

TUALATIN APPLEBEE'S

– FOR SUBLEASE –



LOCATION 8559 SW Tualatin-Sherwood Rd, Tualatin, OR

AVAILABLE 5,294 SF restaurant space

RENTAL RATE \$28.00/SF/YR, NNN

- COMMENTS**
- Freestanding building in the heart of Tualatin with visibility to Tualatin-Sherwood Road.
 - Area tenants include TJ Maxx, Staples, Petco, Fred Meyer, Cabella's, New Seasons, Home Goods, and Michaels.
 - Proximity to I-5, Nyberg Rivers, Kaiser Tualatin Medical Office and Tualatin WES Station.
 - Term through January 2027 – direct lease is possible.

TRAFFIC COUNTS SW Tualatin-Sherwood Rd – 30,051 ADT (16)
SW Boones Ferry Rd – 12,500 ADT (17)

DEMOGRAPHICS

	1 MILE	3 MILE	5 MILE
Estimated Population 2018	13,830	74,774	191,087
Population Forecast 2023	14,439	78,624	201,371
Average HH Income	\$91,055	\$115,146	\$120,661
Employees	11,602	51,824	110,567

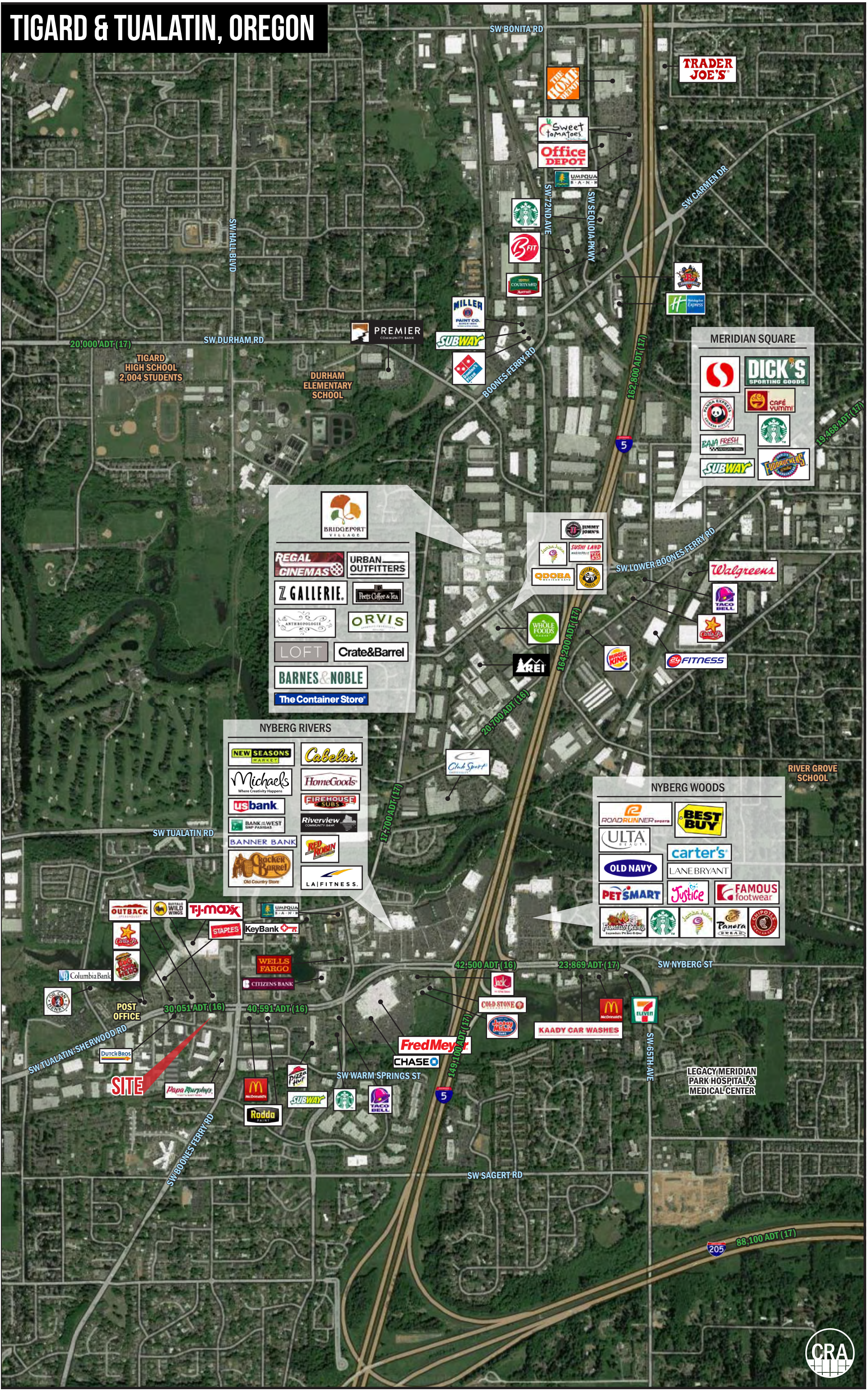
Source: Regis – SitesUSA (2018)



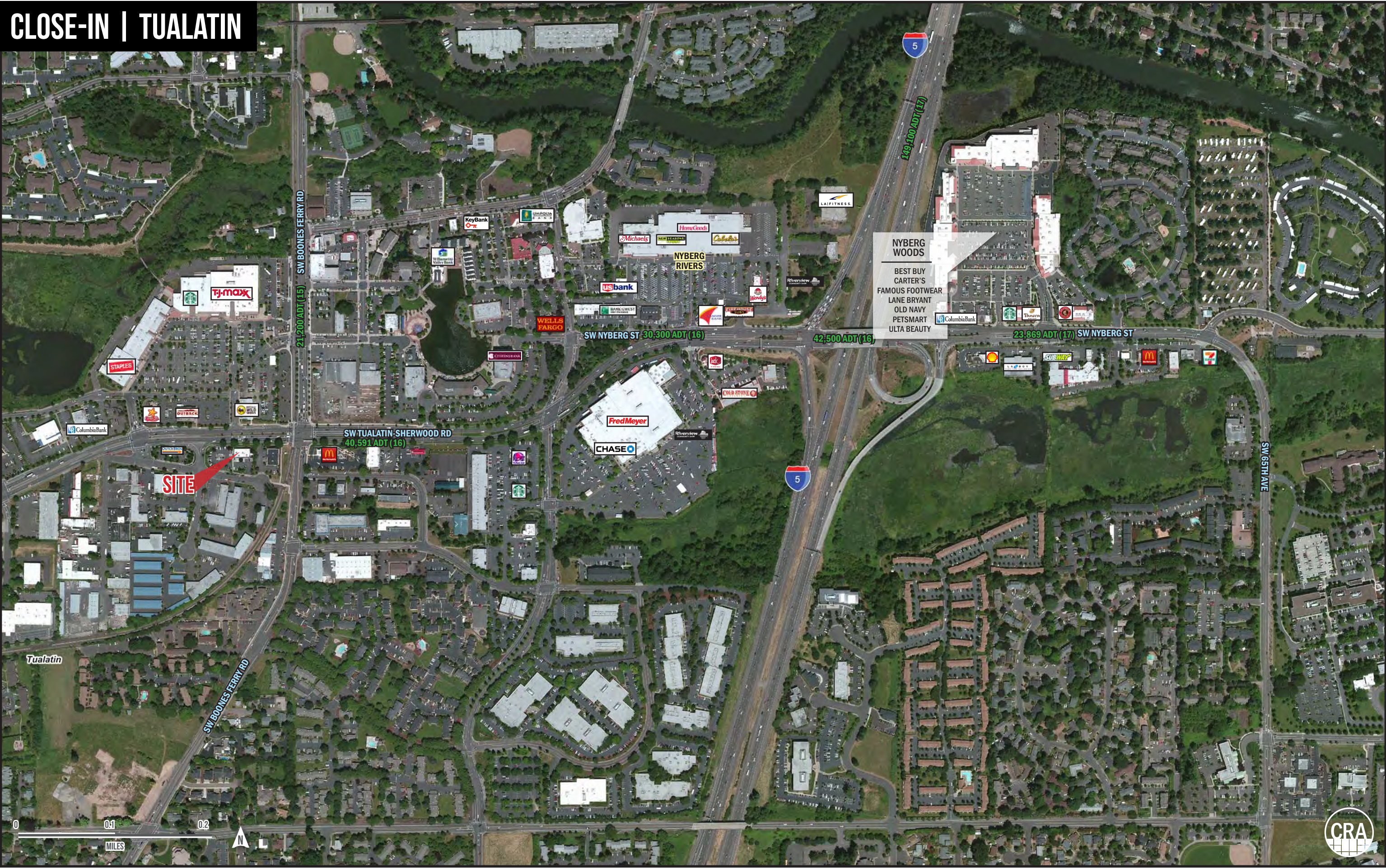
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TIGARD & TUALATIN, OREGON



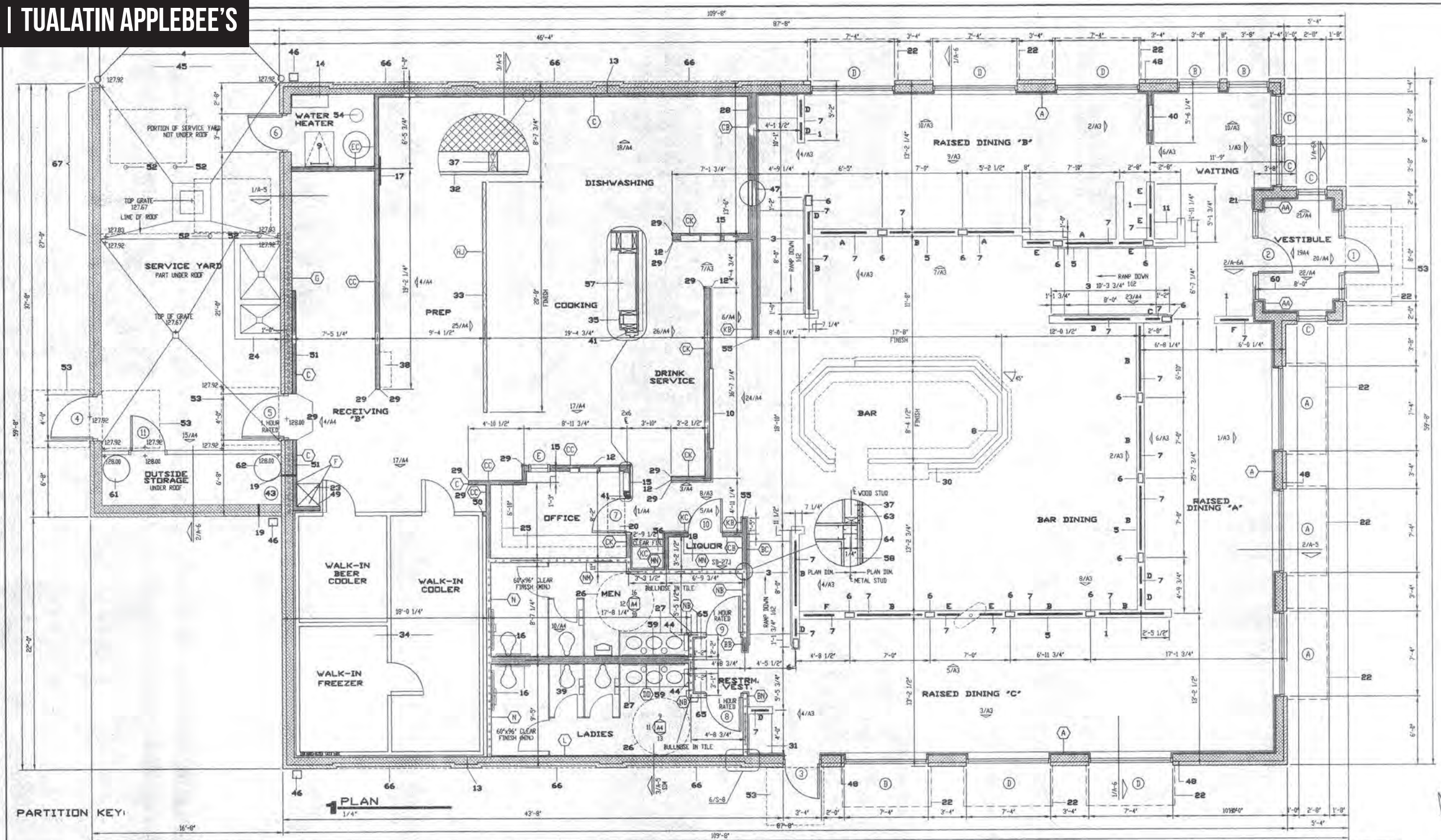
CLOSE-IN | TUALATIN



TUALATIN FORMER APPLEBEE'S | CLOSE-IN



SITE PLAN | TUALATIN APPLEBEE'S



PARTITION KEY:

- EXTERIOR WALL: 8" CMU AND 4" FACE BRICK. REINFORCE 8" CMU W/ #5 BARS VERT. @ 32" O.C.
- 1-HOUR RATED WALL: FACE BRICK (4") YIELDS RATING PER USC TABLE 7B) ITEM 1-1.1
- ONE-HOUR RATED WALL: U-465 CONSTRUCTION. REFER TO DETAIL SHEET A-12. EXTENDS TO UNDERSIDE OF ROOF DECK.
- LOW WALL WITH WROUGHT IRON RAILING
- 3-5/8" 20 GA. METAL STUDS AT 16" O.C. WITH 1/2" DUROCK OR WOOD BOARD ALL FACES.
- WOOD STUD WALL TO 4' ABOVE CEILING. 2x4 STUDS UNLESS OTHERWISE NOTED. REFER TO SHEET A9 FOR WALLS ON CONCRETE CURBS.
- FINISH TYPE, FIRST LETTER EQUALS NEAR SIDE OF WALL - SECOND LETTER EQUALS FAR SIDE OF WALL. SYMBOL ON NEAR SIDE.

FINISH TYPES:

- A - 1/2" GYP. BD. ON 1x FURRING STRIPS HIGH, 3/4" BEADED CLG BOARD ON 1x FURRING STRIPS LOW. SEMI-RIGID INSULATION AS SPECIFIED AND AS SHOWN ON WALL SECTIONS.
- B - 3/4" BEADED CLG BOARD ON 1/2" PLYWOOD LOW AND 1/2" GYP. BD. ON 1/2" PLYWOOD HIGH. APPLY OVER 5/8" TYPE "X" GYP. BD. IN RATED WALL ASSEMBLY OPPOSITE TYPE "D" FINISH.
- C - FRP ON 1/2" PLYWOOD EXCEPT LOWER 18" OF WALL (ABOVE CURB) IS ON 1/2" DUROCK
- D - CERAMIC TILE ON 1/2" DUROCK LOW, GYP. BD.
- E - 1/2" MARINE PLYWOOD.
- F - QUARRY TILE ON 1/2" DUROCK ON TREATED 2x4 STUDS. FRP ABOVE.
- G - FRP ON 1/2" PLYWOOD EXCEPT LOWER 18" OF WALL IS ON 1/2" DUROCK. ON 1x FURRING STRIPS.
- H - FRP ON 1/2" DUROCK
- J - STAINLESS STEEL PANELS (BY K.E.C.) ON 1/2" DUROCK
- K - QUARRY TILE ON 1/2" DUROCK LOW, AND 1/2" GYP. BD. ON 1/2" PLYWOOD HIGH.
- L - CERAMIC TILE SET ON CMU
- M - FRP PANELS, ON 5/8" TYPE "X" GYP. BD.
- N - CERAMIC TILE ON 5/8" TYPE "WRX" GYP. BD.

NOTES

- LOW PARTITION, REFER TO STANDARD DETAIL SD-10.
- SPARE NUMBER.
- HANDRAILS, REFER TO STANDARD DETAILS SD-6-3.
- GATES, REFER TO DETAIL SHEET A-11.
- LOW PARTITION, REFER TO STANDARD DETAIL SD-6-1.
- LAODER TO STANDARD DETAIL SD-9.
- WROUGHT IRON RAILS, REFER TO STANDARD DETAIL SD-33.
- BAR PARTITION, REFER TO SHEET B-3 OF BAR DRAWINGS.
- RECESS FOR STAINED GLASS PANEL. SEE ELEVATION 24/A4 FOR ROUGH-IN. STAINED GLASS AND FRAME FURNISHED AND INSTALLED BY OTHERS.
- COORDINATE DIMENSIONS WITH SEPARATE CONTRACTOR. REFER TO SD-43.
- HOTNESS STATION, REFER TO STANDARD DETAIL SD-29.
- END OF QUARRY TILE WAINSCOT AND CAP. BEGINNING OF FRP WALL FINISH.
- MASONRY WALL CONTROL JOINT IN FACE BRICK FULL HEIGHT OF WALL. COLOR OF SEALANT TO MATCH COLOR OF MORTAR.
- PANEL "NP".
- THICKEN WALL TO 6" (NOMINAL) STUDS TO RECEIVE ELECTRICAL PANEL.
- GRAB BARS, REFER TO TOILET ACCESSORY SCHEDULE AND ELEVATIONS. PROVIDE PLYWOOD BACKUP IN LIEU OF GYPSUM BOARD. REFER TO DETAIL SD-21.
- COAT HOOK STRIP LOCATION. REFER TO STANDARD DETAIL SD-31.
- LIQUOR STORAGE SHELVING REFER TO STANDARD DETAIL SD-27.1.
- SLEEVE FOR CO2 LINE FROM BULK CONTAINER. VERIFY EXACT LOCATION AND INSTALL FITTING. FITTING BY OTHERS.
- SHELF ABOVE, REFER TO STANDARD DETAIL SD-28.
- MAX OCCUPANT LOAD SIGN.
- LINE OF AWNING.
- HOP SINK, REFER TO STANDARD DETAIL SD-44.
- 6" CURBS AROUND CAN WASH AND GREASE CONTAINMENT AREAS.
- OFFICE COUNTER AND UPPER CABINETS. REFER TO SHEET SD-6.
- CLEAR TURNING CIRCLE FOR WHEEL-CHAIRS. 60" DIAMETER.
- VANITY COUNTER TO STANDARD DETAIL SD-16.
- DISHWASHING PARTITION TO STANDARD DETAIL SD-39.
- STAINLESS STEEL CORNER GUARD TO STANDARD DETAIL SD-38. TO CEILING OR HEADER.
- LINE OF BAR TOP.
- WAITRESS STATION "A" REFER TO STANDARD DETAIL SD-30.
- 1/2" PLYWOOD OR 1/2" DUROCK AS SHOWN.
- SPECIAL WALL AT COOK LINE REFER TO STANDARD DETAILS SD-37.1 AND SD-37.2.
- WALK-IN COOLER/FREEZER, FURNISHED AND INSTALLED BY KITCHEN EQUIPMENT CONTRACTOR. APPLY QUARRY TILE BASE TO OUTSIDE AND INSIDE OF COOLER BOX. REFER TO STANDARD DETAIL SD-35.1 THRU SD-35.4.
- LIGHT SWITCH.
- CAN WASH AND RECYCLE AREA. REFER TO SECTION 17/S-3.
- 2x4 STUDS.
- TRAINING MATERIALS CABINET, REFER TO STANDARD DETAIL SD-15.
- 2x8 STUDS.
- RECESS FOR MENU BOARD. REFER TO STANDARD DETAIL SD-52.
- BEGIN 6" STUD AT EDGE OF 2" DOOR FRAME.
- REFER TO SHEET S-1 FOR YARD NOTES.
- BULK CO2 TANK.
- TOWEL DISPENSER. REFER TO DETAIL SD-21.
- REFER TO SHEET S-1.
- DOWNSPOUT. REFER TO SITE DRAWINGS FOR CONTINUATION.
- CENTERLINE OF STUD WALL AGAINST RAMP.
- MASONRY CONTROL JOINT IN FACE BRICK FROM END OF LINTEL TO TOP OF WALL. COLOR OF SEALANT TO MATCH COLOR OF MORTAR.
- STAINLESS STEEL CLOSURE BY G.C.
- EXTEND WALL TO WALK-IN COOLER/FREEZER.
- 2x4 TREATED WOOD STUD FURRING TO 6" ABOVE CEILING.
- 6" PIPE BOLLARDS. REFER TO DETAIL 6/A-11.
- 60" x 60" LEVEL LANDING. 2% MAX. SLOPE OR CROSS SLOPE.
- WATER SOUTER.
- END OF BEAD BOARD WAINSCOT, BEGINNING OF QUARRY TILE WAINSCOT.
- WAITRESS STATION "B" REFER TO STANDARD DETAIL SD-30.
- HVAC CONTROL PANEL.
- 3-5/8" STUDS PART OF 1-HOUR RATED WALL CONSTRUCTION.
- MIRROR. REFER TO TOILET ACCESSORY SCHED.
- DIMENSION FROM FACE OF BRICK ON EXTERIOR TO FACE OF BLDG ON WAITING ROOM SIDE.
- BRINE TANK.
- HELIUM BOTTLE.
- 1/2" PLYWOOD.
- 5/8" TYPE "X" GYP. BD.
- DIMENSION FROM EDGE OF DOOR (FACE OF FRAME) TO FACE OF FINISHED WALL.
- RECESSED ARCH. REFER TO EXTERIOR ELEVATIONS: 1/A-2 & 3/A-2.
- REINFORCE WALL WITH #5 BAR @ 8" O.C. EVERY CELLS THIS SECTION OF WALL ONLY. REFER TO STRUCTURAL DRAWINGS.

GENERAL NOTES

- INTERIOR DIMENSIONS ARE TO THE CENTERLINE OF STUDS OR TO THE FACE OF CMU. DIMENSIONS TO THE ENDS OF WALLS ARE TO FACE OF STUD. EXTERIOR DIMENSIONS ARE TO THE FACE OF BRICK.

REGISTERED ARCHITECT
JOHN S. SHARPE
FORT WORTH, TEXAS



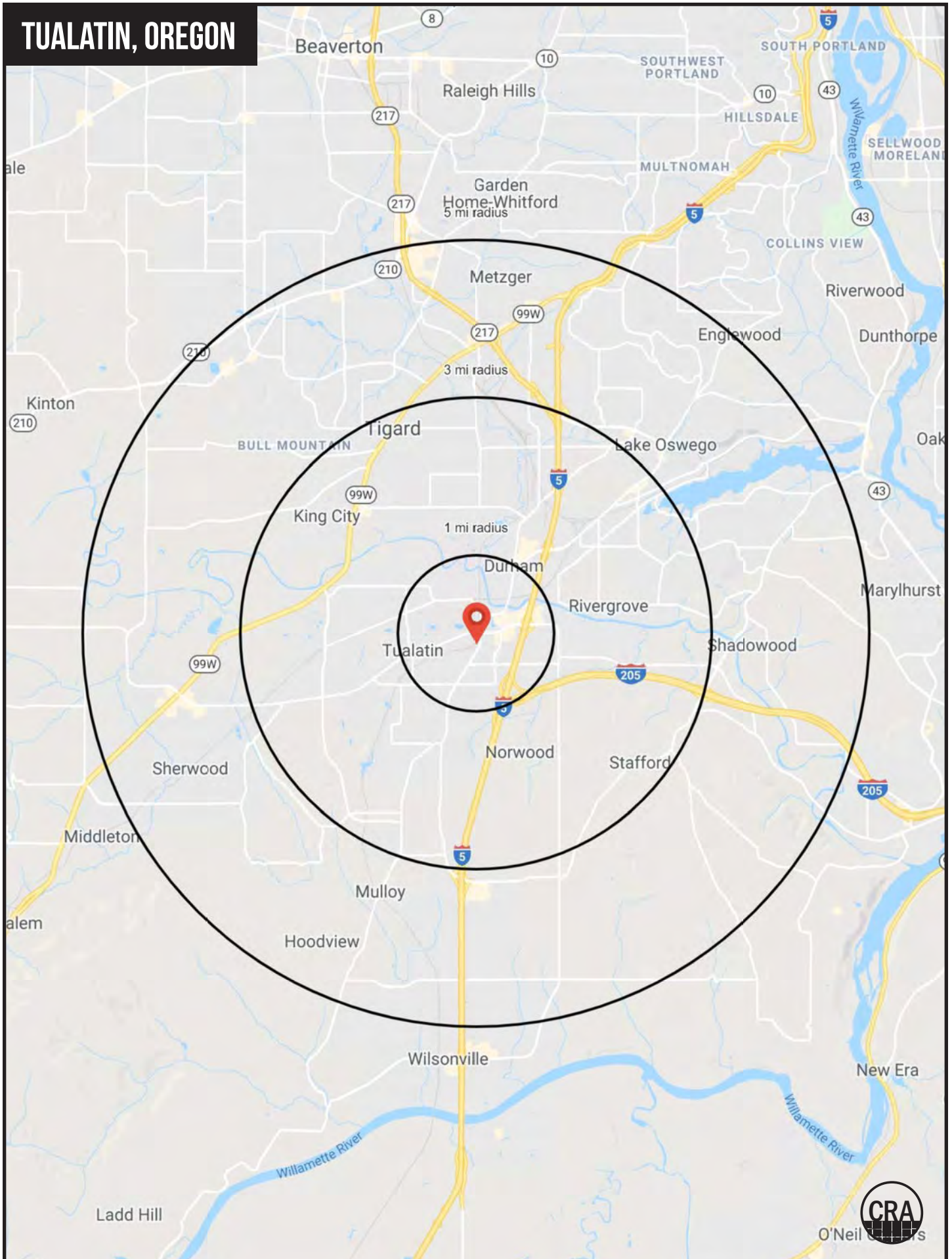
JOHN SHARPE
ARCHITECT
APPLEBEE'S RESTAURANT

REVISIONS	
#	DATE

DATE
1 DEC 01
SHEET
A-1



TUALATIN, OREGON



FULL PROFILE

2000-2010 Census, 2018 Estimates with 2023 Projections

Calculated using Weighted Block Centroid from Block Groups



Lat/Lon: 45.3809/-122.7654

RF1

8559 SW Tualatin-Sherwood Rd

Tualatin, OR 97062

1 mi radius 3 mi radius 5 mi radius

POPULATION	2018 Estimated Population	13,830	74,774	191,087
	2023 Projected Population	14,439	78,624	201,371
	2010 Census Population	12,161	67,663	171,637
	2000 Census Population	11,253	59,604	148,409
	Projected Annual Growth 2018 to 2023	0.9%	1.0%	1.1%
	Historical Annual Growth 2000 to 2018	1.3%	1.4%	1.6%
HOUSEHOLDS	2018 Estimated Households	5,639	30,532	76,770
	2023 Projected Households	5,997	32,421	81,495
	2010 Census Households	4,936	27,496	68,563
	2000 Census Households	4,485	24,359	59,252
	Projected Annual Growth 2018 to 2023	1.3%	1.2%	1.2%
	Historical Annual Growth 2000 to 2018	1.4%	1.4%	1.6%
AGE	2018 Est. Population Under 10 Years	12.7%	10.9%	11.5%
	2018 Est. Population 10 to 19 Years	11.8%	11.6%	12.2%
	2018 Est. Population 20 to 29 Years	18.1%	12.2%	12.1%
	2018 Est. Population 30 to 44 Years	24.2%	20.4%	21.3%
	2018 Est. Population 45 to 59 Years	18.8%	20.8%	21.1%
	2018 Est. Population 60 to 74 Years	11.6%	16.7%	15.8%
	2018 Est. Population 75 Years or Over	2.9%	7.5%	5.9%
	2018 Est. Median Age	34.1	41.2	39.8
MARITAL STATUS & GENDER	2018 Est. Male Population	50.0%	48.1%	48.6%
	2018 Est. Female Population	50.0%	51.9%	51.4%
	2018 Est. Never Married	39.2%	26.5%	26.7%
	2018 Est. Now Married	38.9%	49.9%	52.4%
	2018 Est. Separated or Divorced	18.6%	17.5%	15.8%
	2018 Est. Widowed	3.3%	6.1%	5.1%
INCOME	2018 Est. HH Income \$200,000 or More	6.4%	12.4%	13.7%
	2018 Est. HH Income \$150,000 to \$199,999	6.6%	10.5%	11.3%
	2018 Est. HH Income \$100,000 to \$149,999	17.7%	18.5%	18.6%
	2018 Est. HH Income \$75,000 to \$99,999	11.7%	11.6%	12.6%
	2018 Est. HH Income \$50,000 to \$74,999	18.2%	15.9%	14.8%
	2018 Est. HH Income \$35,000 to \$49,999	9.9%	9.3%	9.5%
	2018 Est. HH Income \$25,000 to \$34,999	11.2%	8.5%	7.4%
	2018 Est. HH Income \$15,000 to \$24,999	11.0%	7.1%	6.2%
	2018 Est. HH Income Under \$15,000	7.3%	6.2%	5.8%
	2018 Est. Average Household Income	\$91,055	\$115,146	\$120,661
	2018 Est. Median Household Income	\$66,973	\$87,874	\$93,030
	2018 Est. Per Capita Income	\$37,148	\$47,352	\$48,676
	2018 Est. Total Businesses	1,037	4,869	10,507
	2018 Est. Total Employees	11,602	51,824	110,567

This report was produced using data from private and government sources deemed to be reliable. The information herein is provided without representation or warranty.

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Tualatin, OR 97062

		1 mi radius	3 mi radius	5 mi radius
RACE	2018 Est. White	71.7%	81.0%	80.2%
	2018 Est. Black	2.6%	2.1%	2.1%
	2018 Est. Asian or Pacific Islander	4.7%	6.3%	8.0%
	2018 Est. American Indian or Alaska Native	1.0%	0.7%	0.6%
	2018 Est. Other Races	19.9%	9.9%	9.1%
HISPANIC	2018 Est. Hispanic Population	3,572	9,425	21,278
	2018 Est. Hispanic Population	25.8%	12.6%	11.1%
	2023 Proj. Hispanic Population	26.5%	13.0%	11.4%
	2010 Hispanic Population	26.8%	11.5%	10.0%
EDUCATION (Adults 25 or Older)	2018 Est. Adult Population (25 Years or Over)	9,331	53,824	135,537
	2018 Est. Elementary (Grade Level 0 to 8)	3.6%	2.1%	2.1%
	2018 Est. Some High School (Grade Level 9 to 11)	5.9%	3.6%	3.0%
	2018 Est. High School Graduate	18.1%	16.0%	14.3%
	2018 Est. Some College	26.8%	24.3%	22.2%
	2018 Est. Associate Degree Only	8.7%	8.0%	8.3%
	2018 Est. Bachelor Degree Only	23.8%	30.0%	32.4%
	2018 Est. Graduate Degree	13.0%	16.0%	17.8%
HOUSING	2018 Est. Total Housing Units	5,738	31,228	78,529
	2018 Est. Owner-Occupied	35.5%	60.6%	61.5%
	2018 Est. Renter-Occupied	62.7%	37.2%	36.3%
	2018 Est. Vacant Housing	1.7%	2.2%	2.2%
HOMES BUILT BY YEAR	2018 Homes Built 2010 or later	6.3%	4.5%	5.7%
	2018 Homes Built 2000 to 2009	9.6%	13.1%	14.8%
	2018 Homes Built 1990 to 1999	22.2%	23.6%	24.2%
	2018 Homes Built 1980 to 1989	18.3%	18.5%	16.7%
	2018 Homes Built 1970 to 1979	34.1%	22.9%	20.1%
	2018 Homes Built 1960 to 1969	4.8%	8.7%	7.6%
	2018 Homes Built 1950 to 1959	1.4%	2.7%	3.9%
	2018 Homes Built Before 1949	1.7%	3.8%	4.9%
HOME VALUES	2018 Home Value \$1,000,000 or More	0.7%	1.8%	2.8%
	2018 Home Value \$500,000 to \$999,999	14.8%	24.5%	25.9%
	2018 Home Value \$400,000 to \$499,999	17.5%	22.2%	23.8%
	2018 Home Value \$300,000 to \$399,999	28.7%	29.0%	27.7%
	2018 Home Value \$200,000 to \$299,999	29.9%	20.4%	19.6%
	2018 Home Value \$150,000 to \$199,999	5.4%	3.2%	3.4%
	2018 Home Value \$100,000 to \$149,999	5.0%	2.3%	1.7%
	2018 Home Value \$50,000 to \$99,999	1.8%	0.7%	0.8%
	2018 Home Value \$25,000 to \$49,999	0.7%	1.8%	1.2%
	2018 Home Value Under \$25,000	1.0%	1.4%	1.0%
	2018 Median Home Value	\$335,387	\$400,307	\$419,818
	2018 Median Rent	\$1,084	\$1,133	\$1,143

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		1 mi radius	3 mi radius	5 mi radius
LABOR FORCE	2018 Est. Labor Population Age 16 Years or Over	11,076	61,305	154,393
	2018 Est. Civilian Employed	73.3%	63.4%	65.9%
	2018 Est. Civilian Unemployed	2.0%	2.1%	2.0%
	2018 Est. in Armed Forces	-	-	-
	2018 Est. not in Labor Force	24.8%	34.5%	32.0%
	2018 Labor Force Males	49.6%	47.4%	48.0%
	2018 Labor Force Females	50.4%	52.6%	52.0%
OCCUPATION	2018 Occupation: Population Age 16 Years or Over	8,115	38,869	101,776
	2018 Mgmt, Business, & Financial Operations	16.8%	22.3%	22.0%
	2018 Professional, Related	19.4%	24.6%	26.4%
	2018 Service	19.4%	14.2%	13.5%
	2018 Sales, Office	25.4%	25.3%	25.7%
	2018 Farming, Fishing, Forestry	0.1%	0.4%	0.4%
	2018 Construction, Extraction, Maintenance	4.6%	3.6%	3.9%
	2018 Production, Transport, Material Moving	14.2%	9.6%	8.2%
	2018 White Collar Workers	61.7%	72.2%	74.0%
	2018 Blue Collar Workers	38.3%	27.8%	26.0%
TRANSPORTATION TO WORK	2018 Drive to Work Alone	72.9%	75.2%	75.4%
	2018 Drive to Work in Carpool	12.6%	9.2%	8.7%
	2018 Travel to Work by Public Transportation	4.8%	3.1%	3.8%
	2018 Drive to Work on Motorcycle	-	0.1%	0.1%
	2018 Walk or Bicycle to Work	3.9%	2.8%	2.7%
	2018 Other Means	0.5%	0.5%	0.6%
	2018 Work at Home	5.3%	9.0%	8.7%
TRAVEL TIME	2018 Travel to Work in 14 Minutes or Less	45.5%	29.5%	26.3%
	2018 Travel to Work in 15 to 29 Minutes	31.9%	35.9%	38.3%
	2018 Travel to Work in 30 to 59 Minutes	27.5%	28.6%	31.5%
	2018 Travel to Work in 60 Minutes or More	5.2%	4.9%	5.2%
	2018 Average Travel Time to Work	17.6	20.9	22.3
CONSUMER EXPENDITURE	2018 Est. Total Household Expenditure	\$366.68 M	\$2.36 B	\$6.17 B
	2018 Est. Apparel	\$12.87 M	\$83.34 M	\$217.69 M
	2018 Est. Contributions, Gifts	\$25.65 M	\$183.93 M	\$484.95 M
	2018 Est. Education, Reading	\$15.02 M	\$104.97 M	\$276.69 M
	2018 Est. Entertainment	\$20.62 M	\$134.14 M	\$350.52 M
	2018 Est. Food, Beverages, Tobacco	\$55.63 M	\$347.66 M	\$903.78 M
	2018 Est. Furnishings, Equipment	\$12.7 M	\$84.15 M	\$220.57 M
	2018 Est. Health Care, Insurance	\$31.6 M	\$198.37 M	\$514.99 M
	2018 Est. Household Operations, Shelter, Utilities	\$113.53 M	\$731.18 M	\$1.91 B
	2018 Est. Miscellaneous Expenses	\$5.38 M	\$33.75 M	\$87.66 M
	2018 Est. Personal Care	\$4.77 M	\$30.41 M	\$79.28 M
	2018 Est. Transportation	\$68.91 M	\$432.3 M	\$1.13 B

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INITIAL AGENCY DISCLOSURE (OAR 863-015-215(4))

Consumers: This pamphlet describes the legal obligations of Oregon real estate licensees to consumers. Real estate brokers and principal real estate brokers are required to provide this information to you when they first contact you. A licensed real estate broker or principal broker need not provide the pamphlet to a party who has, or may be reasonably assumed to have, received a copy of the pamphlet from another broker. This pamphlet is informational only. Neither the pamphlet nor its delivery to you may be interpreted as evidence of intent to create an agency relationship between you and a broker or a principal broker.

Real Estate Agency Relationships

An "agency" relationship is a voluntary legal relationship in which a licensed real estate broker or principal broker (the "agent") agrees to act on behalf of a buyer or a seller (the "client") in a real estate transaction. Oregon law provides for three types of agency relationships between real estate agents and their clients:

Seller's Agent -- Represents the seller only.

Buyer's Agent -- Represents the buyer only.

Disclosed Limited Agent -- Represents both the buyer and seller, or multiple buyers who want to purchase the same property. This can be done only with the written permission of all clients.

The actual agency relationships between the seller, buyer and their agents in a real estate transaction must be acknowledged at the time an offer to purchase is made. Please read this pamphlet carefully before entering into an agency relationship with a real estate agent.

Definition of "Confidential Information"

Generally, licensees must maintain confidential information about their clients.

"Confidential information" is information communicated to a real estate licensee or the licensee's agent by the buyer or seller of one to four residential units regarding the real property transaction, including but not limited to price, terms, financial qualifications or motivation to buy or sell. "Confidential information" does not mean information that:

1. The buyer instructs the licensee or the licensee's agent to disclose about the buyer to the seller, or the seller instructs the licensee or the licensee's agent to disclose about the seller to the buyer; and
2. The licensee or the licensee's agent knows or should know failure to disclose would constitute fraudulent representation.

Duties and Responsibilities of a Seller's Agent

Under a written listing agreement to sell property, an agent represents only the seller unless the seller agrees in writing to allow the agent to also represent the buyer.

An agent who represents only the seller owes the following affirmative duties to the seller, the other parties and the other parties' agents involved in a real estate transaction:

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

A seller's agent owes the seller the following affirmative duties:

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

None of these affirmative duties of an agent may be waived, except (7). The affirmative duty listed in (7) can only be waived by written agreement between seller and agent.

Under Oregon law, a seller's agent may show properties owned by another seller to a prospective buyer and may list competing properties for sale without breaching any affirmative duty to the seller.

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

Duties and Responsibilities of a Buyer's Agent

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 seller, even if the buyer's agent is receiving compensation for services rendered, either in full or in part, from the seller or through the seller's agent.

An agent who represents only the buyer owes the following affirmative duties to the buyer, the other parties and the other parties' agents involved in a real estate transaction:

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

A buyer's agent owes the buyer the following affirmative duties:

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

None of these affirmative duties of an agent may be waived, except (7). The affirmative duty listed in (7) can only be waived by written agreement between buyer and agent.

Under Oregon law, a buyer's agent may show properties in which the buyer is interested to other prospective buyers without breaching an affirmative duty to the buyer.

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

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

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

Disclosed Limited Agents have the following duties to their clients:

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

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

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

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

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

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