

# Your Home, Your Story, Your Next Chapter

A GUIDE FOR SELLERS ON THE MASSACHUSETTS SOUTH COAST



SUSAN GORDEN RYAN

# **Your Home, Your Story, Your Next Chapter**

How to Sell Your Home for Top Dollar with Great Terms in the Shortest Time Possible

By

Susan Gorden Ryan

Co-authored by

Krista Mashore

# Praise for Susan Gorden Ryan

*The strategy, marketing, and pricing on the house were spot on. Susan was always professional, considerate, and punctual. She was very patient with us on all our questions and concerns. Susan worked hard; the process for us went very quickly. Our house was under contract in less than a week. Susan's caring personality allowed us to feel comfortable with her and that made a big difference with us.*

*— A couple downsizing and relocating*

*Susan Ryan was excellent to work with! She made the selling easy for myself and family. Everything went smoothly and fast! I would recommend her to anyone that is selling their property. Thank you again, Susan!*

*— A seller in need of change*

*... she is knowledgeable, patient, attentive, and compassionate. All the qualities that I and my siblings needed during a difficult period in our lives with the loss of our beloved father. As a result of her dedication, she was able to help us sell the condo at a good price inside of a few months.*

*— A daughter selling her late father's condominium*

# Meet Susan

She got a relocating couple under contract in less than a week on strategy and pricing the client called "spot on," and she carried a family through the sale of their late father's condominium during the worst months of their lives. She works mostly with right-sizers and downsizers, people selling the house that fit the last chapter in order to fund the next one. A REALTOR® with Jack Conway, licensed in both Massachusetts and Rhode Island, she spent 27 years at State Street and nearly six at Citizens as a Vice President and Senior Strategy Manager before real estate, and she brings that same rigor to a listing. She lives on Buzzards Bay and owns a horse named Keeper, which is why her advice on water and on land is worth having.

Susan is a REALTOR®, licensed in real estate since 2016 and licensed in both Massachusetts and Rhode Island. She is a Real Estate Negotiation Expert (RENE) and a Pricing Strategy Advisor (PSA), the two designations that speak most directly to what a seller is hiring for. She is also a Certified Home Stager, Luxury Home Certified, EquiAgent Certified, a Certified Buyer Representative, a Certified Listing Specialist, a Certified Digital Marketing Specialist, a Certified Community Market Leader, and e-PRO certified, and she holds the National Association of REALTORS® Commitment to Excellence (C2EX) endorsement. She is a member of the National Association of REALTORS®, the Massachusetts Association of REALTORS®, the REALTOR® Association of Southeastern Massachusetts, and the Cape Cod & Islands Association of REALTORS®, and she lists across four multiple listing services: MLS PIN, the Cape Cod & Islands MLS, LINK Martha's Vineyard, and the Rhode Island Statewide MLS. Through Jack Conway, her listings reach the networks of Leading Real Estate Companies of the World® and Luxury Portfolio International®.

# Meet Krista

Krista Mashore sold real estate for 17 years and never built a sales team. She had a full-time transaction coordinator and a marketing assistant, and that was it. In those years she sold more than 2,350 homes, about 133 a year, and she ranked in the top 1% of agents nationally for 19 years straight. In her last full year selling, she did 154 homes, and the Wall Street Journal and RealTrends named her one of the top 100 agents in the country.

Then she walked away from it. Not because it stopped working. She left at the top because she wanted to teach it.

Coaching is her full-time job now. She is still licensed as an associate broker with the Mashore Group at eXp Realty, but her days are spent training agents. She has put more than \$1.9 million of her own money into learning digital marketing over the last eight years, and she used what she learned to build her coaching company to roughly \$76 million in sales, including 26 separate months over a million dollars.

She has written eight bestselling books. She has been featured in Forbes, the Wall Street Journal, Yahoo Finance, Inc. 5000, NBC and FOX, and Success Magazine named her one of its Top 125 Most Impactful Leaders and a Woman of Influence. She holds a master's degree in curriculum and instruction and a bachelor's in psychology.

She lives with her family in Contra Costa County in Northern California. One of her favorite pastimes is coaching teens in her community through her movement, Teens Lifting Lives.

To learn more about how Krista's organization Krista Mashore Coaching may be able to help you with your digital marketing strategies to dominate your profession, please visit [www.KristaMashore.com](http://www.KristaMashore.com).

Back to you and your home. If I can answer any questions or offer assistance, please feel free to contact me at 508-208-1927. And be sure to go to

[susangordenryanluxury.com](http://susangordenryanluxury.com) for informational videos that are full of valuable information. We can also get you a Free Marketing Analysis and a Home Evaluation.

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# Introduction

Have you ever read the book, *What to Expect When You're Expecting*? It was written for couples expecting a baby, especially their first. It runs through all the physical ins and outs of pregnancy as well as the emotional roller coaster pregnancy puts you on. It talks about the people who will team up with you during the pregnancy, specifically what their role is, and what to expect from them. It explains things you, as a couple, can do to make the birth healthier and easier. Basically, it instructs you and warns you about a bunch of things so that you don't freak out!

Think of this book as, *What to Expect When You're Selling*. Yes, selling your home can be as emotional, joyful, scary, exciting and irritating as pregnancy! Unfortunately, too many sellers find themselves freaking out and not getting the happy, healthy end result they'd hoped for! In my experience, it does not have to be traumatic or a struggle. In fact, with the right team and the right information, the process can actually be fun and definitely successful.

I wrote this book to give you the information you need as a Seller to enjoy the ride and end up with the best result at "birth." As one of my neighbors in the South Coast of Massachusetts and Cape Cod, I want you to be hugely successful in the sale of your home!

In the first part of this book, I'll explain what you should look for in a listing agent and how to hire the one who will do the best job for you. You'll find out what you should expect every step of the way from a really good agent. It doesn't matter what price range your home falls into, I really want you to expect superior service from the listing agent you hire!

Later in the book, I'll talk about what you can do to be a strong partner with your agent, making the process easier and more successful. Decades ago, dads used to hang out in the waiting room, biting their nails, smoking, and worrying while their spouse did all the heavy lifting. Real estate used to be that way (and with some agents, it still is!). But your positive contribution to the entire process can make a huge difference to

the final result. So, I'll give you some tips of things you can do before your house goes on the market, while it's being shown, and during the final negotiations and closing process.

Every home has a story... let's write yours.

If you have any questions after reading this book, feel free to contact me at 508-208-1927. And be sure to go to [susangordenryanluxury.com](http://susangordenryanluxury.com) for informational videos that are easy to watch and full of valuable information. We can also get you a Free Marketing Analysis and a Home Evaluation of your home.

This book is my gift to you, along with my very best wishes for the successful sale of your home!

*-Susan Gorden Ryan♥*

# Choosing a Listing Agent

One of the most important decisions you can make is in choosing the real estate team that will list your house. Unfortunately, many people just choose someone they know who happens to have a real estate license. While Uncle Harvey might be a super nice guy, he may not be the best agent to list and sell your property. Hiring someone who lacks experience can cost you thousands and thousands of dollars, even if he promises to give you the "family discount" and reduces his commission. First of all, he won't give you the high-octane marketing a real pro can give you. Second, mistakes and not knowing how to keep a transaction on track, especially when everything hits the fan, can be extremely costly in real estate. Having been through this with clients on both sides of the table, I've witnessed every kind of misstep and screw up possible! And I've seen how horribly expensive they can be. Trying to save money on your representation will cost you far more than any amount you think you'll be saving. And I can't tell you how many times a seller has chosen a "discount broker" over me, only to come back to me months later when that agent couldn't get the job done!

It's like choosing a surgeon for a critical operation: You wouldn't just use your next-door neighbor to be your surgeon because he lends you his lawnmower and offers you a "family discount," right? Of course not! You would check his credentials, whether he specializes in the kind of surgery you need, his reputation, and a ton of other things before you'd let him slice into you!

Your home is a huge investment. So, even though it might hurt your uncle's or your neighbor's feelings, you need to choose the agent who will do the best job for you. Rather than just sitting through the dog and pony show of your first appointment with a prospective listing agent, use it as an in-depth interview. Don't be afraid to grill them.

The absolutely most critical parts of your listing agent's job are marketing and negotiation. If your Realtor is not strong in understanding and implementing current best practices in both of those areas, they're doing you a disservice to even take your listing! I am not kidding! Agents who are weak or "old school" will not be able to get

you the best price and most favorable terms for your house even if they've been in the business for decades. They also won't be able to get the job done well, quickly, and without a lot of hassle.

Because these two areas, marketing and negotiations, are so very important, I'll be covering them in depth over the next chapters. You don't have to become an expert in either marketing or negotiation yourself. You just have to be very clear about the skills and services an agent should be offering you before you even think of signing on the dotted line with them. When you interview potential agents to list your house, you'll want to ask a ton of questions specific to marketing and negotiation.

Here's what else you should look for:

## **Credentials**

Anyone can get a real estate license. A license doesn't necessarily mean they know what the heck they're doing. Agents who are really serious about the business join the National Association of Realtors (NAR), which is real estate's national professional organization. (They'll have that designation on their business card.) Realtors are required to follow the NAR's Code of Ethics and complete ethics training every three years that other agents don't have to take.

All agents have basic continuing education requirements, but none of these courses do anything to help an agent learn best practices in selling homes. And all of the education and credentials in the world will not take the place of experience.

Experience is the only way to be the best of the best, to learn how to foresee and tackle problems before they arise, and to truly know the ins and outs of how to capitalize on the investment for the Seller. Those of us who strive for excellence in real estate have taken additional coursework to sharpen our skills or to learn more about our areas of specialty. We might have studied advanced negotiation, digital marketing, or trends in home financing. Courses like these often award a credential at successful completion.

The point isn't how many credentials and letters an agent has after their name. It matters which credentials they've chosen to go after, and it matters that they've taken the time to become the best they can be to become excellent at what they do and how they can serve you.

Don't hesitate to ask someone who wants to list your house about their credentials and additional education. And don't be impressed by fancy designations. Ask what they learned from their courses that will benefit you with the sale of your home.

## **Experience**

Back to the surgeon analogy: Do you want a doctor who has successfully performed dozens of surgeries exactly like yours? Or do you want someone who typically works in a totally different specialty? Do you want someone who will be performing their very first surgery or someone who really knows their way around in the operating room?

Like many professions, good real estate agents typically specialize (or should specialize) in certain properties within a specific geographic area. We call it their "niche." Someone who tells you they can "sell anything anywhere" is just kidding themselves. They may be able to get the job done eventually, but they certainly won't know the best way to market your type of home, which means they will not get you the best result possible.

On the other hand, a listing agent who has sold dozens of homes like yours in your specific city or neighborhood will have the inside scoop and know what it will take to get you the best outcome. A really good and ethical agent, who does not deal with your type of property or isn't in your area, will refer you to someone else, or at the very least, partner with an agent who does specialize in that area and type of property.

What about years of experience? This can be a double-edged sword. If you've got someone with years of experience who is keeping up with current trends, social media and internet marketing, and who is a real go-getter, that's perfect! They bring you the wisdom of many transactions along with a cutting-edge process and modern marketing.

But if you're considering someone with scads of experience who still does real estate the exact same way they did it when Reagan was in office, run for the hills! It's like hiring a surgeon who still sterilizes his scalpel over a hot flame! Real estate is so different than it was decades ago, even five years ago. The market has changed dramatically, and the way buyers search for and find homes is totally different. (Hint:

It's online.) If your "experienced" agent doesn't know this, and doesn't know how to create an attractive landing page for your home, or get into the back end of Zillow to upgrade your home's profile and keep it in prime position, or how to create a strategic ad campaign on social media, well, you'd be shooting yourself in the foot to choose them.

You'd be much better off with a newbie who is gung-ho, tech savvy, smart, and knowledgeable about the market, marketing and digital marketing, and who is eager to do all they can to build themselves a great reputation. They'll treat you like gold because to them, you are! Just make sure that newbie is working for a good broker who will pay attention and guide them along the way.

## **Reputation**

This is so important! You want someone who is respected in the community and who is totally ethical as your listing agent. In fact, why would you ever want to deal with someone who is unethical in any circumstance? Unless you're looking for a partner to help you rob a bank. But even then, you want the guy to be honest enough to give you your share of the loot, right?

No other agent or loan officer or closing attorney (or pizza delivery guy!) will want to work with an agent who is known to be shady or even extremely difficult to deal with. Why would another agent bring a deal from their really qualified buyers to an agent who is unresponsive, untrustworthy, and a pain in the you-know-what? Even if your home is the Taj Mahal and you're offering it at a screamin' great price, other agents will steer their clients as far away as possible. And if you do happen to enter into a purchase agreement while Mr. or Ms. Shady-pants Agent has your listing, trust me, it will not go well. And in this litigious world we live in, you're putting yourself totally at risk.

Just don't hire that weasel! Plenty of professionals out there are ethical and respected. Don't invite unnecessary grief (and lawsuits!) by choosing the rotten apple in the barrel.

Okay, so how do you scope out an agent's reputation? Asking them for references would be nice but they'll only give you their most satisfied clients or the people they've

bribed to say nice things. Your better bet is to go online and check out Google, Zillow, Facebook, Realtor.com, or Yelp for client reviews. You can also check with the Better Business Bureau and your state's real estate licensing department. If you know some Realtors in the area, ask if they have any insight into the agent you're considering.

## **Overall Team**

It takes a village, right? Unless an agent is listing just one or maybe two houses at a time, they cannot keep on top of everything that needs to be done to get you the best result in the shortest amount of time! They need support. They need resources. They need other really committed, skilled, and talented people around them to keep the momentum going during the sale of your home.

Not every great agent has an office of twenty staffers to run the show. Some professionals have built part-time teams or virtual teams that are highly efficient and effective. But if your prospective listing agent uses their pool maintenance guy to keep up their website and their thirteen-year-old niece to design and mail out flyers, you need to look elsewhere.

A listing agent who strives for excellence will spend money to make sure the people around them are skilled, dedicated, and motivated. So much of what is done during the sale of your house involves more than one set of hands. It's important that you know who else will be working on your sale, what specifically they contribute, their experience, and how often you'll be interacting with them.

## **Outside Resources**

Every transaction requires a number of outside resources: home inspectors, closing attorneys, loan officers, insurance agents, even building and maintenance contractors. Realtors who really know what they're doing have consciously cultivated a good team of these folks. They've vetted them, checked their work and their references, and probably work with them consistently. These are the professional experts your agent calls for advice and service.

Why do you care? This outside team can make or break a transaction! When your agent has a strong outside team to support you through the process, it means you'll

avoid so many headaches! Even if that outside resource is needed by the "buyer's side," your listing agent can ensure the deal goes through smoothly by recommending these good resources to the buyer and to the buyer's agent.

I've always believed that my great team of resources is one of my strongest assets because I've seen what can happen without such a team: An inept closing attorney can completely derail a closing by miscalculating amounts due. An insurance agent can totally delay a close by not getting the right policy together in time. Another example: What if your buyer wants something fixed within a really short contingency period? Your listing agent can save the day by having just the right person to handle it on speed dial. You won't have to scramble around for a contractor who may or may not be good and may or may not get the job done in time.

## **Rapport**

"Rapport" is a French word so, of course, it's hard to understand! Basically, it means that you feel "aligned" with someone. You not only get along with them, you feel that you're "kindred spirits." They "get" you. Maybe you have different backgrounds, even come from different cultures, but they "speak your language."

I know, this probably sounds like dating advice! But the point is that you'll be entrusting a precious possession, your home, to a total stranger. Not only is it the largest financial asset most of us have, but our homes often have a lot of emotional attachment as well. You want someone you really trust and who understands how important this sale is to you.

You probably have specific, important reasons and goals for selling your home (we'll talk about this in a later chapter) so you don't want some bulldozer of a listing agent to put their agenda before yours. You want someone who will not only guide you but who will listen to you. You'll be spending time and making important decisions with your listing agent. They don't have to become your very best friend, but you certainly don't want to get stuck with someone who irritates the heck out of you!

## **Seller Questions to Ask**

I'll give you specific questions to ask about marketing and negotiation later. Here are some additional questions you can use to vet potential listing agents. I'd suggest you keep this list along with other questions you have right next to you during your first appointment, so you get the information you need to feel confident about your decision.

#### Credentials:

1. Are you a Realtor? What resources from the NAR do you use?
2. What further courses have you taken in real estate? What did you learn from them?
3. (If they show you a certain credential) What does this credential mean? How will it help you sell my home?

#### Experience:

1. How much experience do you have selling homes like mine in this area? Can you give me some recent examples?
2. How many homes have you sold over your career? Is that you personally, or does it include other agents under your broker?
3. Do you specialize in my type of home? This geographic area? What makes this type of home and this area unique?
4. (If they have many years of experience) How would you say that real estate has changed over the last several years? Have you kept up with the latest trends in marketing to buyers online? What specifically do you do in that arena?
5. (If they have little experience) Do you have a more senior person who will be intimately involved in this listing? Who is that person?

Reputation: Though you can't really ask them directly what their reputation in the community is, you can ask:

1. Are you involved in the community and any professional organizations?
2. What do you like your clients and counterparts to say or think about you? What do you think you are known for as an agent?

Overall Team:

1. Who else works with you? What are their skills and background?
2. What specifically do you handle versus what someone else handles?
3. How often will I be interacting with them? With you?

# Marketing in Today's World

The world has changed drastically over the last couple of decades, hasn't it? The way we shop, communicate, and get our news, information and entertainment has totally changed. Even in the last five years, things like online shopping and social media have exploded. With technology, we can pay bills and order our lattes with our smart phones. We can take a video of Junior taking his first steps and shoot it to Grandma thousands of miles away in seconds. We can find out where the nearest gas station is or how high Mt. Everest is (29,032 feet!) with a two second Google search.

Yet despite our fantastic advances in technology, the real estate industry has lagged way behind. The vast majority of agents still do their jobs the same old way they did in the '80s, especially when it comes to marketing. Why do you care? Because basic traditional marketing will not get you the best result. They may be able to get your house sold but it will not happen as quickly as it could, and you won't get the price and most favorable terms you could get. Why? Because basic traditional marketing does not reach as many potential, qualified buyers. Period.

So, though you don't need to be especially tech-savvy, your listing agent absolutely needs to be. And though you don't need to know how to take traditional marketing and put it on steroids, your listing agent needs to know how to do this. As a homeowner, you just need to know enough about these things so you can tell if the agents you're interviewing know what the heck they're talking about before you sign on the dotted line!

For example, many agents will tell you, "Yeah, sure, I market on social media." But what they're really saying is that they'll post something about your house on their business and personal Facebook pages. Who sees it? The people who already see those posts. That, my friends, is not how you market on social media!

Effective digital marketing targets all those folks who are not already connected. It captures potential buyers who don't visit that agent's website or Facebook pages. It's the difference between 12 people knowing that your home is on the market and

120,000 people knowing. My ads consistently outperform industry averages by a significant margin in both reach and total viewing time. And that reach is what decides who walks through your door, because buyers overwhelmingly find the home they purchase online. Your listing is not competing for attention at the curb. It is competing on a screen. So imagine the difference between 12 views and 120,000 views. It's like the difference between singing in the shower versus singing at half-time during the Super Bowl. It's all singing but the real pros go for the Super Bowl gig!

## **Digital Marketing Power**

### **The EPIC Report**

When most agents do a comparative market analysis, they pull a few comps, guess at a price, and call it a day. That approach treats your home like a commodity. I use a system called the EPIC Report instead.

E is for Equity Position. Before we talk price, we look at exactly where you stand in the market and how that affects a buyer's decision to make an offer. This gives us a strategic starting point, not just a number pulled from a spreadsheet.

P is for Presentation and Perception. Your photos, your video, and the emotional story we tell about your home drive what a buyer thinks before they ever walk through the door. I build this intentionally, with professional photography, video hooks, and headline copy designed to make buyers feel your home before they see it in person. First impressions happen online now, not at the front door.

I is for Impact Marketing. This is where I outpace almost every other agent in your market. I run targeted paid ad campaigns on Facebook and Instagram, reaching buyers who match the exact profile of someone who would want your home. Those ads follow interested buyers around the internet through retargeting, so if someone watches your property video or visits your listing page, they keep seeing your home until they act. I also run your listing through neighborhood-specific funnels with QR code access, syndicate it across multiple platforms beyond just MLS, and use video content designed to generate thousands of views, not dozens. This is full-scale digital marketing applied to a single home. Most agents do not know how to do this. I do it for every listing.

C is for Campaign Strategy. I do not just go live on a Tuesday and wait. I run a structured three-phase campaign. Before your home hits the market, I create pre-launch content and ads to build anticipation and get buyers raising their hand before day one. At launch, I deploy the full marketing plan to capture maximum attention and showing requests in your critical first week on market. After launch, I run a multi-step follow-up and retargeting sequence that keeps your home visible to every buyer who showed any interest, nurturing them through the decision until they are ready to make an offer. From first showing to final negotiation, there is a documented campaign running behind everything.

### **How I Use AI to Target the Right Buyer for Your Home**

Most agents blast your listing out to everyone and hope the right buyer shows up. I do something different.

Using AI-powered technology, I identify the specific types of buyers most likely to want your home. Not just by zip code, but by behavior. Are they relocating? Upsizing? Downsizing? An investor looking for the right numbers? Someone who has been searching your exact area for months? The system tells me.

Once I know who the buyer is, I change the marketing to speak directly to them. A relocating buyer from out of state needs to see completely different things than a local move-up buyer. A downsizer cares about different features than a first-time buyer does. So I run separate campaigns for each buyer type, with different video hooks, different ad copy, and different calls to action, so your home always speaks the language of the person most ready to act on it.

Most agents run one ad to everyone and hope. I run precision campaigns to the exact buyer your home was built for.

### **Why Buyers Already Know Your Agent Before You List**

Something has fundamentally changed in how buyers find homes, and how they find agents.

Before a buyer calls anyone, they research. They search Google for local market information. They watch YouTube videos about neighborhoods and market trends.

They read articles about what homes are worth and what the process looks like. And increasingly, they ask an AI.

This part is moving fast. A large and growing share of adults now use AI chatbots, and more of them every year are asking those tools to recommend a local business. Home buyers are following that curve, using AI to research affordability, neighborhoods, schools, and increasingly the professionals they are considering hiring.

By the time most buyers pick up the phone, they have already formed an opinion about who they trust, and they formed it online, without ever speaking to an agent.

This shift has created a massive gap between agents who understand it and agents who don't.

I have spent years building the kind of digital presence that both Google and AI platforms reward. That means educational articles written specifically for your market, video content answering the questions buyers actually search for, neighborhood guides, market reports, and a documented track record of knowledge and results. When someone types "best real estate agent in the South Coast of Massachusetts and Cape Cod" into an AI search tool, the agents who appear are the ones who have been systematically building this content authority for years.

Here is what this means for your home.

Every buyer who finds me through an AI search result, a Google article, or a YouTube video is already in my ecosystem before your home ever hits the market. They trust me before we have ever spoken. When those buyers are then retargeted with your listing, they are not seeing a stranger's ad. They are seeing a listing from someone they already recognize as the authority in this market. That trust changes how they respond to your home.

This is the compound effect of content authority. It cannot be faked or rushed. But once it is built, it delivers buyers from places your listing would never have reached through traditional marketing alone.

When you hire an agent who has built this kind of presence, your home benefits from everything they have established, every article, every video, every search result, before

a single ad is run on your behalf.

## **What Digital Marketing Actually Does for Your Home**

I cannot stress enough how much the internet and social media can do to ensure the successful sale of your home, get you the most amount of money possible, expose it to the masses and get you the best terms! This type of marketing can get very technical, but you don't need to know all the technical ins and outs. All you need to know is how exactly your listing agent plans to tap this power for you. Good marketing without tapping the power of social media and the internet might attract dozens of prospective buyers. Good marketing on social media can reach literally thousands! And having more potential buyers exposed to your home definitely gives your home a competitive advantage.

Really effective marketing campaigns start before your home even goes on the market! Your agent should not only distribute "Pick your Neighbor" brochures and have a "Coming Soon" lawn sign prior to the official date (as long as allowable per NAR and your local MLS), they should also begin their social media and internet campaigns to get buzz going.

An exceptional agent will do paid advertising on social media which can get literally thousands of views. Your agent should also be creating cookies on the backend of their advertising to capture the target audience. A savvy agent knows how to use paid weekly Facebook ad campaigns that are targeted to people "interested in moving" per Facebook analytics. They'll use services that analyze consumer behavior to target potential buyers looking in your area. They will do paid ads on social media sites with your property tour, which generates thousands of views, hours of video watch time, and tons of comments, likes and shares. They'll post to capture out of area leads. And they will post frequently on Instagram to reach younger buyers.

If your agent is really sharp, they won't just list your home on MLS. They'll do weekly posts and updates of your home on various real estate sites to keep your home in top spots. They'll also do a "reverse prospecting search" to identify prospective buyers.

In everything they do, they will make sure that they have identified the potential buyers who are most likely to pay the highest price for your home. This becomes the

target market they focus their efforts on. They don't just create boring ads and posts. They get creative with contests and giveaways that promote your home's virtual tour video. Also, in everything they post online, they'll research and use search engine optimization (SEO) to make sure the ads and posts about your home will get the most views. This means using titles, captions and content that features keywords potential home buyers are using to find a home.

When it comes to online marketing and social media, we often think of Facebook. But YouTube and Instagram are also important. YouTube alone has more than 2.7 billion monthly users, and its short-form videos average around 200 billion views a day, so video of your home belongs there with titles and captions written to be found. I also post all of my listings on my blog so they pick up additional search engine optimization and get found by buyers searching online.

I also use software that tracks buyer behavior online and puts my listings back in front of the people who have already shown interest in homes like yours. Once someone has looked, they keep seeing your home until they act. It is pretty remarkable what the technology can do.

Once they've placed ads and posts online, great agents don't just "set it and forget it." They have a constant tracking system that determines which ads are doing well and which need tweaking. They stay on top of the campaign and immediately contact any leads that come in from it personally via phone or text.

Tracking also allows an agent to be proactive and more effective. For example, if one of my homes has had a certain number of showings within a certain time period with no offers, I know it's time to look hard at the price. This isn't my crystal ball talking. It's data. It's beyond just doing a market comparison analysis. I analyze the data of home sales and days on market for any given period, how much inventory is on the market, absorption rate, and whether it's a buyers' or a sellers' market. In some markets, fifteen showings in twenty-one days with no offer spells trouble. In a slower market or a hotter market, the criteria would be different. The point is that I take the time to analyze data and track marketing results so I can continue to be proactive.

During the initial interview, you should ask to see examples of the agent's proposed listing and their social media analytics from past properties.

## **Traditional Marketing on Steroids**

You're probably familiar with the basics of traditional marketing in real estate: The agent lists your property on MLS, makes up a flyer, sends out a mass email to other real estate agents, throws up their sign, puts some photos on their company website, and holds an open house or two. Done, right?

That is not how great agents today do it. They make sure that everything they do stands out and is unique and exceptional. And when they do that, your home stands out. These agents put their "traditional marketing" on steroids and the "traditional" part is only one step in the whole marketing strategy. Here's what those first traditional marketing pieces look like for the kind of exceptional listing agent you really want on your team:

**MLS Listing:** A great agent will not only list your home on MLS but on all of the real estate sites available like Zillow, Redfin, Realtor.com and Trulia. (There are actually hundreds of real estate sites and I market my listings on all of them.) A savvy agent will use the "back end" of these sites (when allowed or when they pay to do so) so they can make your listing more attractive and work to keep the property prominently placed. They'll post a virtual video tour of your home rather than just a few photos. In the listing, a great agent won't just post the basics with the same canned copy you see on every listing. They'll feature things that make your home unique and particularly attractive to potential qualified buyers, and they'll have done their research earlier to identify the most likely buyers and what they're looking for.

**Professional Videos and Photos:** Realtors who really care about doing a superior job for you won't just shoot a few photos and a quick video with their smartphone on the fly! They will pay to have a professional photographer and videographer come in to do the job. These pros will make sure to capture your home's best features, to ensure that unique aspects of your home stand out, that lighting is great, and that angles are inviting and give your home a sense of spaciousness. Then they'll take those photos and videos and edit the heck out of them to give the biggest impact. They'll take pictures at night to capture your house if it looks great when it is all lit up. They'll do whatever it takes and spare no expense to show off your property to its best advantage.

Video is so critically important in marketing your home. On social platforms, short-form video consistently reaches more people than a single still photo, and that is before a dollar of ad spend goes behind it. Video is also the only format that lets a buyer feel the flow of a house, how the kitchen opens to the yard, how the light moves through the front rooms, which is exactly what a still photo cannot do and exactly what makes someone book a showing. So I take video very seriously in marketing all of my listings.

I have had buyers get on a plane after watching a video. Not tour the neighborhood first, not ask for more photos. Watch the video, book the flight, and come see the house. I have also walked a buyer through a home on a live video call while their agent held the phone, because that buyer could not be here and did not want to wait until they could. That is what video does when it is done properly. It lets someone who is nowhere near your house decide they want it anyway. Before real estate I produced a nationwide corporate event across forty video locations, end to end: strategy, content, crew, logistics. So when I tell you video matters, I am not repeating something I read. For your home that means video that is produced rather than filmed, and a plan for where it goes after it is made, because a video nobody sees did not market your house.

An incredibly awesome video that doesn't get proper distribution is like your grandmother's crystal wineglasses that are tucked away in some closet: beautiful but useless. Most agents will tell you they market using video. Far fewer put in the time and money to actually distribute it, which is the part that determines whether anyone sees it. Based on how ineffectively most agents use social media and video, the average listing agent generates minimal viewing time on their listing content. That is not the standard I operate to.

**Printed Materials:** Rather than a cheap flyer, a great listing agent will spend the time and money to create a high-quality, full color brochure with links to the virtual video tour and website. They'll make sure this brochure gets sent to everyone who makes online or phone inquiries about your house or any similar homes in a digital copy, which is basically your home's website. And I make sure that all printed materials are cell phone compatible, because the large majority of buyers use a phone or tablet somewhere in their home search.

I deliver fliers to your neighbors with all your property's information and a QR code that leads them straight to the buyer page for your exact property. I also create a "Just Listed" flier and distribute it to all of your neighbors. Why? Because people who live in your same neighborhood tend to know people like themselves. Therefore, they're likely to know others who would like to live in your house and neighborhood. They've often got friends or even family members (the ones they like!) who are looking for new homes. We need to make sure everyone in the community knows that your home is available.

While some agents rely on open houses alone, I use them as part of a broader marketing strategy. When I hold one, every visitor leaves with a high-quality brochure rather than just a business card, every visitor is captured and followed up with, and the open house itself is promoted online ahead of time so the people walking through the door are buyers who already know the home rather than whoever happened to drive by. An open house is one tool. It is not a marketing plan.

Engaging the Real Estate Community: A Realtor who has a good reputation definitely has a head start here! One with a rotten reputation, not so much. First, a great listing agent will create an attractive email with a link to the brochure, the website listing, and the virtual tour. Rather than just blasting this email out and hoping someone will open it, they'll target their emails to the best buyers' agents in the area, then they'll follow up with them personally. They'll make sure that buyers' agents in their own company keep the property top of mind.

I also send it to agents outside the area who have brought buyers into the community. I contact preferred lenders for any prospective buyers in their pipeline. And when my clients' homes are being shown, I contact the buyer's agent within twenty-four hours after each showing to get specific feedback to help guide our marketing campaign.

Lawn Signs: Most lawn signs are designed to promote the agent, not sell the home! A great agent will spend the money to create a distinctive sign that is lit at night. Why? Because more people will notice the sign at night while they're heading home and that's when many potential buyers drive through neighborhoods they're interested in. Rather than having a tacky plastic box with flimsy flyers (that almost always blow away in the wind!), today's best signs will have a customized texting feature that takes people directly to your home's website so they can view your home while sitting

outside with the motor running. I also have technology in place that notifies me when someone uses this feature so I can capture that potential buyer when they have just seen the house and its virtual tour. And I always call them right away. I know that when buyers are using this texting feature, they are very serious. (Or maybe it's just a nosey neighbor. But remember, they may know someone who is looking.)

**Your Home's Website:** Yes, your home should have its very own website, not just a crummy page with a few photos on the real estate company's website! Your home's website should be designed to be attractive and stand out from the crowd. It should have a virtual video tour and photos of all the features you love about your home. It should have a printable brochure and a digital map that they can click on to get directions. It should also include a mortgage calculator, and reports for out-of-town buyers showing an area map, area amenities, school scores and distance from the home, and community information.

To market your home, I set up neighborhood "funnels" to attract and locate buyers who are interested in your area. These funnels have tons of information, from current area events to the best restaurants in town. They have updated market information that is specific to your area. They have information about the town itself, the homeowners' association if there is one, and pointers to the public data buyers tend to want. They give very specific information about your home as well as the neighborhood your home is in. This neighborhood and community information is especially important in getting the right buyers to look at your home. People don't just want a house somewhere, anywhere. They want a home in a neighborhood they feel comfortable in and can enjoy.

And you want any buyer that makes an offer on your home to be fully educated about the neighborhood, the good, the bad and the ugly. Why? If your buyer loves what they learn about your neighborhood, they'll likely be motivated to make a better offer. It can also save you headaches down the road. For example, what if you go into contract with a buyer who later discovers something about the area that they could have learned up front? It wouldn't matter to some buyers, but for another buyer it is the thing that makes them back out of the deal. If that happens, you have to start all over again!

Another way neighborhood funnels help to get the right buyers to your home is by tracking who shows up to visit them. If an agent just uses the company website, they have no idea why people visit it (even if they are set up to track visitors, which most agents aren't). Someone could pop on the website to get testimonials about an agent. They could be looking for a home in a different area. They could be a seller trying to get information on what the market is doing. But when someone visits one of my neighborhood funnels, I know that they are specifically interested in your neighborhood. I can direct them to your home already knowing they like the area. The National Association of Realtors puts the typical active home search at about 10 weeks, and most buyers are watching a neighborhood well before that clock ever starts. Even if your home wasn't on the market when they first visited, I can retarget them and make sure they see your home.

### **My M.A.G.N.E.T. Marketing System**

I have spent years developing what I call the M.A.G.N.E.T. Marketing System. It is a complete, built-out framework for getting your home in front of the right people, at the right time, in a way that builds trust before they ever call.

Here is what it means for you as a seller.

M is for Marketing that creates attention. Before your home hits the market, I am already creating content, video, and campaigns that build anticipation and attract buyers specifically toward your property.

A is for Amplification. Once we create your marketing, we distribute it across Facebook, Instagram, YouTube, and digital platforms so that one piece of content reaches thousands of potential buyers. Market once. Reach thousands.

G is for Getting buyers to find me first. Over years of producing massive amounts of video content, educational books, and market-specific information, I have built the kind of digital authority that AI platforms and Google reward. When buyers in this market search for an agent, ask ChatGPT who the top agent in the area is, or look for real estate expertise online, I show up. That matters for your home because those buyers who find me through search and AI are then retargeted with your listing. My authority brings them to me. My marketing system directs them to you.

N is for Nurturing every interested buyer. When someone watches your video, clicks your ad, or visits your listing page, they do not disappear. My follow-up system keeps your home in front of them through retargeting ads and automated sequences until they are ready to make their move. No leads left behind.

E is for Executing with proven systems. Everything runs on process, not guesswork. From timing to follow-up to communication, there is a documented workflow behind every step of your sale.

T is for Transforming interested buyers into committed offers. The goal is not just exposure. It is converting serious buyers into offers with the best possible terms for you. That is what the whole system is designed to produce.

No other agent in this market is running a system like this for your home. This is what you get when you hire someone who operates like a marketing company, not just a real estate agent.

Does this sound like a lot of work? It's just the tip of the iceberg in terms of what an exceptional listing agent can do for you. Yes, it requires a commitment of time and money to market your home. It requires a commitment on your agent's part to continual education on technology and innovation. This is what you deserve and what you should expect from your listing agent! And if it's not being done, then it is costing you money and time when it comes to selling your home.

## **Seller Questions to Ask**

1. Specifically, what will you do to market this property?
2. What potential buyers would you target for my property and why? How specifically will you market to them?
3. What do you think makes my home most attractive to buyers and how will you feature it?
4. Can you show me examples of your brochures and other marketing materials? Are they cell-phone compatible?
5. Can you show me photos of your lawn signs? How will it stand out? Is there a text feature that captures buyers' information?

6. On what sites will my home be listed? How often do you update these listings?
7. What kinds of efforts will you make to engage the real estate community about my property?
8. How will you engage my neighborhood?
9. What will my home's website look like? Who will take photos and videos?
10. What kind of social media ad campaigns will you run? How do you track them?  
How often will you post on various sites? How will you use their analytics?
11. Can you show me examples of reach, engagement, video views and time watched of your past home ads on social media? (If they gloss over this or can't answer, it tells you they aren't marketing correctly online which will cost you thousands of dollars.)
12. What kind of campaign do you run before the property officially goes on the market?
13. How do you specifically target buyers who are looking at properties similar to mine?

# Negotiating for the Win

Negotiation has gotten a bad rap and is generally misunderstood. That's because many people think of negotiations like a big family-style dinner where there's not enough food to go around. Everyone has to beat out the other guy and get theirs before it's all gone! Others think of negotiating as just plain rude. If someone asks for something, you either give it to them or not. It's impolite to wheel and deal about it.

Both of these are totally outdated descriptions of what good negotiation should be. Good negotiation is based on the "win-win" concept. Everyone in the transaction gets what they really want and need, not necessarily absolutely everything they'd like. It's based on conscious compromise, give and take. And it's the most effective way to end up with the best price and most favorable terms for your home in the shortest amount of time!

Like marketing, you don't have to become an expert in negotiation yourself. But it's very important that you can identify what kind of negotiator the agents you're interviewing are and how much specific training they've had. To do that, let me give you a quick overview of negotiation styles:

## The Competitive Negotiator

This is a "winner takes all" kind of negotiator. It's a very old school style of negotiation and, like the old "hard sell" from decades ago, it's not the most effective approach in today's world. An agent who is a competitive negotiator typically has a big ego and is proud to be known as cutthroat and unyielding. They might sell a lot of homes but it's usually at a high cost to their Seller (the deal takes much longer than it should, they end up with a high price but horrible terms, and so on). You can recognize a competitive negotiator by the way they need to be right about everything! They are stubborn and inflexible, often not distinguishing between big issues and the unimportant ones. The competitive negotiator often relies on bullying techniques, like threatening to pull the deal or setting impossible timeframes for contingency periods

or funding. This kind of approach does not speed up the process but usually ends up costing you money in the end!

This kind of agent might be charming to you as a client but tends to treat everyone else rudely and with disrespect. They can be short-tempered and unprofessional, even using profanity toward potential buyers and their agents. Their need to be superior and "right" ends up costing everyone unnecessary stress and money.

Why is an agent using this approach ineffective? Other agents don't like them, don't trust them, and know that they will be abusive during the transaction. So, they avoid bringing buyers to them. Or if they do, the buyer's agent approaches the transaction in full armor with rifles cocked! The stubbornness and inflexibility of a competitive negotiator will kill deals that could be viable or, when transactions do go through, leaves a bad taste in the mouths of everyone involved. It's simply not good business, and it won't get you the result you deserve.

I keep a mental list of agents who have done clients a disservice in the past, who have been totally unwilling to compromise even when it made sense for all parties, and who were just downright dirty. I present their offers, but I always tell my sellers about my past experiences if they ask for an opinion.

## **The Compliant Negotiator**

This kind of negotiator is the flip side of the competitive negotiator. Compliant people fear confrontation and disagreement. They need to be liked so they'll let others walk all over them. This type of agent will always give in to the demands of the other side, and will convince you to do the same. They might be a very nice person but not the person you need on your team.

Think of it like a surgical nurse who is afraid of blood. You wouldn't want that person assisting the surgeon who's operating on you! In the operating room, blood is just part of it. No one expects the patient to be wheeled in and get completely healed without shedding a drop. A good nurse knows there's going to be blood. It's a necessary part of the process and it's not bad (unless it gets out of control!). While a fearful nurse closes their eyes at the sight of blood and avoids it altogether, a competent nurse takes it all

in stride and manages the situation in the calmest way possible, knowing that it will lead to a healthy patient.

Like blood in the operating room, negotiation is just part of every real estate deal. It's something to be expected, not feared. It's extremely rare when a buyer steps up and accepts every single term that you as the Seller have proposed. It's not like customers in a department store who just look at the price tag and plunk down their credit cards. Real estate transactions are full of big issues and tiny issues, all of which require negotiation. If your agent simply caves every time the Buyer asks for something, they are not representing your best interests.

This type of agent is always warning you to cave in because "we may lose the deal." Don't fall for it. If a buyer wants your property badly enough, they'll negotiate. When my clients are nervous about losing a deal because we counter or negotiate, I always remind them that, if the buyer walks because our terms are not acceptable without countering back, they didn't want the house badly enough. They would have walked away anyway at some other time during the transaction and wasted our precious time.

Okay, so if it's not the bully and it's not the scaredy cat, what kind of negotiator do you want?

## **The Collaborative Negotiator**

Like that calm surgical nurse, a collaborative negotiator expects and is prepared for negotiation. At its core, negotiation is communication. So, they'll listen and ask questions, seeking to really understand all parties to the transaction.

First of all, in collaboration with you, they've set goals for the sale of your home. They've helped you prioritize your needs and desires for the transaction. They may have even discussed areas of compromise with you prior to putting your home on the market. They won't promise you the moon but will help you be realistic from the get-go.

When offers come in, a collaborative negotiator will take the time to understand each Buyer's motivations and priorities by discussing them with the Buyer's agent. They'll do their research. When a conflict between what you want and what the Buyer wants arises, they'll work with the Buyer's agent to come up with creative options and

solutions that work for everyone. They won't give away the farm and they'll always make sure that your most important priorities are honored. But they'll be willing to compromise on small issues that allow an otherwise great deal to go through. And if a dispute arises, they'll have the skills to keep the situation as calm as possible. They won't overreact to unreasonable demands or high emotions from the other side but will keep their cool and seek to understand the real issues beneath. They won't let their ego or need for being right get in the way of getting the deal to go through as long as it is in the best interest of their Seller's goals and objectives.

To someone who is not trained specifically in negotiation, the collaborative approach might seem weak. But it's actually the strongest and most effective approach you can take. Just ask Harvard. The school has extensive trainings in this. It's the approach taught in virtually every advanced negotiation course these days. So, if your agent has taken some of these courses, that's a very good sign! Skills for collaborative negotiation include: effective verbal communication, great listening skills, rapport building, creative problem solving, assertiveness, and ethical persuasion skills. With these skills in their toolbelt, a collaborative agent will get you a much better end result than either of the other styles.

## **Your Job During Negotiations**

You do have an important part to play in the negotiation. Your job isn't to deal directly with the Buyer or the Buyer's agent. In fact, no matter how great you are yourself as a negotiator, direct interaction on your part will only cause confusion and possibly derail the transaction. Let your agent do their job and support them. Your job is to:

**Remember Your Priorities:** In the next chapter, we'll talk about how to unearth your priorities for selling your home, which are those things that are most important to you. During negotiations and within the contracts, you'll be making decisions on hundreds of issues. Some of them matter and some really don't. But it's easy to get caught up in all of it and lose sight of what you're really trying to accomplish by selling your home. Be sure and keep your priorities front and center so that when the inevitable kerfuffle happens, you won't lose your way.

**Stay Calm and Think It Through:** I know, I know, it's your home we're talking about! But the best decisions are not made when we're feeling emotional. Yes, you may be

really ticked that the Buyer wants to charge you outrageous rent so you can stay a month after close. Yes, you may get freaked out when you hear they plan to fill in your swimming pool and remove the lemon trees you planted. Take a deep breath. Respond, don't react. Avoid a knee-jerk reaction and think it through. And if you need time to get into a better place emotionally, sleep on it before making a decision.

I remember in my earlier years in the business, I'd react and make decisions based upon emotions rather than facts. It's something that takes time and a lot of transactions to learn. Thank goodness, having been through this with clients on both sides of the table, I've had the time to get my own emotions intact and to help my clients do the same.

**Listen and Ask Questions:** Your agent is there to advise so please listen. If you don't agree or understand why they want you to compromise on something, ask questions. Ask what their reasoning is. Ask about other options and, if you've thought of a different option, let them know. Ask them what will likely happen if you don't agree to the compromise. At the end of the day, you do have the final say in any decision. Just be sure to get all the information you need to make a good one.

**Be Clear:** Your listing agent wants to negotiate on your behalf so be as clear as you can. Keep communication open. If you don't like how the negotiation is going, tell them and explain why. When you make a decision or compromise, make sure it's one you feel good enough about that you will honor it. And if you're a couple selling your home, try to avoid mixed signals. Come to decisions together. Giving your agent clear marching orders allows them to represent you to the best of their ability. Then be willing to listen if your agent disagrees with the direction you want to take. They should be able to explain their alternative and why it is more beneficial to you.

## **Seller Questions to Ask**

Unfortunately, most people don't find out what their agent's negotiating style is until they're in the middle of negotiations! Asking a few questions and really paying attention to how they interact with you will help.

1. What negotiations training and courses have you taken? What credentials do you hold in them? What did you learn from them?

2. How would you characterize yourself as a negotiator? What is your best skill in negotiating?
3. What do you think are the most important aspects of any negotiation?
4. What part will I play in negotiations and how will we communicate during this stage?

# Communication is Key

Another major area you want to screen for in a potential listing agent is communication. Too many traditional listing agents get you to sign on the dotted line then disappear for a month or so until they have an offer in hand, or to tell you why they don't have an offer! In this age of instant communication, that is simply not acceptable! You deserve more and should expect more, and you don't want to end up having to chase your agent down to get your important questions answered.

You want to know what's going on with the marketing. You want to hear about any comments made by potential buyers looking at your home. You want to give your input into the process and make sure your interests are really being served. Make sure you receive the kind of communication you need from the beginning.

For example, even during the initial listing appointment, a really great agent will take the time to explain what's happening in your market and how that will affect the sale of your home and its pricing. They'll tell you who your most likely buyers will be and how they intend to market to them. They'll give you straight feedback on your expectations for the sale and maybe offer alternatives to expectations that aren't realistic. They won't just schmooze you and talk over your head.

In fact, if three out of the four agents you interview say your home is overpriced, don't believe that fourth guy who says, "Hey, no problem!" He'll only waste your time when three months down the road he suggests reducing it! I can't tell you how many times I've seen a listing go to an agent who overstates the listing price when I was frank and direct about it. Then I'll see the home sit on the market for months and watch price drop after price drop until it finally sells for less than I could have gotten for it! The agent you want will treat you with respect as a valued partner in the process and not lead you on like this.

Here is an example from another market. Krista told me a story that is a perfect illustration of this. "A couple in our community had listed their home with an agent who said he could sell it for \$749,000. Three weeks later, they reduced the price to

\$699,000. After 39 days on the market and very few showings, the couple took their home off the market. Thirty days later, they listed with my team. We were able to sell the home in just 9 days at \$695,000, exactly the listing price they should have had from the beginning."

So, make sure your agent is frank, straightforward, and open with you. And this good communication should continue after you sign a listing agreement with them.

## **Starting Off on the Right Foot**

From the very beginning, your listing agent should be in almost constant contact. Not in a way that harasses you or makes them inefficient, but in a way that keeps you informed about what is happening and when it's happening.

The first thing they should ask you is how to best connect with you. Do you prefer phone? Text? Email? What times of day are good? Your agent should also be clear about when they are available and who to contact for pressing questions if they aren't. I give all my clients a direct number and I answer it.

Here are just some of the things your agent should be asking and communicating to you at the start:

Your goals and needs from this sale. I cover this more thoroughly in the next section. But your listing agent should take the time to sit down with you and really understand what you want and need from this sale. They should be sincerely interested and pay careful attention to what you have to say. A good agent will listen and ask questions so they can tailor their marketing and negotiation strategies accordingly. If they gloss this part over and don't get into depth with you on this, that's definitely a red flag! It might very well mean that they'll be using "off the shelf" strategies they've always used, and you'll get an "off the shelf" result in the end.

Your home's best features. Who knows this better than you? Your agent should ask for your input about what you most like about the home and what makes it great to live in. A great listing agent should ask you about the features of your home and any upgrades you've done. They should ask about the specific location including great neighbors, terrific neighborhood hot spots, and public amenities nearby. Of course, they'll have a lot of area statistics and knowledge at their fingertips. But your personal

insight into these things, whether it's neighborhood schools or local hair salons, will add a lot to the marketing of your home.

Your home's information. Okay, this is the boring part but it's necessary. I call it my "Seller's Homework" and I've created a special packet for my clients that takes them through all we need. It asks for things like alarm codes and desired showing instructions ("please give owner at least 30 minutes notice" or "do not allow pets outside"). It also includes forms to help my clients provide all the information they need to provide legally to prospective buyers.

In Massachusetts or Rhode Island and many other states, the amount of information you have to disclose is incredible! Your agent should not only talk you through what's required but also provide forms and processes that make it less burdensome. For example, I provide my homeowners with a complete checklist that covers everything from homeowners' associations to how old the roof is. For the required disclosures, I provide them with an easy online form. I tell my clients to pour themselves a cup of coffee, open up their laptop or tablet, then walk from room to room and make notes of any repairs or changes they've made over the years. When it comes to filling out state-required disclosures, I go into detail with my clients explaining what each line item means. (Sadly, many listing agents simply hand their clients these complicated forms and ask them to fill them out. This is not only a hassle for you but can cause legal problems down the line if you don't do it correctly and completely.)

Disclosure rules are set state by state, and they are not the same everywhere. What has to go on the form in Massachusetts or Rhode Island is different from what a seller two states over has to report, which is exactly why I walk every client through our state's actual form line by line instead of handing it over and hoping. Your official Massachusetts or Rhode Island disclosure form and your own agent are the authority here, not a book and not something you read online.

What I can tell you is that the practical advice is the same in every state I have ever seen: when you are not sure whether something belongs on the form, put it on the form. Assume you need to disclose anything that has been modified, repaired, replaced, added, or changed. Disclose what you know about the home, and about the neighborhood, past or coming. It is generally not your call whether something is good or bad, significant or trivial, obvious or hidden. If in doubt, disclose it. So if you live

on a golf course, disclose it no matter how obvious that seems. If you don't, and a golf ball comes through a window and hurts someone, you may be the one holding the lawsuit. I am not kidding.

Those "boiler plate" disclosures in your forms cover a lot, but over-disclosure is almost always better if you want to avoid future lawsuits. If you have a lot of traffic or live on a busy street, disclose it. If you changed out the toilet seat in 2005, disclose it. If you know about any future change to the community, disclose it. If you have an HOA and you know dues are going up, disclose it. Yes, it's a pain to note all these things, but it's much less stressful than a lawsuit. I will sit down with you, go through the Massachusetts or Rhode Island forms with you, and make sure every one of them is filled out completely and correctly. If anything about your situation is unusual or you are unsure where you stand, we bring in a real estate attorney. Getting this right protects you long after the sale closes, and it is not the place to guess.

## **What a Seller Actually Signs Around Here**

I am licensed in Massachusetts and in Rhode Island, and the two are not the same system. The forms are different, the vocabulary is different, and in at least one important respect the two states start from opposite assumptions about what your agent is to the people on the other side of the table.

I am deliberately not going to print the specific rules, deadlines, or form names in this book. Not because they are secret, but because they change. The legislature moves, an agency rewrites a regulation, a court decides something, and a book that quotes the rule accurately today becomes a book that misleads you in three years. What I can give you is the map: the categories of obligation that attach to selling a home here, so that nothing in your closing file is the first time you are hearing about it.

**Who your agent represents, in writing.** Before we get very far, you will sign something that tells you what my role is and who I work for. It is a disclosure, not a contract, and it exists so that everyone at the table knows where they stand. It matters more than it looks, because both states recognize an arrangement in which a licensee assists with a transaction while representing neither side. No loyalty. No obligation to keep what you say confidential. In one of the two states, a version of that non-

representation is the default assumption unless the paperwork says otherwise. Read what you sign, and ask me to say out loud what it means.

**What you have to volunteer about the house.** This is where the two states diverge most. One of them puts a statutory disclosure form in the seller's hands and requires it to be completed and delivered on a schedule. The other takes a different approach to how much a seller must affirmatively volunteer, which is not the same thing as permission to stay quiet. In both, you cannot conceal and you cannot misrepresent. My advice does not change either way: over-disclose. It is the cheapest insurance you will ever buy.

**Lead, and do not treat this one casually.** If your home predates a certain era, there is a federally driven notification that has to reach the buyer, with materials, before they are locked in, plus a period during which they may have the property assessed. Both states layer their own requirements on top of the federal baseline, and they do it differently. Massachusetts requires specific notification before the purchase and sale agreement is signed, along with a signed acknowledgment. Rhode Island goes further still: it requires its own material in addition to the federal pamphlet, a stand-alone signed acknowledgment, and copies of whatever lead certificates and inspection reports exist for the property, delivered on request within a short window and at no charge to the buyer.

Here is why I am not casual about it. In Rhode Island, if the required lead disclosure is not handled properly, the buyer can void the agreement in writing at any point up to the transfer of title. A deal you thought was solid is not. And the obligation does not rest only on you. A licensee has an independent duty to see that it was done, with license consequences for failing, which is precisely why I handle this myself rather than assuming it got taken care of somewhere in the paperwork. We get it right, on schedule, with the signed acknowledgment in the file and not sitting in somebody's inbox.

**Inspections belong to the buyer.** You may hear that a seller can require a buyer to waive their inspection in order to compete. Be careful with that. The rules around demanding a waiver have tightened, and there are also restrictions on who may recommend an inspector to whom. If an offer arrives with an inspection waiver in it,

we are going to talk about it before anybody signs anything, and the conversation will probably involve an attorney.

**Alarms, and the certificate everybody forgets until the last week.** Both states put this on the seller. You are responsible for the smoke and carbon monoxide alarms, and for getting the local fire department out to inspect and issue the certificate that the closing will call for. The two states handle it differently in the details, and each certificate is only good for a limited period before the sale, which means it can be done too early as easily as too late. The fire department also schedules on its own calendar, not on ours.

This is the single most common reason a closing around here slides by a week, and it is entirely preventable. We book it early, we book it to land inside the window, and we get the certificate into your file before the closing attorney asks for it. One practical note worth having: the certificate is what your purchase and sale agreement and the buyer's lender will require, not something the statute itself spells out, so the specific form it takes and who wants the paper is a conversation for your attorney and your closing.

**Septic, and the nitrogen question.** If your home is on a septic system, transferring the property generally triggers an inspection. The result goes to the buyer and to the board of health, and the inspection has a shelf life, so a "recent" one may or may not still count. That inspection is customarily the seller's responsibility, and I will plan for it that way. It is not, however, carved in stone. A seller can specify an as-is sale, or the contract can put the inspection and whatever it uncovers on the buyer instead. That is a real transfer of money and risk, and if we are going to do it, we do it deliberately and we price it, rather than discovering it in a rider two days before signing. Understand that shifting it also narrows your buyer pool, because a buyer taking on an unknown septic outcome will protect themselves somewhere else in the deal, usually in the price.

Then there is nitrogen, and on the Cape this is not a fringe case. The designation is made watershed by watershed, not town by town and not Cape-wide, and dozens of Cape watersheds now carry it. There is also a second, older category tied to drinking water protection areas that exists across the state. So the honest instruction is not "the Cape is all nitrogen sensitive" and it is certainly not "we are probably fine." It is that a

great many Cape parcels are in a designated area, the list has grown and continues to grow, and the answer for your specific address is a lookup, not an assumption. I run that lookup. The regulation puts the burden of knowing squarely on the property owner, which is to say on you. Here is the distinction that costs people the most sleep, so I want it on the record: the requirement triggered by a sale is generally about inspecting and disclosing. That is not the same thing as a rule forcing you to install new technology because you decided to sell. Those are two different obligations on two different clocks, and they get blurred together at kitchen tables constantly.

What is true, and what I will not soften for you, is that the money involved can be significant. If a system in a nitrogen sensitive area fails or has to be replaced, what replaces it may have to meet a higher nitrogen-reducing standard than a conventional system would, and that is a materially larger number. This is exactly why the disclosure matters to a buyer. It changes the figure they are underwriting, and a buyer who learns it late reacts very differently from a buyer who knew going in. What applies to your parcel depends on your town, your watershed, and a regulation that is genuinely in motion right now, so we will get you a real answer from a Title 5 inspector and your town's board of health rather than a guess from me.

**Sewer, and the betterment nobody warned them about.** Much of Cape Cod is in the middle of a long municipal shift from septic to sewer, driven by nitrogen in the coastal waters. The thing to understand is the shape of it: this is happening town by town and watershed by watershed, on schedules measured in decades rather than years. Your town has its own plan, its own phases, and its own calendar. A street two blocks from you may be in an early phase while yours is in a late one, or the reverse.

When sewer does reach a street, Massachusetts lets the town assess a **betterment** against the properties that benefit. Here is what makes a betterment different from an ordinary bill, and it is the part people miss: it can be spread over a long run of years, it carries interest, and it is a lien recorded against the property. It runs with the land, not with the person. Whoever owns the house owns the remaining balance. A buyer can inherit one, and a seller can be asked at the closing table to pay one off.

Understand also that there are several different costs hiding under the word "sewer," and they are not the same thing. There is the betterment, which is your share of building the public system. There may be a separate charge for the privilege of

connecting. There is your own private cost to run the line from the house to the street and properly decommission the septic system, which is yours alone. And then there is the ongoing use charge, which continues for as long as you own the home. People hear one number and assume it covered all four.

The trap I want you out in front of is this one. If a betterment has actually been assessed and the order recorded, it is a lien and it turns up in the municipal paperwork at closing. If your street is merely scheduled for a future phase, **nothing about it will appear anywhere in the closing documents.** There is no lien yet, so there is nothing for the town to certify. A buyer who finds out afterward that a substantial assessment is coming will feel misled whether or not anyone misled them, and that feeling is where complaints and lawsuits are born.

So we handle it directly. Before we list, I call your town's water resources or sewer department and find out where your street actually sits in the plan. If there is something to know, we decide together how to present it, because a buyer who is told up front adjusts their number and moves on, while a buyer who discovers it late walks or renegotiates. And I will tell you plainly where the line is: Massachusetts does not put a general disclosure form in a residential seller's hands the way some states do, but you may never misrepresent or conceal, and answering a direct question dishonestly is its own problem. My own duty as a licensee is separate from yours. Between those two facts, honesty is also the cheaper strategy.

There are also state and county programs, including an income tax credit, that can offset some of what a homeowner spends on septic work or a sewer connection. The details have changed more than once, so that question goes to your tax professional rather than to me.

**Who owns whom, when a referral is made.** If a real estate professional refers you to a title, mortgage, insurance, or settlement company that their own company has a business relationship with, you are entitled to see that relationship disclosed in writing before you decide. A disclosed relationship is not automatically a bad referral. An undisclosed one is a problem. Ask. You are allowed to choose someone else.

**Coastal and waterfront property adds its own layer.** Flood zone status, elevation, wetlands, conservation restrictions, docks, moorings, seawalls, private

beach rights and the history of what has been permitted on the land all bear on what you may be asked to disclose. I will raise them with you early so you are not discovering them at the closing table. I will not make the technical determination myself. Those questions go to a surveyor, a wetlands or conservation professional, an insurance agent, or an attorney, and I will tell you which one and help you get in front of them.

None of this is legal advice, and it is not a complete list. It is the shape of the thing. The rules are set by the legislature and the agencies, they change, and I will not pretend otherwise. What I will do is track what applies to your property and your town at the time you are selling, put it in front of you in plain language, and bring in an attorney early whenever your situation does not fit neatly in a box. Most of what goes wrong in a sale around here is not somebody being dishonest. It is somebody being surprised.

Setting up initial appointments. Your agent should not only let you know when things are happening but should schedule times that are convenient for you, not just for them. You'll have an appointment for photos and videos to be taken and they should also send you a checklist of how to prepare for this appointment. I always walk through your home with you before the photographer arrives to make suggestions about how to best show off its features and get it camera-ready.

Your agent will schedule installation of a lawn sign and should ask for your input before placing it. They'll also have a lock box installed and should sit down and explain to you exactly how this will work, who will have access to your home and when they'll have access. I also always give my clients tips on how to keep valuables safe during the period when a home is being shown.

Home Preparation: Before your home goes on the market, a good listing agent should provide you with a checklist of repairs and any improvements they recommend. And your agent should take the time to discuss this list with you, explaining why certain things are important, then help you come up with alternatives, if necessary. I also give my clients a list of my preferred vendors (who have been screened and vetted) for any work that needs doing or to get estimates. (I'll talk more about how to get your home market ready in a later chapter.)

## **Communication During the Marketing Stage**

Sadly, this is the stage when too many listing agents go silent! They might be working on your behalf, but they don't bother to keep you in the loop. But a really good listing agent will involve you. First of all, they'll lay out exactly what they intend to do to market your property before they even get started. They'll tell you where and when certain pieces will be coming out. They'll make sure you get copies of all printed and electronic marketing pieces so you can share them. They'll tell you the best way to share on your social media and create emails you can forward to friends and family.

When the marketing phase begins, you should get updates on progress at least weekly. I send out a marketing report twice per week. The report details the ads and posts I put out that week and gives a detailed analysis of the results: how many leads, how many showings, and what those numbers mean. I also send updates on any market changes like mortgage interest rate fluctuations, absorption rate, and sales trends that might affect the salability or marketability of your home.

Your listing agent should also be getting and sharing feedback from buyers' agents after they've shown the property. Waiting three months to find out that buyers all think your carpet needs replacing is a waste of time! I install synced lock boxes that tell me in real time when a home is shown. Then I call the buyer's agent within twenty-four hours of each showing and asks for feedback. I share that feedback with you in the twice-weekly reports and discuss whether any changes need to be made.

Most importantly, your listing agent should be tracking and analyzing the results from different marketing efforts. And they should respond quickly to whatever trends they see! For example, if an ad on social media isn't generating any leads, it needs to be tweaked. If the home is being shown frequently but is getting no offers, maybe the price or something in the home itself needs to be adjusted. If the brochure doesn't generate any phone calls from potential buyers, it needs to be tweaked. A great agent will stay on top of this and make sure you're kept informed.

## **During Negotiation**

This is the period when you and your agent should have the most one-on-one time. Different people may handle different parts of a transaction, but when it comes to

negotiation, your listing agent should be totally hands-on and never leave negotiation to a junior person who has no experience or training.

First of all, your agent should share any information they have about the buyer regarding their hot buttons, needs, and motivations. They should also be able to share with you what they know about the buyer's agent: what type of negotiator they are, how communicative and reliable they are, other transactions they've closed, and so on.

As offers come in, your agent should be able to give you good, clear feedback on how viable the offers are and show you data to back up their conclusions. They will also point out where each offer might be countered to get closer to what you want. This should not be a "my way or the highway" kind of discussion but a collaborative give and take with your agent. I'm very aware that I know more about real estate and this market than most of my clients and that it's my job to come up with creative counters and solutions to differences between their goals and the offers that come in. That said, I respect my clients as intelligent people and always ask for their input during this entire phase.

## **Between Contract and Closing**

For most Sellers, this is the most frustrating stage! It's a waiting game to see if all the contingencies clear. It's a waiting game while the title work gets done. It's a waiting game to see when the lender will finally release funding and the title can be recorded. And let me just tell you that during this stage, lots of "stuff" happens.

Personally, I don't believe that my clients need to know about every tiny hiccup in this phase. But I do think they should be informed immediately of anything that might derail the transaction. Some agents believe they should "wait and see" if the worst eventually will happen. I think they're just afraid to face giving their clients bad news. Your listing agent should respect you enough to let you know if problems arise that may squelch the deal or cause it to change dramatically.

My first broker taught me that it's our job as agents to be problem solvers and that problems will always come up somewhere during a transaction. So many different people have parts to play in getting to a successful conclusion. I believe that it's my job

to know their jobs and to stay on top of what's happening, rather than sitting back and assuming everything is just peachy keen. A good agent will constantly check in with the various participants and verify that the process is on track.

For example, if your agent finds out that the roof inspection came back with issues you didn't know about, you want to know sooner rather than later so you can decide what to do. If it looks like the buyer might not be able to qualify, your agent should tell you and get some back-up offers going. Hopefully, they asked the right questions prior to going under contract to keep this from happening in the first place. But sometimes, things just come up. Someone missed something or forgot to ask the proper questions or didn't verify the proper information. You don't want to get to the very end of the loan contingency period to discover that the lender never intended to fund the loan!

What about working with the closing attorney? Too many agents simply turn you over to them and call it good. The great agents I know don't. Like me, they'll stay on top of the closing and make sure all the players are getting documentation in on time, that it's correct, and that it goes as smoothly as possible.

## **Seller Questions to Ask**

You don't want to find out that you've hired a poor communicator six months down the line when you're trying to chase your agent down to find out what the heck is going on! Here are a few questions you might ask to see if the agents you're interviewing will really keep you informed and involved:

1. How often will you communicate with me? Who is my main contact person during each phase?
2. How can I reach you if I have an urgent question? Who do I call if I can't reach you?
3. What types of checklists or consultation do you give to help me get my home ready for market?
4. How often will I hear about your marketing efforts and the results we're getting? How much detail will you provide?
5. How often will you give me feedback about what potential buyers and their agents are saying about the property?

6. How will we stay in touch during negotiations?
7. How hands-on are you during the contingency period? How do you coordinate with the closing attorney? How often will you give me updates?

# Create Seller Goals and Priorities

When people decide to sell their home, they don't just wake up one morning and say, "Let's put the house on the market!" They've usually thought about it for a while and often have more than one motivation behind the sale. (This is true of buyers too. The National Association of Realtors puts the typical active search at about 10 weeks, and most buyers have been looking online well before that. This is why it's important that your agent knows how to capture potential buyers who were searching previously.) And for couples selling, they often have different, even conflicting motivations.

To get the best result, the result that makes you happiest at the end of the day, it's critically important that you sit down and get very clear on why you're selling your home and your particular goals in selling your home. Without this information, even the best Realtor will have trouble delivering for you.

Why? Because your agent's strategy is (or should be) based on your individual goals and needs. This includes their strategy for both marketing and negotiation. Yes, they may do the same basics for all of their listings. But they should also be tailoring these strategies to your needs and priorities.

Let's take someone who needs to move quickly to take care of a sick parent across the country. They don't want to leave too much money on the table, but they're more concerned about getting out of town as fast as possible with enough to pay off their mortgage. Contrast that scenario with a couple who isn't in a hurry, who wants to sell so they can upgrade, and who wants to get the most money they can out of the house.

Even if these homes were exactly the same in the exact same neighborhood, a good listing agent would approach them differently. They might recommend the second seller does some minor renovation or landscaping while they might recommend that the first seller clears out immediately so the house can be immediately occupied. With the second seller, they might push the price a bit (without going crazy) to see how the market responds. For the first seller, they might suggest a price that is just slightly below market.

In my experience, in any transaction, there are a million aspects that can be tweaked depending on my client's goals and needs. Things like the length of the closing timeline, cash versus obtaining a loan, renovations or none, contingencies or as-is, rent back or none, high or low deposit, back up offer or not. However, if you aren't very clear on what you need and want from the sale of your house, your agent simply can't develop the best strategy.

And during the sale process, you'll have dozens of decisions to make! If you take the time to get clear up front, making those decisions will be much easier and less stressful while your house is on the market and during negotiations.

## **Get Clarity**

Sit down and write down all the things that are important to you in the sale of your house. Be sure and write down everything that comes to you. And as you write these things down, ask yourself, "Why?" For example, maybe you write, "Sell the house for \$650,000." Why do you want to sell it for \$650,000? Is it because your neighbor sold his house for that much? Is it because that's how much you need to pay off your mortgage and have enough for the down payment on your next home? Is it because you're trying to fund your retirement? Get very specific about the reasons why what you want or need is important to you. (And by the way, how much you net out of the sale is more important to you than the selling price, right?) Just because you want or need a certain amount out of your house doesn't mean it is worth that much. Bottom line, your home is only worth what a buyer is willing to pay in any given market.

Think about what you don't want as well. Maybe you don't want your house to be shown at certain times. Maybe you don't want to repair certain things that you know should be repaired. Maybe you don't want to clear out your over-stuffed garage before your house goes on the market. List all of those things you don't want and think about why you don't want them. Keep in mind that any restrictions you place on the sale will lessen the number of buyers and offers you attract. Talk to your Realtor and ask about the impact of your restrictions then make a decision from there.

## **Clarity for Couples**

When I have my Sellers do this process and they are selling as a couple, I often recommend that each person comes up with their own separate list. Why? Sometimes, one partner is hesitant to contradict the other or to be totally frank about what they want. Doing it separately gives each one a little more freedom.

After you each have made up your own individual lists, sit down together and compare them. Talk each item through. Notice which goals and desires you share. You might surprise each other with new ideas or possibilities. You may find areas where the two of you are rowing in different directions! If you have conflicts, it's important that you find this out now. It will save you many headaches down the road if you can resolve your differences now. After you've brought your agent on board, you want to present a united front so they can be clear about what you want and don't want from the sale and during the sales process.

## **Get Your Priorities Straight**

In life, we rarely get absolutely everything we want! Selling your home is no different. You may luck out and have everything fall into place perfectly. But just in case they don't, you want to be clear on where you're willing to compromise and where you aren't.

For example, on your goals you may have written down that you don't want to do any renovations whatsoever to your home. Two weeks in, your agent is getting feedback from buyers' agents that the shiny black walls in your entry, living and dining rooms are very off-putting. If you're determined to get your price in a reasonable amount of time, you may need to suck it up and repaint.

I give my clients an analysis as to what they should fix up or not and how that will or will not affect their bottom line. For example, if it only costs \$4,000 to paint the entire house but you can get \$20,000 more if you do, it's worth considering. If you and your agent think some work would be worth it and can get you this kind of return but you don't have the cash, ask if it can be taken out of the sale proceeds at closing.

Here is another example from outside our area. Krista told me a story about the value of minor repairs. "A couple had listed their home with an agent who didn't mention anything about repairs or improvements. The house sat on the market at \$629,950,

then was reduced to \$599,950. After three months and no sale, the owners took it off the market. Two months later, they listed with my team. We immediately recommended that they do a few repairs and upgrades at a cost of \$3,300. We then professionally staged the house and listed it at its original \$629,900. Within ten days, we had an offer at \$634,000, which closed very quickly." In other words, they made \$34,000 more than their reduced price by investing just \$3,300. This is the kind of advice a good agent will give you. Because that former agent didn't give them this advice, not only did the home not sell, but they carried the mortgage, taxes, and utilities the whole time it sat.

Back to your goals: Next, take your list and start prioritizing. If you could only have one of your goals, what would it be? If you could have three, which would they be? Keep going until you've got the whole list in "most important" to "least important" order.

Once you've completed and prioritized your list, share it with your listing agent. (I even ask people for their list at our first appointment.) They'll be able to give you feedback, make suggestions, and strategize to get you as much of that list as possible. The agent you really want to work with will be direct enough to tell you if some of what you want is unrealistic. They'll explain why and help you come up with a more reasonable expectation.

This is also the time to check "emotion versus fact." For sentimental reasons, you may really want to keep your daughter's room (the one who's away at college and about to get married) intact just as she left it. But if her Goth decor is scaring buyers off, you might need to reconsider and pack her stuff up.

Or maybe you're determined to get as much for your home as your snooty neighbor did last year. Is that based on fact or pride? "Fact" would mean that the market is the same or better as it was when the other house sold, that your home is located as favorably on the exact same or larger lot size, and that your house is exactly the same as his with all the same upgrades. "Pride" would be, "Because my house is just as good!"

I can't tell you how many times I've met with Sellers who want to receive the highest amount of money for their home. They think their home is worth more than everyone

else's. However, when they go to buy, they want the biggest house with the most upgrades for the least amount of money. And, hey, I get where they're coming from. I'm the exact same way when I go to sell my own home and buy a new one! That's emotional attachment, not reality.

Listing price is often subject to "emotion over fact." If you've taken great care of your home and spent lots of money on awesome upgrades, you might be able to command a higher price, and you might not. Things like a swimming pool are very expensive but often don't get a good return on the dollars you spent for it. The next owner may actually want to tear out that custom mantel you loved and spent a small fortune on. Listing price isn't justified solely by the amount of time and money you've put into your house. It's determined by the market. This is where you need to trust your agent. And if you've taken the time to choose a really good agent, you can trust their advice. (Just keep in mind that getting a real estate license and printing a business card doesn't necessarily make someone an advisor who should be trusted.) Listen when they tell you what your optimal listing price should be based on your goals and the market. Ask them to explain and show you the research that supports their suggested price and marketing strategy.

Once your home hits the market and especially during negotiations, keep your prioritized list handy to help you make those big and small decisions. Use it as a guide to remind you of what's important and what isn't. This guide will make the process a heck of a lot easier for both you and your agent. It will take the pressure off any decisions because you won't be re-thinking yourself at every turn. And at the end of the day, you are way more likely to achieve those important goals you've set!

## **Seller Questions to Ask**

Here are some questions to help you get started with your wants and needs list but don't stop with these. Try to be as broad and as clear as you can.

1. Why are we selling our home?
2. Why at this particular time? Is this a "want to sell" or a "need to sell" time?
3. How quickly do we want to sell? How quickly do we really need to sell?

4. When do we want to move? Are we willing to vacate the home before it goes on the market? Do we want to rent back from the new owner if it closes before a certain date?
5. How much money do we want to net out of the sale? Why?
6. How soon do we need the funds?
7. How much money and effort are we willing to put into the house before it hits the market? What about changes or repairs requested by the Buyer? Why will we do or not do these things?
8. Are we looking to repurchase? Locally or out of the area? Do we need help with that?

# **The Seller's Prep for a Great Sale**

I've mentioned a few ways you can help in terms of marketing and clarity about your goals and decisions. But making sure your home is market-ready is another huge way you can contribute to the successful sale of your home! Before even considering any renovations, most homeowners have plenty they can do to make their homes more attractive and make them more likely to breeze through inspections.

## **Set Up Your Home to Inspire Offers**

Basically, you want your home to not only look clean and attractive, you also want prospective Buyers to be able to see themselves living there. You want them to walk around and visualize where their piano could go and where their winter clothes could be stored. You want them to imagine themselves sitting in your tub or cooking dinner for friends in your kitchen. So, though the way you have your home set up right now might be perfect for you, it's important to look at it from the perspective of others who might want to live there. Make this a project for your whole family and get everyone on board and doing their part.

Some things to consider:

**Your Closets:** Many of us jam as much as we can into our closets! We might have shoes piled on the closet floor or our collection of golf hats crowding the shelves above. Though your closet may be spacious, if it's crowded, it will look as if it isn't. And if it's not spacious, that fact will become painfully obvious. It's worth the time to do some spring cleaning. This might be a good time to get rid of clothes you no longer wear. If not, then box up as much as you can and hide it under the bed if need be. This goes for the closets in all bedrooms, your coat closet, your kitchen pantry and cupboards, every place you store things. Yes, potential buyers will not only be checking out closets but also kitchen cupboards, linen closets, and even bathroom medicine cabinets! It's not just that people are nosey (though some definitely are!) but they are trying to imagine fitting their stuff into where your stuff is. I always tell my clients, "Hey, you have to pack up anyway, so why not start now?"

**Your Clutter:** Few of us live in totally uncluttered homes, especially if we're active and have an active family. We all live with the accumulated stuff of our daily lives. A friend of mine who sews has a sewing machine, a serger, a dress form, hundreds of patterns and shelves full of material that are all squeezed into the guest bedroom.

Your mission here is to minimize the clutter! Box up stuff you don't access frequently. Keep stuff that you use often in an accessible place but hidden away. If your house is messy, Buyers get the impression that your home may not have been well-maintained. They'll get wary and look at everything about the home with a suspicious eye. So, though it might seem like a hassle, keep the goal in mind, and remember that it's not forever.

**Your Housekeeping:** Most of my clients hate this part. Most of us keep our homes relatively clean but the standard here is sparkling, market-ready clean. I usually suggest that my clients start with a great deep cleaning that includes things like windows, fireplaces, overhead fans, baseboards, and vents. Get any tile grout spiffed up. Shampoo carpets and rugs. Polish floors. Wipe down doggy doors. Touch up paint and patch holes in the walls.

Once the major clean is done and your home starts to be shown, keep that standard up as much as possible. You never know when that perfect Buyer will ask to see your home! Kitchens and bathrooms should be especially clean with sparkling floors. You may need to sweep, mop, and vacuum more often because of all the people trooping through your house.

**Your Furniture:** Don't panic! I'm not going to suggest that you buy all new furniture! Just take a look and consider if your furniture really shows off your home's assets. I can help with this. Oftentimes, it's a question of simply rearranging furniture to make a room look more spacious and welcoming. Other times, you may want to consider removing pieces of furniture (like extra dining room chairs or that super-huge sofa) and storing them to open a room up. Moving a lamp can give a room better light. Adding pillows to a sofa can hide its worn spots. In some situations, a house actually shows better if the owner moves out and it's totally empty! If this is an option for you, let's discuss it.

**Your Personal Stuff:** By "personal stuff," I mean things like family photos, posters of rock bands or political slogans, the deer heads from your hunting adventures, those funny magnets and the artwork on your refrigerator. Again, the objective is for potential buyers to see themselves in this home, not you. Think about it: When you walk into someone's personal home for the first time, it can be a little awkward. You feel like an outsider and that you "don't belong," right? When you walk into a model home, you feel freer, not like an intruder. By hiding away a lot of what says "you" about the house, buyers are able to see more of "me" in it. I always advise my clients to make their homes as model-like as possible by removing most of their personal stuff.

**Your Home's Nose:** Every home has a smell, and buyers experience it before they even look around. You may not even notice the smell of your home because you're used to it. But others will notice, and the scent can set the tone of the showing. If your home smells musty or like your pets or has unpleasant cooking odors, it will turn people off. If it smells like cigarette smoke, some people will refuse to enter the house! If the odors are major, you may need to bring in professionals to clean and deodorize (or replace) carpets and furniture or even paint walls. If it's minor, you can often resolve it by using a scented plug-in and opening some windows, if it's nice weather.

**Curb Appeal:** Curb appeal is like that first impression you have of people. Once you have that impression, especially if it's not a good one, it's hard to change it! You don't have to spend a ton of money on this, but simple things like a freshly painted mailbox or new hardware on the front door can make a big difference. Make sure the lawn is mowed and any hedges or shrubs are trimmed. I usually suggest planting some colorful seasonal flowers in flower beds in the front yard and placing a few flowerpots on the front step. Wash down the front driveway and porch then roll up your hose and hide it. New welcome mats not only add eye appeal but will help remind potential buyers to wipe their feet!

## **Breeze Through Inspections**

There are certain maintenance items regarding your home that you should take care of prior to putting your home on the market. Why? When a home inspector can tick off certain items as being good and orderly, it tells the buyer that your home has been

well maintained. Also, in some jurisdictions, the lender will not let a sale go through until certain items are in good repair and working properly.

Basic Maintenance: here is the checklist I give my clients with questions about the home repair items they should handle before we put the home on the market:

- Is your water heater properly strapped?
- Do all of your smoke detectors work?
- Do you have a carbon monoxide detector on each floor?
- Have your furnace filters been changed recently?
- Has your HVAC unit been professionally maintained recently?
- Does your garage door open smoothly and does your garage door opener operate properly?
- Do any of your doors or sliders need some lubricant?
- Do you have any leaky faucets or slow-flowing drains?
- Do you have any missing or torn screens?
- Do you have any light bulbs that need replacing?
- Do all of your blinds and shades work properly?
- Do all door locks and locking mechanisms work properly?
- Are your gates and their latches working properly? Is your fence in good repair?

## **Major Repairs**

What about things like mold and dry rot issues, leaks, broken roof tiles, health and safety issues or wood-destroying insect problems? If you know that these problems exist, I almost always recommend that you take care of them before your home goes on the market. Often, lenders will not fund a home until these problems are fixed. Even if they did, few home buyers want to take on that kind of project. Delaying getting this work done will only delay the sale and may actually turn some buyers away. If you absolutely cannot afford to have this work done, at the very least get a firm written estimate from a reputable vendor so your potential buyers have a sense of what they would be getting into.

What about other major issues like a roof that is leaking? First of all, it's illegal to withhold that information if you know or even suspect your home has a problem. Even if you could withhold it, any intelligent buyer will have a thorough home inspection done during the contingency period. In the worst case, your buyer may cancel the contract as soon as they find out about the roof. In the best case, they will probably ask to have the sales price discounted substantially. Why? Because when you have problems with major systems, such as roofs, structural, plumbing, electrical or mechanical systems, you really don't know what you're getting into until you get into it! A vendor may say they can repair rather than replace something but unless the problem is very straightforward, they can't be sure.

In a perfect world, I'd have you do what it takes to make that roof sound, with documentation from the contractor who did the work. If that's not a possibility, just be aware that it causes an obstacle to the sale that will have to be overcome.

What about major renovations, like updating bathrooms or kitchens? This is such a case by case decision that I won't even get into it here. It's a discussion you need to have with your agent. When I discuss this possibility with my clients, I make sure to give them all the data they need to make a good decision. We'll talk about trends in the market and the likely return on their investment for these renovations. We'll get estimates from my preferred vendors. We'll talk about the time involved and how far back that will push putting the house on the market. We'll talk about any disruption the family might go through while the renovations are happening. It's important to weigh all of these factors before making this decision.

# **On the Market: Seller Do's and Don'ts**

Your house is ready, the marketing campaign has started, and your home is officially on the market! Good for you! Now I'd like to help you succeed during these next stages. Over my years of experience, I've come up with a list of simple do's and don'ts for my clients. Some of these came from clients' innocent missteps that led to painful results. So, I don't take them lightly.

## **Showing Your Home**

When you get that call that an agent wants to show your home, here's how you help your house shine (and if you're away at work during the day, do these things before you leave in the morning):

Keep all lights on. Visitors shouldn't have to fumble for light switches, and it makes your home appear brighter, more inviting, and easier to see.

Use a light, pleasant scented plug-in throughout the home. This gives a nice but not overwhelming scent.

Keep all blinds and window treatments open. This will make your home seem larger and brighter. If you can, remove window screens to let as much light as possible in and give an open feel. (Save them in the garage because the buyer will want them later.) It will also show off your exterior features.

Put away any clutter and personal stuff. In your preparation, you already did this so all you should have to do is put away anything that was brought out the day before.

Spiff up your kitchen and bathroom. The whole house should be clean but make sure to do a last polish of these two areas. Flush toilets. Fold towels and washcloths. Wipe down counters and sinks. Empty trash cans.

Sweep your front step and front hall. It's about first impressions. It's also about not having debris for agents and buyers to track into the home that you're working so hard to keep clean!

Make arrangements for pets (if any) during showings. I love animals but not everyone does. A really terrific buyer might just be terrified of good old Fido. Figure out what you can do with your furry loved ones. You could take them to a neighbor's, keep them in a space in the yard or garage, take them with you, or even drop them off at day care.

Be absent during the showing. You want potential buyers to feel free to really explore your home and "occupy" it. You want them to speak frankly to their agent about what they like and don't like about the house. You want them to turn on the disposal, poke into the garage, pace off your dining room. Even if you sit quietly at your desk minding your own business, your very presence will make the situation awkward.

Now for a very important Don't:

Don't say a thing. I train my clients and they're really good about being somewhere else during a showing. But sometimes, they get home and the buyer and their agent are still there. If that happens, be pleasant, make yourself scarce, and do NOT engage in conversation! Why? By answering even seemingly harmless questions, you can sabotage your position in the whole negotiation process.

Let me give you an example from another market. Krista told me about one of her clients who came home to find the buyer and their agent still there. She started chatting innocently with the agent, who asked, "So, why are you moving?" The seller explained that her mother was terminally ill and that she was moving to take care of her. The agent then made a few comments about how the market was slow (it wasn't), how few people were offering cash (lots were), and how his client was rare in wanting this kind of home (he wasn't). With that leverage, the agent came in with a low-ball offer and a very fast close. Even though marketing had only just started, the seller panicked and almost took the offer. Krista was able to talk her off the ledge, and they ended up getting a substantially higher offer that closed quickly and without hassle.

There's an old slogan from World War II: "Loose lips sink ships." Don't sink your ship.

## A Last Word

There's so much more I could tell you about selling your home! But armed with the information from this book, you now know more than most homeowners. I hope you've learned a lot and gotten some ideas and inspiration. I also hope that you are hugely successful in selling your home!

If I can answer any questions or offer assistance, please feel free to contact me at 508-208-1927. And be sure to go to [susangordenryanluxury.com](http://susangordenryanluxury.com) for informational videos that are easy to watch and full of valuable information. We can also get you a Free Marketing Analysis and a Home Evaluation of your home.

Wishing you the best!

*-Susan Gorden Ryan♥*

# Oh, and One More Thing

If you're like most people, you may still be confused about the National Association of Realtors commission settlement, what it means and how it affects you. There is so much misinformation out there that it makes me crazy. So many people writing about this have no clue what it actually involves, so let me lay out what happened and what it changes for you.

Here is the timeline, because the dates get garbled constantly. A jury verdict came down in the Sitzler/Burnett case in October 2023. NAR announced a settlement agreement in March 2024, and a judge granted it preliminary approval in April 2024. The new practice rules took effect on August 17, 2024, and the court granted final approval that November. The rules below have been in place since then and are how every agent in the country works today. There is still an appeal moving through the courts over how the settlement money gets divided among past sellers, but it does not change how your sale will work.

What's fascinating is that the lawsuit was brought against a long-standing Multiple Listing Service (MLS) rule called the Cooperative Compensation Model Rule. And that rule was introduced in the 1990s by consumer protection advocates to protect Buyers and Buyer's agents. No court ever ruled that rule illegal, by the way. NAR settled the case and agreed to change it, which is a different thing, and you will hear it described wrong constantly. Another part that can be confusing is that MLSs, states and brokerages have all interpreted the settlement a little differently, so you really need to talk it through with your agent to make sure you understand how it works where you live. Here are the most important changes:

**Big Change #1:** NAR will not allow offers of compensation to Buyer's agents or their brokerages to be posted on MLS listings. Compensation and who will pay the commission will be negotiated off MLS. That said, with some MLSs (not all) you as the Seller will still be able to offer concessions, like covering buyer closing costs, on the MLS platform. Sellers typically used to pay the commission that was due to both the Seller's and Buyer's agents or brokerages. But commissions are and always have

been negotiable. It's just that now Sellers can't announce their willingness to cover Buyer's agent or brokerage compensation on MLS. It can be listed on signs, in flyers, on the agent's own website. It just can't be shown in any way on the MLS site.

**Big Change #2:** NAR now requires written representation agreements for MLS participants working with Buyers before they can show them any home for sale. Along with laying out responsibilities and clarifying expectations, this agreement will cover compensation, and how much the Buyer's agent or their brokerage will be paid. And no matter who ends up paying for it, the agreement specifies that the Buyer is ultimately responsible to see that their agent or brokerage gets paid.

In some ways, it's similar to the listing agreement you sign with your Seller's agent. It avoids misunderstanding down the road, and good Buyers' agents already do some kind of agreement. They have open conversations with their clients about commissions, educating Buyers about the market, showing what differentiates them from other agents, and demonstrating the value they bring to the table. Every Buyer's agent worth their salt should already be doing this! After the settlement, it's mandatory.

**Big Change #3:** Compensation is now negotiated separately and in writing rather than being advertised in advance. This is the change most often described incorrectly, so let me be precise about it.

What did NOT change: your listing brokerage can still be paid by you, and can still pay a portion to the buyer's brokerage at closing, exactly the way it worked before. NAR has stated this plainly in its own guidance on the settlement. You may see people claim that sellers must now cut a separate check directly to the buyer's agent and that the listing brokerage is out of the middle. That is not what the settlement says.

What DID change is where the conversation happens. Compensation to a buyer's broker can no longer be published on the MLS, so it is no longer something a buyer's agent can look up before showing your home. It is negotiated between the parties, in writing, as part of the offer. In practice that means the amount is now a live term of the deal rather than a number posted in advance, which is exactly why having someone who negotiates well matters more than it used to.

Two more things have changed since the settlement first took effect, and most seller guides have not caught up to either one.

The first is that several states have now passed their own laws on this, independent of NAR or any MLS rule. A number of states now require a written buyer representation agreement as a matter of state law, not just industry policy, and the list keeps changing. What applies to your sale depends on where you live, which is one more reason to ask your agent what the rules actually are in Massachusetts or Rhode Island rather than relying on anything you read nationally, including this book.

The second is that you will hear other agents offer to sell your home quietly. It goes by a lot of names: off-market, pocket listing, private exclusive, office exclusive, delayed marketing. The pitch is exclusivity, discretion, a select few buyers.

I do not do it, and I want you to know that before you hire me rather than after.

Here is my reasoning. The price you get is a function of how many qualified buyers see your home and compete for it. Every buyer who never learns your house exists is a bid you did not receive. When a home sells quietly, nobody can tell you what it would have brought on the open market, and that is precisely the problem: the seller has no way to know what they left behind. Restricting exposure reliably serves someone in the transaction. It is not usually the seller.

If you have a genuine privacy concern, a tenant, or a security situation, tell me and we will solve it inside a fully marketed listing. There are real tools for that: controlled showing windows, appointment-only access, limiting interior photography of specific rooms, screening for proof of funds before anyone walks in. Those protect you without costing you buyers. Quietly withholding your home from the market costs you buyers, and buyers are the only thing that sets your price.

If responsibility for paying the Buyer's agent or brokerage compensation falls on the Buyer, why would you, as the Seller, even consider paying it? That is something you need to evaluate with your agent and every case is different. But let's start by thinking about it from the Buyer's perspective. Traditionally, Sellers have paid commissions even though it's always been negotiable. This makes sense because the Buyer already has a number of additional expenses: appraisal fees, inspection costs, title and title

insurance, and those costs all count against how much mortgage the Buyer can qualify for.

A deal where the seller pays all or a portion of the buyer's agent compensation is more attractive than one where the Buyer has to cover it all. Before the new regulation, compensation for both agents typically came out of the sale proceeds at closing, so no one paid out of pocket. Now, if the buyer has to cover their agent's compensation, it adds to their financial burden, which can be tough or impossible for many buyers, especially first-time buyers.

If no compensation is offered to a Buyer's agent from the Seller, it stands to reason that some buyers may not be able to make an offer. This could negatively affect the sale of your home and could actually cause you to net less money in the end. Some Buyers might opt to pay it themselves if they want your home badly enough and have the financial means. Other Buyers may not even want to look at homes without Seller-paid compensation while some Buyers will insist that their agents negotiate to get the Seller to pay the commission.

Every situation is different! For example, what if you as the Seller get multiple offers. All the other terms are the same, except that three Buyers want you to pay their agent's compensation and one does not. It just makes sense to choose the one who is not asking you to contribute if that's really the only difference between the Buyers and their ability to close the deal. There are other times (like during a Buyer's market) when it makes sense to offer compensation. At times like that, not offering to pay at least part of the Buyer's agent or brokerage compensation could result in fewer offers on your home. Not good, right? But still, there can be pros and cons to offering compensation right off the bat. That is why it's very important to have an aggressive, highly trained expert in negotiations with knowledge about the market and current conditions before deciding what is the best choice.

You absolutely need to handle this on a case-by-case basis. Your main concern should be your bottom line, what you walk away with after the sale. A great agent will discuss what's best for you regarding paying commissions or not as Buyers show interest in your property. Market conditions, inventory, buyer interest, and the desirability of your home will all play a role in this decision. The goal is to ensure you get the best possible outcome for your sale.

## **Why You Want a Buyer to Have an Agent**

You've got your agent covering your back so why would you even care if a Buyer has an agent?

First of all, after reading this book, you should be very clear about how important a good agent is to a successful outcome when selling your home. For-sale-by-owner transactions are a small and shrinking fraction of all home sales, the overwhelming majority of sellers use an agent, and the homes sold without one have consistently sold for less.

That price gap comes with a caveat, and you should have it. NAR notes that part of the difference reflects the kind of homes that tend to sell without an agent, which skew toward lower-cost properties and rural areas, so it is not a clean apples-to-apples comparison. The number that tells the clearer story is the first one: nine out of ten sellers, given the choice, hire a professional. In my own experience, when I've seen people trying to sell their own homes, they don't know what they don't know, and they lose money.

But is a Buyer's agent as important? You bet! Buyers who represent themselves usually have no idea what they're doing. They don't know the market, so they make unworkable offers. They don't understand how to craft creative compromises so both parties can get what they want. They don't fully understand their obligations under the contract. They don't have the qualified vendors they need to do inspections and even if they did, they often don't understand what those inspection reports mean. They often haven't thoroughly researched how much house they can afford with qualified mortgage officers, so their mortgage comes up short or falls through completely. They're often not prepared to pay all the necessary closing costs. I can't tell you how many transactions I've seen that were horribly delayed or blown apart altogether because the Buyer didn't have a good agent guiding them through the process. That means that you, as the Seller, could end up having to start marketing your property all over again, losing precious time and money.

## **Myths About the Ruling and Settlement**

Myth #1: The ruling was because agents were getting paid too much.

False. The case had nothing to do with how much real estate agents get paid. Selling a home is undoubtedly one of the biggest financial transactions you'll ever make. You want an expert on your side who is totally worth what they're getting paid. And if you have an agent that you don't think is worth every penny of what you've negotiated, you've got the wrong agent! No agent is going to work for free and a great agent can save you time, headaches and money that's worth more than you end up paying them.

Myth #2: Now Sellers will refuse to help with Buyer agent compensation.

False. Sellers who know what they're doing know it's just good business to be flexible. With their agent, they'll take a number of factors into consideration (market, how quickly they need to sell, qualified Buyer's pool) and decide from there. It used to be relatively uncommon for Sellers to refuse to help with Buyer agent or brokerage compensation. I expect that trend won't change much as we go forward with the new regulations, but again, you and your agent should be discussing it and deciding on a case by case basis.

Bottom line, don't freak out. Your agent can talk all of this through with you and make sure that you position your home in the best possible light to get the outcome you want.

# Appendix: Sources and Where to Verify

I wrote the legal and regulatory parts of this book deliberately in general terms, because the specifics change. Legislatures amend statutes, agencies rewrite regulations, courts decide things, and towns adopt new plans. A book that quotes a rule precisely today becomes a book that misleads you in three years. What does not change as fast is the *shape* of the obligation, and that is what I gave you.

This appendix is where the specifics live, so you can check my work and so you know I did not make any of it up.

**Everything below was verified against primary government sources as of September 2026.** Not blogs, not summaries, not anything an AI wrote. Official regulation and statute text, from the agencies and legislatures that issue it. Anything I could not confirm at the source is not in this book at all.

**Please read this next part carefully.** This is publicly available information as it stood on the date above. It is not legal advice, it is not a complete statement of the law, and it is not a substitute for a licensed attorney reviewing your specific transaction. I am a real estate professional, not an attorney, and I do not practice law. Rules change, and some of the items below were under active revision when this book went to press. Before you rely on any of it, verify it at the source or ask your attorney. If something here conflicts with what your attorney tells you, your attorney is right.

## Massachusetts

**Agency disclosure.** 254 CMR 3.00(13)(a). Massachusetts Board of Registration of Real Estate Brokers and Salespersons. Requires a licensee to give a prospective buyer or seller notice of the licensee's relationship at the time of the first personal meeting to discuss a specific property. Related subsections cover dual agency, designated agency and the non-agent facilitator role. Authority: M.G.L. c. 13, § 56; c. 112, §§ 87RR, 87SS, 87TT. [mass.gov/regulations/254-CMR-300-professional-standards-of-practice](https://mass.gov/regulations/254-CMR-300-professional-standards-of-practice)

**Home inspector recommendations.** M.G.L. c. 112, § 87YY½. A broker or salesperson may not directly recommend a specific home inspector or inspection company, but may on request provide the board's complete list of licensed inspectors. The section also requires distribution of the state's home inspection brochure, and it contains an exception where the licensee is acting exclusively as the buyer's broker under a written agreement. *malegislature.gov, Chapter 112*

**Home inspection waivers.** 760 CMR 74.00, Residential Home Inspection Waivers. Executive Office of Housing and Livable Communities. Effective June 6, 2025, with an exemption for transactions where the offer or purchase and sale agreement was executed on or before October 15, 2025. It restricts the seller side, not the buyer side: a seller or seller's agent may not condition acceptance of an offer on the buyer waiving or limiting an inspection, and may not accept an offer that requires it. It also requires a separate signed written disclosure. A buyer may still choose to waive after acceptance, provided the decision was not required or influenced by the seller or the seller's agent. *mass.gov/regulations/760-CMR-7400-residential-home-inspection-waivers*

**Septic inspection at transfer.** 310 CMR 15.301(1), Title 5. A system must be inspected at or within two years before transfer of title. An inspection up to three years old may be used if accompanied by pumping records showing the system was pumped at least annually. There are weather provisions and a list of transfers that do not trigger it, including refinancing and certain transfers between spouses. *mass.gov/regulations/310-CMR-15000-septic-systems-title-5*

**Nitrogen sensitive areas.** Designation is at 310 CMR 15.214. Obligations are at 310 CMR 15.215. Two separate categories exist: water supply protection areas, which apply statewide, and natural resource areas, which cover Cape Cod watersheds that have both an EPA-approved nitrogen total maximum daily load and coverage under the 2015 Cape Cod Section 208 Area Wide Water Quality Management Plan. The natural resource designation is made **watershed by watershed, not Cape-wide**, and the number of designated watersheds has grown since the regulations took effect on July 7, 2023. 310 CMR 15.215(4) places the burden of determining whether a property is in a designated area on the property owner, and requires the transferor to disclose to the buyer **and to the board of health** whether the facility is subject to an upgrade requirement. A sale by itself does not trigger a nitrogen-reducing upgrade;

the upgrade obligation runs on a separate, community-based clock and can be suspended where a town has filed the required notice or permit application. Related: 314 CMR 21.00, the watershed permit regulations, which create the municipal permitting process. MassDEP publishes maps and an address lookup. *mass.gov*

**Lead paint, state.** 105 CMR 460.720. Before the signing of a purchase and sale agreement, the seller of residential premises built before 1978 must provide the state property transfer notification and known lead hazard information, and the agent must verbally inform the buyer and obtain a signed acknowledgment. If a buyer elects an inspection, the seller must allow at least ten days. *mass.gov/regulations/105-CMR-46000*

**Smoke and carbon monoxide alarms.** M.G.L. c. 148, §§ 26E, 26F and 26F½. Section 26F requires the property to be equipped by the seller with approved smoke detectors upon sale or transfer. Section 26F½ requires carbon monoxide alarms and provides that the property shall, upon sale or transfer, be inspected by the head of the fire department for compliance. Neither statute mentions a certificate; the Certificate of Compliance is the document the local fire department issues on the Commonwealth's form after a passing inspection, and the Department of Fire Services describes its delivery at closing as industry practice driven by purchase and sale agreement terms and lenders rather than by the statute. The certificate states on its face that it expires sixty days after the date of issue. Under M.G.L. c. 148, § 10A, where the smoke and carbon monoxide inspections are conducted at the same time, no additional fee may be charged for the carbon monoxide inspection, and the statute sets maximum fees for inspections conducted separately. *malegislature.gov; Department of Fire Services guide for sellers of one- and two-family residences and DFS form FP-007C*

**Municipal information at closing.** Massachusetts municipalities issue a municipal lien certificate showing what the town is owed against a property. Ask your attorney what it covers in your town and what it does not.

**Fair housing, state.** M.G.L. c. 151B, § 4. The housing provisions are in the numbered paragraphs, and paragraph 7B specifically addresses discriminatory notices, statements and advertisements. *malegislature.gov*

## Rhode Island

**Agency relationships.** R.I. Gen. Laws § 5-20.6-3. This is the one most likely to surprise someone coming from Massachusetts. All licensees are **presumed to be transaction facilitators** unless the licensee obtains informed written consent, through an executed mandatory relationship disclosure, to act as a designated client representative. The chapter expressly abrogates the common law of agency: no agency representation is assumed, and none is created by implication. Related: § 5-20.6-4, duties owed to a customer; § 5-20.6-8, mandatory relationship disclosure; § 5-20.6-9, written requirement for representation. *webserver.rilegislature.gov*

**Seller disclosure.** R.I. Gen. Laws ch. 5-20.8, particularly § 5-20.8-2. Unlike Massachusetts, Rhode Island has a mandatory written seller disclosure, delivered no later than before signing any agreement to transfer. The agent may not communicate the buyer's offer until the buyer has received the disclosure and signed a receipt for it. The statute also limits the agent's liability for the accuracy of the seller's own representations. The chapter contains additional mandatory items including lead, private well testing and cesspool inspection. Amended 2024.  
*webserver.rilegislature.gov*

**Lead disclosure on sale.** R.I. Gen. Laws § 5-20.8-11 requires every contract for the purchase and sale of covered residential real estate to give the purchaser a ten-day period, unless the parties mutually agree otherwise, to conduct a risk assessment or inspection for lead exposure hazards before becoming obligated under the contract. Failure to include that provision, or to provide the required inspection results, or results showing a lead exposure hazard, entitles the purchaser to void the agreement by written notice to the seller before the transfer of title at closing. Civil penalties run against the seller or their agent. R.I. Gen. Laws § 23-24.6-16, within the Lead Poisoning Prevention Act, directs the Department of Health to issue disclosure regulations that incorporate the federal requirements and go beyond them.

Those regulations are at 216-RICR-50-15-3, § 3.5, and they state expressly that they are in addition to and not in lieu of the federal requirements. Before the purchaser is obligated, a non-exempt seller must provide the EPA pamphlet containing the Rhode Island insert, a completed lead disclosure, copies of any current lead certificates, and a chronological listing of available lead inspection reports and certificates, with copies

delivered on request within seven days at no charge. The disclosure acknowledgment must be a stand-alone document that includes the property address, and the seller must retain the signed acknowledgment for at least three years. Section 3.5.5 places an independent duty on the agent to ensure compliance and provides for referral to the Department of Business Regulation for enforcement against the licensee. Note that the age threshold in § 5-20.8-11 and the threshold in the regulation are not currently stated the same way, which is one more reason to work from the current form rather than from memory. *webserver.rilegislature.gov and rules.sos.ri.gov*

**Smoke and carbon monoxide alarms on sale.** In Rhode Island this obligation is regulatory rather than statutory; the former statutory chapters were repealed. The operative provision is the Rhode Island Life Safety Code, 450-RICR-00-00-8, § 24.6.3.1.4, with a parallel provision for three-family dwellings. It provides that occupied residential properties shall, at the responsibility of the seller before title is transferred, be provided with smoke and carbon monoxide alarms, and that at the time of transfer of title the seller must provide the purchaser with a certificate from the fire department for the community in which the dwelling is located stating that the alarms have been inspected within one hundred twenty days prior to the date of sale and determined to be in good working order. The fire department must inspect within ten days of a request from the owner, and the inspection may be conducted by that department or by the Office of the State Fire Marshal. A single certificate covers both smoke and carbon monoxide. The section contains a list of exemptions, including certain foreclosure and tax sale transfers. Fees are set locally; ask the fire department. *rules.sos.ri.gov and the Office of the State Fire Marshal*

**Fair housing, state.** R.I. Gen. Laws § 34-37-1 et seq., the Rhode Island Fair Housing Practices Act; § 34-37-4 sets out unlawful housing practices, and §§ 34-37-5.2 through 5.4 address brokerage services and real estate related transactions. Rhode Island's list of protected classes is broader than the federal list.  
*webserver.rilegislature.gov*

## **Federal**

**Lead-based paint disclosure.** 42 U.S.C. § 4852d, implemented at 24 CFR part 35 subpart A and 40 CFR part 745 subpart F. For housing built before 1978: the EPA pamphlet, disclosure of known lead-based paint and hazards and any available

evaluation report, and a ten-day period for a risk assessment or inspection unless the parties mutually agree otherwise, all before the buyer is obligated under the contract. Required lead warning language and signed acknowledgments go in the contract. *ecfr.gov* and *uscode.house.gov*

**Affiliated business arrangements.** 12 CFR § 1024.15, Regulation X under RESPA. Where a referral is made to a settlement service provider in which the referring party has an ownership or financial interest, a written disclosure in the prescribed format must be given on a separate piece of paper no later than the time of the referral, with an estimated charge or range of charges, and the consumer may not be required to use that provider. *ecfr.gov*

**Fair housing.** 42 U.S.C. §§ 3601 et seq. Section 3604(c) reaches any notice, statement or advertisement indicating a preference, limitation or discrimination, or an intention to make one. It is worth understanding that this provision covers what is said and what is implied, not only what is refused. *uscode.house.gov*

**Sewer betterments and Cape Cod wastewater.** Sewer expansion on Cape Cod proceeds under the Cape Cod Area Wide Water Quality Management Plan, prepared under section 208 of the federal Clean Water Act and approved by the U.S. Environmental Protection Agency in 2015, together with the Title 5 nitrogen sensitive area provisions and 314 CMR 21.00, the Massachusetts watershed permit regulations, which allow a municipality to take on a town-wide compliance schedule in place of individual system upgrades. Under 314 CMR 21.00 a watershed permit runs for a term of no longer than twenty years. Individual Cape towns publish their own comprehensive wastewater management plans describing implementation in phases over twenty to thirty years. Timelines are set town by town.

The betterment mechanism is M.G.L. c. 83, §§ 14 and 15, which establish the obligation and the method of allocation, read together with M.G.L. c. 80, the general betterment chapter, which c. 83 § 28 makes applicable to apportionment, interest and collection. Under c. 80 § 13 an assessment may generally be apportioned into as many as twenty portions; under c. 83 § 15D a municipality that has accepted that section may apportion sewer betterments over a period of up to thirty years, with no prepayment penalty. Interest provisions appear at c. 80 § 13 and c. 83 § 15C. The lien is created by c. 80 § 12 and takes effect upon the recording of the order stating that

betterments are to be assessed, which is why it runs with the property rather than with the owner. Under c. 80 § 13 the assessors, on the written application of the owner, shall order the unpaid balance payable forthwith, which is the ordinary route to a payoff at closing. A separate connection or privilege charge is authorized by c. 83 § 17, and ongoing sewer use charges by c. 83 § 16. Towns may levy estimated assessments during construction under c. 83 § 15B.

The municipal lien certificate is M.G.L. c. 60 § 23. By its own terms it covers amounts that "at the time constitute liens," and it provides that amounts not then ascertainable shall be expressed as such. That is the basis for the statement in this book that a betterment not yet assessed and recorded will not appear on it.

Offsets exist. The Cape Cod and Islands Water Protection Fund and the Massachusetts Clean Water Trust reduce a municipality's project cost rather than paying an individual homeowner directly. Barnstable County operates a loan program for homeowners covering septic work and sewer connections. Massachusetts also provides a personal income tax credit for septic repair or replacement and, as of tax years beginning in 2024, for sewer connections required by Title 5 or by a watershed permit. Amounts and eligibility have been amended more than once and should come from a tax professional.

No dollar figures from any town are reproduced in this book. They are set by local vote, adjusted on published schedules, and revised as project scope changes.

## **The short version**

Ask. Every property, every time. The rules above are the reason a real estate professional, an attorney, a Title 5 inspector and a town hall all end up in the same transaction, and the reason none of them can be replaced by a book.

# Let's Talk

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