

FOR SALE

HealthPlace Medical Building

1200 NE 48th Ave, Hillsboro, OR 97124

NNN Lease with Institutional Tenant

20+ Years of Occupancy

\$1.2M+ Renovations Planned 2026



PRESENTED BY CAPACITY COMMERCIAL GROUP



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HEALTHPLACE MEDICAL BUILDING

1200 NE 48th Ave,
Hillsboro, OR 97124



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DISCLAIMER

Capacity Commercial Group, LLC ("Agent") have been engaged as the exclusive agent for the sale of **1200 NE 48th Ave, Hillsboro, OR 97124** (the "Property").

The Property is being offered for sale in its "as-is, where-is" condition, and Seller and Agent make no representations or warranties as to the accuracy of the information contained in this Offering Memorandum. The enclosed materials include highly confidential information and are being furnished solely for the purpose of review by prospective purchasers of the interest described herein. Neither the enclosed materials nor any information contained herein is to be used for any other purpose or made available to any other person without the express written consent of Seller.

The enclosed materials are being provided solely to facilitate the Prospective Purchaser's own due diligence for which it shall be fully and solely responsible. The material contained herein is based on information and sources deemed to be reliable, but no representation or warranty, express or implied, is being made by Agent or Seller or any of their respective representatives, affiliates, officers, employees, shareholders, partners, and directors, as to the accuracy or completeness of the information contained herein. Summaries contained herein of any legal or other documents are not intended to be comprehensive statements of the terms of such documents, but rather only outlines of some of the principal provisions contained therein. Neither Agent nor Seller shall have any liability whatsoever for the accuracy or completeness of the information contained herein or any other written or oral communication or information transmitted or made available, or any action taken, or decision made by the recipient with respect to the Property. Interested parties are to make their own investigations, projections, and conclusions without reliance upon the material contained herein.

Seller reserves the right, at its sole and absolute discretion, to withdraw the Property from being marketed for sale at any time and for any reason. Seller and Agent each expressly reserves the right, at its sole and absolute discretion, to reject any and all expressions of interest or offers regarding the Property and/or to terminate discussions with any entity at any time, with or without notice. This Offering Memorandum is made subject to omissions, correction of errors, change of price or other terms, prior sale or withdrawal from the market without notice. Agent is not authorized to make any representations or agreements on behalf of Seller.

Seller shall have no legal commitment or obligation to any interested party reviewing the enclosed materials, performing additional investigation and/or making an offer to purchase the Property unless and until a binding written agreement for the purchase of the Property has been fully executed, delivered and approved by Seller, and any conditions to Seller's obligations thereunder have been satisfied or waived.

By taking possession of and reviewing the information contained herein, the recipient agrees that (a) the enclosed materials and their contents are of a highly confidential nature and will be held and treated in the strictest confidence and shall be returned to Agent or Seller promptly upon request; (b) the recipient shall not contact employees or tenants of the Property directly or indirectly regarding any aspect of the enclosed materials or the Property without the prior written approval of Seller or Agent and (c) no portion of the enclosed materials may be copied or otherwise reproduced without the prior written authorization of Seller or Agent.

If you have no interest in the Property at this time, please destroy or return this Offering Memorandum immediately to the exclusive listing brokers.



Ideal 1031 Exchange Candidate
or addition to an Existing Net Lease Portfolio



Prime Hillsboro Medical Real Estate

Capacity Commercial Group is pleased to offer the opportunity to acquire a fee simple interest in a NNN-leased asset with Tuality Healthcare / Hillsboro Medical Center (<https://tuality.org>), in Hillsboro Oregon.

Located in Cornell Business Park at 1200 NE 48th Avenue in Hillsboro, this outstanding medical building represents a rare opportunity to acquire institutional-grade real estate in one of Oregon's most dynamic, growing and accessible healthcare corridors.

Tuality Healthcare / Hillsboro Medical Center is a partner of OHSU—Oregon's second-largest employer and a world-renowned academic medical center and research institution—that has maintained a continuous presence in this facility for over two decades, a testament to both the building's superior functionality and this strategic Hillsboro location.

The tenancy is structured as a master lease with Tuality Healthcare / Hillsboro Medical Center encompassing three distinct medical practices.

Property Overview

Address	1200 NE 48th Ave, Hillsboro, OR 97124
Sale Price	\$10,300,000 (\$435 /SF)
Cap Rate	6.25%
NOI	\$643,706
Remaining Lease Term	Approx. 9 years
Renewal Options	Tenant has two 5-year options to renew at Fair Market Rent



PROPERTY OVERVIEW

Address	1200 NE 48th Ave, Hillsboro, OR 97124
Asset Type	Single-story, fully leased medical
Ideal Scenario	Investor/Exchange Buyer
Sale Price	\$10,300,000 (\$435 /SF)
Cap Rate*	6.25%
Annual Rent Increase	3%
Rentable Building Area	23,654 SF
2026 Renovations	\$1.2 Million+ Renovations Planned Summer 2026
Parking Spaces	85
Gross Land Area	2.14 Acres
Parcel ID #	R2001841
Property Zoning	I-P (Industrial Park)
Lease Type	NNN
Lease Start Date	February 1, 2007
Lease End Date	February 28, 2035* *2032 Termination Option with penalty
Renewed	2025
Tenant Responsibilities	<ul style="list-style-type: none"> • All Operating Expenses • Taxes
Landlord Responsibilities	<ul style="list-style-type: none"> • Capital Expenditures including Roof, Parking Lot and Electric HVAC



LOCAL AERIAL



*Average Daily Traffic Volume | Traffic Counts and *Average Monthly Visits are Provided by REGIS Online at SitesUSA.com ©2026
 Map data ©2026 Google Imagery ©2026, Airbus, CNES / Airbus, Maxar Technologies, Metro, Portland Oregon, Public Laboratory, State of Oregon, U.S. Geological Survey, USDA/FPAC/GEO



Offering & Financials

Offering Summary

Price	\$10,300,000 (\$435 /SF)
NOI	\$643,706
Lease Type	NNN

Repair & Maintenance	Tenant Responsibility (NNN)
Taxes and Insurance	Tenant Responsibility (NNN)
Roof and Structure	Landlord Responsibility

Rent Schedule

YEAR	MONTHLY RENT	ANNUAL RENT	RESERVE	EST NOI	EST CAP RATE	RENT INCREASE
2026	\$54,737	\$656,843	\$13,137	\$643,706	6.25%	
2027	\$56,379	\$676,548	\$13,531	\$663,017	6.44%	3.00%
2028	\$58,070	\$696,845	\$13,937	\$682,908	6.63%	3.00%
2029	\$59,813	\$717,750	\$14,355	\$703,395	6.83%	3.00%
2030	\$61,607	\$739,283	\$14,786	\$724,497	7.03%	3.00%
2031	\$63,455	\$761,461	\$15,229	\$746,232	7.24%	3.00%
2032*	\$65,359	\$784,305	\$15,686	\$768,619	7.46%	3.00%
2033	\$67,320	\$807,834	\$16,157	\$791,678	7.69%	3.00%
2034	\$69,339	\$832,069	\$16,641	\$815,428	7.92%	3.00%
2035	\$71,419	\$857,031	\$17,141	\$839,891	8.15%	3.00%

Operational Diversification with Credit Security

While maintaining the simplicity of a single lease relationship with institutional-grade Tuality Healthcare, this property is strengthened by the operational diversification of three specialized medical practices:

- Oregon Occupational Medicine: Serves the robust corporate health market in Washington County's business corridor (www.oregonocmed.com)
- Tuality Orthopedic Clinic: Provides essential specialty care with strong referral networks (www.tuality.org/orthopedic-clinic/welcome)
- Tuality Rehabilitation Services: Offers complementary therapy services supporting the broader medical ecosystem (www.tuality.org/hospital-services/rehabilitation-services/welcome)

* Tenant is entitled to 2 months of abated rent in 2032 which will be credited at closing

* Tenant has an option to terminate the lease January of 2032 with a substantial lease termination penalty



Proforma

PRICE (Stabilized NOI)		\$10,300,000
Capitalization Rate		6.25%
Price Per Foot Building	23,654 SF	\$435

Net Operating Income Summary		
Scheduled Income	Per SF	
Scheduled Rent (2026):	<u>\$27.77</u>	\$656,843
Plus: Expense Reimbursement (% of opex)	100% <u>\$4.99</u>	\$117,921
Equals: Scheduled Gross Income		\$774,764
Equals: Effective Gross Income (EGI)		\$774,764
Total Operating Expenses	\$4.99	\$117,921
Cap Ex Reserve	2.0%	-\$13,137
Equals: Proforma Net Operating Income		\$643,706

THIS PROFORMA IS BASED ON ASSUMPTIONS AND OWNERS AND CAPACITY COMMERCIAL GROUP DO NOT GUARANTEE THESE NUMBERS AN BUYER TO DO THEIR OWN DUE DILIGENCE

Why the HealthPlace Medical Building

Investment Highlights

- Institutional-quality tenant with 20+ year operating history in building
- Freshly executed 10-year NNN lease structure minimizes ownership responsibilities
- Brand New Electric HVAC systems being installed throughout entire building, plus over \$1M in Tenant Improvements being made, eliminating major expenditures on these items for new ownership for years to come.
- Prime Hillsboro medical district location with sustained and growing healthcare demand
- Benefits from Washington County's continued population and economic growth
- Opportunity for stable, long-term cash flow in a proven medical market

This property offers:

- **Immediate Cash Flow Certainty:** Fresh 10-year NNN lease eliminates management responsibilities and provides predictable returns
- **Credit Quality Premium:** Tuality Healthcare's institutional backing offers security rarely found in today's single-tenant market
- **Proven Performance:** 20+ year operating history demonstrates resilience

Strategic Business Synergies Create Tenant Retention

The complementary nature of these three practices creates powerful retention factors:

- **Referral Networks:** Occupational medicine refers to orthopedics; orthopedics refers to rehabilitation
- **Shared Patient Base:** Integrated care model improves patient outcomes and convenience
- **Operational Efficiencies:** Shared support services and infrastructure reduce operating costs and increases "stickiness" to the building
- **Brand Cohesion:** Tuality's healthcare network branding creates institutional continuity
- **Streamlined Corporate Management of lease(s):** Tuality and OHSU were recently able to negotiate "in bulk", minimizing time compared to 3 separate ownerships, and were able to spread out the improvement allowance to the clinics that needed it. Not possible in three separate locations.



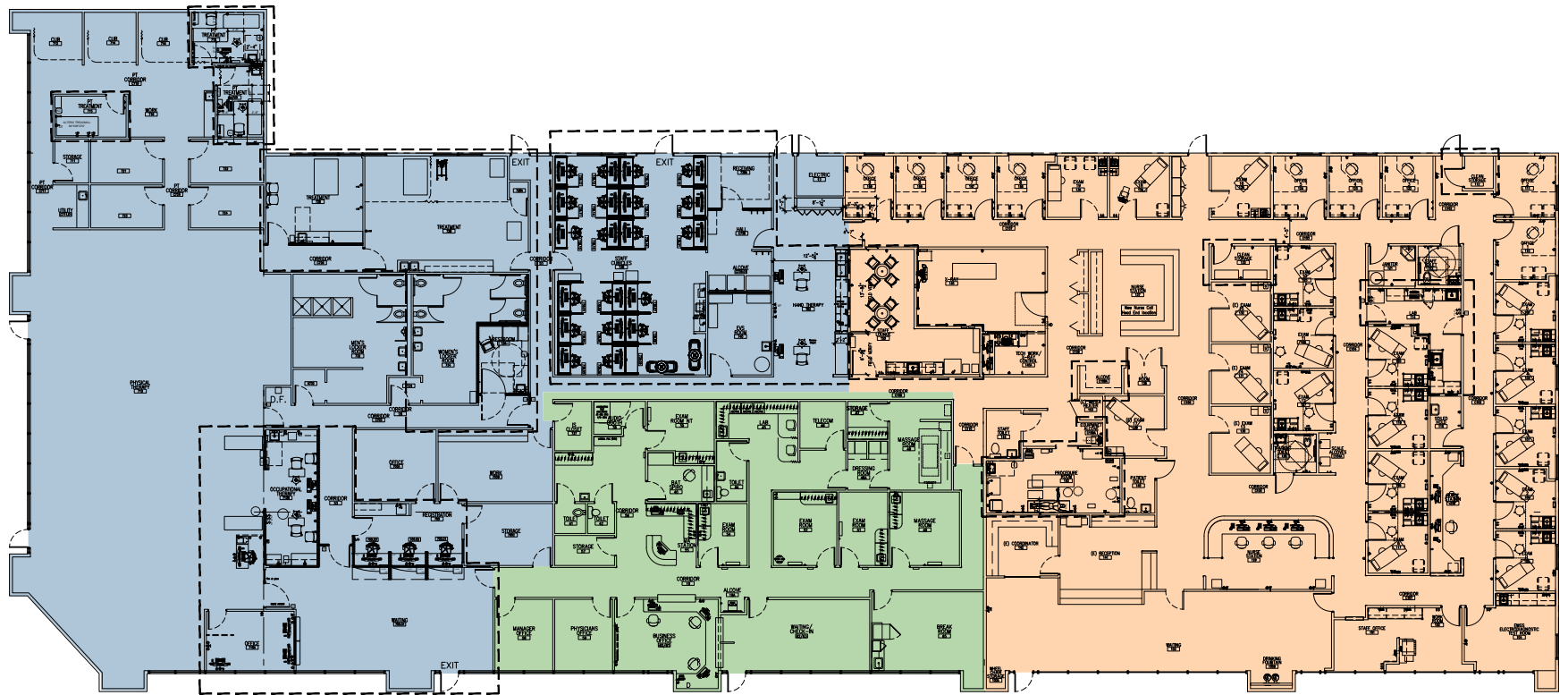


Site Plan



*Average Daily Traffic Volume | Traffic Counts and *Average Monthly Visits are Provided by REGIS Online at SitesUSA.com ©2026
Map data ©2026 Google Imagery ©2026, Airbus, CNES / Airbus, Maxar Technologies, Metro, Portland Oregon, Public Laboratory, State of Oregon, U.S. Geological Survey, USDA/FPAC/GEO

2026 Renovation Floor Plans



-  Physical Therapy / Sports Medicine
-  Occupational Medicine
-  Orthopedics





Tenant Profile

Tuality Healthcare dba Hillsboro Medical Center

Hillsboro Medical Center is one of Washington County's largest employers and the region's anchor community health system. Owned and operated by Tuality Healthcare, an Oregon non-profit corporation, the organization has served the Hillsboro community and surrounding areas for more than a century — providing access to quality health care across a broad continuum of services.

The main campus at 335 SE 8th Avenue includes 215 licensed beds with state-of-the-art acute care and a Level 2 NICU, a Health Education Center, and two medical plazas. With more than 1,200 employees and over 400 doctors and health professionals, Hillsboro Medical Center is a critical provider for the region's growing population, with clinics and service areas extending throughout Washington County.

Operating as Hillsboro Medical Center since 2019, Tuality Healthcare formalized its clinical integration with OHSU Health in 2016 — deepening access to specialized care, residency programs, and advanced research while remaining an independent, community-rooted nonprofit. The organization reported \$358.7 million in annual revenue in 2025 and has been serving the community since its founding in 1918.

TENANT PROFILE

Organization Name	Tuality Healthcare dba Hillsboro Medical Center
Tenant Type	Non-Profit Community Health Center
Organization Type	Non-Profit / Oregon Corporation
Founded	1918
Headquarters	Hillsboro, Oregon
Annual Revenue	\$358,772,417 (2025)
Net Income	\$10,580,294 (2025)
No. of Employees	1,200+
Licensed Beds	215
Main Campus	335 SE 8th Ave, Hillsboro, OR 97123
Key Partner	OHSU Health (Oregon Health & Science University)
Website	www.tuality.org

\$358.7M

2025 Annual Revenue

1,200+

Employees

1918

Year Founded

Why Portland



GEOGRAPHY. Situated at the confluence of the Willamette and Columbia Rivers in the Pacific Northwest, Portland carries its history in its nicknames — Bridgetown, the City of Roses, Stumptown — each one pointing to a different facet of its character and geography. The city anchors the largest population center on the West Coast between San Francisco and Seattle.

Now ranked the nation's 26th largest Metropolitan Statistical Area, the Portland-Vancouver-Hillsboro MSA¹ reached a population of approximately 2.54 million in 2024² — a region spanning seven counties across Oregon and Washington that continues to grow at the suburban and exurban edges.

ECONOMY. Portland's economy is anchored by a cluster of globally significant industries. The region's "Silicon Forest" is home to roughly 1,500 high-technology firms concentrated in the corridor between Beaverton and Hillsboro,³ with semiconductor manufacturing at its core. **Intel** alone employs more than 23,000 people at its Oregon campus, has invested \$59 billion in its Oregon operations to date, and contributes approximately \$19 billion to the state's GDP.⁴ That foundation continues to grow: Intel has announced plans to invest \$36 billion to expand and modernize its R&D hub in Hillsboro,⁵ backed in part by \$7.86 billion in federal CHIPS Act funding.⁶

Beyond semiconductors, the region is home to a concentration of global consumer brands. **Nike** and **Adidas** maintain their world and North American headquarters, respectively, in the Portland metro, while companies like **Google**, **Microsoft**, and **Mozilla**

maintain significant regional offices. Oregon now counts more than 6,000 high-tech businesses statewide providing over 81,000 jobs.⁷

Anchor institutions add further depth to the region's talent base. **Oregon Health & Science University (OHSU)**, **Portland State University**, and **Reed College** contribute to a well-educated local workforce, and partnerships between higher education and industry — including workforce pipeline programs tied directly to semiconductor employers — continue to expand.

TRANSIT. Portland's transit infrastructure reflects decades of intentional urban planning. The **MAX Light Rail** system operates five color-coded lines across nearly 60 miles of track,⁸ connecting downtown Portland to the airport, the Amtrak station, and communities throughout the region including Hillsboro, Gresham, and Milwaukie. The Red Line provides direct, no-transfer service between Portland International Airport and downtown. The Portland Streetcar complements MAX across the urban core, while an extensive bus network and one of the country's most developed urban cycling infrastructures round out the region's multimodal options.

Portland International Airport (PDX) serves nearly 20 million passengers annually⁹ and provides direct connections to major domestic hubs and international destinations. PDX opened a fully rebuilt main terminal in August 2024, designed to accommodate up to 35 million annual passengers over the coming decades.¹⁰

LIFE & CULTURE. The Portland region's quality of life draws from its natural setting as much as its urban fabric. Mount Hood, the Columbia River Gorge, and the Oregon Coast are all within roughly an hour's drive, offering year-round access to hiking, skiing, cycling, and recreation. The city's mild climate, walkable neighborhoods, and range of housing types — from dense inner-city to suburban — give residents meaningful choices in how and where they live.

Portland has long maintained a reputation as a cultural incubator. The **Portland Art Museum** is one of the oldest and largest art museums in the Pacific Northwest, and the city supports a robust network of independent theaters, music venues, and galleries. The arts are embedded in the city's neighborhoods rather than concentrated in a single district, contributing to the distinctly local character of areas like the **Pearl District**, **Alberta Arts District**, and the **Central Eastside**.

CULINARY SCENE. Portland's culinary reputation extends well beyond the Pacific Northwest. The city's food cart culture — organized into permanent pods scattered across neighborhoods — has long been a proving ground for culinary talent and a point of genuine civic pride, with hundreds of carts representing cuisines from around the world. In 2024 alone, Oregon chefs and restaurants earned two **James Beard Awards** — Best Chef in the Northwest & Pacific and Outstanding Restaurant — with additional finalists across multiple categories.¹¹

The metro area is home to more than 70 craft breweries, earning Portland its "Beervana" moniker

and cementing Oregon's standing as one of the top craft beer states in the country. The beverage culture extends further: the **Willamette Valley**, just south of the city, produces internationally recognized Pinot Noir, while Portland's craft distillery and specialty coffee scenes continue to attract national attention. Notably, the James Beard Foundation's namesake, James Beard himself, was a Portland native — and the city will honor that legacy with the opening of the **James Beard Public Market** in downtown Portland in 2027.¹²

Sources:

¹ OPB / U.S. Census Bureau, "Top 5 Oregon Takeaways from Latest US Census Data" March 14, 2025. opb.org/article/2025/03/14/oregon-us-census-data-cities-population-multnomah-county-portland-metro/

² U.S. Census Bureau, Vintage 2024 Population Estimates, MSA population of 2,537,901 as of July 2024. portlandtribune.com/2025/05/17/portland-population-finally-grows-after-pandemic/

³ Oregon Encyclopedia, "Silicon Forest," noting approximately 1,500 high-tech firms in the Portland metro area. oregonencyclopedia.org/articles/silicon_forest/

⁴ State of Oregon / Business Oregon, Intel CHIPS Act announcement, March 20, 2024. oregon.gov/biz/Publications/releases/Intel%20and%20U.S.%20Department%20of%20Commerce%20Announce%20Unprecedented%20Investment%20in%20Oregon.pdf

⁵ City of Hillsboro, OR, "Intel Announces Plans to Invest \$36 Billion in Hillsboro," March 2024. hillsboro-oregon.gov/Home/Components/News/News/15533/

⁶ U.S. Dept. of Commerce / NIST CHIPS Program Office, Intel Corporation (Oregon), November 26, 2024. Final award of \$7.865 billion. intel-corporation-oregon-hillsboro.com/

⁷ Business Oregon, "High Technology: Target Industries," oregon.gov/biz/programs/homeareas/byboregon/targetindustries/pages/tech.aspx

⁸ TriMet, MAX Light Rail system overview. trimet.org/max/

⁹ Port of Portland / Urban Land Institute, PDX passenger volume, 2024. urbanland.uli.org/expanding-an-airport-and-its-purpose-in-portland-oregon/

¹⁰ Urban Land Institute / ZGF Architects, "Expanding an Airport and Its Purpose in Portland, Oregon," July 2024. urbanland.uli.org/expanding-an-airport-and-its-purpose-in-portland-oregon/

¹¹ KGW / KOIN, "Portland's Gregory Gourdet, Langbaan Earn James Beard Awards," June 2024. koin.com/news/food/portland-oregon-james-beard-awards-2024/

¹² Travel Portland, "James Beard Award-Winning Restaurants in Portland," travelportland.com/culture/james-beard/



Major Employers in the Region



The greater Portland-Vancouver-Hillsboro metro area is a West Coast cultural and economic hub. It occupies center stage in Oregon and southwest Washington’s economic performance.

Historically reliant on timber, fishing and agriculture, the area is now known as a hotbed for technology, healthcare, finance, and apparel industries.

Often called the “Silicon Forest”, the area enjoys the presence of major information and technology companies such as Intel, Hewlett-Packard, Tektronix, Siemens, Salesforce, and Boeing.

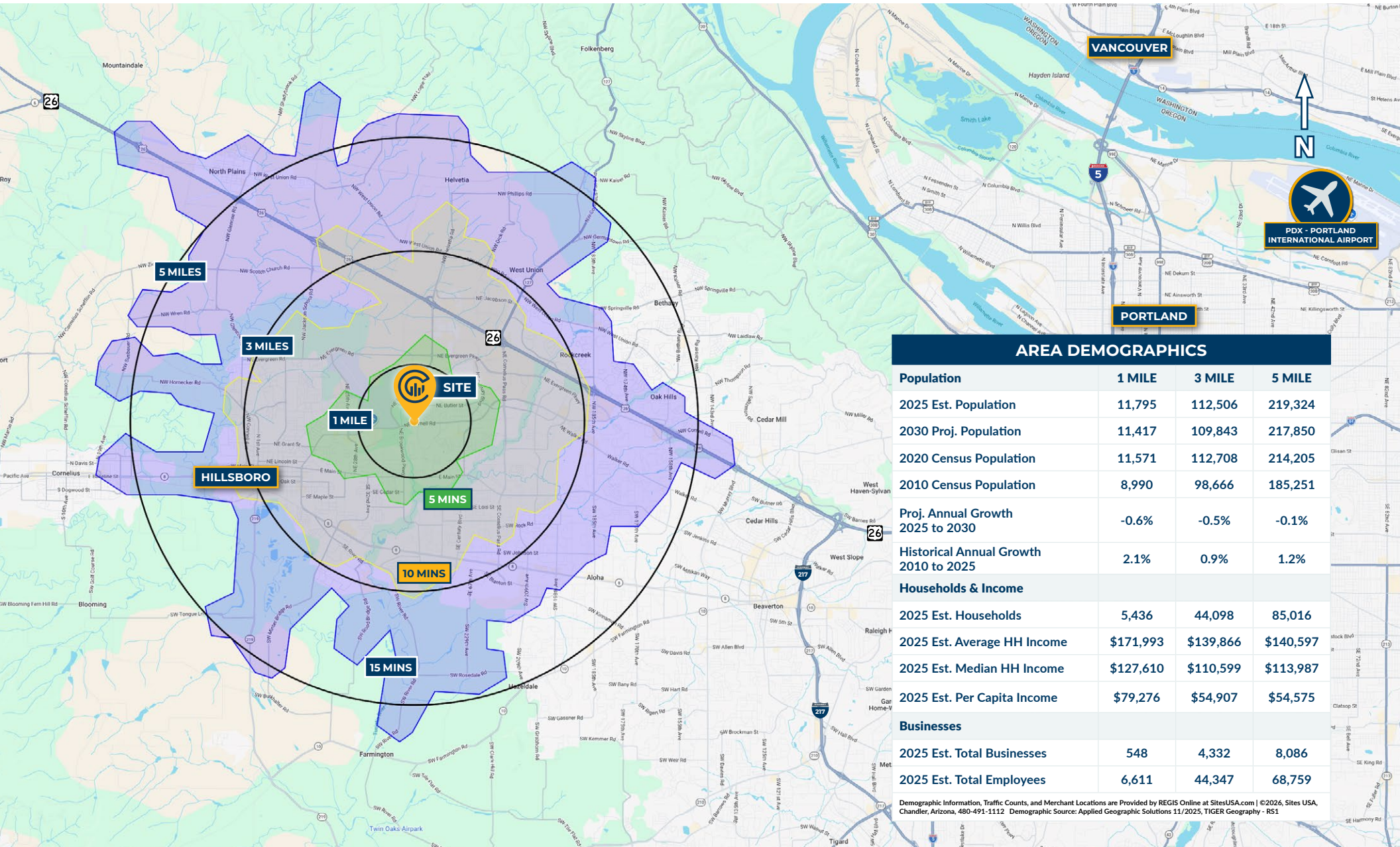
Healthcare is a major employment driver in the region. Numerous hospitals and medical research centers including OHSU, Kaiser Permanente, Providence, Legacy Health and PeaceHealth are integral to the physical and economic health of the region.

Globally-recognized sports and outdoor performance apparel companies such as Nike and Columbia Sportswear are headquartered in the area.

Portland’s proximity to Silicon Valley and Seattle has made it an attractive destination for many California and Washington-headquartered technology companies to maintain operations in the area with its business-friendly environment and growing inventory of class-A office-focused real estate.

<https://www.greaterportlandinc.com/research-center/major-employers>

Property Drive-Time & Demographics



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Oregon Initial Agency Disclosure Pamphlet



Consumers: This pamphlet describes the legal obligations of Oregon real estate licensees to consumers. Real estate brokers and principal real estate brokers are required to provide this information to you when they first contact you. A licensed real estate broker or principal broker need not provide the pamphlet to a party who has, or may be reasonably assumed to have, received a copy of the pamphlet from another broker.

This pamphlet is informational only. Neither the pamphlet nor its delivery to you may be interpreted as evidence of intent to create an agency relationship between you and a broker or a principal broker.

Real Estate Agency Relationships

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

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

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

Definition of “Confidential Information”

Generally, licensees must maintain confidential information about their clients.

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

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

Duties and Responsibilities of a Seller’s Agent

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

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

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

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

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

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

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

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

Duties and Responsibilities of a Buyer’s Agent

An agent, other than the seller’s agent, may agree to act as the buyer’s agent only. The buyer’s agent is not representing the seller, even if the buyer’s agent is receiving compensation for services rendered, either in full or in part, from the seller or through the seller’s agent.

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

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

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

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

ties for the buyer while the buyer is subject to a contract for purchase.

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

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

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

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

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

Disclosed Limited Agents have the following duties to their clients:

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

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

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

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

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

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

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REPRESENTED BY

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