

## Employ a USA Broker

When you are employing a USA Business/ Real Estate Broker you should investigate the Brokerage Firm and the personal Broker or Agent before you sign engagement agreements.

Corporate Investment International of Southeast Florida Inc. and its Brokers and Agent Associates have been a trusted source of business and commercial brokerage services in the USA for over twenty years with the combined experience of its officers totaling one hundred plus years of knowledge and experience. We offer two types of agency representation governed by USA Florida law. Legal intent and definitions are as follows:

- **Acting as a Transaction Broker**: A broker who provides limited representation to a Buyer, a Seller, or both in a real estate or business purchase transaction, but does not represent either party in a **fiduciary** capacity or as a single agent. (See Buyer's notification Transaction Broker at ciigousa.com)
- **Acting as a Single Agent**: Per Section 475.01, Florida Statutes (Laws) a Broker who represents, as a **fiduciary**, either the Buyer or the Seller, but not both in the same transaction. (See Buyer's Notification Single Agency at ciigousa.com)
- **Fiduciary Relationship** as it applies to Single agency agreements is an alliance of trust and confidence that creates a moral and legal obligation when extended by one person (the Broker) and accepted by another (in this case the Buyer). This binding loyalty and trust is found in Single Agency relationships.

### *What does this mean for me?*

You have the choice of the level of services that fit your budget when you engage our services. We accommodate smaller business purchases that qualify for investment visa applications with the same care as we do when we are employed to seek out larger businesses that are listed for sale or may not be listed for sale. Many established businesses are held by owners who have been considering an exit; however, in many cases the business is a profit center for the owner's family and not on the market for that reason. These Sellers become known to us and their businesses as potentially available for your choice and purchase. It is a common belief that some of the very best and most profitable American Small Businesses are not listed on the common MLS system. We offer expanded services to find these businesses when we are engaged as Single Agents.

**Transaction Broker** representation is the most flexible arrangement for the Broker and is the most commonly accepted legal form of agency among Brokers who utilize the professional MLS listing system to find possible matches for a **customer's** (Buyer's) needs. This is probably the most effective Broker relationship when the Buyer is seeking a smaller business priced under the \$500,000.00 threshold. The transaction Broker agreement can be viewed at ciigousa.com together with the Florida legal disclaimer

**Single Agent** representation is in our opinion a relationship that gives the Buyer many advantages in addition to a complete fiduciary relationship with the Broker and making the Buyer truly the Broker's **Client**. This agreement is intended by CII to be used when a *Client* is seeking a larger business investment that requires expanded business analysis, research, comparison, valuation, and professional advice offered by the Broker for the sole benefit of the Buyer. The Broker operating under Florida's single agent laws and rules must place the **Client's** needs and requirements above the Broker's own at all times. This is accomplished by the Broker offering much more extensive investigation, analysis, and business financial research at the Client's request. In many instances the agreement will include the Broker searching for businesses that are not currently offered for sale on the MLS system. This opens the door for the Buyer Client's instruction to find a targeted business within a targeted industry as directed by the Buyer Client.

This brings about two assumptions found in the business brokerage world. First is the belief and assumption that many of the **"MOST DESIRABLE"** businesses are typically not listed for sale. The second assumption is that many of these un-listed businesses that are not advertised for sale are in fact available to the right Buyer when his Broker does a professional investigation and makes a skilled presentation to the Seller principal. This requires the Buyer and Broker to have an engagement where the Buyer agrees to pay the Broker's commission and/or fees. Typically, the agreement will also include a credit for the Buyer of any commission or fees the Broker can negotiate to be paid by the Seller on behalf of the Buyer to assist making the transaction close. Many of the Brokers expanded services are enumerated in the Single Agency Agreement found at [ciigousa.com](http://ciigousa.com). Together with the Florida legal disclaimer required by Florida law to be presented to Clients. A similar version is required by law to be presented by the Client's Broker to potential Sellers and/or Seller's agents.

We recommend potential Buyers to speak directly to Harold C. Hillcher about Single Agency engagements.