



# 205 BUSINESS CENTER

8383 NE SANDY BLVD, PORTLAND, OR 97220

INVESTMENT OPPORTUNITY  
LEASED MULTI-TENANT OFFICE BUILDING



PRESENTED BY CAPACITY COMMERCIAL GROUP



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8383 NE SANDY BLVD,  
PORTLAND, OR 97220



## DISCLAIMER

Capacity Commercial Group, LLC ("Agent") have been engaged as the exclusive agent for the sale of **8383 NE Sandy Blvd, Portland, OR 97220**.

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 the exclusive listing brokers.



## 205 BUSINESS CENTER

Capacity Commercial Group is pleased to exclusively present the unique opportunity to acquire a premier multi-tenant office building in Portland, Oregon.

- 30,801 square foot multi-tenant office building with large parking lot
- 300 feet of frontage on NE Sandy Blvd across from The Grotto
- Well maintained with many long term tenants and low historic vacancy
- Future development potential with 1.5 acres zoned for mixed use (CM2) on busy thoroughfare

### Property Overview

Address	8383 NE Sandy Blvd, Portland, OR 97220
Sale Price	\$2,900,000 (\$104.30 /SF)
NOI	\$204,919
CAP Rate	7.07%
Rentable Area	27,805 SF
Year Built	1980



## Property Overview

<b>Address</b>	8383 NE Sandy Blvd, Portland, OR 97220
<b>Asset Type</b>	Multi-tenant Office Building
<b>Sale Price</b>	\$2,900,000 (\$104.30 /SF)
<b>Gross Building Area</b>	± 30,801 SF
<b>Average Rent</b>	\$17 /SF
<b>Parking Spaces</b>	195 Surface   6.89/1,000 SF
<b>Gross Land Area</b>	±1.49 Acres (±64,904 SF)
<b>Parcel ID #</b>	R261798
<b>Property Zoning</b>	Combination: <u>Commercial Mixed Use 2 (CM2h(MU-C))</u> and <u>Residential Multi-Dwelling (RM1h)</u>

## INVESTMENT OVERVIEW

The 205 Business Center at 8383 NE Sandy Blvd. in Portland, Oregon's Madison South district is a four story multi-tenant office building with a net rentable area of nearly 28,000 square feet and large parking lot. The asset consists of a mix of professional tenants with varying lease lengths.

Situated on a single lot totaling 1.49 acres, the majority of the site features commercial mixed-use CM2 zoning with an auxiliary 10,000 square foot parking lot on the northeast corner of the lot zoned RM1 for high density residential use. This rectangular portion of the lot may be developed separately, buyer to perform all due diligence.

Directly across NE Sandy Blvd from 205 Business Center's 300 linear feet of frontage is the entrance to The Grotto, a 62 acre outdoor shrine and sanctuary at the foot of a 110 foot cliff officially called The National Sanctuary of our Sorrowful Mother.



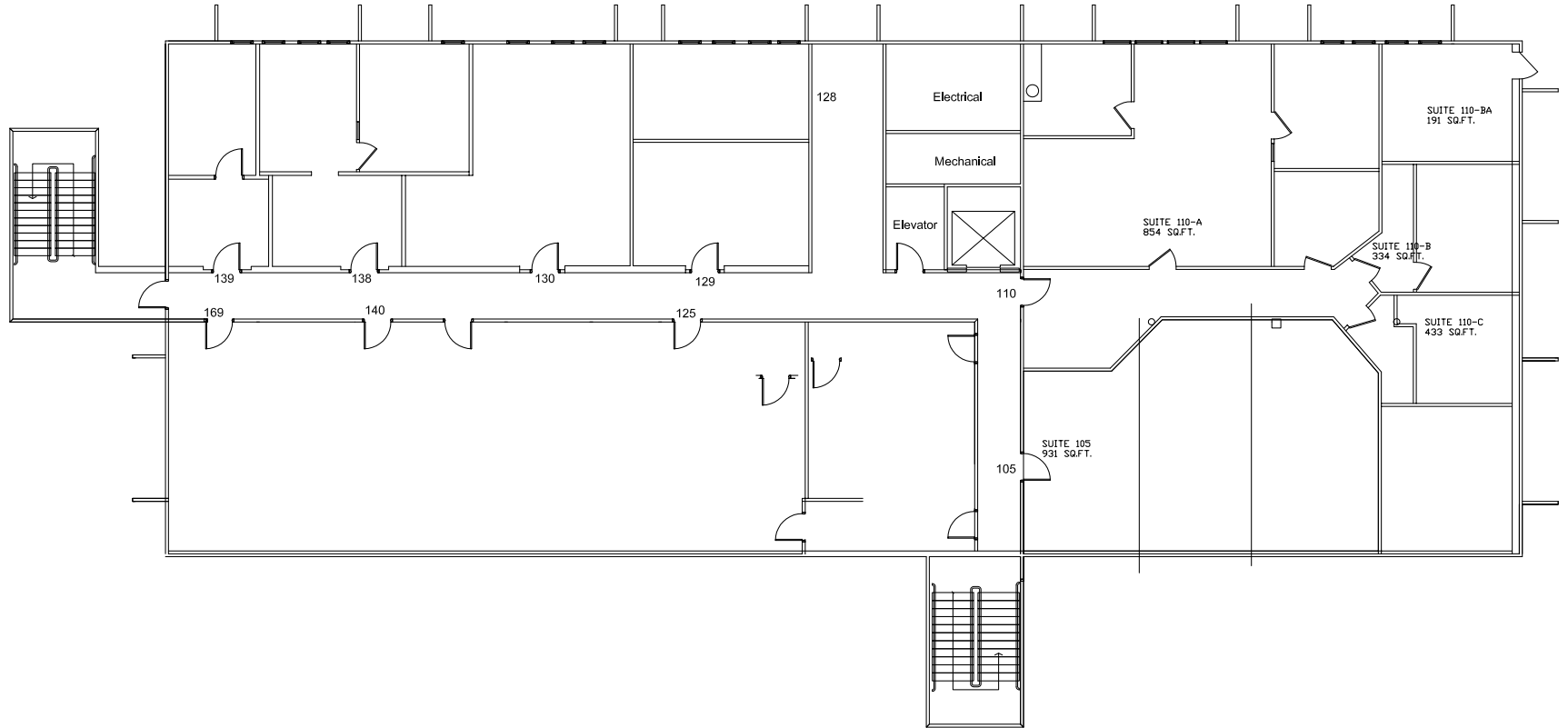
# INTERIOR PHOTOS



# FLOOR PLAN - GROUND FLOOR



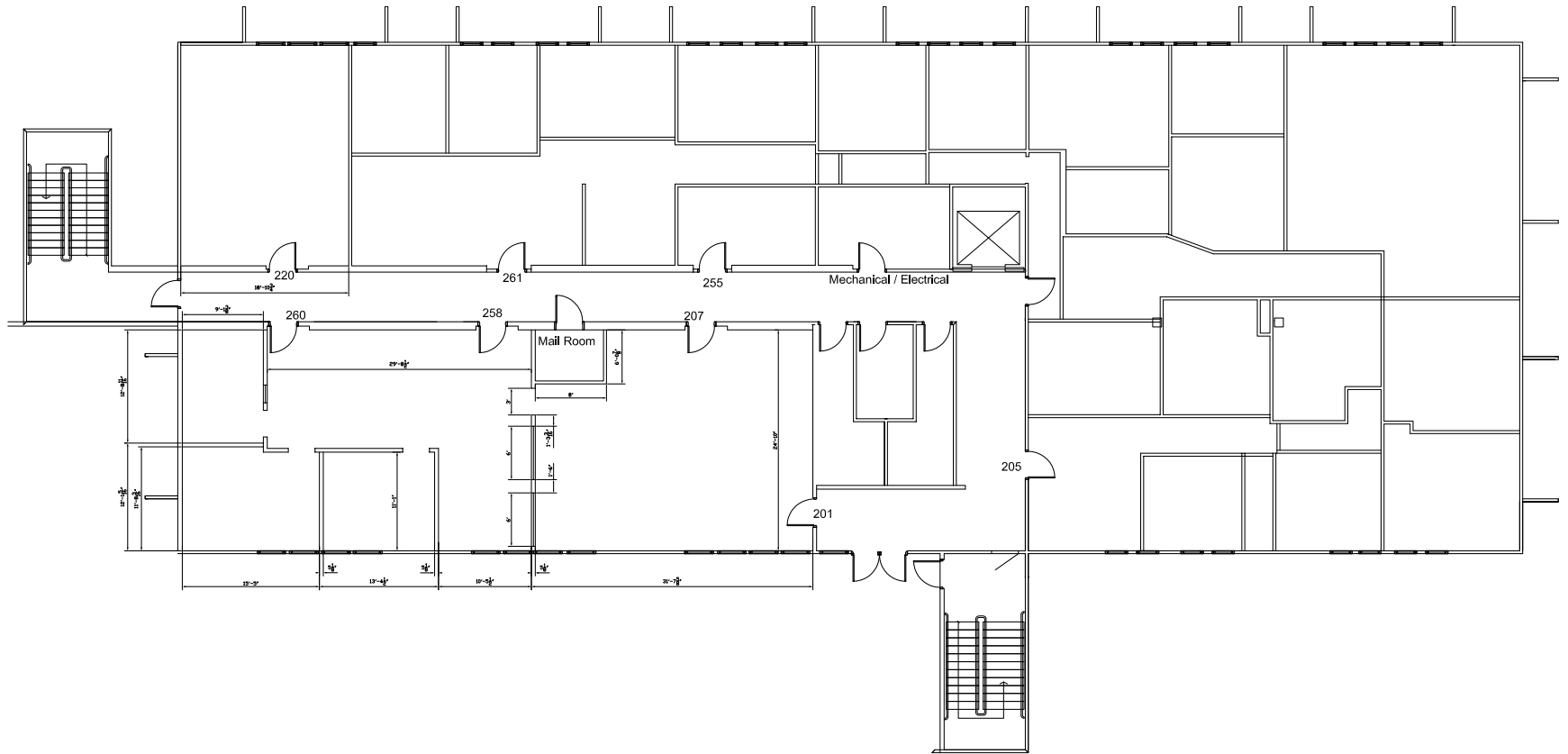
## FLOOR PLAN



# FLOOR PLAN - 2ND FLOOR



## FLOOR PLAN



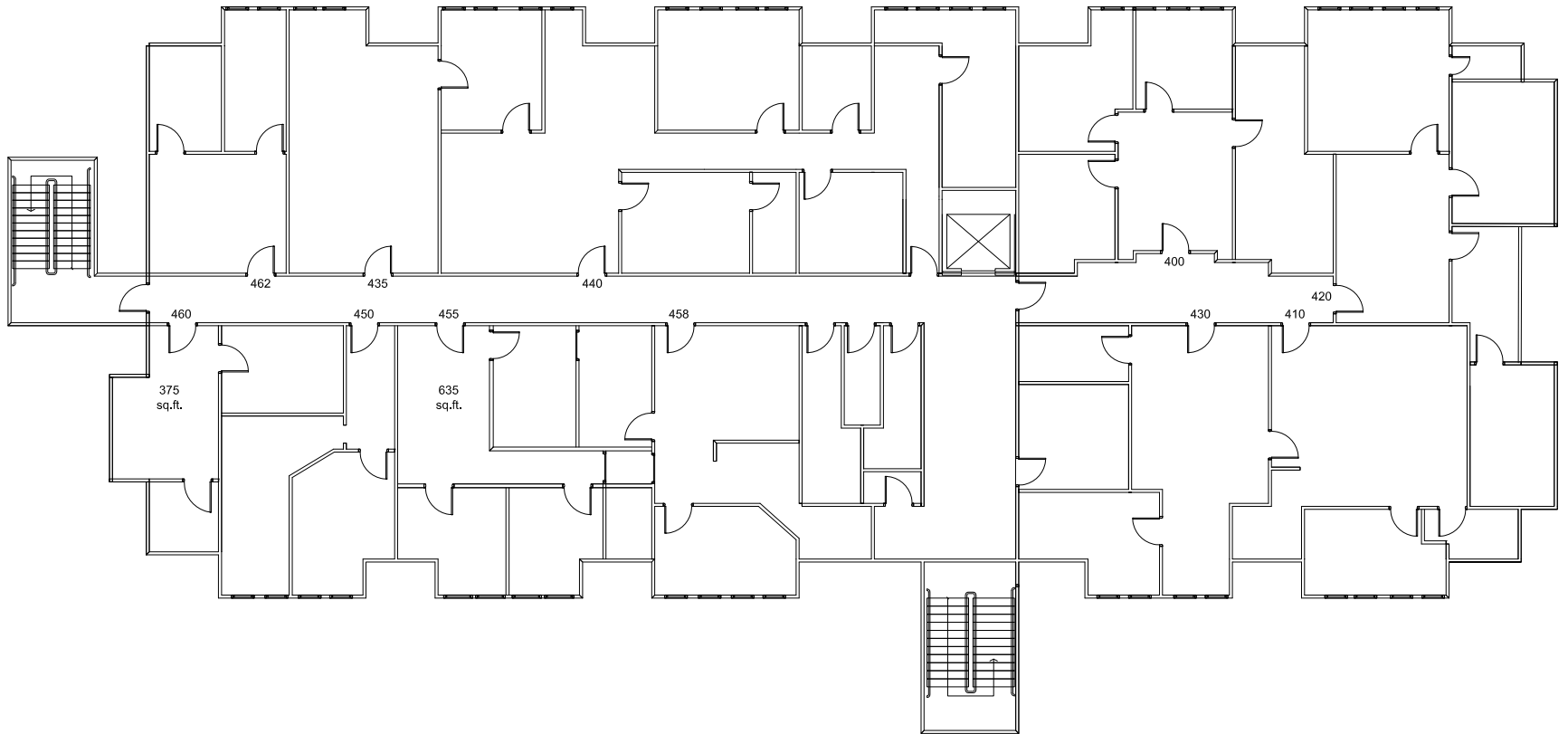


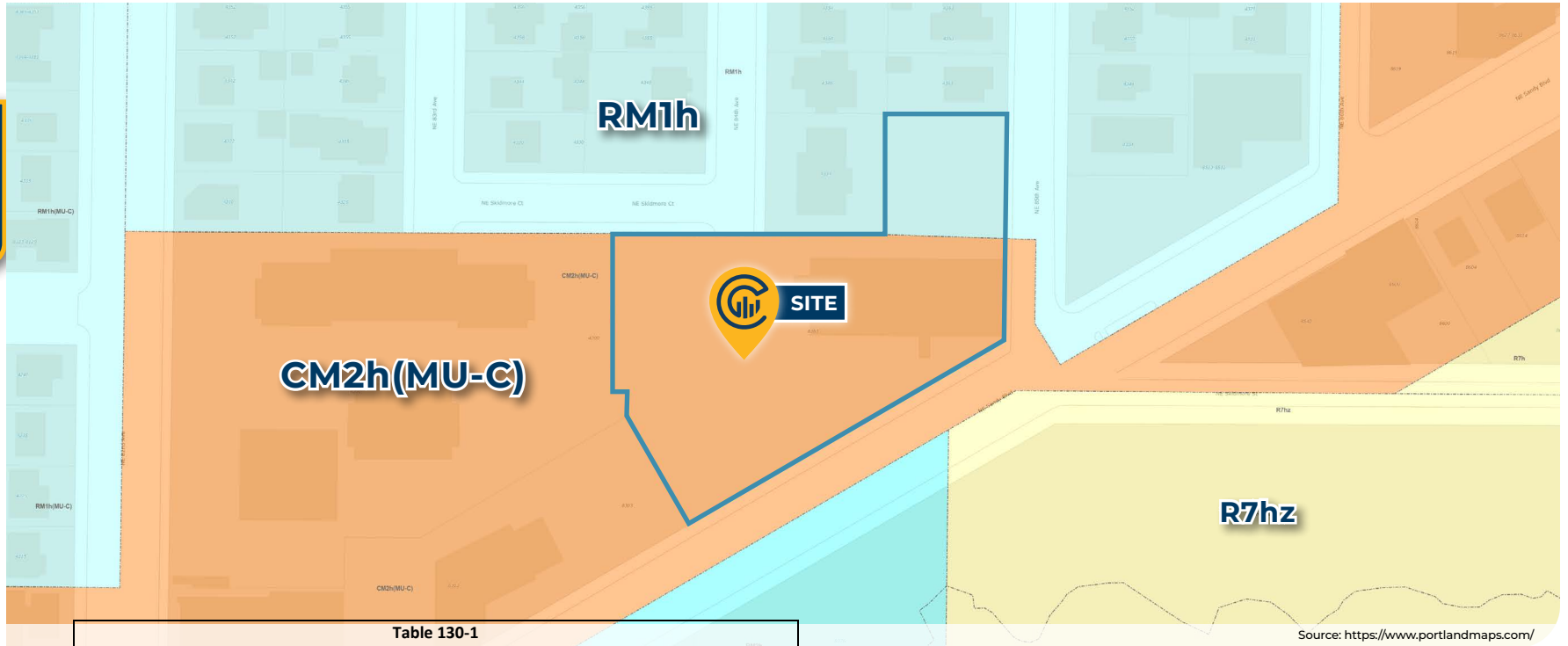


# FLOOR PLAN - 4TH FLOOR



## FLOOR PLAN





Source: <https://www.portlandmaps.com/>

**Table 130-1  
Commercial/Mixed Use Zone Primary Uses**

Use Categories	CR	CM1	CM2	CM3	CE	CX
<b>Residential Categories</b>						
Household Living	Y	Y	Y	Y	Y	Y
Group Living	Y	Y	Y	Y	Y	Y
<b>Commercial Categories</b>						
Retail Sales And Service	L [1]	L [1]	Y	Y	Y	Y
Office	L [1]	L [1]	Y	Y	Y	Y
Quick Vehicle Servicing	N	L [1]	L [1]	L [1]	Y	N
Vehicle Repair	N	N	Y	Y	Y	L [4]
Commercial Parking	N	N	L [8]	L [8]	Y	CU [8]
Self-Service Storage	N	N	N	L [3]	L [3]	L [3]
Commercial Outdoor Recreation	N	N	Y	Y	Y	Y
Major Event Entertainment	N	N	CU	CU	CU	Y
<b>Industrial Categories</b>						
Manufacturing and Production	N	L/CU [2,4]	L/CU [2,4]	L/CU [2,4]	L/CU [2,4]	L/CU [2,4]
Warehouse and Freight Movement	N	N	N	L [2,4]	L [2,4]	N
Wholesale Sales	N	N	L [2,4]	L [2,4]	L [2,4]	L [2,4]
Industrial Service	N	N	CU [2,4]	CU [2,4]	CU [2,4]	CU [2,4]
Bulk Fossil Fuel Terminal	N	N	N	N	N	N
Railroad Yards	N	N	N	N	N	N
Waste-Related	N	N	N	N	N	N
<b>Institutional Categories</b>						
Basic Utilities	Y/CU [7]	Y/CU [7]	Y/CU [7]	Y/CU [7]	Y/CU [7]	Y/CU [7]
Community Service	L/CU [5]	L/CU [5]	L/CU [5]	L/CU [5]	L/CU [5]	L/CU [5]
Parks and Open Areas	Y	Y	Y	Y	Y	Y
Schools	Y	Y	Y	Y	Y	Y
Colleges	N	Y	Y	Y	Y	Y
Medical Centers	N	Y	Y	Y	Y	Y
Religious Institutions	Y	Y	Y	Y	Y	Y
Daycare	Y	Y	Y	Y	Y	Y

**Table 130-1  
Commercial/Mixed Use Zone Primary Uses**

Use Categories	CR	CM1	CM2	CM3	CE	CX
<b>Other Categories</b>						
Agriculture	L [9]	L [9]	L/CU [10]	L/CU [11]	L/CU [11]	L/CU [10]
Aviation and Surface Passenger Terminals	N	N	N	N	CU	CU
Detention Facilities	N	N	N	CU	CU	CU
Mining	N	N	N	N	N	N
Radio Frequency Transmission Facilities	N	L/CU [6]	L/CU [6]	L/CU [6]	L/CU [6]	L/CU [6]
Rail Lines and Utility Corridors	N	CU	CU	CU	CU	CU

Y = Yes, Allowed  
CU = Conditional Use Review Required

L = Allowed, But Special Limitations  
N = No, Prohibited

**Notes:**

- The use categories are described in Chapter 33.920.
- Regulations that correspond to the bracketed numbers [ ] are stated in 33.130.100.B.
- Specific uses and developments may also be subject to regulations in the 200s series of chapters.

[View Zoning Online](#)



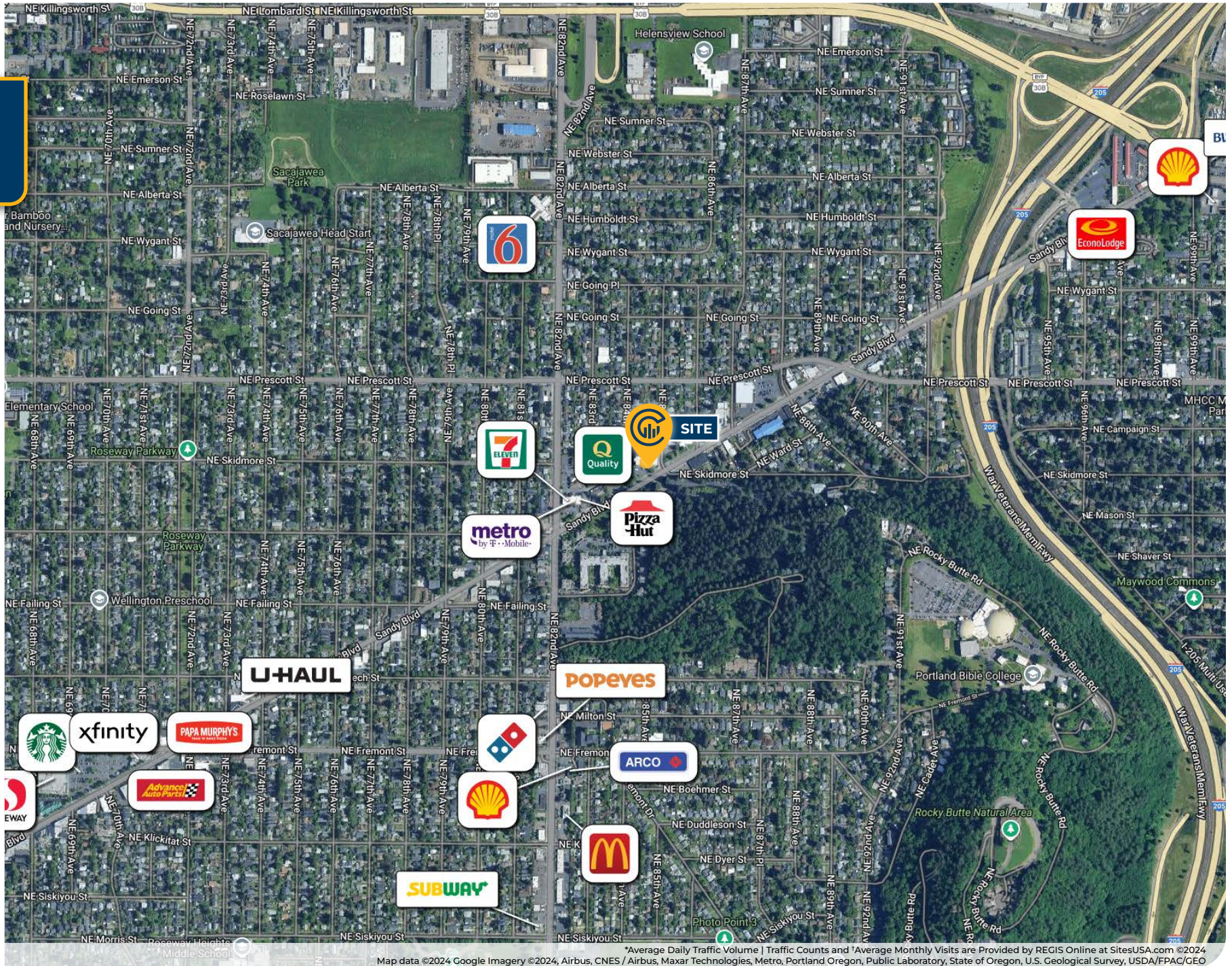
AERIAL



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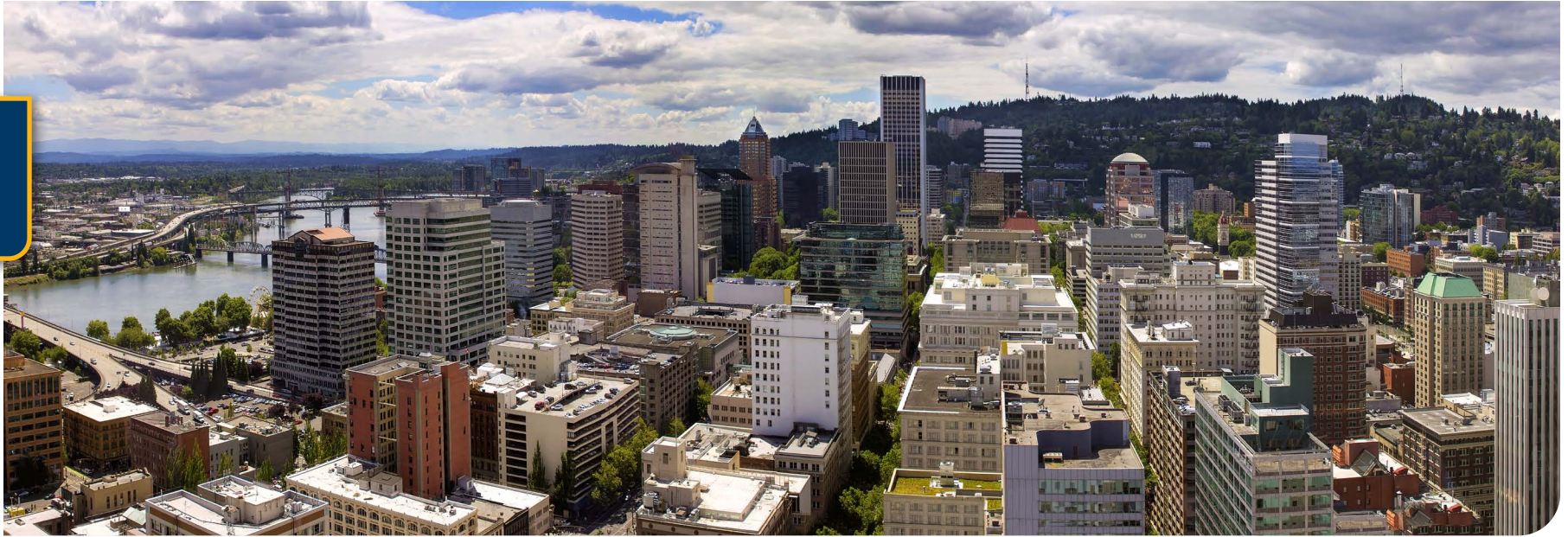
# LOCAL AERIAL MAP



Map data ©2024 Google Imagery ©2024, Airbus, CNES / Airbus, Maxar Technologies, Metro, Portland Oregon, Public Laboratory, State of Oregon, U.S. Geological Survey, USDA/FPAC/GEO



# WHY PORTLAND



**Portland's geographic beauty, economic vibrancy, commitment to sustainability, and rich cultural scene, makes it a superb place to work and live.**

**Its diverse neighborhoods, collaborative spirit, and accessibility makes it a prime destination for both residents and businesses. These factors collectively make Portland a compelling choice for future investment.**

### Geography

Nestled at the confluence of the Willamette and Columbia Rivers in the Pacific Northwest, Portland, Oregon, is a city of diverse nicknames—*Bridgetown*, *the City of Roses*, *Stumptown*—all indicative of its unique character, rich history, and stunning geographic beauty.

Portland stands out as the largest economic and population center on the West Coast between San Francisco and Seattle. Ranked as the nation's 26th largest Metropolitan Statistical Area (MSA), Portland's vibrant downtown and waterfront serve as the core of a metropolitan region hosting more than 2.5 million people.

### Economy

The city has attracted an impressive in-migration of technology-centric firms such as **Microsoft**, **Google**, **Mozilla**, and **Squarespace**, alongside organic growth from local giants like **Nike**, **Adidas**, **Intel**, and **Mentor Graphics**. This influx has fueled economic growth and contributed to record-low unemployment rates.

Known for encouraging entrepreneurship, fostering diversity, and promoting sustainability, Portland's eclectic culture draws in talented people who often become long-term residents.

Esteemed educational institutions, including **Oregon Health & Science University (OSHU)**, **Portland State University** and **Reed College**, contribute to the city's intellectual capital and education hub identity.

### Transit

The city's compact footprint and commitment to urban design provide convenient proximity to downtown, easy access to **Portland International Airport (PDX)**, and a plethora of outstanding amenities.

An extensive streetcar network and bike lanes, in addition to TriMet buses and MAX light rail, contribute to the overall accessibility of the city. These alternative commute options, a preference among young professionals, ultimately save time and money for both employers and employees in the region.

### Life & Culture

Livability and affordability are hallmarks of the Portland area, making it an ideal destination for those seeking a high quality of life. The region boasts abundant natural beauty, a mild climate, and a wide variety of housing options. The city's commitment to sustainability, seen in its extensive public transportation system and eco-friendly urban planning, further enhances its overall appeal.

Portland shines as a cultural and artistic hub. A thriving artisan culture celebrated through craft breweries, distilleries, and coffee roasters emphasizes local and handmade products. The city hosts numerous theaters, galleries, and music venues, with the **Portland Art Museum** standing as a testament to its commitment to the arts.

### Culinary Scene

Culinary excellence and a thriving food scene, aptly earning Portland the nickname "*Beervana*," further contribute to its vibrant cultural identity. And let's not forget the food cart culture—Portland's food carts offer a diverse array of culinary delights, representing flavors from around the world scattered across the city in food cart pods. Strong community engagement is a hallmark, evident in various events, farmers' markets, and festivals that foster a close-knit atmosphere.

## MAJOR EMPLOYERS IN THE REGION



PORTLAND 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>



## RENT ROLL

Suite	Square Feet	% Bldg Share	Lease Dates Comm.	Exp.	Annual Rent per Sq. Ft.	Total Rent Per Month	Total Rent Per Year	Pro Forma Rent Per Year
105	931	3.3%	2/1/16	12/31/30	\$6.19	\$480	\$5,760	\$12,000
110A	854	3.0%	4/1/22	3/30/27	\$17.42	\$1,240	\$14,880	\$14,880
110BA	191	0.7%	1/1/16	3/30/27	\$20.42	\$325	\$3,900	\$3,900
110B	335	1.2%	3/1/25	2/28/26	\$9.67	\$270	\$3,240	\$3,600
110C	432	1.5%	1/0/00	1/0/00	\$15.97	\$575	\$6,900	\$6,900
125	515	1.8%	1/0/00	1/0/00	\$0.00	\$0	\$0	\$7,800
128	154	0.5%	12/1/17	4/30/28	\$20.26	\$260	\$3,120	\$3,300
129	270	1.0%	6/17/98	12/31/26	\$15.56	\$350	\$4,200	\$4,200
130	458	1.6%	1/0/00	1/0/00	\$0.00	\$0	\$0	\$8,040
138	450	1.6%	1/1/19	12/31/22	\$19.07	\$715	\$8,580	\$8,580
139	310	1.1%	12/1/18	11/31/2025	\$21.10	\$545	\$6,540	\$6,540
140	904	3.2%	1/0/00	1/0/00	\$0.00	\$0	\$0	\$15,000
205 & 261	4,900	17.3%	9/1/92	12/31/29	\$18.64	\$7,610	\$91,320	\$94,080
220	469	1.7%	3/1/22	2/28/25	\$19.06	\$745	\$8,940	\$8,940
258	1,760	6.2%	4/1/17	3/31/25	\$20.80	\$3,050	\$36,600	\$36,600
300	2,358	8.3%	10/1/23	9/30/26	\$0.00	\$0	\$0	\$50,400
320-A	185	0.7%	1/1/20	12/31/24	\$22.70	\$350	\$4,200	\$4,200
320-DD	140	0.5%	9/1/19	3/31/27	\$23.14	\$270	\$3,240	\$3,240
320-E	270	1.0%	1/0/00	1/0/00	\$17.78	\$400	\$4,800	\$4,800
320-FF	140	0.5%	3/1/23	2/28/25	\$23.14	\$270	\$3,240	\$3,240
325	510	1.8%	4/15/22	4/30/24	\$0.00	\$0	\$0	\$10,200
330	430	1.5%	8/1/10	12/31/26	\$22.33	\$800	\$9,600	\$9,600
350	1,091	3.9%	5/1/22	2/28/25	\$19.80	\$1,800	\$21,600	\$21,600
355	242	0.9%	5/1/22	4/30/29	\$16.36	\$330	\$3,960	\$3,960
370; 340; 329	2,079	7.4%	4/1/17	4/30/29	\$0.00	\$0	\$0	\$42,000
400	988	3.5%	10/1/06	4/30/28	\$17.25	\$1,420	\$17,040	\$18,000
410	658	2.3%	1/1/24	12/31/26	\$21.88	\$1,200	\$14,400	\$14,400
420	972	3.4%	6/1/94	9/30/23	\$23.64	\$1,915	\$22,980	\$22,980
430	687	2.4%	5/1/15	12/31/22	\$22.71	\$1,300	\$15,600	\$15,600
435	430	1.5%	9/1/19	2/28/25	\$20.93	\$750	\$9,000	\$9,000
440	1,662	5.9%	3/1/23	2/28/26	\$20.94	\$2,900	\$34,800	\$34,800
450	415	1.5%	M2M	M2M	\$20.96	\$725	\$8,700	\$8,700
455	640	2.3%	1/0/00	1/0/00	\$0.00	\$0	\$0	\$14,400
460	375	1.3%	1/1/24	12/31/26	\$20.80	\$650	\$7,800	\$7,800
458	649	2.3%	5/1/22	3/31/26	\$21.91	\$1,185	\$14,220	\$14,220
462	409	1.4%	1/0/00	1/0/00	\$0.00	\$0	\$0	\$9,000
<b>TOTAL</b>	<b>28,263</b>				<b>\$13.77</b>	<b>\$32,430</b>	<b>\$389,160</b>	<b>\$556,500</b>



## FINANCIAL DETAILS

INCOME	In Place		Per SF	Current		Per SF	Pro Forma		Per SF
<b>Rental Income</b>									
Base Rental Revenue	0			389,160			556,500		19.69
Absorption & Turnover Vacancy	0	0.0%		0	0.0%		(27,825)	5.0%	(0.98)
Scheduled Base Rental Income	389,160		13.77	389,160		13.77	528,675		18.71
Potential Gross Revenue	389,160		13.77	389,160		13.77	528,675		18.71
General Vacancy		0.0%	0.00	(19,458)	5.0%	(0.69)	(52,868)	10.0%	(1.87)
Effective Gross Revenue	\$389,160		\$13.77	\$369,702		\$13.08	\$475,808		\$16.83
<b>OPERATING EXPENSES</b>									
Electric	28,801		1.02	28,801		1.02	28,801		1.02
Janitorial & MGMT	29,493		1.04	29,493		1.04	29,493		1.04
Water	9,710		0.34	9,710		0.34	9,710		0.34
Trash Removal	0		0.00	0		0.00	0		0.00
Repairs & Maintenance	11,740		0.42	11,740		0.42	11,740		0.42
Landscape & Parking Lot	12,280		0.43	12,280		0.43	12,280		0.43
Phone & Internet	2,101		0.07	2,101		0.07	2,101		0.07
Alarm Monitoring	400		0.01	400		0.01	400		0.01
Insurance	8,500		0.30	8,500		0.30	8,500		0.30
Real Estate Taxes	41,317		1.46	41,317		1.46	41,317		1.46
Other Expenses - Non Reimbursable	5,663		0.20	5,663		0.20	5,663		0.20
<b>Total Expenses</b>	<b>\$164,246</b>		<b>\$5.81</b>	<b>\$164,246</b>		<b>\$5.81</b>	<b>\$169,109</b>		<b>\$5.98</b>
<b>Expenses as % of EGR</b>	<b>42.2%</b>			<b>44.4%</b>			<b>35.5%</b>		
<b>Net Operating Income</b>	<b>\$224,914</b>		<b>\$7.96</b>	<b>\$205,456</b>		<b>\$7.27</b>	<b>\$306,699</b>		<b>\$10.85</b>

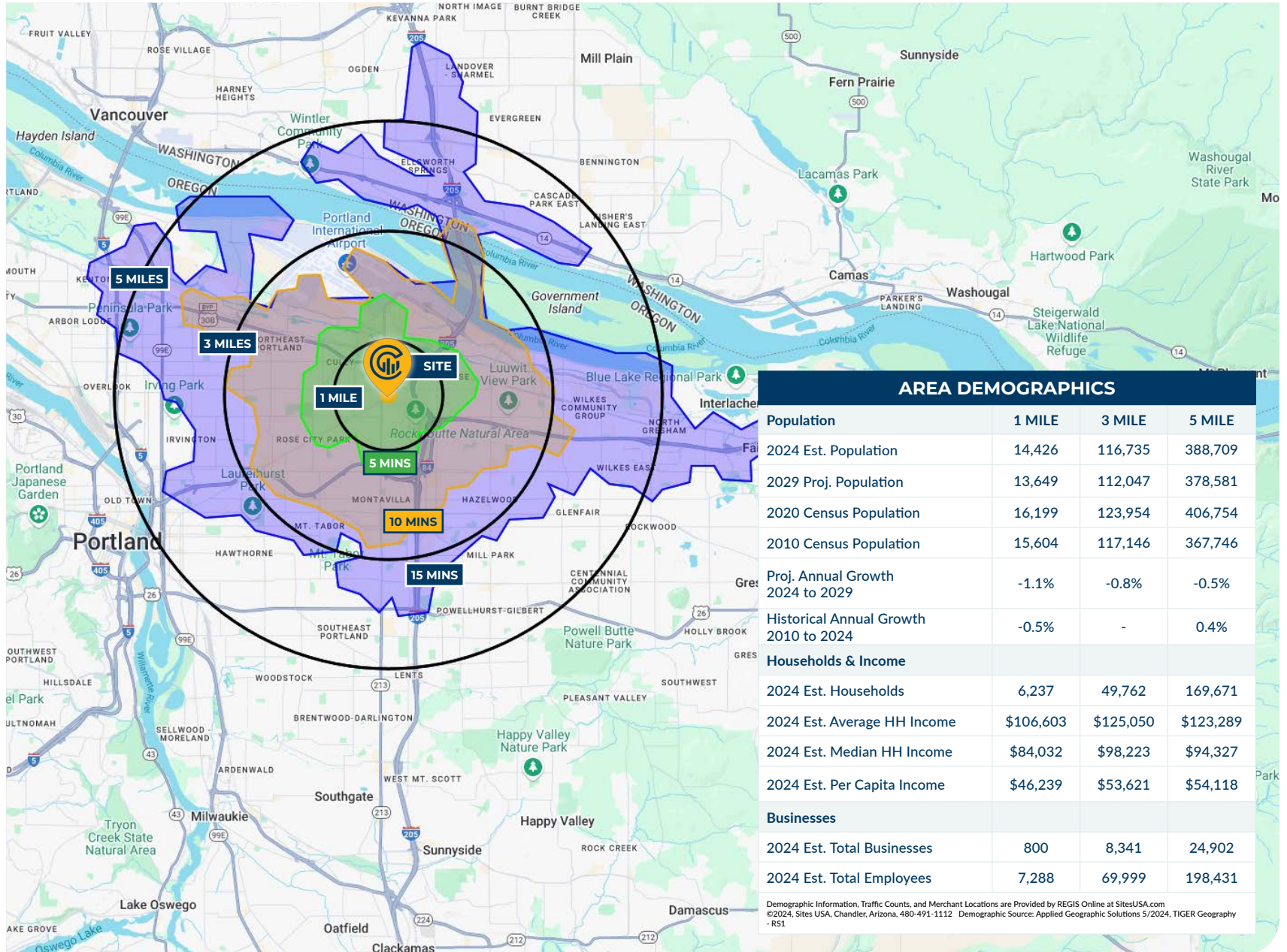
<b>SALE PRICE</b>		\$2,900,000
<b>Cap Rate</b>		7.07%
<b>Cap Rate - Pro Forma</b>		10.50%
<b>Price per SF</b>		\$94.15
<b>Price per SF-Land</b>		\$44.62



# PROPERTY DRIVE-TIME & DEMOGRAPHICS



## DRIVE TIMES & DEMOGRAPHICS



AREA DEMOGRAPHICS			
	1 MILE	3 MILE	5 MILE
<b>Population</b>			
2024 Est. Population	14,426	116,735	388,709
2029 Proj. Population	13,649	112,047	378,581
2020 Census Population	16,199	123,954	406,754
2010 Census Population	15,604	117,146	367,746
Proj. Annual Growth 2024 to 2029	-1.1%	-0.8%	-0.5%
Historical Annual Growth 2010 to 2024	-0.5%	-	0.4%
<b>Households &amp; Income</b>			
2024 Est. Households	6,237	49,762	169,671
2024 Est. Average HH Income	\$106,603	\$125,050	\$123,289
2024 Est. Median HH Income	\$84,032	\$98,223	\$94,327
2024 Est. Per Capita Income	\$46,239	\$53,621	\$54,118
<b>Businesses</b>			
2024 Est. Total Businesses	800	8,341	24,902
2024 Est. Total Employees	7,288	69,999	198,431

Demographic Information, Traffic Counts, and Merchant Locations are Provided by REGIS Online at SitesUSA.com  
 ©2024, Sites USA, Chandler, Arizona, 480-491-1112 Demographic Source: Applied Geographic Solutions 5/2024, TIGER Geography -RS1

# OREGON INITIAL AGENCY DISCLOSURE PAMPHLET



## OREGON REAL ESTATE DISCLOSURE

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

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

### Real Estate Agency Relationships

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

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

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

### Definition of “Confidential Information”

Generally, licensees must maintain confidential information about their clients.

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

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

### Duties and Responsibilities of a Seller’s Agent

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

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

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

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

1. To exercise reasonable care and diligence;

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

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

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

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

### Duties and Responsibilities of a Buyer’s Agent

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

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

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

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

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

buyer’s agent is not required to seek additional properties for the buyer while the buyer is subject to a contract for purchase.

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

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

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

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

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

Disclosed Limited Agents have the following duties to their clients:

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.*

# 205 BUSINESS CENTER

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## REPRESENTED BY

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CELEBRATING  
**20**  
YEARS  
OF CAPACITY



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