

Commercial Realty Resources Company mulitfamily investment services



Arkansas Oklahoma Kansas

Oklahoma Kansas

Oklahoma Kansas

Oklahoma Kansas

# Independence Square Condos

3235 NW 50th Street
Oklahoma City, Oklahoma 73112
71-Units

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www.crrc.us

# Independence Square Condos

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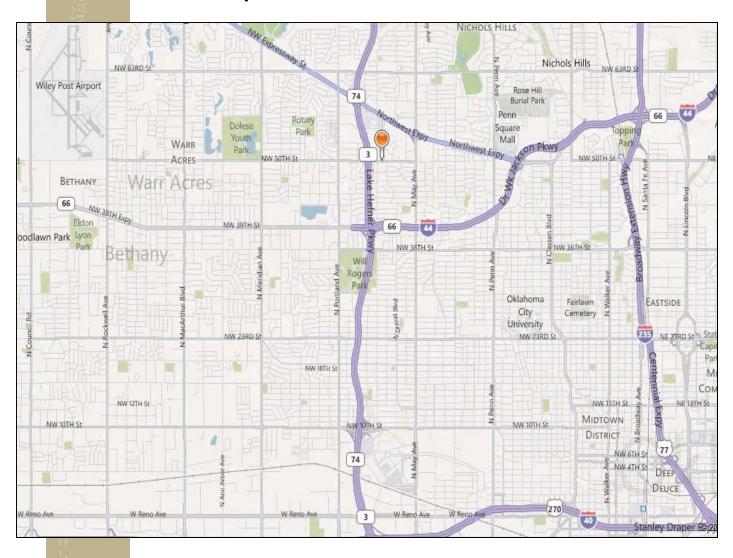




3235 NW 50th Street Oklahoma City, OK



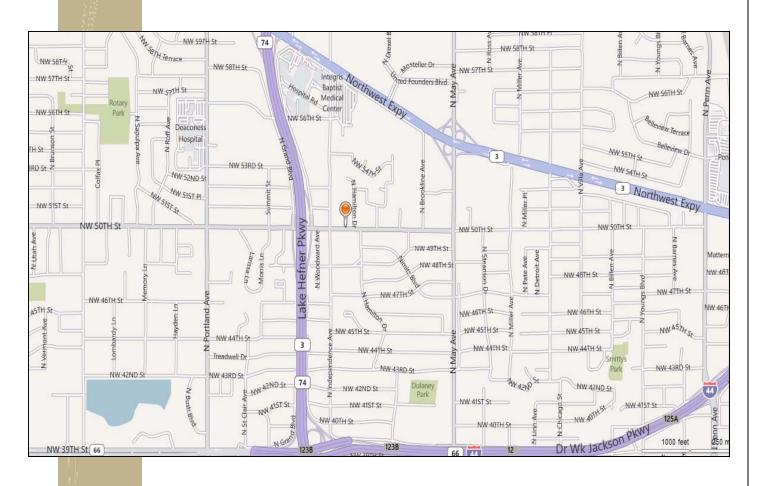
# Submarket Map



3235 NW 50th Street Oklahoma City, OK



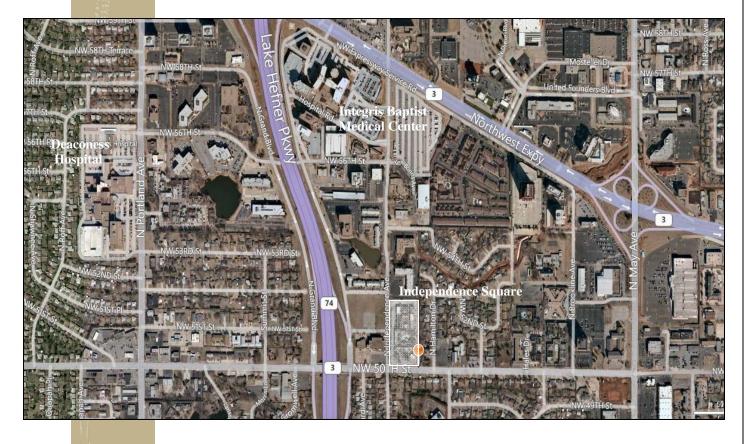
# Neighborhood Map



3235 NW 50th Street Oklahoma City, OK



# **Aerial Photo**



3235 NW 50th Street Oklahoma City, OK



# **Aerial Photo**



3235 NW 50th Street Oklahoma City, OK



# Offering Description

Independence Square contains 71-units of a 92-unit condominium development. The property is a two-story garden style community located in prestigious northwest Oklahoma City. The neighborhood is superb being immediately south of Integris Baptist Medical Center and just east of Deaconess Hospital. There are numerous retail destinations, popular restaurants and upscale residential neighborhoods within minutes of the property.

The location is one of the best in Oklahoma City, near the intersection of Lake Hefner Parkway and Northwest Expressway with frontage on NW 50th Street. This provides east access to all parts of Oklahoma City via the Lake Hefner Parkway and has easy access to Downtown and Brick-town to the south and Edmond to the north.



## Offering Highlights:

- 71-units of a 92-unit Condominium Development
- Superb Location just south of Integris Baptist Medical Center
- Within Minutes of other World Class Medical Facilities
- Frontage on NW 50th near the intersection of Lake Hefner Pkwy and Northwest Expy
- Within Minutes of Quail Springs Mall and other major retail destinations
- Oklahoma City is experiencing some of the highest profile developments in the country with the \$350 million Devon Tower and the \$50 million Outlet Shoppes at Oklahoma City at I-40 and Council Road. The Outlet Shoppes opened in August 2011 with 348,000 square foot of retail space and 1,000 new retail jobs.
- Oklahoma's personal income growth was the fourth highest among all states in the April-to-June 2011 period, according to the U.S. Bureau of Economic Analysis.

3235 NW 50th Street Oklahoma City, OK



# COMMERCIAL REALTY RESOURCES CO. MULTIFAMILY INVESTMENT SERVICES

**Property Description:** 

Independence Square is a two-story garden style condominium community located in northwest Oklahoma City. The property has an excellent location just south of Integris Baptist Medical Center at NW 50th and the Lake Hefner Parkway. This is a premiere location in Oklahoma City because of the surrounding medical facilities, Quail Springs Mall and the numerous retail destinations along Northwest Expressway.

Number of Units: 71-units of a 92-unit Condominium Development

Number of Buildings: 20 two-story apartment buildings and 1 single-story office/

clubhouse building.

Year Built: 1978 (according to courthouse records)

<u>Apartment Features:</u> Fully equipped kitchens | Ceiling fans | Walk-in Closets |

Washer/Dryer connections and Fireplaces in some floor plans

Property Amenities: Swimming Pool

Clubhouse and Laundry Facility

**Construction:** 

Style: Two-Story Garden Style

**Exterior**: Brick Veneer with wood trim and mansard siding

**Roof**: Flat Roofs

**Mechanical System:** 

**Electrical Metering:** Individually Metered

**HVAC**: Individual HVAC

Hot Water: Individual Hot Water Heaters

Water: Provided by Property

Current Occupancy: 94%

Real Estate Taxes: R133691030 (multiple accounts)

Assessed Value (2011): 3,708 (individual unit)

Tax Rate: 114.33

Tax Amount: \$403.70 (individual unit) Search: Independence Square Condo

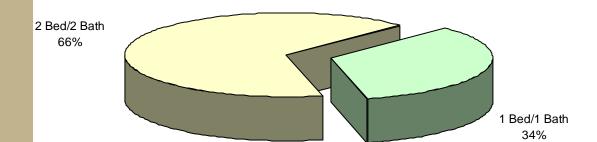
3235 NW 50th Street Oklahoma City, OK



# **UNIT MIX**

No.	#Bdrm/Bth	Sq.Ft.	Total Sq.Ft.	Avg Rent	Rent/Sq.Ft.	Gross/Mo.	Gross/Yr.
24	1 Bed / 1 Bath	752	18,048	468.75	0.62	11,250	135,000
5	2 Bed / 2 Bath	986	4,930	575.00	0.58	2,875	34,500
42	2 Bed / 2 Bath	1,216	51,072	620.00	0.51	26,040	312,480
			-			-	-
71		1,043	74,050	565.70	0.54	40,165	481,980

# **DISTRIBUTION RATIO**



3235 NW 50th Street Oklahoma City, OK



## **PURCHASE PRICE & TERMS**

Purchase Price: \$2,268,000

Terms of Sale: Cash

Buyer to Obtain New Financing

Price Per Apartment Unit: \$31,944

Price Per Net Rentable Sq. Ft. \$30.63

**Cap Rate:** 9.06%

(Based on Proforma)

Cash-On-Cash: 10.97%

(Based on Proforma)

3235 NW 50th Street Oklahoma City, OK

Lender:



# **EXISTING FINANCING**

NA

Original Amount/Date:

Current Balance/Date:

NA

Interest Rate:

NA

Interest Only Period:

NA

Payment:

NA

Maturity Date:

NA

			Annual Pro	perty Operat	ting Data	<b>a</b>					
Project:	Independence Square Apar	tments	Purchase Price:		\$ 2,268,	000	Run Date:				28-Sep-11
Location:	3235 NW 50th Street		Purchase Price F	Per Unit:	\$ 31,	944	Cap Rate Or	n Proforma:			9.06%
Number of U	Inits: 71		Purchase Price F	Per Foot:	\$ 30	0.63	Cash-On-Ca	sh On Proforma:			10.97%
Net Rentable			Mortgage Balanc		\$ 1,701,		Cap Rate Or				8.75%
Avg. Unit Siz			Equity Requirem		\$ 567,		•	sh On Rent Roll:			9.72%
No.	Type #Bdrm/Bth	Sq.Ft.		Total Sq.Ft.	Ψ 501,		Rent/Sq.Ft.		ross/Mo.		Gross/Yr.
	71							G			
24	1 Bed / 1 Bath	752		18,048		468.75	0.62		11,250		135,000
5	2 Bed / 2 Bath	986		4,930		575.00	0.58		2,875		34,500
42	2 Bed / 2 Bath	1,216		51,072		620.00	0.51		26,040		312,480
				-					-		-
71		1,043		74,050		565.70	0.54		40,165		481,980
			Jan-May 2011	June 2011							
		2010	Annualized	Rent Roll		Proforma		Prop	osed Fin	ancir	ıg
INCOME							Per Unit				
	Market Rents	481,980	481,980	481,980		481,980					
	Loss-To-Lease	-	-	27,900		25,000	352	Current Bal.	Jun-11	\$	1,701,000
	Gross Potential Rent	481,980	481,980	454,080		456,980	6,436	Original Bal.	Jun-11	\$	1,701,000
	(Concessions)	2,432	3,621	-		-					
	(Vacancy)	56,780	54,644	31,620	6.0%	27,419	386	Maturity			7
	Effective Rental Income	422,768	423,715	422,460		429,561	6,050	Amortization			20
	Other Income	12,927	39,636	13,000		13,000	183	Interest Rate			5.75%
	Adjustment for Misc	-	(26,551)	-		-		Constant			8.425%
	Gross Operating Income	435,695	436,800	435,460		442,561	6,233	Debt Service		\$	143,309
EXPENSES								Debt Coverage F	Ratio		1.43
	R E Taxes	25,527	29,092	28,500		28,500	401				
	Insurance		6,000	-		· -	-				
	Gas	_	-	-		_	-				
	Electricity	3,828	5,993	4,000		4,000	56				
	Water / Sewer		_	_			_				
	Trash	_	_	_		_	_				
	Pest Control	1,071	1,395	1,200		1,200	17				
	Maintenance	14,919	11,846	14,000		14,000	197				
	Cleaning & Décor	12,357	6,667	12,000		12,000	169				
	Homeowners Dues	65,427	93,568	59,100		59,100	832				
	Security	-	-	-		-	-				
	Landscaping	_	_	_		_	_				
	Wages & Payrol Taxes	71,311	71,640	71,500		71,500	1,007				
	Management Fee	21,000	21,000	21,000		21,000	296				
	Advertising	1,469	4,068	1,500		1,500	21				
	Administration	6,527	10,643	6,500		6,500	92				
	Replacement Reserves	_	_	17,750		17,750	250				
	Total Operating Expenses	223,436	261,912	237,050		237,050	230	†			
	Per Unit	3,147	3,689	3,339		20.,000	3,339				
	Per Sq Ft	3.02	3.54	3.20			3.20				
	Net Operating Income	212,259	174,888	198,410		205,511	2,895	1			
	Debt Service	- 040.050	- 474 000	143,309		143,309		4			
	Cash Flow	212,259	174,888	55,101		62,202	876				
	Real Estate Tax Information:	2010	Assessed Value			- Rate/\$1000:	114.33	Value: \$			
	Account: Mega Buba Ventures LLC		Tax Amount:		\$	- Tax Dist:	0	Per Unit:		\$	-

3235 NW 50th Street Oklahoma City, OK



# **Sold Comparison**

Property Address: 125 SW 74th Street, Oklahoma City

Size and Age: 223-units, Built in 1970

Price: \$7,791,000 Price Per Unit: \$34,937

Closing Date: 09/2011

**Total Square Footage**: 186,298

**Note:** The sale of Seminole Ridge was exempt from Documentary Stamps on the recorded Deed shown on County Records. The purchase price is based on 80% LTV of the \$6,232,800 loan amount that is re-

corded of public record..

Property Address: 11501 Lochwood, Yukon, OK

Size and Age: 192-units, Built in 1985

**Price**: \$7,500,000 **Price Per Unit**: \$39,062

Closing Date: 11/2010

**Total Square Footage**: 115,973

Seminole Ridge



Property Address: 2681 Jefferson, Norman, OK

Size and Age: 126-units, Built in 1983

Price: \$3,800,000 Price Per Unit: \$30,158

Closing Date: 06/2011

**Total Square Footage:** 71,847



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# **Sold Comparison**

**Property Address:** 3308 SW 44th, Oklahoma City

Size and Age: 100-units, Built in 1982

**Price:** \$3,874,500 **Price Per Unit:** \$38,745

Closing Date: 09/2010

Total Square Footage: 72,000

Property Address: 400 W. Edmond Rd, Edmond

Size and Age: 60-units, Built in 1984

**Price:** \$2,135,000 **Price Per Unit:** \$35,583

Closing Date: 04/2010

Total Square Footage: 39,116





3235 NW 50th Street Oklahoma City, OK



# **Sold Comparison Summary**

Property	Price/Unit	Overall Price	No. Unit	Year Built	Price Per Square Foot
Seminole Ridge	\$34,937	\$7,791,000	223	1970	\$41.82
Woodrun Village	\$39,062	\$7,500,000	192	1985	\$64.67
Residence	\$30,158	\$3,800,000	126	1983	\$52.89
Southwoods	\$38,745	\$3,874,500	100	1982	\$53.81
Wimbledon Square	\$35,583	\$2,135,000	60	1984	\$54.58
Average	\$35,806	\$25,100,500	701		\$51.73
Independence Square	\$31,944	\$2,268,000	71	1978	\$30.63



3235 NW 50th Street Oklahoma City, OK



# **Sold Comparison Map**



3235 NW 50th Street Oklahoma City, OK



# COMMERCIAL REALTY RESOURCES CO. MULTIFAMILY INVESTMENT SERVICES

## **RENT COMPS**

In order to estimate market rents for Independence Square, four apartment communities were selected as most competitive. Each property has been chosen due to its similarity with regard to quality, location, age, or amenities. While each property may not be directly comparable in all aspects, collectively they represent the rental market for Independence Square. Rental Rates are based on market rates excluding any concessions or specials.

#### 1. Lakeview 4601 W. Nicklas Ave. Oklahoma City 73132



No.	#Bdrm/Bth	Sq.Ft.	Total Sq.Ft.	Avg Rent	Rent Sq.Ft.	Gross Mo.	Gross/Yr.
28	1 Bed / 1 Bath	750	21,000	\$560	\$0.75	\$15,680	\$188,160
84	2 Bed / 2 Bath	1100	92,400	\$660	\$0.60	\$55,440	\$665,280
24	3 Bed / 2 Bath	1157	27,768	\$760	\$0.66	\$18,240	\$218,880
136		1038	141,168	\$657	\$0.63	\$89,360	\$1,072,320

# Crosswinds 6101 N. May Avenue Oklahoma City 73112



No.	#Bdrm/Bth	Sq.Ft.	Total Sq.Ft.	Avg Rent	Rent Sq.Ft.	Gross Mo.	Gross/Yr.
51	1 Bed / 1 Bath	487	24,837	\$376	\$0.77	\$19,199	\$230,387
57	1 Bed / 1 Bath	676	38,532	\$501	\$0.74	\$28,563	\$342,759
70	2 Bed / 1 Bath	911	63,770	\$583	\$0.64	\$40,840	\$490,081
16	2 Bed / 2 Bath	975	15,600	\$539	\$0.55	\$8,624	\$103,488
		-	0	\$0	#DIV/0!	\$0	\$0
194		736	142,739	\$501	\$0.68	\$97,226	\$1,166,716

Small one bedroom rents are the average of two different floor plans One bedroom rents are the average of three different floor plans Two bedroom one bath rents are the average of three different floor plans

#### 3. Chandelaque 5528 N. Portland Oklahoma City 73112



No.	#Bdrm/Bth	Sq.Ft.	Total Sq.Ft.	Avg Rent	Rent Sq.Ft.	Gross Mo.	Gross/Yr.
98	1 Bed / 1 Bath	749	73,402	\$469	\$0.63	\$45,967	\$551,603
76	2 Bed / 2 Bath	978	74,328	\$572	\$0.58	\$43,474	\$521,691
12	3 Bed / 2 Bath	1224	14,688	\$759	\$0.62	\$9,108	\$109,296
186		873	162,418	\$530	\$0.61	\$98,549	\$1,182,590

One bedroom rents are the average of six different floor plans Two bedroom rents are the average of four different floor plans

3235 NW 50th Street Oklahoma City, OK



# COMMERCIAL REALTY RESOURCES CO. MULTIFAMILY INVESTMENT SERVICES

#### 4. Warwick West

3100 Northwest Expressway Oklahoma City 73112



No.	#Bdrm/Bth	Sq.Ft.	Total Sq.Ft.	Avg Rent	Rent Sq.Ft.	Gross Mo.	Gross/Yr.
195	1 Bed / 1 Bath	748	145,860	\$610	\$0.82	\$118,956	\$1,427,470
16	2 Bed / 1 Bath	1307	20,912	\$839	\$0.64	\$13,424	\$161,088
183	2 Bed / 2 Bath	1020	186,660	\$724	\$0.71	\$132,457	\$1,589,487
30	3 Bed / 2 Bath	1521	45,630	\$960	\$0.63	\$28,790	\$345,481
424		941	399,062	\$693	\$0.74	\$293,627	\$3,523,526

One bedroom rents are the average of five different floor plans Two bedroom one bath rents are the average of two different floor plans Two bedroom rents are the average of seven different floor plans Three bedroom rents are the average of three different floor plans

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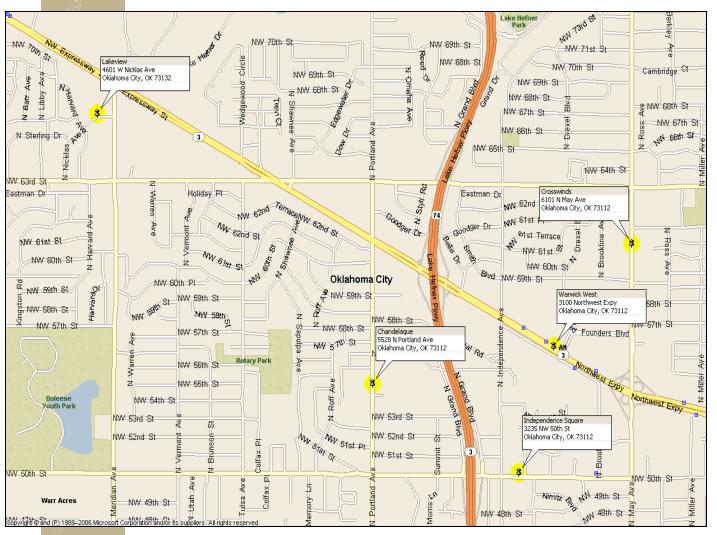
# **Rent** and Square Footage Comparison

Pro	operty Name	Overall Effective Rent per Sq. Ft.	Market Rent (1B1B)	Market Rent (2B1B)	Market Rent (2B2B)	Market Rent (3B2B)	Square Footage (1B1B)	Square Footage (2B1B)	Square Footage (2B2B)	Square Footage (3B2B)
1	Lakeview	\$0.63	\$560	NA	\$660	\$760	750	NA	1100	1157
2	Crosswinds	\$0.68	\$442	\$583	\$539	NA	587	911	975	NA
3	Chandelaque	\$0.61	\$469	NA	\$572	\$759	749	NA	978	1224
4	Warwick West	\$0.74	\$610	\$839	\$724	\$960	748	1307	1020	1521
	Total/Average	\$0.68	\$532	\$630	\$668	\$850	708	985	1028	1335
	Independence Square	\$0.54	\$468	NA	\$615	NA	752	NA	1191	NA

3235 NW 50th Street Oklahoma City, OK



# Rent Comp Map





AT A GLANCE



Location	3
Transportation3-	5
Climate	5
Population	6
Housing	6
Economy7-	8
Education8-	9
Income 1	0
Labor Analysis 1	0
Incentives11-1	3
Site Locations 1	4
Tax Rates1	4
Utilities 1	5
Communications 1	5

# **Oklahoma City:**

The #1 most affordable city in America, and a Top 5 fastest-growing city. The lowest business costs among large metros in the country. A Top 10 job growth ranking. A Top 25 Best Performing City. A Top Ten Metro for Doing Business and one of the best places for young adults to thrive.

The list of reasons you should grow your business in Oklahoma City is growing almost as quickly as the list of reasons why people love living here. In Greater Oklahoma City, we understand that partnership among business, government, EDOs and civic leaders is integral to our success. Our low costs, diverse economy and business-friendly environment have kept the economic doldrums at bay, and provided value, stability and profitability to our companies — and now we're poised to do even more. Let us introduce you to the thriving 10-county region that is Greater Oklahoma City: a city that has rediscovered its strengths - and redefined itself for the future.



Partnership Services... 15

# **LOCATION**

The Oklahoma City
Metropolitan Statistical
Area (MSA) includes seven
counties: Oklahoma,
Canadian, Cleveland,
Grady, Lincoln, Logan,
and McClain. It is the
31st largest city and 44th
largest metropolitan area
in the United States.

#### **OKLAHOMA CITY AREA:**

622.5 square miles - the third largest land area for a city in the nation.

#### **OKLAHOMA CITY ELEVATION:**

1,285 feet above sea level

Source: U.S. Census Bureau



# **TRANSPORTATION**

Oklahoma City is as easy to reach as it is to navigate, with commute times averaging 20 minutes or less and minimal congestion. It's no wonder msn.com ranked it the sixth most drivable city in the United States.

MAJOR HIGHW	VAYS SERVING AREA:	
Interstate 35	North and South	U.S. 62East and Southeas
Interstate 40	East and West	U.S. 77 (Broadway Extension)North and Sout
Interstate 44	Northeast and Southwest	U.S. 270Southeast and Northwes
Interstate 235	Connects I-35 & I-40 & U.S.77	U.S. 277Southwes
Interstate 240	Interconnects I-40, I-44 & I-35	





#### HIGHWAYS

Located at the crossroads of I-35, I-40 and I-44, Oklahoma City has more than 2,400 miles of four-lane roads. And, the state of Oklahoma has more than 12,000 miles of state highways, excellent turnpikes, and an interstate system providing a vital link to all major U.S. markets. There are about 15,000 common and/or contract motor freight carriers operating in the state, providing fast and efficient truck transportation to all points on the continent.

#### AIR

Will Rogers World Airport sits on more than 8,000 acres of land and serves six airlines flying nonstop to 19 destinations in 17 cities. In addition, the airport serves a number of charter services. Will Rogers World Airport is one of the 10 largest airports in the country by land area, and the largest small hub airport in the nation. The airport operates three runways: two 9,800-ft parallel runways and one 7,800-ft crosswind runway and can accommodate any size aircraft. Currently, the facility is home to 67 companies, including the FAA Mike Monroney Aeronautical Center, The Federal Bureau of Prisons Transfer Center, Southwest Airlines Reservation Center and the Metro Tech Aviation Career Center. Learn more about Will Rogers World Airport at www.flyokc.com.

The City also operates Wiley Post Airport, a general aviation airport that boasts nearly 80,000 flight operations every year, as well as Clarence E. Page Airport, a grassroots general aviation airport south of Yukon, Oklahoma.

#### **TRAIN**

Amtrak service is provided via The Heartland Flyer, which makes daily runs to Fort Worth, Texas. The train departs from the historic Santa Fe Depot at the front door of Bricktown — Oklahoma City's entertainment district. Two major lines provide most of the rail transportation in the Oklahoma City MSA: Union Pacific and BNSF Railway. These lines have more than 4,000 miles of track and connect Oklahoma communities with other U.S. cities, markets and ports.

#### **NON-STOP SERVICE**

Atlanta	Delta
Baltimore	Southwest
Chicago O'Hare	American, United
Dallas Love Field	Southwest
Dallas/Ft. Worth	. American
Denver Frontier, S	Southwest, United
Detroit	Delta
Houston/Hobby	Southwest
Houston/Intercontin	ental
C	ontinental

Kansas City	Southwest
Las Vegas	Southwest
Los Angeles	United
Memphis	Delta
Minneapolis	Delta
New York/Newark.	.Continental
Phoenix	Southwest
Salt Lake City	Delta
St. Louis	Southwest
Washington D.C	United

#### DISTANCE AND DELIVERY TIME FROM OKLAHOMA CITY TO MAJOR U.S. CITIES **Major Cities** Distance (Miles) **Delivery Time (days)** Highway Rail Motor Carrier Rail 4 868 1,006 3 Atlanta 3 3 896 846 Chicago 200 Dallas 388 1 7-8 hours 630 792 3 2 Denver Detroit 1,086 1,230 3 4 Houston 437 638 2 1.5 2 Kansas City 339 379 1 1,489 3 6 Los Angeles 1,367 2 3 Memphis 474 583

1,000

1,592

2,360

539

5

5

2

5

Same Day: Dallas, Houston, Chicago, Denver, Memphis Overnight: Los Angeles, New York, Atlanta, Detroit

**New Orleans** 

New York

St. Louis

Seattle

718

1,548

462

2,021

# **CLIMATE**

3

7

5

The average annual temperature is  $60^{\circ}$  F with an average rainfall of 33.36 inches and average snowfall of 9.7 inches per year. The average number of flying days is 350 per year - the same number of days you'll see the sun shining in Oklahoma City.

January	37°	July	82°
February	42°	August	81°
March	51°	September	73°
April	60°	October	62°
May	68°	November	49°
June	77°	December	40°
Source: Oklahom	a Climatological S	urvey	



Oklahoma City is the most populous city in the state of Oklahoma. From 2000 to 2010, Oklahoma City's population grew by more than 14.6%, and has experienced a 1.3% average annual growth rate. In 2010, the Oklahoma City MSA population was estimated to be 1,252,987, while Oklahoma City's population was 579,999.

## POPULATION BY RACE AND ETHNIC GROUP

	% WI 2000	hite 2010	% B 2000	lack 2010	% Native / 2000	American 2010	% A 2000	sian 2010	% Hispani 2000	c Origin* 2010
OKC MSA	75.7	73.7	10.6	10.7	4.2	3.8	2.5	3.1	6.7	10.3
Oklahoma City	68.4	62.7	15.4	15.1	3.5	3.5	3.5	4.0	10.1	17.2
Oklahoma County	70.4	64.6	15.0	15.4	3.4	3.5	2.8	3.0	8.7	15.1
Oklahoma	76.2	72.2	7.6	7.4	7.9	8.6	1.4	1.7	5.2	8.9

<sup>\*</sup>Persons of Hispanic Origin may be of any race. SOURCE: 2010 Census

# **HOUSING: MOVING TO OKLAHOMA CITY**

This vibrant, active city is even more liveable because of its affordability. Unlike many metropolitan areas today, you can afford to live comfortably in a quality home, while still enjoying the area's arts, entertainment and recreational opportunities. Explore the neighborhoods layered with personality, colorful art enclaves and plenty of clean, green spaces.

The ACCRA Cost of Living Index shows that Oklahoma City is 17.8 percent below the national average in terms of housing costs.

#### **NEW HOME AVERAGE SALES PRICE**

•\$250,492 for 2,400 sq. ft. new-build home

#### **AVERAGE RENTAL RATE**

•\$693 per month for 2-bed, 2-bath, 950 sq. ft., unfurnished apartment

Source: ACCRA Cost of Living Survey, 2010 Annual Data



#### **MAJOR INDUSTRIES:**

The economy of the Greater Oklahoma City region is diverse. While federal, state and local government are the largest employers, and the oil and natural gas sector generates the largest revenues, the area's major private sector economic contributors include:

- Aviation & Aerospace: With the largest concentration of aviation and aerospace firms in the state, the Greater Oklahoma City region's 265 firms employ 38,000 workers - and growing. Nearly 65 percent of the workforce at Tinker Air Force Base - the largest single site employer in the state - consists of civilian contractors and service providers.
- Bioscience: Oklahoma City's Bioscience presence is generating national and international attention. Companies within this industry are dedicated to providing Bioscience goods and services, as well as education and research testing.
- Energy: Oklahoma City is the Energy capital of the state. Energy accounts for approximately 3% of metro employment but more than 7% of total compensation. The sector draws its strength from several Energy companies with headquarters in the city.
- Health Care: As one of the nation's major centers of healthcare
  delivery, Oklahoma City employs more than 22,000 health care
  sector workers. The city's twenty general medical and surgical hospitals, four specialized hospitals
  and two federal medical installations combine to offer outstanding healthcare.
- Manufacturing: This broad category includes metals and machinery; building materials; food
  products; and medical devices and equipment. With more than 35,000 employed, the manufacturing
  sector represents approximately seven percent of the Oklahoma City MSA's total nonagricultural labor
  force.
- Professional, Business & Financial Services: Similar to the healthcare sector, the Oklahoma City region provides business and financial services to a market that extends beyond the state boundaries.
- Wholesale and Retail Trade: High retail trade activities
  are a direct result of Oklahoma City's centralized location and
  accessibility. The unique nature of Oklahoma's urban structure,
  with only two major urban centers (Oklahoma City and Tulsa),
  positions Oklahoma City as a major retail center. Presently, there
  are 21 trade areas with 214 centers throughout the Oklahoma
  City MSA, with total taxable sales of \$12.7 billion annually.

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**Cost of Living Index** 



#### **LEADING EMPLOYERS:**

The following table shows the major employers in the Oklahoma City metropolitan area.

COMPANY	PRODUCT/SERVICE	EMPLOYEES
011 (011)		40.000
State of Oklahoma	Government	42,000
Tinker Air Force Base	Military	28,000
OU - Norman Campus	Higher Education	11,650
FAA Mike Monroney Aeronautical Center	Aerospace	8,000
INTEGRIS Health*	Health Care	7,000
OU Health Sciences Center	Higher Education	4,200
Chesapeake Energy Corp*	Oil & Gas	4,000
OGE Energy Corp.*	Utility Health Care	3,450
Mercy Health Center*		3,450
AT&T	Telecommunications Health Care	3,000
SSM Health Care of Oklahoma, Inc.*		2,750
Devon Energy Corp* OU Medical Center	Oil & Gas	2,600
	Health Care Wholesale & Retail	2,600 2,500
Hobby Lobby Stores Inc* Dell	Sales & Business Service	2,500 1,700
Hertz Corporation	Rental Services	1,700
Farmers Insurance Group	Customer Service	1,600
IIPS	Transportation	1,550
Cox Communications*	Telecommunications	1,400
Deaconess Hospital*	Health Care	1,400
Johnson Controls	Manufacturing	1,200
Midfirst Bank*	Finance	1,150
Rose State College	Higher Education	1,100
American Fidelity*	Finance/Insurance	1,000
	Higher Education	1,000

# **EDUCATION**

#### **WORKING TOGETHER**

Civic, business and education leaders developed a blueprint that has changed the area's largest school district,

Oklahoma City Public Schools, forever. In 2001, Oklahoma City voters approved MAPS for Kids, a comprehensive education reform plan that raised \$700 million for Oklahoma City Public

Schools and surrounding school districts.

In addition to building seven schools and renovating 65 others, the comprehensive plan calls for strategic academic reforms; improved student achievement; restored classroom discipline; and increased accountability with students, parents and the community.

This innovative vision for our school system was reaffirned in October 2007, when voters overwhelmingly approved a \$248.3 million bond by 78 percent! This support helped to earn Oklahoma City a spot as one of the "100 Best

Communities for Young People" by the America Promise Alliance in 2005, 2007 and again in 2008.

# **EDUCATION CONT.**

#### HIGHER EDUCATION

In the Greater Oklahoma City area, there are 18 public and private colleges and universities, including two comprehensive universities, Oklahoma State University and the University of Oklahoma. These institutions of higher learning provide thousands of undergraduate and graduate degree opportunities. Oklahoma also has a nationally acclaimed Career and Technology system, offering programs and services in 29 technology center districts operating on: 56 campuses, 398 comprehensive school districts, 25 skill centers and three juvenile facilities. Not only do these centers provide training to high school and post-secondary students, they also provide invaluable training services to a variety of businesses in a number of different skill areas.

## **AREA COLLEGES & UNIVERSITIES**

	Very and the later	
Colleges		Fall 2010 Enrollment
University of Oklahoma	25,829	State, four-year
OU Health Sciences Center	3,854	State
OU College of Law	539	State
Oklahoma State University	23,178	State, four-year
OSU-Oklahoma City	7,647	Two-year
University of Central Oklahoma	17,101	State, four-year
Oklahoma City Community College	14,858	State, two-year
Rose State College	9,824	State, two-year
Oklahoma City University	3,770	Private, four-year
Langston University	2,864	State, four-year
Redlands Community College	2,482	State, two-year
University of Phoenix	2,400	Private, two/four-year
Oklahoma Christian University	2,213	Private, four-year
Southern Nazarene University	2,051	Private, four-year
Oklahoma Baptist University	1,777	Private, four-year
Mid-America Christian University	1,139	Private, four-year
University of Science and Arts of Oklahoma	1,063	State, four-year
St. Gregory's University	734	Private, four-year
Southwestern Christian University	470	Private, four-year
DeVry University	282	Private, four-year
Hillsdale Free Will Baptist College	218	Private, four-year
Total Enrollment		124,293

SOURCE: Comparative Headcount Enrollments, Oklahoma State Regents for Higher Education

#### **EDUCATIONAL ATTAINMENT (POPULATION 25 YEARS AND OVER)**

Less than High School Graduate	8.4%
High School/Technical School	28.3%
Some College	25.3%
College Graduate or Higher	27.2%

SOURCE: Census Bureau, 2009 American Community Survey

Oklahoma City's cost of living consistently ranks well below the national average — and well below cities such as Denver, Albuquerque, Kansas City and San Antonio. Oklahoma City also offers some of the most affordable housing, transportation, utilities, groceries and gas in the U.S., and residents still have more disposable income than in other cities. See the cost of living calculator in the "Moving to Oklahoma City" section of **www.okcchamber.com**.

INCOME	图的法格格。
Median Household Income	\$47,980
Under \$15,000	12.4%
\$15,000 - \$25,000	10.7%
\$25,000-\$50,000	10.7%
\$50,000-75,000	20.9%
\$75,000 - \$100,000	
\$100,000 - \$150,000	9.3%
More than \$150,000	4.1%

SOURCE: ESRI Business Analyst, 2010

# **LABOR ANALYSIS**

#### **UNEMPLOYMENT RATE**

The unemployment rate for the Oklahoma City metropolitan area was 6.4% for 2010. Increases in the area's population and labor force have kept pace with economic growth, keeping the region's unemployment rate low in comparison to the nation.

TOTAL EMPLOYMENT BY INDUSTRY	
Information	2.2%
Natural Resources and Mining	
Other	
Construction	4.6%
Manufacturing	5.4%
Financial Activities	5.9%
Lesiure and Hospitality	10.3%
Professional and Business Services	12.9%
Education and Health Services	14.0%
Trade, Transportation and Utilities	17.2%
Government	20.9%
SOURCE: 2011 Economic Forecast, Bureau of Labor Statistics, Quarte Employment & Wages	erly Census of

#### **LABOR ANALYSIS 2010**

Labor Force	573,100
Employed	536,700
Unemployed	36,400
${\sf Underemployed*}$	80,000
Unemployment Rate	6.4%
*Underemployed workers	have
training or education surp	passing
the needs of their current	position.

SOURCE: U.S. Dept. of Labor, Bureau of Labor Statistics

### **AVERAGE ENTRY LEVEL WAGE SCALES OF SELECTED BENCHMARKS**

REPORTS TO STANDARD FOR	STATE OF THE STATE	A CONTRACTOR OF THE PARTY OF TH	
Position	Hourly	Position	Hourly
Material handler	\$8.23	Computer Programmer	\$16.35
Forklift driver	\$9.86	Accountant	
Customer service rep	\$10.00	Registered Nurse	\$20.79
Computer Support Specialist		Total, All occupations	
Machinist	\$11.42		
Machine assembler	\$12.42	SOURCE: Oklahoma Employment S	Cocurity Commission
Administrative Assistant	\$12.77	300NoL. Okianoma Employment 3	occurry commission

# <u>INCENTIVES: STATE & CITY</u>

#### OKLAHOMA QUALITY JOBS PROGRAM — 10 YEAR CASH INCENTIVE

Companies can directly receive up to 5% of total payroll in the form of quarterly cash payments for up to ten years. Companies qualify if they are central administrative offices, manufacturers, research and development agencies (including wind power manufacturers), distribution centers (with 40 percent out-of-state delivery) or certain service companies (with out-of-state sales exceeding 75 percent of total sales), and must achieve a payroll (within three years) of \$2.5 million or more.

#### OKLAHOMA QUALITY JOBS — HIGH IMPACT PROGRAM

Lowers annualized payroll threshold to \$1 million for businesses that produce new direct jobs to the State that are equal to or greater than 1% of the total labor force of the county in which they locate. Payout is 2.5% of taxable wages for 6 years.

#### OKLAHOMA OUALITY JOBS — SMALL EMPLOYER PROGRAM

Allows qualifying small businesses (90 employees or less) to receive up to 5% cashback incentive for up to 7 years to locate or expand in Oklahoma. Companies, other than R&D firms, locating in Oklahoma County must be in an Opportunity Zone to qualify for this program.

#### 21ST CENTURY QUALITY JOBS INCENTIVE PROGRAM — 10 YEAR CASH INCENTIVE

Created to attract growth industries by rewarding businesses with a highly skilled workforce. Companies can receive up to 10% on new payroll for up to 10 years, or twice the net benefit of the Quality Jobs Program. The new jobs must pay an average wage of 300% of the county's average wage. This incentive targets knowledge-based service industries, such as professional, scientific and technical services, specialty hospitals, music, film, and performing arts. Out-of-state sales must be a minimum of 50%.

#### **INVESTMENT/NEW JOBS TAX CREDITS**

Provides growing manufacturers a significant tax credit based on either an investment in depreciable property OR on the addition of full-time equivalent employees engaged in manufacturing, processing, or aircraft maintenance. A five-year tax credit may be offered on the greater of 1% per year of investment in qualified property or a credit of \$500 per year per new job, doubled in an Enterprise Zone.

#### **OUALITY JOBS & INVESTMENT TAX CREDIT**

Prior to January of 2010, qualifying companies had to choose either the Quality Jobs Program OR the Investment/New Jobs Tax Credit benefits. As of January 1, 2010, companies have the option of receiving both of these incentives.



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# **INCENTIVES: STATE & CITY**

# OKLAHOMA CITY STRATEGIC INVESTMENT PROGRAM (SIP)

The SIP is a deal-closing fund that provides companies with a one-time cash payment based on newly created jobs within Oklahoma City. Qualifying companies such as manufacturing firms, headquarters and shared service or customer care operations must hire a minimum of 50 full-time employees and produce an annual payroll of \$1.75 million. Firms must also meet or exceed specific average wage thresholds. The City's grant will be performance

based, tied to the company's actual job creation and capital investment.

## PrimeWIN PRIME CONTRACTOR INCENTIVE PROGRAM

The only incentive of its kind in the nation, PrimeWIN provides a cash benefit and a certified subcontractor base for federal prime contractors. A performance-based program that requires subcontracting with an Oklahoma workforce, the prime contractor need not be located in Oklahoma. Program provides a cash rebate of up to 2% of the Oklahoma

#### **FIVE-YEAR AD VALOREM TAX EXEMPTION**

workforce loaded labor cost.

This exemption is for new, expanded or acquired manufacturing, research/development or specific computer/data processing service facilities. Real estate, machinery and equipment used directly in the manufacturing process are eligible. The exemption requires a minimum capital investment of \$250,000; \$250,000 in annual payroll in small counties and \$1 million payroll in large counties. If a \$7 million investment is made in new facilities for all facilities other than warehousing/storage and distribution; a net increase of 15 or more employees; and companies must offer a basic health benefits plan to full-time employees.

#### SALES TAX EXEMPTIONS FOR MANUFACTURERS

Machinery, equipment and tangible personal property used in design, development and manufacturing are exempt from sales tax. Inputs and consumables used in the manufacturing process are also exempt from sales tax. Oklahoma also provides for a sales tax exemption on the energy consumed in the manufacturing process.

#### **CUSTOMIZED EMPLOYEE TRAINING**

Consistently ranked as one of the top programs in the nation, Oklahoma's Training for Industry Program (TIP) provides customized training and resources to qualifying new and expanding Oklahoma companies at little or no cost to the company. Delivered through the state's Career Technology Centers, TIP ensures that companies have a productive workforce from the start.

#### **OTHER ASSISTANCE PROGRAMS**

Additional assistance programs include: Sales Tax exemptions,
Foreign Trade Zones, Financing Programs, Export Assistance,
Government Contracting Assistance, New Market Tax Credits,
Former Indian Lands Tax Credit, Aerospace Industry
Engineer Workforce Tax Credit, OK Community ED Pooled
Financing for infrastructure-related construction, CDBG/
EDIF, and Limited Industrial Road Assistance. Contact
Chamber staff for more on any of these programs.

#### **RECRUITMENT RESOURCES**

To facilitate the recruitment process, the Oklahoma Employment Securities Commission (OESC) will prescreen eligible applicants to meet the specifications outlined within job descriptions, test applicants for aptitudes in specific skills and provide any personnel functions necessary to ensure recruitment success.

For more information visit www.greateroklahomacity.com and click on "Expansion & Relocation" and then "Incentives."



# **SITE LOCATION ASSISTANCE**



Oklahoma City's construction climate, one of the most competitive in the United States, makes building a facility an affordable and viable option. Costs of commercial and industrial construction are significantly lower here than in most areas throughout the Southwest, including Dallas, Houston, Phoenix and Denver, according to the Means Square Foot Costs survey.

#### **INDUSTRIAL SITES**

The Greater Oklahoma City Chamber maintains a comprehensive online database, **www.okcedis.com**, of industrial buildings and sites for the Greater Oklahoma City region. Customized site or building searches, site and building tours or build-to-suit proposals are available.

## **Office Rental Rates**

\$18.02 - \$21.06
\$10.82 - \$16.02
\$11.57 - \$12.97
\$15.20
\$15.82

## **Industrial Rental Rates**

Bulk Warehouse	\$3 - \$5
Flex Space	\$6 - \$10
Service Warehouse	\$2.25 - \$6

SOURCE: Oklahoma City Office Market Summary, Price Edwards & Company, 2010 Mid-Year

# TAX RATES

In 2009, the state's personal income tax was reduced to 5.25%. Oklahoma's strong economy means the state's taxation and regulatory policy are competitive.

## Tax Rate FY 2008 - 09

Corporate Income Tax	6%
	8.375%
	5.25%
Ad Valorem (Property Tax)	
	Less than 1% of assessed value
	nt)1.5% of market value
Unemployment Compensation Tax -	- 1.8% on first \$13,200 of payroll and 0.2%
	to 5.8% after two years experience



#### **ENERGY COSTS**

OG&E is a fully regulated utility. Edison Electric Institute reported in July 2010, an average of 1,000KW / 400,000kWh (monthly) / \$23,396 / \$0.0585 per kWh. Industrial rates are 21% below the national average. Visit www.oge.com.

ONG's tariffs range from small commercial / industrial using 1,000 Dth to facilities using in excess of 450,000 Dth per year. Rates are determined by factors such as annual revenue and capital investment expenses incurred. Visit www.oneok.com.

UTILITIES:	
ENERGY	
Electricity	OGE Electric Services
Natural Gas	Oklahoma Natural Gas Company
WATER - CITY OF OKLAHON	MA CITY
Capacity	250,000,000 gpd
STORAGE CAPACITY	
Plant	35,500,000 gpd
Distribution	
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# **COMMUNICATIONS**

Telephone Service	AT&T and Cox Communications
Long Distance Carriers	22

# **GREATER OKLAHOMA CITY PARTNERSHIP SERVICES**

- Professional site location assistance
- Professional business retention and expansion (BRE) services
- Professional bioscience, aerospace and entrepreneurial assistance
- Comprehensive research modeling
- Identification of available real estate
- Hosting of site tours
- Workforce analysis
- Assistance with permitting and numerous other processes
- Assistance with determining financial resources
- Work with state and local partners for incentives and training benefits
- Host / connect with key groups such as investors, developers and bankers
- Manage Strategic Investment Program (SIP) application process for Oklahoma City Economic Development Trust
- And more...

#### Oklahoma Broker Relationships Act Title 59

#### Oklahoma Statutes Sections 858-351--858-363 Effective November 1, 2000

#### **PREFACE**

This pamphlet has been compiled and published for the benefit of real estate licensees and members of the general public. It is intended as a general guide and is not for the purpose of answering specific legal questions. Questions of interpretation should be referred to an attorney. If a question arises as to whether or not a licensee has failed to comply with this act, please contact the Oklahoma Real Estate Commission at (405) 521-3387.

First Printing June 2000

858-351. Definitions. Unless the context clearly indicates otherwise, as used in Section 858-351 through 858-363 of this act:

- 1. "Broker" means a real estate broker as defined in Section 858-102 of Title 59 of the Oklahoma Statutes, and means, further, except where the context refers only to a real estate broker, an associated broker associate, sales associate, or provisional sales associate authorized by a real estate broker to provide brokerage services;
- 2. "Party" means a person who is a seller, buyer, landlord, or tenant or a person who is involved in an option or exchange;
- 3. "Single-party broker" means a broker who has entered into a written brokerage agreement with a party in a transaction to provide services for the benefit of that party;
- 4. "Transaction" means those real estate activities enumerated in Section 858-102 of Title 59 of the Oklahoma Statutes which are performed by a broker;
- 5. "Transaction broker," means a broker who provides services by assisting a party in a transaction without being an advocate for the benefit of that party.
- **858-352.** Written brokerage agreement. A broker may enter into a written brokerage agreement to provide services as either a single-party broker or a transaction broker. If a broker does not enter into a written brokerage agreement with a party, the broker shall perform services only as a transaction broker.

#### 858-353. Transaction broker--Duties and responsibilities. A transaction broker shall have the following duties and responsibilities:

- 1. To perform the terms of the written brokerage agreement, if applicable:
- 2. To treat all parties with honesty;
- 3. To comply with all requirements of the Oklahoma Real Estate License Code and all applicable statutes and rules; and
- 4. To exercise reasonable skill and care including:
  - a. timely presentation of all written offers and counteroffers,
  - b. keeping the party for whom the transaction broker is providing services fully informed regarding the transaction,
  - c. timely accounting for all money and property received by the broker,
  - d. keeping confidential information received from a party confidential as required by 858-357 of this act, and
  - e. disclosing information pertaining to the property as required by the Residential Property Condition Disclosure Act.

#### 858-354. Single-party broker--Duties and responsibilities.

- A. A broker shall enter into a written brokerage agreement prior to providing services as a single-party broker.
- B. The single-party broker shall have the following duties and responsibilities:
  - 1. To perform the terms of the brokerage agreement;
- 2. To treat all parties with honesty;
- 3. To comply with all requirements of the Oklahoma Real Estate License Code and all applicable statutes and rules; and
- 4. To exercise reasonable skill and care including:
  - a. timely presentation of all written offers and counteroffers,
  - b. keeping the party for whom the single-party broker is performing services fully informed regarding the transaction,
  - c. timely accounting for all money and property received by the broker,
  - d. keeping confidential information received from a party confidential as required by 858-357 of this act,
  - e. performing all brokerage activities for the benefit of the party for whom tile single-party broker is performing services unless prohibited by law.
  - f. disclosing information pertaining to the property as required by the Residential Property Condition Disclosure Act, and
  - g. obeying the specific directions of the party for whom the single-party broker is performing services that are not contrary to applicable statutes and rules or contrary to the terms of a contract between the parties to tile transaction.
- C. In the event a broker who is a single-party broker for a buyer or a tenant receives a fee or compensation based on a selling price or lease cost, such receipt does not constitute a breach of duty or obligation to the buyer or tenant if fully disclosed to the buyer or tenant in the written brokerage agreement.

# 858-355. Alternative relationships entered into where broker assists one or both parties--Written disclosure--Written consent--Contents of brokerage agreement--Withdrawal by broker--Referral fees--Cooperation with other brokers.

- A. When assisting one party to a transaction, a broker shall enter into one of the following relationships:
  - 1. As a transaction broker without a written brokerage agreement:
  - 2. As a transaction broker through a written brokerage agreement; or
  - 3. As a single-party broker through a written brokerage agreement.
- B. When assisting both parties to a transaction, a broker may enter into the following relationships:
  - 1. As a transaction broker for both parties;
  - 2. As a single-party broker for one party and as a transaction broker for the other party. In this event, a broker shall disclose in writing to the party for whom the broker is providing services as a transaction broker, the difference between a transaction broker and a single-party broker, and that the broker is a single-party broker for the other party and performs services for the benefit of the other party in the transaction; or
  - 3. As a transaction broker where the broker has previously entered into a written brokerage agreement to provide services as a single-party broker for both parties. In this event, the broker shall obtain the written consent of each party before the broker begins to perform services as a transaction broker. The written consent may be included in the written brokerage agreement or in a separate document and shall contain the following information:
    - a. a description of the transaction or type of transactions that might occur in which the single-party broker seeks to obtain consent to become a transaction broker.
    - a statement that in such transactions the single-party broker would perform services for more than one party whose interest could be different or even adverse and that such transactions require the broker to seek the consent of each party to such transactions to permit a change in the brokerage relationship,
    - c. a statement that by giving consent in such transactions:
      - the party will allow the broker to change the broker's relationship from performing services as a single-party broker to performing

- services as a transaction broker.
- 2) the broker will no longer provide services for the benefit of the party, but may only assist in such transactions,
- 3) the broker will not be obligated to obey the specific directions of the party but will assist all parties to such transactions,
- 4) the party will not be vicariously liable for the acts of the broker and associated associates, and
- 5) the broker's obligation to keep confidential information received from the party confidential is not affected,
- d. a statement that the party is not required to consent to the change in the brokerage relationships in such transactions and may seek independent advice.
- e. a statement that the consent of the party to change the brokerage relationship in such transactions has been given voluntarily and that the written consent has been read and understood by the party, and
- f. a statement that the party authorizes the broker to change the brokerage relationship in such transactions and to assist all parties to such transaction as a transaction broker.
- C. 1. If neither party gives consent as described in paragraph 3 of subsection B of this section, the broker shall withdraw from providing services to all but one party to a transaction. If the broker refers the party for whom the broker is no longer providing services to another broker, the broker shall not receive a fee for referring the party unless written disclosure is made to all parties.
  - 2. If only one party gives consent as described in paragraph 3 of subsection B of this section, the broker may act as a transaction broker for the consenting party and continue to act as a single-party broker for the nonconsenting party. In this event, the broker shall disclose in writing to the consenting party that the broker remains a single-party broker for the nonconsenting party and performs services for the benefit of the nonconsenting party.
- D. A broker may cooperate with other brokers in a transaction. Under Sections 858-351 through 858-363 of this act, a broker shall not be an agent, subagent, or dual agent and an offer of subagency shall not be made to other brokers.

#### 858-356. Disclosures--Confirmation in writing.

- A. Prior to the signing by a party of a contract to purchase, lease, option or exchange real estate, a broker who is performing services as a transaction broker without a written brokerage agreement shall describe and disclose in writing the broker's role to the party.
- B. Prior to entering into a written brokerage agreement as either a transaction broker or single-party broker, the broker shall describe and disclose in writing the broker's relationship to the party.
- C. A transaction broker shall disclose to the party for whom the transaction broker is providing services that the party is not vicariously liable for the acts or omissions of the transaction broker.
- D. A single-party broker shall disclose to the party for whom the single-party broker is providing services that the party may be vicariously liable for the acts or omissions of a single-party broker.
- E. The disclosure required by this section and the consent required by Section 858-355 of this act must be confirmed by each party in writing in a separate provision, incorporated in or attached to the contract to purchase, lease, option, or exchange real estate. In those cases where a broker is involved in a transaction but does not prepare the contract to purchase, lease, option, or exchange real estate, compliance with the disclosure requirements must be documented by the broker.
- **858-357. Confidential information**. The following information shall be considered confidential and shall not be disclosed by a broker without the consent of the party disclosing the information unless consent to disclosure is granted by the party disclosing the information, the disclosure is required by law, or the information is made public or becomes public as the result of actions from a source other than the broker:
  - . That a party is willing to pay more or accept less than what is being offered;
  - 2. That a party is willing to agree to financing terms that are different from those offered; and
  - 3. The motivating factors of the party purchasing, selling, leasing, optioning, or exchanging the property.
- **858-358. Duties of broker following termination, expiration, or completion of performance.** Except as may be provided in a written brokerage agreement between the broker and a party to a transaction, the broker owes no further duties or responsibilities to the party after termination, expiration, or completion of performance of the transaction, except:
  - 1. To account for all monies and property relating to the transaction; and
  - 2. To keep confidential all confidential information received by the broker during the broker's relationship with a party.
- **858-359.** Payment to broker not determinative of relationship. The payment or promise of payment or compensation by a party to a broker does not determine what relationship, if any, has been established between the broker and a party to a transaction.
- **858-360. Abrogation of common law principles of agency—Remedies cumulative.** The duties and responsibilities of a broker specified in Sections 858-351 through 858-363 of this act shall replace and abrogate the fiduciary or other duties of a broker to a party based on common law principles of agency. The remedies at law and equity supplement the provisions of Sections 858-351 through 858-363 of this act.
- **858-361.** Use of Word "agent" in trade name. A real estate broker is permitted under the provisions of Sections 858-351 through 858-363 of this act to use the word "agent" in a trade name.
- **858-362.** Vicarious liability for acts or omissions of real estate licensee. A party to a real estate transaction shall not be vicariously liable for the acts or omissions of a real estate licensee who is providing services as a transaction broker under Section 858-351 through 858-363 of this act.
- **858-363. Associates of real estate broker—Authority.** Each broker associate, sales associate, and provisional sales associate shall be associated with a real estate broker. A real estate broker may authorize associates to enter into written agreements to provide brokerage services in the name of the real estate broker.