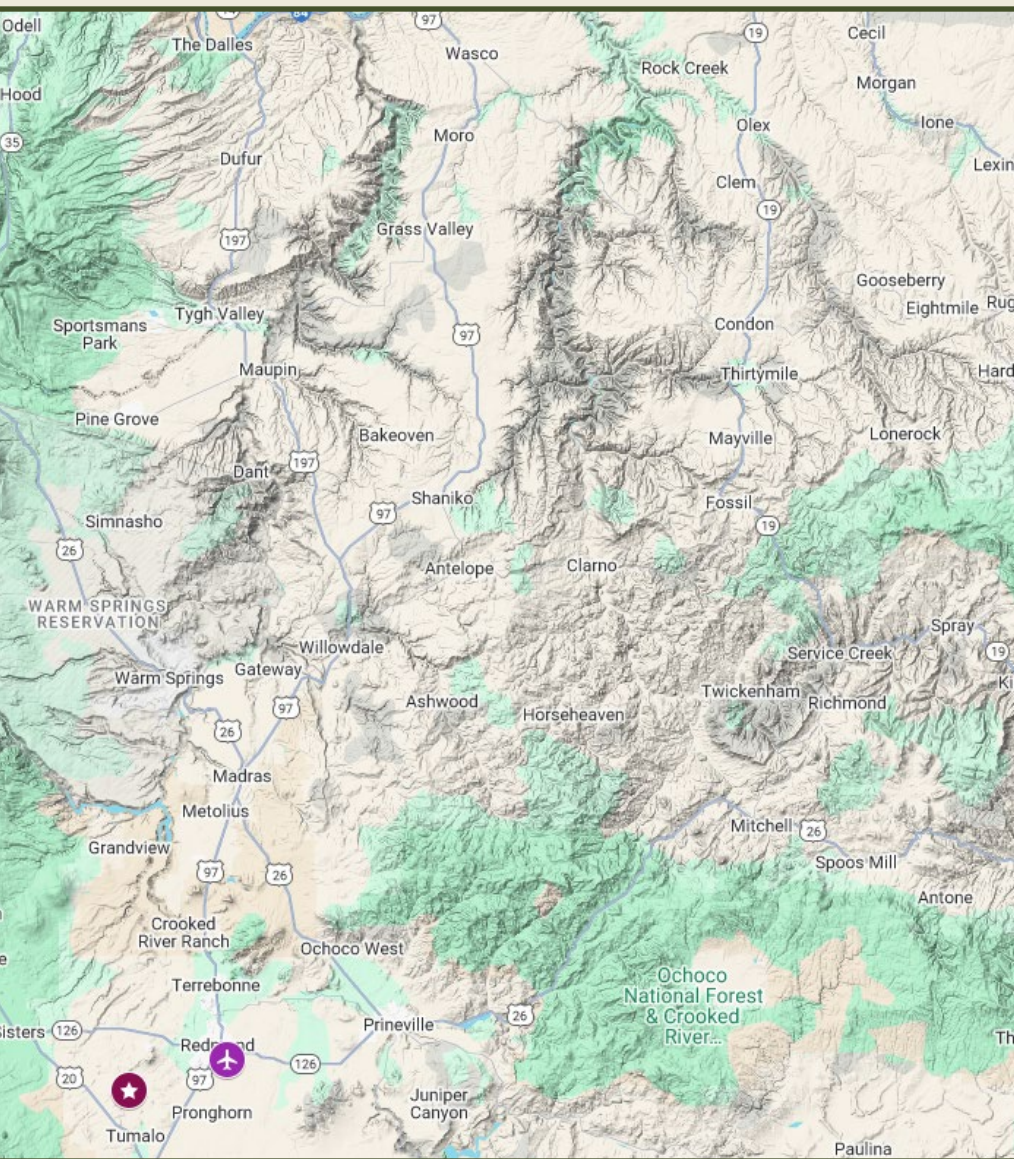
Each of us at Fay loves the land and wants to see it remain a productive agricultural ground and a quality fish and wildlife habitat. Through promoting thoughtful land stewardship, Fay has guided owners toward a legacy of conserving wide-open spaces, enhancing and creating fisheries and wildlife habitats, and implementing sustainable agricultural operations. Fay is proud to say that since our company began in 1992, our clients' conservation ethics and land-use practices have significantly enhanced our work landscape.



LOCATION

The small, unincorporated community of Tumalo, with its 100± year-old schoolhouse, locally famous gas station/convenience store, and popular food truck court, “The Bite,” is just 5± minutes from the exciting City of Bend, Oregon. The area is known for small farms, ranches, and horse properties, making it one of Oregon’s most desirable places to live. During hot summer days, locals and visitors enjoy lazy floats along the nearby Deschutes River, which meanders through the Tumalo area. The area’s beautiful scenery, afforded by the many well-maintained farm properties, allows cyclists to enjoy the meandering Deschutes River and the magnificent Cascade Mountains as they frequent the area’s many popular routes. The Tumalo area, with its numerous horse training/boarding facilities and breeding operations, is well-represented in the horse industry. Tumalo is popular amongst affluent and often high-earning professionals who want to enjoy country living but need to live close to the Bend economic center and air connections.





AIRPORT SERVICES

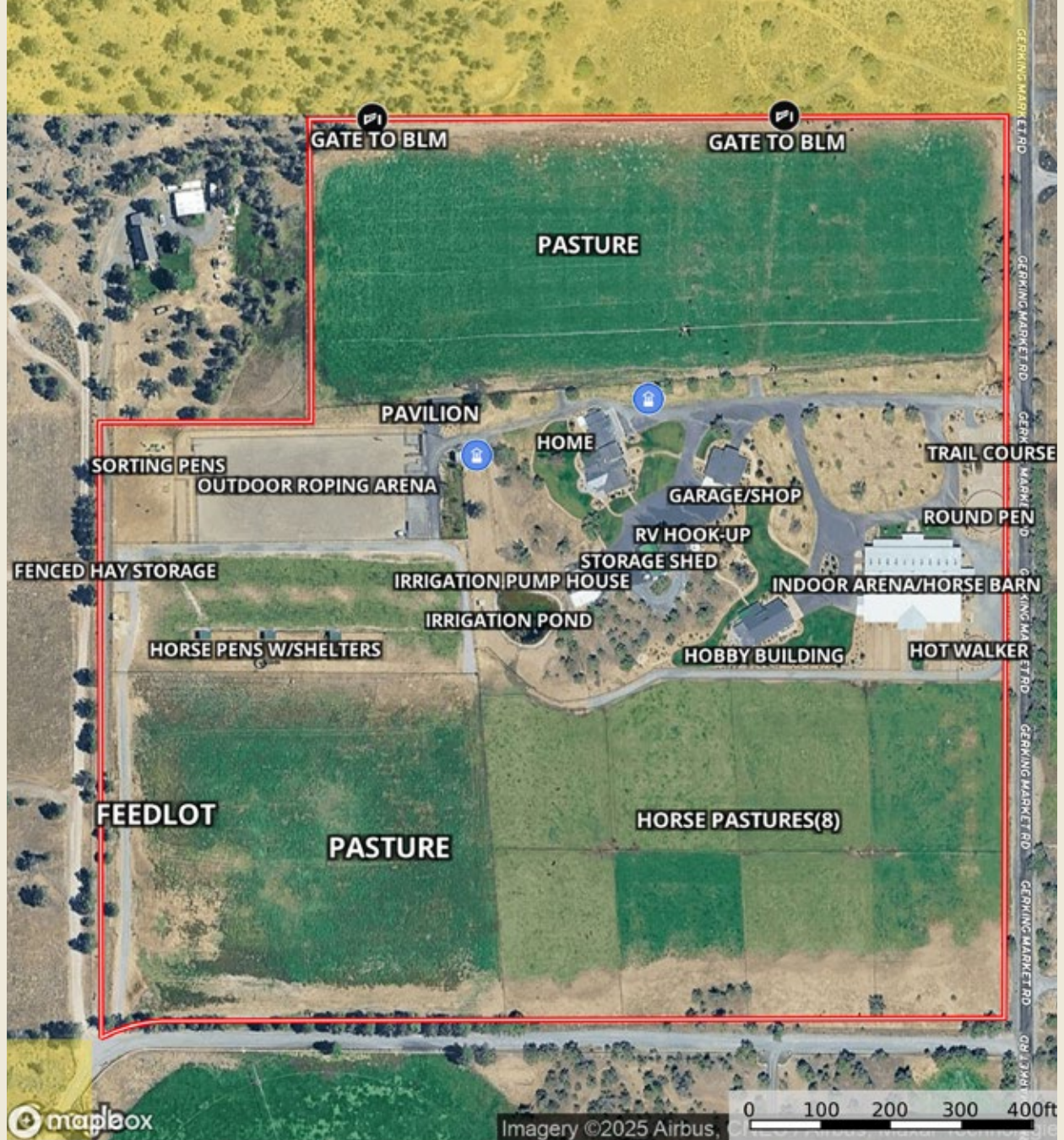
Closest Major Airport: Bend-Redmond (RDM)

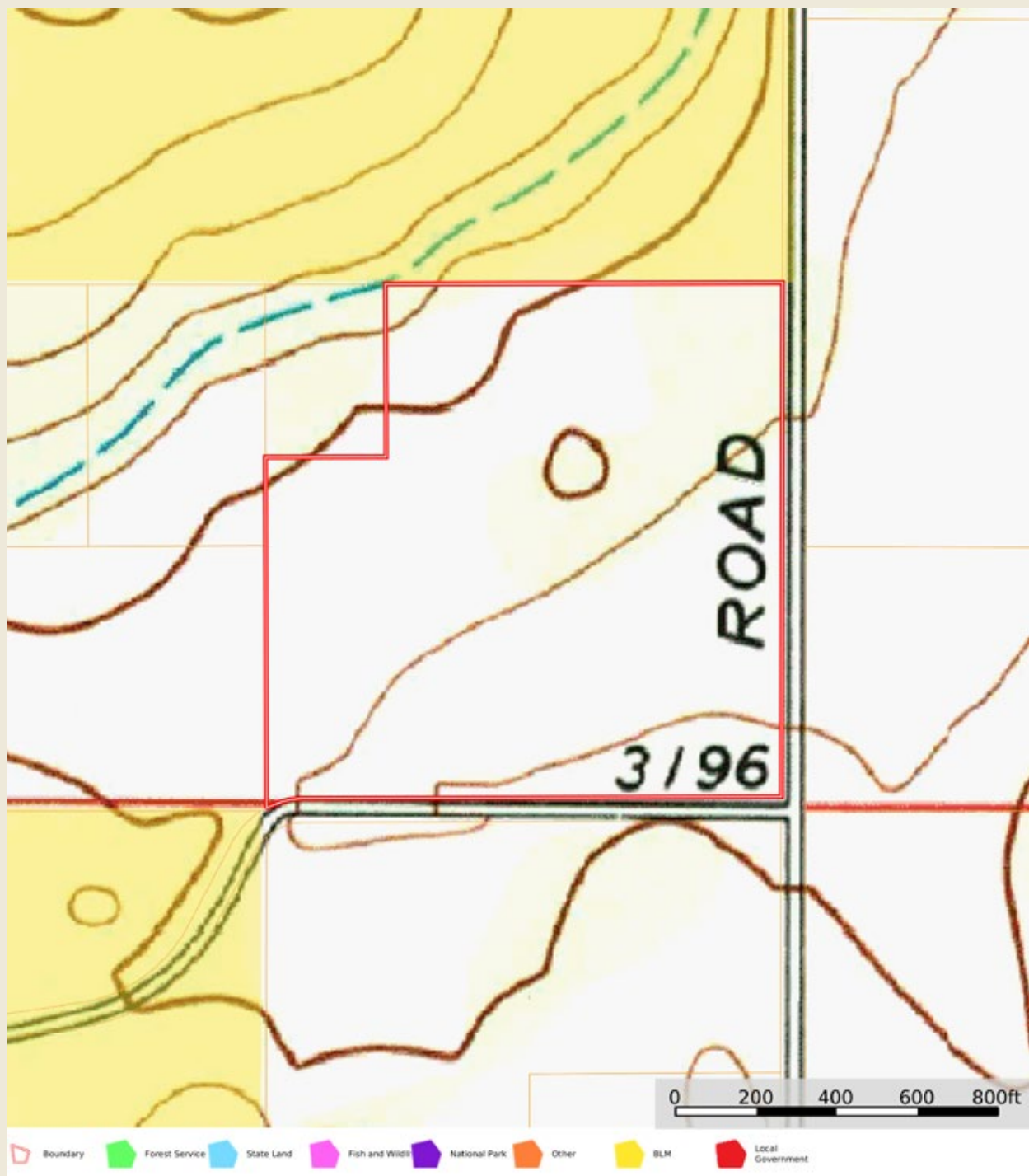
Just 15± minutes away, the Roberts Field Airport in Redmond, Oregon (RDM), is Oregon's fourth-largest commercial airport. And it's only 20± minutes away from the energy and excitement of downtown Bend.

Direct flights are available to and from Denver, Los Angeles, Portland, Salt Lake City, San Francisco, Las Vegas, Phoenix, and Seattle. It is served by Alaska, United, Delta, & American Airlines.

Closest International Airport: Portland International (PDX)

Portland International Airport is only 3± hours driving from the Deschutes River Ranch. It is served by Air Canada, Alaska, American Airlines, Boutique Air, Condor, Delta, Frontier, Hawaiian Airlines, Icelandair, JetBlue, PenAir, Southwest, Spirit, Sun Country Airlines, United, Virgin America, Volaris, and WestJet.





WATER RIGHTS

Domestic water is provided by a well (see well log) and stored in two 3,000-gallon cisterns. This well provides domestic water for the main house, hobby building, indoor area, and livestock water.

There are 4.0± acres of Tumalo Irrigation District (TID) water rights appurtenant to the property. TID was officially established in 1922 (although the “Tumalo Project,” comprising the canals and systems to irrigate the Laidlaw area, was first recognized in 1902 under the Carey Act), and services 8,110± acres of irrigated land. The irrigation district usually starts delivering water in mid-April and continues until mid-to-late September. The district has been a model for irrigation districts moving into the future, with numerous piping projects and other water conservation protocols to protect endangered species, native habitats, and stream flow in area rivers and creeks. Annual assessment fees (2025) for the 4.0± acres of the Horseman’s Dream of Central Oregon are \$1,374.00.

Additionally, 14.6± acres of irrigation is supplied via an irrigation well and a groundwater right certificate #95534. These water rights are managed by the Oregon Water Resources Department (OWRD). No assessment is changed for this water right. Water is spread onto the “wet acres” via pop-up sprinklers (horse pastures) and wheel lines (cattle pastures).

Under Oregon law, all water is publicly owned. With some exceptions, cities, farmers, factory owners, and other users must obtain a permit or water right from the Water Resources Department to use water from any source, whether it is underground or from lakes or streams. Landowners with water flowing past, through, or under their property do not automatically have the right to use that water without a permit from the Department. The waters of Oregon are administered by the State of Oregon under a “prior-appropriation” doctrine; first in time, first in right.

DESC 58115
DESC 58115
 07-17-2007
 Amended

STATE OF OREGON
 WATER SUPPLY WELL REPORT
 (as required by ORS 547.560 & ORS 469.100-469.110)

WELL LABEL # 1: 415
 START CARD # 1501-480

Page 1 of 2

(1) LAND OWNER: Owner Well ID: 1518
 First Name: Sonda Last Name: Kaufeldt
 Company: Address: 8954 N. VISTA ST. City: SASTON State: OR Zip: 97135
 (2) TYPE OF WORK: ☒ New Well ☐ Deepening ☐ Conversion ☐ Alteration (specify construction) ☐ Abandonment

(3) DRILL METHOD: ☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud ☐ Aircrete Rotary ☐ Other

(4) PROPOSED USE: ☒ Domestic ☐ Irrigation ☐ Community ☐ Industrial ☐ Geothermal ☐ Other

(5) BORE HOLE CONSTRUCTION: Special Standard ☐ Stick hole
 Depth of Completed Well: 540.00 ft.
 HOLE LOG: Temp. To: 100 ft. Material: From: To: Seal: 100 540 540

(6) STATIC WATER LEVEL: ☒ Existing Well ☐ New Well
 Completed Well: 10/1/2007 100 540
 Flowing Artesian: 10/1/2007 100 540
 Depth water was first found: 100

(7) WELL LOG: Ground Elevation: From: To: Material: From: To: 100 540 540
 BROWN SANDSTONE W/ SILTY CLAY 296 410
 SILTY CLAY 410 480
 BROWN SANDSTONE 480 520
 SILT 520 540
 BROWN CLAYSTONE (W/ SILT) 540 540
 DARK SILTY SANDSTONE 540 540

RECEIVED
 JUL 26 2007
 WATER RESOURCES DEPT
 Date Submitted: 07-16-2007

(Standard) Water Well Construction Certification
 I certify that the work performed on this construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
 License Number: 1889 Date: 07-16-2007
 Electronically Filed
 Report: (Mandatory for all wells except 1518)

(Standard) Water Well Construction Certification
 I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
 License Number: 184 Date: 07-15-2007
 Electronically Filed
 Report: (Mandatory for all wells except 1518)

ORIGINAL - WATER RESOURCES DEPARTMENT
 THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK.



SUMMARY

Enjoy this park-like setting with room for family and friends (including furry ones) on the property or head out the gate to thousands of acres and miles of trails of neighboring public land. Enjoy countless amenities and luxuries from exceptional indoor and outdoor kitchens, abundant storage, well-built horse facilities, and much more. Come and see if Horseman's Dream of Central Oregon is your dream as well.









PRICE

\$5,545,000

TAXES

\$12,147.09
(2024)

TERMS

Cash
Conventional Financing
1031 Exchange

CONTACT

Please contact **Alex Robertson** at **(541) 420-2394** | **arobertson@fayranches.com** to schedule a showing. This is an exclusive listing. An agent from Fay must be present at all showings, unless otherwise noted or other arrangements are made. To view other properties we have listed, please visit our web page at www.fayranches.com.

NOTICE

Offer is subject to errors, omissions, prior sale, change or withdrawal without notice, and approval of purchase by owner. Information regarding land classification, carrying capacities, maps, etc., is intended only as a general guideline and has been provided by the owners and other sources deemed reliable, but the accuracy cannot be guaranteed. Prospective purchasers are encouraged to research the information to their own satisfaction.



FARMS ■ TIMBER ■ RANCHES ■ SPORTING PURSUITS ■ VINEYARDS





OREGON REAL ESTATE AGENCY
INITIAL AGENCY DISCLOSURE PAMPHLET
OAR 863-015-0215 (5)

- 1 This pamphlet describes the legal obligations of real estate agents in Oregon. Real estate agents and Principal Brokers are
2 required to provide this information to you when they first meet you.
- 3 This pamphlet is informational only. Neither the pamphlet nor its delivery to you may be interpreted as evidence of intent to
4 create an agency relationship between you and an agent or a Principal Broker.

5 Real Estate Agency Relationships

- 6 An "agency" relationship is a voluntary legal relationship in which a licensed real estate agent or Principal Broker, agrees to act on
7 behalf of a buyer or a seller (the "client") in a real estate transaction.
- 8 Oregon law provides for three types of agency relationships between real estate agents and their clients:
- 9 **Seller's Agent** - Represents the seller only;
10 **Buyer's Agent** - Represents the buyer only;
11 **Disclosed Limited Agent** - Represents both the buyer and seller, or multiple buyers who want to purchase the same
12 property. This can be done only with the written permission of all clients.
- 13 The actual agency relationships between the seller, buyer and their agents in a real estate transaction must be acknowledged at
14 the time an offer to purchase is made. Please read this pamphlet carefully before entering into an agency relationship with a real
15 estate agent.

16 Definition of "Confidential Information"

- 17 Generally, agents must maintain confidential information about their clients. "Confidential information" is information communicated
18 to the agent or the agent's Principal Broker by the buyer or seller of one to four residential units regarding the real property
19 transaction, including but not limited to price, terms, financial qualifications or motivation to buy or sell. "Confidential information"
20 does not mean information that:
- 21 a. The buyer instructs the agent or the agent's Principal Broker to disclose about the buyer to the seller, or the seller
22 instructs the agent or the agent's Principal Broker to disclose about the seller to the buyer, and
23 b. The agent or the agent's Principal Broker knows or should know failure to disclose would constitute fraudulent
24 representation.

25 Duties and Responsibilities of Seller's Agent

- 26 Under a written listing agreement to sell property, an agent represents only the seller unless the seller agrees in writing to allow the
27 agent to also represent the buyer. An agent who represents only the seller owes the following affirmative duties to the seller, the
28 other parties and the other parties' agents involved in a real estate transaction:
- 29 1. To deal honestly and in good faith;
30 2. To present all written offers, notices and other communications to and from the parties in a timely manner without regard
31 to whether the property is subject to a contract for sale or the buyer is already a party to a contract to purchase; and
32 3. To disclose material facts known by the agent and not apparent or readily ascertainable to a party;

LINES WITH THIS SYMBOL ← REQUIRE A SIGNATURE AND DATE

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Phone: 541.491.9770

Fax:
www.orefllc.com

OREF Buyer Kit

33 A Seller's Agent owes the seller the following affirmative duties;

- 34 1. To exercise reasonable care and diligence;
- 35 2. To account in a timely manner for money and property received from or on behalf of the seller;
- 36 3. To be loyal to the seller by not taking action that is adverse or detrimental to the seller's interest in a transaction;
- 37 4. To disclose in a timely manner to the seller any conflict of interest, existing or contemplated;
- 38 5. To advise the seller to seek expert advice on matters related to the transactions that are beyond the agent's expertise;
- 39 6. To maintain confidential information from or about the seller except under subpoena or court order, even after termination
- 40 of the agency relationship; and
- 41 7. Unless agreed otherwise in writing, to make a continuous, good faith effort to find a buyer for the property, except that a
- 42 Seller's Agent is not required to seek additional offers to purchase the property while the property is subject to a contract
- 43 for sale.

44 None of the above affirmative duties of an agent may be waived, except #7. The affirmative duty listed in #7 can only be waived by

45 written agreement between seller and agent.

46 Under Oregon law, a Seller's Agent may show properties owned by another seller to a prospective buyer and may list competing

47 properties for sale without breaching any affirmative duty to the seller.

48 Unless agreed to in writing, an agent has no duty to investigate matters that are outside the scope of the agent's expertise, including

49 but not limited to investigation of the condition of property, the legal status of the title or the seller's past conformance with law.

50 Duties and Responsibilities of Buyer's Agent

51 An agent, other than the Seller's Agent, may agree to act as the Buyer's Agent only. The Buyer's Agent is not representing the

52 seller, even if the Buyer's Agent is receiving compensation for services rendered, either in full or in part, from the seller or through

53 the Seller's Agent.

54 An agent who represents only the buyer owes the following affirmative duties to the buyer, the other parties and the other parties'

55 agents involved in a real estate transaction.

- 56 1. To deal honestly and in good faith;
- 57 2. To present all written offers, notices and other communications to and from the parties in a timely manner without regard
- 58 to whether the property is subject to a contract for sale or the buyer is already a party to a contract to purchase; and
- 59 3. To disclose material facts known by the agent and not apparent or readily ascertainable to a party.

60 A Buyer's Agent owes the buyer the following affirmative duties:

- 61 1. To exercise reasonable care and diligence;
- 62 2. To account in a timely manner for money and property received from or on behalf of the buyer;
- 63 3. To be loyal to the buyer by not taking action that is adverse or detrimental to the buyer's interest in a transaction;
- 64 4. To disclose in a timely manner to the buyer any conflict of interest, existing or contemplated;
- 65 5. To advise the buyer to seek expert advice on matters related to the transaction that are beyond the agent's expertise;
- 66 6. To maintain confidential information from or about the buyer except under subpoena or court order, even after termination
- 67 of the agency relationship; and
- 68 7. Unless agreed otherwise in writing, to make a continuous, good faith effort to find property for the buyer, except that a
- 69 buyer's agent is not required to seek additional properties for the buyer while the buyer is subject to a contract for
- 70 purchase.

71 None of these affirmative duties of an agent may be waived, except #7. The affirmative duty listed in #7 can only be waived by

72 written agreement between buyer and agent.

73 Under Oregon law, a Buyer's Agent may show properties in which the buyer is interested to other prospective buyers without

74 breaching an affirmative duty to the buyer.

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75 Unless agreed to in writing, an agent has no duty to investigate matters that are outside the scope of the agent's expertise, including
76 but not limited to investigation of the condition of property, the legal status of the title or the seller's past conformance with law.

77 **Duties and Responsibilities of an Agent**
78 **Who Represents More than One Client in a Transaction**

79 One agent may represent both the seller and the buyer in the same transaction, or multiple buyers who want to purchase the same
80 property, only under a written "Disclosed Limited Agency Agreement" signed by the seller and buyer(s).

81 Disclosed Limited Agents have the following duties to their clients:

- 82 1. To the seller, the duties listed above for a seller's agent; and
83 2. To the buyer, the duties listed above for a buyer's agent;
84 3. To both buyer and seller, except with express written permission of the respective person, the duty not to disclose to the
85 other person:
86 a. That the seller will accept a price lower or terms less favorable than the listing price or terms;
87 b. That the buyer will pay a price greater or terms more favorable than the offering price or terms; or
88 c. Confidential information as defined above.

89 Unless agreed to in writing, an agent has no duty to investigate matters that are outside the scope of the agent's expertise.

90 When different agents associated with the same Principal Broker (a real estate agent who supervises other agents) establish
91 agency relationships with different parties to the same transaction, only the Principal Broker will act as a Disclosed Limited Agent
92 for both buyer and seller. The other agents continue to represent only the party with whom the agents have already established an
93 agency relationship unless all parties agree otherwise in writing. The Principal Broker and the real estate agents representing either
94 seller or buyer shall owe the following duties to the seller and buyer:

- 95 1. To disclose a conflict of interest in writing to all parties;
96 2. To take no action that is adverse or detrimental to either party's interest in the transaction; and
97 3. To obey the lawful instruction of both parties.

98 No matter whom they represent, an agent must disclose information the agent knows or should know that failure to disclose would
99 constitute fraudulent misrepresentation.

100 *You are encouraged to discuss the above information with the agent delivering this pamphlet to you. If you intend for that*
101 *agent, or any other Oregon real estate agent, to represent you as a Seller's Agent, Buyer's Agent, or Disclosed Limited*
102 *Agent, you should have a specific discussion with the agent about the nature and scope of the agency relationship.*
103 *Whether you are a buyer or seller, you cannot make an agent your agent without the agent's knowledge and consent, and*
104 *an agent cannot make you their client without your knowledge and consent.*



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