

Should You Use the Listing Agent When Purchasing a Home?

BY BRENDON DESIMONE

It may seem easiest to go with the agent who already knows the home, but not having a buyer's agent represent you could be a mistake.

First-time home buyers aren't typically versed in the intricacies of agency disclosure, nor do they understand the concepts of a buyer's agent and seller's agent. They only know that the person they meet at an open house or email about a listing is an "agent."

When they start getting more serious and want to inquire about a property, its price, condition or history, they typically direct their questions to the seller's agent — which presents an immediate conflict of interest.

So what's a buyer to do? It helps to understand the concept of agency before this happens.

A real estate agent's loyalties and responsibilities change depending on the transaction.

Here's a quick rundown of the different roles an agent can play in any one transaction.

The listing agent

The listing agent or seller's agent works for the seller and represents their interests in the sale. The seller hires their agent, typically in writing, to market and sell their home.

The listing agent's responsibility is to get the seller the highest amount of money in the shortest period. Their fiduciary goals and loyalty should be with the **seller** at all times.

The buyer's agent

Purchasing a home can be emotionally draining, not to mention financially stressful. Many consumers seek independent counsel from a buyer's agent.

A buyer's agent works with them for as long as it takes to make a purchase. They teach the buyers the market, show them lots of homes, and eventually advise when it comes time to make an offer and negotiate with the seller. An invaluable resource, a buyer's agent stands by the buyer's side for the duration of their home search.

The dual agent

Sometimes a buyer forgoes independent representation and chooses to work directly with the listing agent. This situation isn't allowed in some states because of the **conflict of interest**. Where it is allowed, a dual agent represents both sides of the transaction at the same time.

In the case of a dual agent, it's impossible for the agent to be completely loyal to either party. Both parties must agree to dual agency in writing, **in advance**.

Who pays for the agent?

The seller pays the real estate agent's commission when the deal closes. The two agents then split the commission. In the case of the dual agent, the agent takes home the entire commission.

Should you use the listing agent as a dual agent?

Unless you are an experienced real estate investor, it's best to stick with a buyer's agent. There's no cost, and a good buyer's agent will provide an invaluable amount of advice and support in what can end up being a very stressful period.

The home search can involve many twists and turns, so having a loyal adviser along the way will help you make an informed decision on what is likely the largest purchase of your life.

Note: The views and opinions expressed in this article are those of the author and do not necessarily reflect the opinion or position of Zillow.

About the author

Brendon DeSimone is the author of [Next Generation Real Estate: New Rules for Smarter Home Buying & Faster Selling](#). A 15-year veteran of the residential real estate industry and a nationally recognized [real estate expert](#), Brendon has completed hundreds of transactions totaling more than \$250M. His expert advice is often sought out by reporters and journalists in both local and national press. Brendon is a regularly featured guest on major television networks and programs including CNBC, FOX News, Bloomberg, Good Morning America, ABC's 20/20 and HGTV. Brendon is the manager of the Bedford and Pound Ridge offices of [Houlihan Lawrence](#), the leading real estate brokerage north of New York City.

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