

Commercial Realty Resources Company mulitfamily investment services



Arkansas Oklahoma Kansas



Country Creek Apartments

10300 S. Western Oklahoma City, Oklahoma 320-Units

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www.crrc.us

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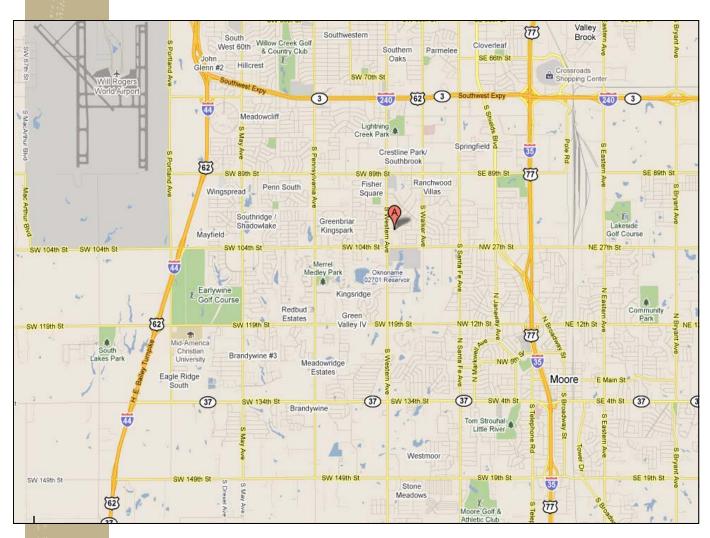




10300 S. Western Oklahoma City, OK



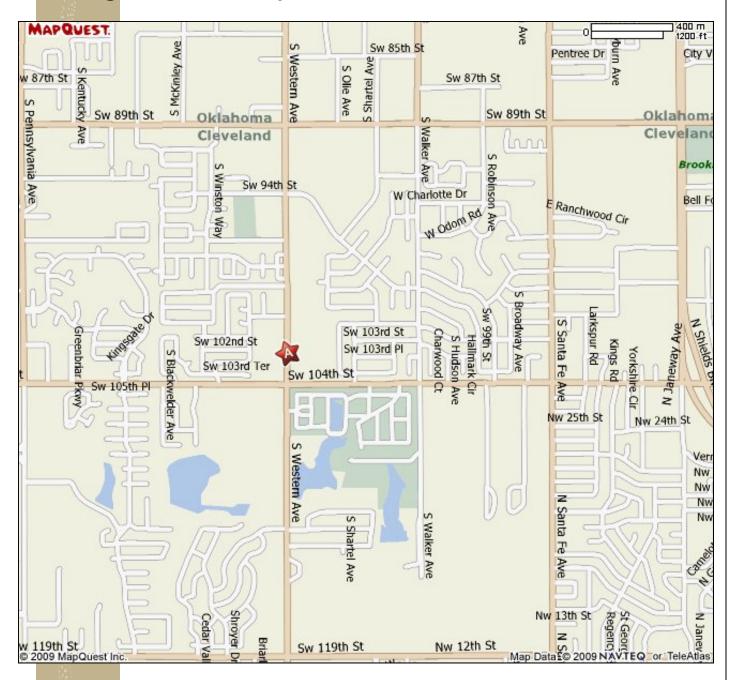
Submarket Map



10300 S. Western Oklahoma City, OK



Neighborhood Map



10300 S. Western Oklahoma City, OK



Aerial Photo



10300 S. Western Oklahoma City, OK



Offering Description

Country Creek is a 320-unit two-story garden style apartment community located in prestigious southwest Oklahoma City near upscale residential neighborhoods and in the highly acclaimed Moore school district.

The property is convenient to Will Rogers Airport, fine dining and shopping, I-240, I-35 and I-44. The Country Creek location has easy access to Downtown and Bricktown, Tinker AFB, and the nearby Oklahoma City Community College.

Country Creek had storm damage in May of 2010 and the property had new roofs and parking lots installed in late 2010 & 2011. The occupancy and income dropped in 2010 as a result of the construction and the impact on leasing. The property has now stabilized in the mid 90's and leasing has been very strong. Underwriting should be done on the current Rent Roll and operations going forward.



Offering Highlights:

- Complete New Roofs and Parking Areas in 2010 / 2011
- Buyer can secure New Financing
- One of the strongest rental markets in Oklahoma City
- Near Schools, Shopping, Dining and Major Employers
- Moore School District
- Excellent Location at the intersection of Western and 104th Street
- 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 is scheduled to open in August 2011 with 348,000 square foot of retail space and is expected to create 1,000 new retail jobs.
- Oklahoma County, the state's largest county, had a 4.8 percent unemployment rate for April, down from 5.5 percent in March and 6.6 percent in April 2010.

10300 S. Western Oklahoma City, OK



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Property Description: Country Creek is a two-story garden style apartment commu-

nity located in south Oklahoma City. Country Creek has an excellent location on 104th and South Western The property is located in the highly acclaimed Moore School District and has convenient access to Interstate 35 and 240. This is a very popular area of south Oklahoma City and within minutes of

major employers, shopping, dining and entertainment.

Number of Units: 320

Number of Buildings: 21 two-story apartment buildings and 1 single-story office/

laundry building.

Year Built: 1985 (according to courthouse records)

Apartment Features: Fully equipped kitchens | Breakfast bars | Accent lighting |

Generous closets | Ceiling fans | Private exterior storage | Mi-

crowave ovens

<u>Property Amenities:</u> Swimming Pool

Covered Parking Moore School District Laundry Facility

Construction:

Style: Two-Story Garden Style

Exterior: Brick Veneer with wood trim and composite siding

Roof: Gable Roofs with Composition Shingles (New in 2010)

Mechanical System:

Electrical Metering: Individually Metered

HVAC: Individual HVAC

Hot Water: Individual Hot Water Heaters

Water: Provided by Property

Site/Land Area: 12.41 acres (according to courthouse records)

Density: 25.78 units per acre

Current Occupancy: 96%

Real Estate Taxes: R0053923

Assessed Value (2010): 1,136,927

Tax Rate: 119.6

Tax Amount: \$135,976

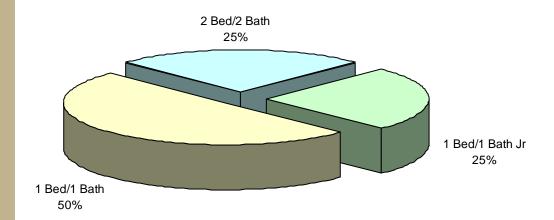
10300 S. Western Oklahoma City, OK



UNIT MIX

No.	Tyբ#Bdrm/Bth	Sq.Ft.	Total Sq.Ft.	Avg Rent	Rent/Sq.Ft.	Gross/Mo.	Gross/Yr.
80	1Bed/1 Bath Jr	500	40,000	454.36	0.91	36,349	436,186
160	1 Bed/1 Bath	600	96,000	495.00	0.83	79,200	950,400
80	2 Bed/2 Bath	800	64,000	669.00	0.84	53,520	642,240
						-	-
320		625	200,000	528.34	0.85	169,069	2,028,826

DISTRIBUTION RATIO



10300 S. Western Oklahoma City, OK



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FLOOR PLANS



Value-add potential to add washers and dryers. This floor plan offers two closets in the bedroom with the walk-in closet backing up to the bathroom for a cost effective conversion.





10300 S. Western Oklahoma City, OK



PURCHASE PRICE & TERMS

Purchase Price: \$14,650,000

Terms of Sale: Cash

Buyer to Obtain New Financing

(existing assumable financing is noted on fol-

lowing page for reference)

Price Per Apartment Unit: \$45,781

Price Per Net Rentable Sq. Ft. \$73.25

Cap Rate: 7.02%

(Based on Proforma)

Cash-On-Cash: 8.58%

(Based on Proforma) 14.22% with Principal Reduction

10300 S. Western Oklahoma City, OK



EXISTING FINANCING

NOTE A

Original Amount/Date: \$8,060,000 (as of October 2005)

Current Balance/Date: \$7,728,713 (as of May 2011)

Interest Rate: 5.539%

Interest Only Period: December-2005 through November-2007

<u>Payment:</u> \$551,535

\$45,961/Month

Amortization: 30 Years

Maturity Date: November 2015

NOTE B \$310,000 (as of October 2005)

Original Amount/Date:

Current Balance/Date: \$307,542 (as of May 2011)

Interest Rate: 12.75%

Interest Only Period: None

Payment: \$40,425

\$3,368/Month

Amortization: 30 Years

Maturity Date: November 2015

			PROPERTY SPREAD S	HEET				
Project:	Country Creek Apartments	Р	rice:	\$ 14,650,000		Run Date:		13-Jun-11
Location:	10300 S. Western - OKC	Р	er Unit:	\$ 45,781		Cap Rate Or	n Proforma:	7.02%
Number of U	nits: 320	Р	er Foot:	\$ 73.25		Cash-On-Ca	sh Return:	8.58%
Net Rentable	s.F. 200,000	N	Nortgage Balances:	\$ 11,720,000		CC with Prin	cipal Reduction:	14.22%
Avg. Unit Size	•		• •	\$ 2,930,000	20%	GRM:		7.22
No.	Type #Bdrm/Bth	Sq.Ft.	Total Sq.Ft.		Avg Rent	Rent/Sq.Ft.	Gross/Mo.	Gross/Yr
80	1Bed/1 Bath Jr	500	40,000		454.36	0.91	36,349	436,186
160	1 Bed/1 Bath	600	96,000		495.00	0.83	79,200	950,400
80	2 Bed/2 Bath	800	64,000		669.00	0.84	53,520	642,240
00	2 Bea/2 Batti	000	04,000		000.00	0.04	-	-
320		625	200.000		528.34	0.85	169,069	2.028.826
020		May 2011	Current Rent Roll		Proforma	0.00	Proposed Fannie Ma	,,
		Trailing 12	May. 2011		rioioiiia		r repessed r diffile ind	0 20011
NCOME		Trailing 12	Iviay. 2011			Per Unit		
III OOME	Gross Potential		2,028,826		2,028,826		Current Bal. Jun-11 \$	11,720,000
	Loss-to-Lease		31,680		-,020,020	-	Original Bal. Jun-11 \$	11,720,000
	Vacancy and Credit Loss		8% 172,876	5%	101,441	317	Maturity	10
	Effective Rental Income	1,622,258	1,824,269	070	1,927,384	6,023	Amortization	30
	Laundry & Other Income	80,555	92,600		92,600	289	Interest Rate	5.250%
	RUBS Income	35,675	35,600		35,600	200	Constant	6.626%
	Gross Operating Income	1,738,488	1,952,469		2,055,584	6.424	Debt Service \$	776,619
EXPENSES	erere eperaning meaning	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	1,00=,100		_,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	-,	Debt Coverage Ratio	1.32
LXI LINOLO	R E Taxes	129,317	210,000		210,000	656	Principle Reduction Yr 1 \$	165,258
	Insurance	39,205	56,000		56,000	175		,
	Gas	5,416	5,500		5,500	17		
	Electricity	53,213	53,200		53,200	166		
	Water / Sewer	74,891	75,000		75,000	234		
	Trash	18,945	19,000		19,000	59		
	Maintenance/Repairs	200,020	70,000		70,000	219		
	Landscaping	35,792	37,000		37,000	116		
	Wages & Payrol Taxes	286,523	272,000		272,000	850		
	Management Fee	68,937	3.5% 68,336	3.5%	71,945	225		
	Advertising	13,538	13,000		13,000	41		
	Administration	63,011	65,000		65,000	203		
	Replacement Reserves Total Operating Expenses	988.808	80,000 1,024,036		80,000 1,027,645	250	-	
	Per Unit	3,090	3,200		1,027,043	3,211		
	Per Sq Ft	4.94	5.12			5.14		
	Net Operating Income	749,680	928,433		1,027,939	3,212		
		,	3=3, 333		.,,	*,- :-		
	Debt Service	_	0		776,619	2,427		
			928,433		251,320	,	4	

Country Creek had storm damage in May of 2010 and the property had new roofs and parking lots installed in late 2010 / 2011. The occupancy and income dropped in 2010 as a result of the construction and the impact on leasing. The property has now stabilized in the mid 90's and leasing has been very strong. Therefore, underwriting will need to be done on the current Rent Roll and operations going forward.

10300 S. Western Oklahoma City, OK



Sold Comparison

Property Address: 9516 S. Shields, Moore, OK

Size and Age: 360-units, Built in 1985

Price: \$17,850,000 **Price Per Unit**: \$49,583

Closing Date: 03/2011

Total Square Footage: 303,042

Note: The sale of Countryside Village represents the sale of the LLC interest and was not shown on County Records . The purchase price is based on 80% LTV of the \$14,280,000 loan amount that is recorded 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

Countryside Village



Property Address: 4317 SW 22nd Street, Oklahoma City, OK

Size and Age: 368-units, Built in 1986

Price: \$15,597,500 Price Per Unit: \$42,384

Closing Date: 10/2009

Total Square Footage: 259,726



10300 S. Western Oklahoma City, OK



Sold Comparison

Property Address: 1920 E Second Street, Edmond, OK

Size and Age: 488-units, Built in 1985

Price: \$24,281,000 Price Per Unit: \$49,756

Closing Date: 10/2009

Total Square Footage: 371,984

Property Address: 3016 SW 89th, Oklahoma City, OK

Size and Age: 216-units, Built in 1984

Price: \$9,360,000 Price Per Unit: \$43,333

Closing Date: 07/2009

Total Square Footage: 142,704

Note: The sale of The Hunt represents the sale of the LLC interest and was not shown on County Records . The purchase price is based on 80%

LTV of the loan amount that is recorded of public record..





Country Creek 10300 S. Western

10300 S. Western Oklahoma City, OK



Sold Comparison Summary

Property	Price/Unit	Overall Price	No. Unit	Year Built	Price Per Square Foot
Countryside Village	\$49,583	\$17,850,000	360	1985	\$58.90
Woodrun Village	\$39,062	\$7,500,000	192	1985	\$64.67
Watersedge	\$42,384	\$15,597,500	368	1986	\$60.05
Oxford Oaks	\$49,756	\$24,281,000	488	1985	\$65.27
The Hunt	\$43,333	\$9,360,000	216	1984	\$65.59
Average	\$45,929	\$74,588,500	1,624		\$62.50
Country Creek	\$45,781	\$14,650,000	320	1985	\$73.25



10300 S. Western Oklahoma City, OK



Sold Comparison Map



10300 S. Western Oklahoma City, OK



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RENT COMPS

In order to estimate market rents for Country Creek, five 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 Country

1. Countryside Village 9516 S. Shields Blvd Moore 73160



No.	#Bdrm/Bth	Sq.Ft.	Total Sq.Ft.	Avg Rent	Rent Sq.Ft.	Gross Mo.	Gross/Yr.
162	1Bd/1Bath	708	114,696	\$590	\$0.83	\$95,580	\$1,146,960
62	2Bd/1Bath	875	54,250	\$630	\$0.72	\$39,060	\$468,720
136	2Bd/2Bath	986	134,096	\$710	\$0.72	\$96,560	\$1,158,720
360		842	303,042	\$642	\$0.76	\$231,200	\$2,774,400

2. **The Hunt**3016 SW 89th Oklahoma City 73159



No.	#Bdrm/Bth	Sq.Ft.	Total Sq.Ft.	Avg Rent	Rent Sq.Ft.	Gross Mo.	Gross/Yr.
48	1Bd/1Bath	468	22,464	\$474	\$1.01	\$22,752	\$273,024
128	1Bd/1Bath	662	84,736	\$565	\$0.85	\$72,320	\$867,840
40	2Bd/2Bath	868	34,720	\$740	\$0.85	\$29,600	\$355,200
216		657	141,920	\$577	\$0.88	\$124,672	\$1,496,064

3. Oak Place 12500 South Western Oklahoma City 73170



No.	#Bdrm/Bth	Sq.Ft.	Total Sq.Ft.	Avg Rent	Rent Sq.Ft.	Gross Mo.	Gross/Yr.
80	1Bd/1Bth	600	48,000	\$525	\$0.88	\$42,000.00	\$504,000
80	1Bd/1Bth	750	60,000	\$590	\$0.79	\$47,200.00	\$566,400
80	2Bd/2Bth	900	72,000	\$680	\$0.76	\$54,400.00	\$652,800
240		750	180,000	\$598	\$0.80	\$143,600	\$1,723,200

10300 S. Western Oklahoma City, OK



4. Eastlake Village 12901 South Western Oklahoma City 73170



I	No.	#Bdrm/Bth	Sq.Ft.	Total Sq.Ft.	Avg Rent	Rent Sq.Ft.	Gross Mo.	Gross/Yr.
i	64	1Bd/1Bth	600	38,400	\$509	\$0.85	\$32,576.00	\$390,912
	56	2Bd/1Bth	710	39,760	\$599	\$0.84	\$33,544.00	\$402,528
	57	2Bd/2Bth	750	42,750	\$639	\$0.85	\$36,423.00	\$437,076
١	177		683	120,910	\$579	\$0.85	\$102,543	\$1,230,516

5. Winchester Run 201 SE 89th Oklahoma City 73139



No.	#Bdrm/Bth	Sq.Ft.	Total Sq.Ft.	Avg Rent	Rent Sq.Ft.	Gross Mo.	Gross/Yr.
48	1Bd/1Bath	476	22,848	\$425	\$0.89	\$20,400	\$244,800
96	1Bd/1Bath	572	54,912	\$475	\$0.83	\$45,600	\$547,200
48	2Bd/2Bath	796	38,208	\$629	\$37.93	\$30,192	\$362,304
192		604	115,968	\$501	\$0.83	\$96,192	\$1,154,304

10300 S. Western Oklahoma City, OK



Rent and Square Footage Comparison

Pro	operty Name	Overall Effective Rent per Sq. Ft.	Market Rent (1Bed Small)	Market Rent (1Bed)	Market Rent (2Bed)	Square Footage (1Bed Small)	Square Footage (1Bed)	Square Footage (2Bed)
1	Countryside Village	\$0.76		\$590	\$685		708	951
2	The Hunt	\$0.88	\$474	\$565	\$740	468	662	868
3	Oak Place	\$0.80	\$525	\$590	\$680	600	750	900
4	Eastlake Village	\$0.85		\$509	\$619		600	730
5	Winchester Run	\$0.83	\$425	\$475	\$629	476	572	796
	Total/Average	\$0.81	\$484	\$553	\$667	530	665	868
	Country Creek	\$0.85	\$454	\$495	\$669	500	600	800

10300 S. Western 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° 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

^{*}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.

DESCRIPTION OF THE
91.7
95.5
132.4
116.8
103.1
99.3
216.4
88.2
96.4
91.5
163.8
121.2
139.9
100.0

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 surpassing				
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	
WASTEWATER/SEWER - CI	AND THE PROPERTY OF A CONTROL OF THE PROPERTY
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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.