



Sunday Column

By Cher Miculka, 2021 Chairman

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How to Handle Multiple Offers

Homes are selling faster than ever, and the low inventory is causing buyers to compete for a limited number of homes available. This increased demand and quick-moving market can often result in multiple offers coming in on a property. While the idea of a bidding war may sound desirable to some sellers, there are a few crucial principles to know to help you stay focused and avoid legal trouble.

- **Ask your REALTOR® to explain your options and alternatives.** The REALTOR® Code of Ethics requires your REALTOR® to “protect and promote the interest of their client” in multiple offer situations and also denotes that, “REALTORS® shall submit offers and counter-offers objectively and as quickly as possible.” Be prepared that these offers will likely come in fast, and you will need to be ready to make a decision on how to proceed. The good news is you have several options available that your REALTOR® can walk you through. For example, you can accept what you deem to be the “best” offer and reject all others, or you can also invite all potential purchasers to make their “best” and final offer. You may also choose to counter a selected offer while holding other offers to the side as you await a decision on your counteroffer. Keep in mind that every approach has its advantages and disadvantages.
- **Watch for potential fair housing red flags.** Heartfelt letters to sellers, sometimes called “buyer love letters,” can open doors to potential fair housing violations. These letters can often include personal information that leads to a prohibited basis for prejudice. Many times, in trying to convince the seller to accept their offer, the buyer will reveal characteristics about themselves such as race, religion, or familial status. To avoid a fair housing violation, a seller should not accept or reject offers based on the characteristics of a buyer but rather the decision to reject or accept an offer should be based on objective criteria. It is a best practice to make sure to document all offers received by the seller along with the objective reasoning for acceptance or rejection of the offer.
- **Know that there are no guarantees.** Inviting buyers to make their “best” offers may produce an offer (or offers) better than those “on the table.” But this tactic may also discourage buyers who feel they have already made a fair offer resulting in them breaking off negotiations to pursue other properties. Make sure you are communicating regularly with your REALTOR® so you have the expert guidance to help you navigate this process.

While it can be exciting to have so much interest in your property, it is important to know your options and be aware of potential fair housing violations.

For more information on buying, selling, or leasing your home in the San Antonio or surrounding areas, visit SABOR.com and use a REALTOR®.

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